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Journalists Under Attack: Global Perspectives on Threats, Violence and Impunity

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Journalists under attack

Global perspectives on threats, violence and impunity

EDWARD L. CARTER, EDITOR

T*he digital and physical intimidation and injuries to journalists cause harm to not only journalists but also the societies they serve. Society suffers when journalists are silenced because the valuable information they would have provided is prevented from entering the public consciousness. Attacks on journalists are largely met with indifference or ineffective efforts to achieve justice. This impunity emboldens others.*

This book originated with an international online symposium in 2022 in which scholars and practitioners from around the globe met to discuss not only the problem but also possible solutions.

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Global perspectives on threats, violence and impunity

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Editor's Note

Nine out of 10 cases of attacks on journalists go unpunished.¹ More than 1,000 journalists and media workers around the world have been killed since 2006.² The grisly murder of journalist Jamal Khashoggi inside the Saudi Arabian consulate in Turkey in 2018 caused United Nations Special Rapporteur Agnes Callamard to call for creation of a standing international investigatory body, among other measures to combat impunity.³ The United Nations mechanism would focus on rapid and comprehensive investigations in cases of attacks on journalists. The evidence gathered could be used to hold perpetrators accountable, including through criminal prosecution by local authorities. Callamard also proposed a task force of international experts who could bring attention to the problem of impunity in attacks on journalists and devise solutions. Those proposals remain to be acted on.

Building on the foundation of the UNESCO Observatory of Killed Journalists, I analyzed more than 1,000 unresolved journalist killings around the world since 2006.⁴ In addition to demographic data, student researchers and I compiled narrative information about each journalist killing, using the Observatory and other public sources. Some conclusions:

About 90 percent of journalist killings are unresolved, meaning there has been no successful criminal investigation, arrest and prosecution.

About 94 percent of the killed journalists were men and 6 percent were women. There are gender-specific elements to some of the killings that merit particular attention.

The majority of journalists killed appear to have been working in broadcast media (i.e. radio and television), and oftentimes the presence of broadcast media equipment seems to have played a role in the attacks.

We categorized the circumstances of the killings as murders, including terrorist

1 IFEX, "No Impunity Campaign," at <https://ifex.org/campaigns/no-impunity/>.

2 Id.

3 Annex to the Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions: Investigation into the unlawful death of Mr. Jamal Khashoggi, A/HRC/41/CRP.1 (June 19, 2019).

4 Some of the results were published in Edward L. Carter, *The Future of International Law Freedom of Journalism: A Transitional Justice Approach*, 24 Chicago J. Int'l L. 71 (2023).

attacks; caught in crossfire; and working in dangerous zones. Murder appears to be by far the most prevalent condition. Some of the journalists were apparently killed without regard to their status as journalists but most were targeted specifically because of that status.

Many killed journalists were reporting on local crime and public corruption at the time of the attacks against them. Others, however, were just relaying poetry or music on the radio for entertainment. Yet the attacks are generally not random. Instead, journalists are targets because of their potential to influence public opinion.

Countries with more than 20 unresolved journalist killings since 2006 are led by Iraq, Syria, Mexico, Philippines, Pakistan, Somalia, Afghanistan, India, Yemen, Honduras and Brazil. Subsequent to our research, the number of journalists killed in conflicts in Ukraine and Gaza has been particularly alarming.

Many journalist killings were preceded by online or in-person threats. The international human rights law mechanisms, as well as domestic or local approaches to law enforcement, must account for the presence of these threats and their tendency to precede violence. The culture of impunity surrounding journalist attacks starts with inaction on threats, verbal attacks and online abuse.

Callamard has called for a Standing Instrument for the Criminal Investigation Into Allegations of Targeted Killing that would aim to bring justice and end impunity for attacks against journalists. Based on our analysis, I believe such an instrument should view journalism as an individual human right rather than a collective institutional press freedom. This possibility is briefly considered but not fully analyzed in the Plan of Action on the Safety of Journalists and the Issue of Impunity. As an individual human right, the freedom of journalism has a theoretical foundation of individual self-realization and autonomy, whereas the collective or corporate right to freedom of press tends to serve societal interests such as providing a check on government abuse of power; facilitating other human rights; and enabling the search for truth in the marketplace of ideas.

A key to the success of the Standing Instrument and associated Special Procedures Task Force would be for international mechanisms to develop close working relation-

ships with local governments and law enforcement authorities. If the Task Force is to successfully provide evidence to be used in local prosecutions, then obviously trust and communication between international and local officials will be important. In addition, the Standing Instrument and Task Force should work to help local news media organizations develop corporate social accountability and a rights-based culture. Ending impunity for attacks on journalists will not be easy but is critical for the welfare of society because journalists do benefit their communities while exercising their individual rights. Most of all, it will require collective will.

This book began as an online symposium in 2022 and culminates with perspectives on journalists' safety from a variety of national, cultural and other perspectives. I applaud the authors as well as the journalists, human-rights workers, government officials and civil society professionals who advocate everyday for the safety of journalists and the continuation of the important role of journalism in society. My hope is this project will inspire and strengthen that effort.

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Safety of Journalists in the Conditions of the Russian Military Invasion of Ukraine

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ABSTRACT

The main security threats for journalists in Ukraine before the Russian military invasion on February 24, 2022, were crimes against investigative journalists. These crimes occurred while journalists gathered information and conducted investigations; political journalists were also targets of these crimes. To compare how security challenges have changed for journalists since the invasion, the authors surveyed representatives of the Ukrainian media and media experts. They also analyzed how the information space of Ukraine has changed during the past eight years. A survey was also conducted to determine how the new law impacted journalists' work.

Results of the analysis and surveys indicate that after the invasion was underway, security issues became urgent for the journalists who were forced to move from the temporarily occupied territories. Security issues were also urgent for the journalists who remained in the temporarily occupied territories, who worked at the front and in hot spots, who covered the liberated territories, and who were released from captivity. The resulting changes in the information space of Ukraine supports the presumption that the attack on the telecommunications infrastructure is part of Russia's military strategy of targeting journalists. Targeting journalists violates international humanitarian law, the human right to receive information, and basic moral principles. That is why the working conditions of journalists, especially security issues during hostilities, should be regulated to protect their personal safety.

INTRODUCTION

War presents a special challenge for journalists because they risk their lives to collect news on the front lines. Unfortunately, during war and similar conflicts, governments and nongovernment actors do not adhere to international humanitarian law or basic moral principles. For example during the first months after entering Ukraine, Russia appeared to target journalists by bombarding Ukrainian television towers, firing at cars that bore “Press” inscriptions, and injuring and killing journalists. Furthermore, the Institute of Mass Information (a Ukrainian public organization that investigates media crimes), found evidence that Russia committed 413 crimes against journalists and the media in Ukraine. Those incidents of crimes against include: murdering journalists (15), abducting journalists (9), kidnapping journalists (15), wounding journalists (14), threatening journalists (58), shelling target locations (21), shelling TV towers (12), seizing and attacking newsrooms (6), committing cybercrimes (32), blocking Internet access to the media (6), and turning off Ukrainian broadcasting (18).¹ Hence, the vulnerability of Ukraine’s media infrastructure and urgency of protecting the personal safety of journalists is even more evident with Russia’s invasion into Ukraine.

LITERATURE REVIEW

However, the vulnerability of Ukraine’s media infrastructure and urgency of protecting journalists’ personal safety has been evident as early as 2014 when Russia annexed Crimea and occupied Eastern Ukraine. In response, state authorities in Ukraine prioritized security by developing countermeasures against informational and subversive activities.

Research studies into journalists’ safety

After 2014, several research studies into the safety of journalists were conducted by experts in analytical centers, such as the Ilko Kucheriv Democratic Initiatives Foundation, NGO Telekritika, Anti-Crisis Media Center, Lviv Media Forum, Institute of Mass Information, Internews-Ukraine, Academy of the Ukrainian press, Detector Media, and the National Institute of Strategic Studies. The research mainly focused on three areas: 1) information policy of the state in conditions of armed conflict; 2) manifestations of hate speech and countering them; and 3) professional standards and the safety of journalists.

Experts conducted a study on countering Russian information aggression by analyzing Russia’s information aggression against Ukraine during the period from February 2014 to March 2015.² The experts concluded that Ukrainian mass media lost to Russian

1 *Russia committed 413 crimes against journalists and the media in Ukraine during the four months of the war.* Institute of mass information (Jun 24, 2022) - <https://imi.org.ua/monitorings/413-zlochyniv-proty-zhurnalistiv-ta-media-skoyila-rosiya-v-ukrayini-za-chotyry-misyatsi-vijny-i46365?fbclid=IwAR1dbfsbafXc8Drv9JhJSzhJPJGI27guHJS2pPHiq51TvLK44i1a41FOVoE>

2 *Countering Russian propaganda in the conflict region.* MediaSapiencia (Mar. 20, 2015) - http://osvita.mediasapiens.ua/mediaprosvita/research/yakim_e_riven_pidtrimki_mesedzhiv-rosiyskoi-propagandi_u_zoni_konfliktu_sotsiologichne_opituvannya

media in the occupied territories during this period.³ In another study, experts analyzed the state of information coverage along the demarcation line. This drew the state's attention to anti-Ukrainian mass media in the majority of settlements that are located along the demarcation of Russia or Russian-occupied territories. The experts agree that combatting anti-Ukrainian mass media requires the state to implement an information policy in the region and provide quality Ukrainian content free of charge to local mass media.⁴ The study "How does Russian propaganda affect public opinion in Ukraine?" confirmed the shortcomings of the state's information policy. Experts analyzed the lack of coverage of information about the losses among the Ukrainian military, the victims among the civilian population, and the state's plans for developing front-line territories (including economic and social development, strategy), and the state's goals regarding Crimea.⁵

An additional research "Information content of TV and radio channels involved in the system of public broadcasting" confirmed there were no formalized requirements for the quality of information in Ukrainian media and no progress in the compliance of professional standards.⁶ To address that lack of progress, a number of solutions was implemented to advance the compliance of professional standards. Including the development of the *Dictionary of Neutral Terminology* for use by journalists,⁷ and the *Green Book of Disinformation* prepared by experts of the Institute of Information Security in 2022. The later publication contains the evolution and readiness of Ukraine's resistance to propaganda and targeted disinformation attacks. The *Green Book of Disinformation* also assesses the effectiveness of state's policy for ensuring information security.⁸

Research studies into the safety of journalists also analyzed the impact of hate speech, included the study, "Hate speech: how Ukrainian mass media disregard journalistic standards."⁹ Researchers highlighted the active use of hate speech by the Russian media, which provoked the same reaction in parts of Ukrainian mass media.¹⁰ In 2008 the Institute of Mass Information published "The Language of Hate: Xenophobia or Disorder," and in 2010 the European Dialogue published "Hate Crimes in Ukraine.

3 Countering Russian propaganda in the conflict region. MediaSapience (Mar. 20, 2015) -http://osvita.mediasapiens.ua/mediaprosvita/research/yakim_e_riven_pidtrimki_mesedzhiv_rosiyskoi_propagandi_u_zoni_konfliktu_sotsiologichne_opituvannya

4 Access to mass media along the demarcation line in Donetsk region (Jul. 24, 2016) -<http://detector.media/infospace/article/117136/2016-07-24-dostup-do-zmi-vzdovzh-linii-rozmezhuвання-na-donechchini-doslidzhennya>

5 How russian propaganda affects public opinion in Ukraine. Mediasapience. -http://osvita.mediasapiens.ua/mediaprosvita/research/yak_rosiyska_propaganda_vplivaє_na_suspilnu_dumku_v_ukraini_doslidzhennya/

6 Information content of TV and radio channels involved in the Public Broadcasting system: trends of 2014-2016. Detector Media (Jul 17, 2017) - http://stv.detector.media/reformuvannya/movlennya/informatsiy_niy_kontent_tele_ta_radiokanaliv_zaluchenikh_u_sistemu_suspilnogo_movlennya_tendentsii_20142016_rokiv

7 Dictionary of neutral terminology. Institute of mass information - http://imi.org.ua/photos/2015_07/1437051181.jpg

8 Green book on countering disinformation (Balan S. et al., 2022)

9 Hate speech: how Ukrainian mass media disregard journalistic standards. Detector media (Jul.05, 2017) - <http://detector.media/infospace/article/128539/2017-07-05-mova-vorozhnechi-yak-ukrainski-zmi-nekhtuyut-zhurnalistskimi-standartami/>

10 Conflict in media and media on conflict. School of Journalism of the Ukrainian Catholic University and NGO "Lviv Media Forum" (2015) - <https://fama.agency/wp-content/uploads/2020/07/Report-Conflict-in-Media.pdf>

Groups of victims and the range of consultations in the non-state sector.”

Published recommendations for journalists' safety

Recommendations for the safety of journalists in the midst of hostilities is addressed in several updated publications by the OSCE, UNESCO, “Detector Media” study, and “Institute of Mass Information” study. The manual, *Journalism in conflict conditions: best practices and recommendations*, is a collection of recommendations for media workers on how to cover the conflict and its consequences.¹¹ The manual includes several chapters, covering topics such as the safety of journalists in conflict situations, international standards and practices for conflict-sensitive journalism, and tips for working with conflict-affected groups and others. The manual, *Journalist and (not) Security*, provides practical recommendations regarding the work of journalists in dangerous conditions, taking into account conflict zones, mass riots, etc.¹² The manual covers such topics as trip planning, logistical support (choice of housing, transport, features of the selection of filming equipment, protective equipment), pre-medical assistance, psychological safety, features of work with conflict-sensitive population groups, etc. Advice concerning digital security for journalists are also presented in the research. The legal aspects of journalists' work in dangerous zones are explained through international legislation that guarantees the protection of journalists and their labor rights).

Publications for journalists' safety also included practical recommendations for journalists working in high-risk areas, as well as recommendations on how to prepare for different types of hazards in armed conflicts, epidemics, natural disasters, and street protests. Reporters Without Borders together with the National Union of Journalists of Ukraine, with the support of UNESCO, prepared a Ukrainian-language adaptation of the special edition “Safety Guide for Journalists.”¹³ In September 2022, the Academy of the Ukrainian Press prepared a video guide of recommendations for journalist safety, consisting of three parts. The first is devoted to the physical safety of a journalist, where video examples explain the nuances of the physical safety of a journalist working in a war zone. In the second part, dedicated to the professional safety of journalists, the practical experience of foreign media workers who worked and are working in Ukraine in the war zone and in other hot spots and their vision of the professional safety of journalists was used, special attention was paid to behavior on the demarcation line, methods of information interaction with local residents and first aid skills for a journalist. The third part is the journalist's digital security, which includes the nuances of maintaining access to data and devices.¹⁴

A wide range of issues, including journalists' safety, during hostilities are discussed in the research of the Commission on Journalistic Ethics of the National Union of

11 *Journalism in Conflict: Best Practices and Recommendations: A Handbook of Recommendations for Media Workers.* (2016).

12 *Journalist and (not) security. A guide for journalists who work in dangerous conditions.* (Zemlyana I., 2016)

13 *Safety guide for journalists. A guide for reporters in dangerous areas.* (UNESCO, RSF. 2022).

14 *Video manual on journalist safety. The Academy of the Ukrainian Press* (Sep. 30, 2022) - <https://www.aup.com.ua/videoposibnik-vid-aup-pro-bezpeku-zhur/>

Journalists of Ukraine. The publication reveals the peculiarities of self-regulation of the Ukrainian media during the martial law in Ukraine. The collection contains the most important decisions of the Commission on Journalistic Ethics, dedicated to the activities of journalists and the media during the period after Russia invaded Ukraine in 2022. It also presents the legal aspects of the activities of journalists during the war, reveals the issues of journalistic standards, gender equality, and explains the specifics of media work during martial law.¹⁵ Also important are the Recommendations for journalists from the Public Relations Office of the Armed Forces of Ukraine regarding the effectiveness of informing citizens and restrictions on the dissemination of information in wartime.¹⁶ This document is based on the provisions of the Law of Ukraine “On the Legal Regime of Martial Law”, which provides for a temporary restriction of constitutional rights and human freedoms, including freedom of speech. These restrictions are due to the fact that the publication of certain information may pose a risk to civilians and military personnel. After 2014, Ukrainian mass media underwent a transformation of understanding the importance of journalists’ personal safety while working in hostile conditions.

RESEARCH METHODOLOGY

To achieve the certain goals of the study, the authors applied the interdisciplinary method of discourse analysis. It is the most productive for researching the safety of journalists who work in areas of conflict. The methods of analysis and synthesis, media monitoring and content analysis were used to study the evolution of changes in the information field of Ukraine.

The safety of journalists who work in conflict territories and who work in the peaceful territory of Ukraine are relevant to the review of the literature that determined the goals of the study. Those goals include:

- 1) characterizing the regulation of journalists’ work in Ukraine during wartime;
- 2) describing how the information field of Ukraine changed after the beginning of Russia invaded Ukraine in 2014;
- 3) analyzing security challenges for journalists during the period 2014–2022; and
- 4) analyzing security threats after 2022 Russian invasion into Ukraine.

A comprehensive study of the safety factors facing journalists was carried out by conducting a two-stage expert survey. The purpose of the first stage was to obtain quantitative data for the identification and systematization of security threats to journalist activity in Ukraine after 2014. At this stage, an electronic survey was conducted during the period July 1–7, 2022. The number of the sample (N) was 101 people (including 58 women (58%) and 43 men (42%)). Age group of respondents was as follow: younger than 25 years - 9 people (9%), 26–35 years - 19 people (18%), 36–45 years - 44 people (43%), older than 46 years - 29 people (30%). The respondents of the survey were: journalists working in hot spots, editors and producers of Ukrainian traditional and

15 Self-regulation of Ukrainian media during martial law in Ukraine. From the work experience of the Commission on journalistic ethics: Analytical and reference collection (Kuzmenko A. et al., 2022)

16 Recommendations of the Department of Public Relations of the Armed Forces of Ukraine. Ministry of Defence of Ukraine (Jun 6, 2022) - https://cje.org.ua/wp-content/uploads/Dlia_ZMI-1.pdf

Internet media, media experts, media trainers, media consultants, media managers, journalism teachers at Ukrainian universities, members of the Supervisory and Public Councils of the media, representatives of the National Union of Journalists of Ukraine, and founders of domestic mass media. The purpose of the second stage was to compare the threats to the safety of journalists in the unoccupied territories and while working under martial law in Ukraine, and to determine ways to minimize security risks and summarize existing practices applied in the country. The survey was based on media workers who were forced to move to other cities or relocate to other countries after Russia invaded Ukraine's borders. The online format included an expert discussion and in-depth interviews from July 15 to 17, 2022, with 37 media workers working in hotspots from 12 national and regional Ukrainian mass media took part in these discussions.

RESEARCH RESULTS

Regulation of the work of journalists in Ukraine in wartime conditions

This section is based in part on the survey described above. In Ukraine, a model of institutional management of state information is regulated by state authorities like the Coordination Council for the Implementation of the Communication Strategy in the Field of European Integration, the Ministry of Culture and Information Policy, the Ministry of Digital Transformation, the State Committee for Television and Radio Broadcasting, the National Council of Ukraine for Television and Radio Broadcasting, and the National Commission for State Regulation in the Fields of Electronic Communications, Radio Frequency Spectrum and the Provision of Postal Services. After the war began, these state authorities joined by the Center for Countering Disinformation at the National Security and Defense Council of Ukraine, the Center for Strategic Communications and Information Security, the State Enterprise "Ukrainian State Radio Frequency Center."

Representatives of civil society also control over media activities to protect the rights and freedoms of journalists in Ukraine. Notably, the National Union of Journalists of Ukraine, the Academy of the Ukrainian Press, NGO Internews-Ukraine, NGO "Detector Media," and the Institute of Mass Information. Organizations and programs such as "Detector Media," Ukrainian Crisis Media Center, StopFake.org, VoxCheck, Texty.org.ua, InformNapalm, and the Institute of Mass Information work together to combat mass media disinformation. .

The working conditions of journalists is expected to improve with Ukraine's adoptions of the new Law of Ukraine "On Media" ("Media Law"). It was entered into force on March 31, 2023. Ukraine's parliament approved it in December 2022, ratified it on March 31, 2023, and scheduled it for implementation by January 1, 2031. The Media Law will regulate registration procedure, define rights and obligations of media, and mandate lists prohibitions and sanctions for violations. It will also require mandatory transparency of a media entity's ownership structure. The amount of programs in the state language will also be regulated. For example, national and regional TV channels

of national and regional categories, as well as radio broadcasters - not less than 90% of the total duration of programs; for TV channels of local category - not less than 80% of the total duration of programs. The National Council of Ukraine on Television and Radio Broadcasting (the “National Council”) according to the law has got authority to regulate Ukrainian media. Half of its members are appointed by the president of Ukraine, and half by Ukraine’s parliament. The Media Law grants broad powers to the national regulator (the National Council) to regulate radio, television, print, and online media. Additionally, the National Council is authorized to sanction and block the media, which previously could only be done through the courts.

The authors of the law emphasize that the adoption of a new media law is a necessary condition for Ukraine to fulfill its obligations as a candidate country for accession to the European Union (EU) and to comply with the EU Audiovisual Media Directive. In addition, the provisions of the new law should make all attempts by the aggressor country to penetrate the national information space impossible.

However, since its enforcement, the Media Law has been a topic of debate in the media community. It has been criticized by organizations that include the International Federation of Journalists, the European Federation of Journalists, the Committee to Protect Journalists, and some domestic journalists. The main concern of the domestic and international media community regarding the Media Law is the introduction of censorship, restriction of freedom of speech, and strengthening of state regulation of the media by the National Commission.

The International Federation of Journalists called on the Ukrainian authorities to revise the Media Law because it “puts the freedom and pluralism of the Ukrainian media at risk.”¹⁷ The Committee to Protect Journalists stated that “Ukraine’s media bill seriously imperils press freedom in the country by tightening government control over information at a time when citizens need it the most.”¹⁸ The National Union of Journalists of Ukraine (NUJU) and the Independent Media Trade Union of Ukraine condemned numerous problematic provisions of the law, specifically, the political dependence of the state regulator and the expansion of the spectrum of extrajudicial sanctions against mass media. Serhii Tomilenko, the head of the NUJU welcomed the audiovisual directive of the EU that is included in the Media Law and the modernization of Ukrainian media legislation.¹⁹ Tomilenko, at the same time, cautioned that authorities should conduct a broad dialogue with

17 Ukraine: IFJ calls on the government to revise new media law (June 5, 2023) - <https://www.ifj.org/media-centre/news/detail/category/press-releases/article/ukraine-ifj-calls-on-the-government-to-revise-new-media-law?fbclid=IwAR01v1SUdx3jGba1-ZBGMPU7kBG0YoruFcZMH2EyLi81ag8Ye3DWxKziWA>

18 CPJ calls on Ukrainian lawmakers to drop media bill (September 13, 2022) - <https://cpj.org/2022/09/cpj-calls-on-ukrainian-lawmakers-to-drop-media-bill/>

19 European and International Federations of Journalists call on the Ukrainian government to review the law “On Media” (January 17, 2023) - <https://nsju.org/novini/yevropejska-ta-miznarodna-federacziyi-zhurnalistiv-zaklykayut-ukrayinskyj-uryad-pereglyanuty-zakon-pro-media/>

journalists and the real media sector when introducing new rules.^{20 21}

However, the Media Law has been welcomed by Reporters without Borders (RSF) and some other public organizations.²² Despite the challenges associated with the war, RSF noted that the Media Law creates a more favorable environment for independent media and expands powers of the media regulator.²³ At the same time, RSF warns that it is necessary to change the process of appointing the members of the regulator to guarantee its complete independence and professionalism.²⁴ In May 2023, RSF appealed to President Zelenskyi with the initiative to launch a “road map” to contribute to the creation of conditions for freedom and reliability of information. RSF stressed the need to strengthen independence, pluralism, and quality of journalism. The priorities of the proposed “road map” became, in particular, the issue of the safety of the journalistic profession, the fight against impunity for crimes against journalists.²⁵

In March 2023, the Legal Opinion of the General Directorate for Human Rights and Rule of Law of the Council of Europe published an opinion on the Media Law. European experts concluded that the current version of the law is “significantly better” than the one they analyzed in September 2022.²⁶ At the same time, the Council of Europe pointed out a number of shortcomings, such as the inconsistency of the law with the Directive on hate speech and the disclosure of the reasons why a person is included in the “prohibited” list, since inclusion in such a list is a serious restriction of freedom of expression.

Ultimately, despite criticisms, media experts believe the Media Law will bring Ukraine closer to membership in the EU. It is also necessary to obtain the opinion of experts of the Venice Commission regarding the provisions of the law and their compliance with European standards.

20 European and International Federations of Journalists call on the Ukrainian government to review the law “On Media” (January 17, 2023) - <https://nsju.org/novini/yevropejska-ta-mizhnarodna-federacziyi-zhurnalistiv-zaklykayut-ukrayinskyj-uryad-pereglyanuty-zakon-pro-media/>

21 European and International Federations of Journalists call on the Ukrainian government to review the law “On Media” (January 17, 2023) - <https://nsju.org/novini/yevropejska-ta-mizhnarodna-federacziyi-zhurnalistiv-zaklykayut-ukrayinskyj-uryad-pereglyanuty-zakon-pro-media/>

22 RSF hails Ukraine’s adoption of new media law, despite war with Russia (January 11, 2023) - https://rsf.org/en/rsf-hails-ukraine-s-adoption-new-media-law-despite-war-russia?fbclid=IwAR0HprB_1WajKwWF7sA0udqJ9VhPTYIsJOBHXVxMqoaJw9Cy-0FkgJmSdhbk

23 RSF hails Ukraine’s adoption of new media law, despite war with Russia (January 11, 2023) - https://rsf.org/en/rsf-hails-ukraine-s-adoption-new-media-law-despite-war-russia?fbclid=IwAR0HprB_1WajKwWF7sA0udqJ9VhPTYIsJOBHXVxMqoaJw9Cy-0FkgJmSdhbk

24 RSF hails Ukraine’s adoption of new media law, despite war with Russia (January 11, 2023) - https://rsf.org/en/rsf-hails-ukraine-s-adoption-new-media-law-despite-war-russia?fbclid=IwAR0HprB_1WajKwWF7sA0udqJ9VhPTYIsJOBHXVxMqoaJw9Cy-0FkgJmSdhbk

25 RSF provides Zelenskiy with eight-point road-map for strengthening press freedom and reliable reporting in Ukraine (May 17, 2023) - <https://rsf.org/en/rsf-provides-zelenskiy-eight-point-road-map-strengthening-press-freedom-and-reliable-reporting>

26 Opinion of the Directorate General Human Rights and Rule of Law Information Society and Action against Crime Directorate Information Society Department prepared on the basis of the expertise by Council of Europe experts: Eve Salomon and Tanja Kerševan ON The Law “On Media” of Ukraine (February 24, 2023) - <https://rm.coe.int/dgi-2023-03-ukraine-tp-law-on-media-2751-9297-4855-1-2753-6081-2551-1/1680aa72df>

How Ukrainian media changed after 2014

Domestic media has undergone changes since 2014. Such as, 14 regional and 53 local television companies, 18 regional and 47 local radio stations, and 46 Internet providers have stopped broadcasting. According to estimates of the National Council of Ukraine on Television and Radio Broadcasting, 15% of all broadcasters in the country are not functioning.²⁷ For most of the occupied territories, Ukrainian TV and radio channels are available only on the Internet, if they are not blocked there or if users know how to bypass the occupying blocks. Additionally, radio and television broadcast equipment was destroyed by the Russian military in the occupied territories. Television and radio broadcasting in the de-occupied territories also suffered significant losses.

Ukrainian broadcasters and media also have suffered financial losses, with television stations, radio channels, and other mass media closing down or being destroyed. In addition, this almost no advertising market after the full-scale invasion, nationally or locally, to counter those financial losses. However, the advertising market is recovering after the first shock and in the first quarter of 2023 amounted to 35% compared to the same period in pre-war 2021²⁸. The All-Ukrainian Advertising Coalition also gives fairly optimistic growth expectations²⁹.

Since the war, Ukraine has launched a “single news” marathon that began on February 24, 2022. The purpose is to inform the population about the situation in Ukraine by using a single information platform for strategic communication on television and radio broadcasts. Before 2022, Russian language was often heard on Ukrainian television and radio broadcasts and appeared in many printed and online publications. Subsequent to February 24, 2022, broadcasters translated content almost 100% into the Ukrainian-language.

Security threats to journalists after the invasion

Civilian threats to journalists

Civilian attacks on journalists fall into two categories: unplanned and planned. Unplanned attacks occur in the line of duty. This is particularly true at mass events, especially if the event turns from being peaceful. Various people, guards, watchmen, and even law enforcement officers sometimes will attack journalists to disrupt them from capturing or reporting news worthy activities. The other category is more sinister. Planned attacks are purposefully intended to cause the death of journalists to prevent news reporting. In May 2019, a Cherkasy journalist, Vadym Komarov, died after being in a coma for 46 days. Komarov’s injury resulted from an unknown assailant smashing his head with a hammer then fleeing. The attack was investigated for a year, but the

27 How to counteract russian propaganda in the occupied territories Oksana Lebedina (Jul 13, 2022) -<https://zn.ua/ukr/UKRAINE/pidtrimka-zmi-ta-jikhnoji-infrastrukturi-maje-stati-nevidjemnoju-skladovoju-prohrami-vidnovlennja-ukrajini-analitik-opori.html>

28 The Ukrainian advertising market is recovering (May 14, 2023) - <https://detector.media/rinok/article/211238/2023-05-14-ukrainskyy-reklamnyy-rynok-vidnovlyuetsya/>

29 The volume of the advertising and communication market of Ukraine in 2022 (Dec 12, 2022) - <https://vrk.org.ua/news-events/2022/ad-volume-2022.html>

perpetrator was not found, nor were others who may have been involved in the plan to attack Komarov.

Military threats to journalists

Russia's invasion of Ukraine also brought military threats to the safety of media workers in the war that were temporarily occupied by the Russian Federation. Journalists were advised against having an appearance similar to military personnel. They were told to wear blue helmets, body armor and identification signs with "PRESS" in large white letters.

As a safety measure to protect journalists from military threats, the Ministry of Information Policy of Ukraine and the Ministry of Defense launched the "Embedded Journalism" program in 2015. The program tasked the Armed Forces of Ukraine with protecting journalists who worked alongside them in the anti-terrorist operations (ATO) zone. More than 100 journalists and foreign and domestic mass media were assigned to military units in the ATO zone. However, the success of the Embedded Journalism program was controversial (in 2017, the project was suspended by the Ministry of Defense of Ukraine). Threats, physical aggression, high-profile murders of journalists continued to obstruct their work.³⁰ Also, the journalistic materials contained negativity, fakes, manipulations, and leaks of confidential information. Although the vast majority of reports from the front lines were generally positive for Ukraine.

Security challenges for journalists in Ukraine during and after 2022

The safety of journalists in the occupied territories is especially dire. Wearing the "Press" inscription transforms journalists into live targets for deliberate attacks by the Russians. Other security challenges to journalists' safety include attacks, torture, arbitrary detention, confiscation of property, searches, threats, psychological pressure, prohibition of filming, and denial of access to information. Human rights organizations have collected information on more than 300 cases of these abusive transgressions against journalists in the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol. In this territory, 18 Ukrainian information sites and two social networks are completely blocked, and at least seven other online publications are only available from some providers. In the occupied territories of Donetsk and Luhansk regions, Ukrainian journalists are deprived of the opportunity to cover the events due to the immediate threats against their lives and freedom. Journalists Stanislav Aseev and Oleg Galazyuk have been held hostage in Donetsk since 2017 after being sentenced to long terms of imprisonment by the Russian federation.³¹ Associated Press video journalist Mstislav Chernov talked about what he and other journalists experienced in Mariupol. "The Russians hunted us. They had a list of names, including ours, and they were closing in on us. We were the only international journalists left in

30 Recommendations of parliamentary hearings on the topic: "Security of journalists in Ukraine: state, problems and ways to solve them" (Jan.14 2020, № 456-IX)

31 Occupied: How journalists in the occupied territories hold back from Russia Olexander Klyuzhev (Jul.13, 2022) - <https://detector.media/infospace/article/200946/2022-07-13-okupovani-yak-zhurnalisty-na-zakhoplenykh-terytoriyakh-trymayut-udar-vid-rosii/>

the Ukrainian city of Mariupol, and we documented the siege of the city by Russian troops for two weeks,” Lina Kushch, a representative of the National union of journalists of Ukraine, also talked the Russians preparing lists of journalists whom they planned to attack. According to Kushch, immediately after the capture of Severodonetsk, the Russians publicized the personal data of all journalists. Kushch’s colleagues from other regions also spoke of knowing about preliminary preparation of lists of journalists and activists by the Russians.³² The Russian practice of illegally arresting journalists in the temporarily occupied territories also still persists. Kherson journalist, Oleg Baturin was held captive from March 12 to 20 without knowing what he was accused of.

Today no editorial office of pro-Ukrainian mass media works in the occupied territories, according to the Institute of Mass Information. By cutting off access to mass media, the Russians have the opportunity to destroy Ukrainian cities without reports about their atrocities. As a result, the lack of reliable information sows panic and chaos among local residents.³³

Those who left the occupied territories

The National Union of Journalists of Ukraine opened six Journalist Solidarity Centers to support Ukrainian journalists who have left the temporarily occupied territories. The centers provide organizational, technical, material, psychological, and legal assistance as well as provide assistance with contacting domestic and foreign mass media that are covering the war in Ukraine. Donors give a variety of professional equipment to the centers for the journalists to use, such as video and photography cameras, and laptops. Body armor, helmets, and tactical first-aid kits are some of the safety protective equipment that is also donated to the center. Other financial assistance is provided by international partners who help financial small, local newsrooms by paying for labor and media equipment. The centers hold consultations on the departure of journalists from the occupied territories, organize temporary relocation abroad, conduct trainings and other educational activities to help journalists in their work during martial law. Reporters Without Borders and the Institute of Mass Information have also opened two Press Freedom Centers in Kyiv and Lviv, where journalists can receive protective safety equipment, such as bulletproof vests and helmets.³⁴

Those who work at the front and in hot spots

Working as a journalist in a war zone is life-threatening and requires military accreditation. Currently, all front-line territories are divided into zones that have their own characteristics. For example, in the green zone, journalists are allowed to work without the presence of a press officer, but with mandatory notification to the local military administration or military unit. In the yellow zone it is allowed to work only if accompanied by a press officer, and in the red zone it is prohibited to work at all.

32 The task of journalists in the occupied territories is to make material and leave, not to overthrow the regime Lina Kushch (May 02, 2022) - <https://nsju.org/navchannya/lina-kushh-zavdannya-zhurnalistiv-na-okupovanyh-terytoriyah-zrobyty-material-i-vyyihaty-a-ne-povalyty-rezhym/> (in Ukrainian)

33 Coverage of the war in Ukraine: security and freedom of speech Discussion panel of Media Center Ukraine (May 03, 2022) <https://www.youtube.com/watch?v=8wQAMTKhex0>

34 Press Freedom Centers in Ukraine (May 12, 2023) - <https://rsf.org/en/press-freedom-centers-ukraine>

Also, work in a combat zone provides for restrictions on the disclosure of information that could negatively affect the effectiveness of the Ukrainian military, for example, the location of defense forces, routes of movement of military equipment, the results of shelling, etc. Violation of these rules provides for sanctions. For example, for work in the recently liberated Kherson, journalists from the American television channels CNN and SkyNews, as well as the Ukrainian Hromadske and Suspilne, were deprived of their accreditation. This decision was criticized by international and national media organizations and the accreditation of these media was returned.

Those who visit the liberated areas

In April 2022, the city of Bucha, near Kyiv, was no longer occupied by the Russian military. Journalists visited Bucha for the first time since it had been liberated. But Ukrainian media expert and media trainer, Anna Yehorova believes that “war tourism,” of de-occupied cities should be avoided unless there is a clear editorial task.³⁵ The situation in a de-occupied city can be traumatizing, especially to someone who has never experienced it. Because seeing the bombed territory can be shocking. Also, the area may still be littered with mines, streamers, and mine traps.

Those who were freed from captivity.

Some journalist were held in captivity by the Russian army. The Institute of Mass Information estimated that about 80 Ukrainian and foreign journalists were held captive during the first year of the war. While the duration of their captivity varied between no more than a day to several months, it nonetheless was a traumatic situation. Up to 30% of journalists experience post-traumatic stress disorder (PTSD), which is a state of stress that predictably occurs after situations, such as being captured in a war zone. PTSD can last for years, resulting in sleep problems and fatigue that do not disappear, even long after the PTSD-triggering situation.

CONCLUSIONS

Russia’s full-scale invasion of Ukraine has raised security challenges in the work of a journalist, and the issue of access to information and its dissemination have become much more strictly regulated. The analysis showed that the main challenges to the safety of journalists in Ukraine today are: physical danger, i.e. direct threat to life from shelling, explosions, gunfire and other forms typical of war zones; danger from the enemy, who often views journalists as a threat and a target, prevents journalists from performing their professional duties, kidnaps and kills them; restrictions on freedom of movement and control of access and dissemination of information, i.e. the need to obtain accreditation and coordinate their actions with press officers and local military administrations. Violations by journalists when working in a war zone, border and liberated territories may lead to sanctions and termination of accreditation. Most journalists may experience psychological difficulties when faced with violence and suffering.

35 How should journalists work in cities liberated from the occupiers Anna Yegorova (Apr.05 2022) - <https://detector.media/community/article/198142/2022-04-05-yak-zhurnalistam-pratsyuvaty-u-zvilnenykh-vid-okupantiv-mistakh/>

This can have a serious impact on the mental health of journalists, causing stress, psychological trauma, and contributing to the emergence of post-traumatic syndrome. To ensure the safety of journalists in hot spots, it is extremely important to comply with security measures, undergo preliminary security training, know the specifics of using protective equipment, and comply with ethical standards in work. Organizations dedicated to protecting journalists also play an important role in ensuring their safety. The partnership of domestic and international organizations is also important today, as the war against Ukraine has shown the weakness of international norms for ensuring the safety of journalists on the front lines. For now, Ukraine has joined the initiative of the International Federation of Journalists to adopt the UN Convention on the Safety and Independence of Journalists and Other Media Professionals.³⁶

The authors report there are no competing interests to declare.

36 International Convention On The Safety And Independence Of Journalists And Other Media Professionals. International Federation of Journalists. (Mar. 26. 2022) https://www.ifj.org/.../us.../Draft_Convention_Journalists_E.pdf

Identification of Threats, Censorship, Espionage, and Other Types of Attacks on Journalists in Regions of Chile with Conflict Coverage

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SUMMARY

This article presents the results of a study that identifies threats, censorship, espionage, and other types of attacks on journalists who are covering conflicts in various regions of Chile. Interviews with journalists includes discussions about journalists' relationships with organizations that are associated with the conflicts in Chile; coordination between state, regional, or local agencies or entities; and journalists' exposure to threats, espionage, and censorship attacks. The article also highlights the views of the key players in the Association of Print Media Publishing Companies in Chile; the Federation of Media, Editors and Directors of Regional Media; the School of Journalists (regional), and the special team of carabineros in charge of "strengthening security" in Araucanía. Strengthening security includes evaluating the coordination between the press and the organizations that ensure the Chile's security. It also includes proposing various concrete actions to keep the role of the press free in areas of risk.

Keywords: journalists, threat, espionage, conflict, regions of Chile.

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INTRODUCTION

The research analyzes the threats, intimidations, censorship, espionage, and other types of aggressions against the journalists who cover conflicts in Chile. Additionally, the research attempts to identify whether there are digital and social network attacks on those journalists.

Data confirms there is a threat to freedom of expression and information. According to the United Nations Educational, Scientific and Cultural Organization (UNESCO), 62 journalists were killed in 2021, and by September 6, 2022, 61 journalists were killed worldwide. This threat to freedom of expression and information is a serious problem that violates article 19 of the Universal Declaration of Human Rights. Article 19 states that “everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference, to seek, receive and impart information and ideas through any media and regardless of frontiers.”

The freedom of expression and information is notably threatened on the South American frontier by the deaths of journalists. From 1993 to 2022, between 1 and 4 journalists have died in Chile, Argentina, and Bolivia; between 5 and 9 have died in Paraguay, Peru, and Venezuela; and between 50 and 54 have died in Brazil and Colombia.

One of the security initiatives presented during the 2022 Global Conference of UNESCO in Uruguay, included the adaptation the model law of the organizing body of the event, which will become a bill to protect the Chilean press. Castillo (2022) announced the initiative to Congress. The “Safety of journalists: Protecting the media to protect democracy” initiative was presented during the conference in Austria, Vienna in November 2022. This activity was organized by the Austrian Ministry of RR.EE, in collaboration with UNESCO and the Office of the High Commissioner for Human Rights (UN Human Rights). The work carried out by Chile (Olsen, 2022) regarding freedom of expression and freedom of access to information is highlighted.⁴

THEORETICAL FRAMEWORK

The World Press Freedom Index is compiled and published annually by Reporters Without Borders (RSF). It evaluates the conditions in 180 countries and territories worldwide where journalists are reporting. Highlights in the 2022 edition include information chaos. The disastrous effects of information chaos created by a globalized and unregulated digital space foster false information and propaganda. RSF's index report reveals a double polarization, amplified by media chaos. Media polarization creates fractures within countries and polarizes states on an international scale.

In democratic societies, Fox News-style opinion media and social network disinformation are increasing social fractures. While despotic regimes control their media and wage propaganda wars. Internationally, this dual polarization is intensifying

4 The Ambassador of Chile to Austria and Permanent Representative of Chile to the international organizations based in Vienna, Mr. Rodrigo Olsen, participated in the conference “Safety of journalists: Protecting the media to protect democracy,” held between November 3 and 4, 2022 in Austria, Vienna.

tension between countries.^{5 6}

The RSF index report also shows that on most continents, journalists are continuing to report from increasingly deteriorating locations. For example, the coronavirus crisis accelerated censorship, generated serious economic difficulties for the press, and posed serious obstacles to accessing information about Latin American governments' management of the pandemic. Distrust of the press has continued to gain ground, fueled by anti-media rhetoric and widespread stigmatizing discourses by the political class. This is especially true in Latin America where Brazil ranks 110th, Cuba is 173rd, Venezuela is 159th, Nicaragua is 160th, and El Salvador is 112th. Increasingly visible and viral, these public attacks weaken the profession and encourage abusive judicial proceedings, smear campaigns, and intimidation—particularly against women. Additionally, there is online harassment against critical journalists. Nicaragua (160th) fell 39 positions and enters the red zone of the classification. The situation in El Salvador (112th), which for the second consecutive year registers one of the steepest falls in Latin America (-30), is also extremely worrying. Mexico (127th) remains the deadliest country in the world for the press and ranks 179th out of 180 on the safety indicator for journalists. Costa Rica continues to be the continent's exception and the most advantaged student in Latin America (8th in the ranking).

2.1. Image of Chile regarding respect for freedom of expression (2019-2020).

Chile stands out as a Latin American country that respects freedom of expression. It co-sponsors all United Nations resolutions that protects journalistic work that is part of the Group of Friends on the Safety of Journalists⁷. However, in the world ranking carried out by Reporters Without Borders, Chile has regressed since 2019, with a decrease in ranking by 21 places compared to 2017.

Until 2019, the organization Freedom House⁸ placed Chile among one of the few countries without dangers to press freedom, scoring better than Argentina, Spain, and Italy. In 2020, the Chapultepec Index, a measurement tool of the Inter American Press Association (IAPA), placed Chile in first place. The IAPA highlighted that Chile has, “no media closures, persecutions of journalists, or content control. The State does not limit citizens' access to public information or the rights linked to freedom of expression and the press.”⁹

The 2019 report of the Office of the Special Rapporteur for Freedom of Expression states that the surveillance of digital communications and the espionage of media and communicators were denounced in different countries of the region, while investigations of these practices do not yield major advances. In some countries, such as

5 Increased Tension, Reporters Without Borders, <https://rsf.org/en/rsf-s-2022-world-press-freedom-index-new-era-polarisation-0>, (Last updated Oct. 22, 2022).

6 Ibid.

7 Los Grupos de Amigos por la Seguridad de periodistas publican una Declaración conjunta sobre la Libertad de prensa, UNESCO, <https://www.unesco.org/es/articles/los-grupos-de-amigos-por-la-seguridad-de-periodistas-publican-una-declaracion-conjunta-sobre-la>, (last visited Sep. 22, 2023).

8 Freedom House, <https://freedomhouse.org/country/chile/freedom-world/2019>, (last visited Sep. 22, 2023).

9 Indice Chapultepec, <https://www.indicedechapultepec.com/>, (last visited Sep. 22, 2023).

Cuba, Colombia, Chile, Nicaragua and Venezuela, the implementation of control and surveillance strategies for citizens' communications on social networks persists. The report also notes that the Inter-American Commission on Human Rights (IACHR) condemned the excessive use of force and human rights violations that occurred in Chile in the context of the social protests that shook the country, resulting in fatalities, thousands of injuries, as well as journalists and cameramen assaulted by both police forces and violent groups.¹⁰

The foregoing highlights the importance of carrying out investigations such as the one presented that compile background information on violations of the right to freedom of expression and threats or other types of aggression against journalists both in the conflicts themselves and in social networks or messaging. The work carried out by investigative journalists in this type of coverage fulfills a social function that must be expressed from plural sources and rigorous analysis. This will grant audiences access to all possible aspects of reality, which is considered key to a democratic society.

2.3. Frame of reference. The context on various conflicts in regions of Chile.

Covering street protests in Latin American cities has become a high-risk activity for journalists. With intensifying social and political tensions in countries in the region and increasing anti-press rhetoric from political leaders, reporters covering demonstrations have become targets of radical protesters and security forces. Coverage of violent conflicts departs from the traditional image of the war front for journalists working in Latin America. In the midst of urban violence increasingly present in several countries, reporters need to be prepared to act quickly in the most unexpected situations. This is because reporters are subject to risky coverage of violent conflict situations in their daily lives. They can be confrontations between rival drug traffickers or between these gangs and the security forces, or even situations of military confrontation against guerrilla groups.¹¹

In recent years, the debate on the situation of freedom of expression in Chile has become a central part of the agenda. One of the cases that deserves special attention is that of Army espionage on journalist Mauricio Weibel¹² known as Operation W. The case shows that an official of the Army Intelligence Directorate (DINE) testified in the judicial investigation and admitted that he requested by email from the Civil Registry information on Mauricio Weibel and a former military officer who denounced corruption. That information was key, because from the same IP address used by that official, background information was required on other journalists investigating military corruption and human rights violations. The requests to the Civil Registry were investigated by the Investigative Police (PDI) in which other IP addresses, new emails, and the names of at least five journalists appeared. On the website of the Civil Registry

10 Annual Report of the Inter-American Commission on Human Rights 2019, <https://www.oas.org/es/cidh/expresion/informes/ResumenEjecutivo.pdf>, (last visited Sep. 22, 2023).

11 Retrieved in: <https://latamjournalismreview.org/es/articles/seguridad-periodistas-cobertura-conflictos/> updated to date 15.03.23.

12 Espionaje del Ejército a Mauricio Weibel: Fiscalía indaga monitoreo militar a otros cinco periodistas., <https://www.ciperchile.cl/2021/04/09/espionaje-del-ejercito-a-mauricio-weibel-fiscalia-indaga-monitoreo-militar-a-otros-cinco-periodistas/>, (last visited Sep. 4, 2021).

anyone can request birth, marriage, and death certificates of a Chilean citizen. In the criminal investigation of “Operation W,” the Public Ministry accredited that at least two officials of the Army Intelligence Directorate (DINE) requested from the Civil Registry background information related to the reporter and former military officers who denounced corruption within the military institution.¹³ The Crime Brigade PDI officials had the report ready (01.28.2020) with the content provided or by the Civil Registry. It included the emails and IP addresses that required certificates from journalists Pascale Bonnefoy (correspondent in Chile for *The New York Times* and author of books about investigations into human rights violations); Juan Cristóbal Peña (author of books on the FPMR); Santiago Pavlovic (journalist of Informe Especial, of TVN); Danae Fuster (former journalist for Informe Especial) and Javier Rebolledo (author of books about military crimes during the dictatorship). The conclusion of the PDI report is clear: certificates were requested from the Civil Registry platform from all these journalists and those who requested them used matching emails, in addition to common IP addresses. In some cases, anonymous emails also asked the Civil Registry for certificates about their spouses or children.

An area of Chile that presents various complexities for journalistic coverage is the Araucanía Region, the so-called Southern Macrozone, in which reference is made to the historical territory of the Mapuche people, whose central part remained relatively autonomous from the Chilean State until the mid-nineteenth century. The regions of Biobío, La Araucanía and Los Ríos, belonging to the southern macrozone of the country, are the areas where the highest levels of violence are centered. A report by the Sub ministry of Internal Affairs (2022) details that the Southern Macrozone is constantly faced with violent events, such as, “arson attacks, shootings or the presence of firearms, attacks or confrontations with Carabineros, roadblocks, attacks and threats to civilians, disorders of a violent nature, violent occupations and break-ins, in addition to damage and robberies to private property.

There are fatalities of civilians and workers of the forest plants, as well as members of the Mapuche people. There is still a great lack of information about the groups that carried out the attacks in the Southern Macrozone, some of them have claimed part of the attacks: Mapuche Lavkenche Resistance (RML), Weichan Auka Mapu (WAM) and Mapuche Malleco Resistance (RMM). However, the one with the most power is the Coordinadora Arauco Malleco, better known by its acronym, as CAM. This organization extends throughout the Southern Macrozone, thanks also to what some call “armed wings,” such as the Territorial Resistance Organ (OTR), who carry out attacks on the ground. Currently there is a militarization of the territory (militarized police and presence of armed forces) and in sight of this, various academics from diverse areas of knowledge, have analyzed that despite the large deployment, the police forces are completely ineffective to prevent or inhibit sabotage actions, which creates a feeling of insecurity and abandonment in many of the inhabitants of these territories.

In the case of the regions of northern Chile, the problems of insecurity have

13 Espionaje del Ejército a Mauricio Weibel: Fiscalía indaga monitoreo militar a otros cinco periodistas, n <https://www.ciperchile.cl/2021/04/09/espionaje-del-ejercito-a-mauricio-weibel-fiscalia-indaga-monitoreo-militar-a-otros-cinco-periodistas/>, updated Sep. 9, 2021).

experienced a sustained increase within a national criminal context, enhanced by uncontrolled immigration in the region. For example, as the Antofagasta Regional Barometer Survey of the Public Policy Institute of Universidad Catolica del Norte (Chile) and Feedback Research, of May 2022, maintains, the first three important issues in the region are: crime and drug trafficking (34%); the cost of living (24%), and illegal immigration (16%). Similarly, according to the 2020 Boarn on Access to Justice for Migrants and Foreigners, “taking the totality of the cycle under analysis, it can be seen that from 2016 to 2020 the variation of detainees of foreign nationality is 355.2%.” Thus, the reports of the Jesuit Migrant Service highlight that, “according to the data, the preponderance of Chileans within crimes in the region fell to 70.4% in the last five years; in 2017 it remained above 91%.” That same year, the cases reported to the Prosecutor’s Office where foreigners participated were 3,294, and since then, they add up to more than 10,178 cases, going from a presence in crimes of 8.6% to 29.6% in 2022. “The Northern Macrozone of Chile, then, with the increase in criminal violence of Chileans and immigrants, has also begun to be part of threats to the democratic system.

OBJECTIVES AND METHODOLOGY

The general objective of this research was to identify threats, censorship, espionage, and other types of attacks on journalists in regions with coverage of conflict, while the specific objectives were to classify and categorize these attacks. The categories will be understood as fields of thematic grouping, implicit assumptions in the problem and analytical resources as units, grouping data that carry similar meanings, understanding that to categorize it is necessary to meet some criteria; homologous, explicit, evident, concrete, etc., that do not lend themselves to any confusion (Galeano, 2014 pp.40-47).

A qualitative work methodology was used to acquire more detailed information based on the observation, context, and social meaning of journalistic coverage in conflict zones. This implied a segmentation and prioritization of journalists involved mainly in the Araucania Region (Chile) considering the criteria mentioned above. The instrument applied was the semi-structured in-depth interview, whose purpose will be to collect data on the research study. This technique follows the model of conversation between peers, “repeated face-to-face meetings between the researcher and the informants” (Taylor and Bogdan, 1990: 101) will be interviews oriented towards the understanding of the perspectives that the informants have regarding their lives, professional experiences or situations of various kinds.

In this context, 14 interviews were done to journalists from traditional media (press, television, radio) and digital media in the aforementioned regions and 5 interviews with key informants: (1 interview with the Presidency of the Association of Publishing Companies of Written Media of Chile, and media federation, 1 interview with the General Editor of regional media, 1 interview with the President of the college of journalists (regional), 1 interview with the special team of carabineros, in charge of “reinforcing security” in Araucania, 1 interview with the Director of Regional Media. These interviews were conducted through the following modality: direct interviewing by two researchers, the first one assuming the lead of the interview and the second one supporting

the registration and emphasis of contents to be addressed. The axes of analysis correspond to the following dimensions: a) Professional career development, b) Conflict coverage experience, c) Threats to professional practice, d) Cross-cutting contents in the face of difficulties of journalistic practice in conflict coverage, and e) Reflection of the work of organizations in the face of journalistic coverage of conflicts. For the processing and analysis of the interviews, a procedure was available for compiling the information into a common matrix, where all the information obtained from each interview performed was transferred. The compilation was carried out in **categories defined** according to the contents of the questions and also on emerging variables in the applications, categorizable in a transversal way for processing, facilitating the organization and collection of relevant data and background.

4. Analysis of dimensions for the identification of threats, censorship, and other types of attacks on journalists.

In relation to the journalists interviewed (intv), the analysis of the results by categories is presented in the following tables:

Table 1 – Experience in conflict coverage

Type of conflict	Drug			Social		
	trafficking	Araucania North	Migration	conflict	Crime	
Intv.1 - Intv.14	6	10	3	1	2	6

Own elaboration for study: Identification of threats, censorship, espionage, and other types of aggressions against journalists in regions of Chile with conflict coverage.

This dimension in Table 1 shows that journalists recognize the work carried out in Araucania as central (or destined) to cover experiences of conflict coverage (10); in the reports of Drug Trafficking (6) and in those related to Crime (6).

Table 2 – Professional practice threats

Intimidation	Verbal	Physical	Detention	Social media	Not experienced
	Intv.1 – Intv.14	10	6	1	6
Espionage	Being followed	Calls	Phone tapping	Social media	Not experienced
	Intv.1 – Intv.14	6	1	6	6
Censorship	Media	Power groups	Organizations & institutions	Self-censorship	It has not had censorship
	Intv.1 – Intv.14	4	3	3	2

Own elaboration for study: Identification of threats, censorship, espionage and other types of

aggressions against journalists in regions of Chile with conflict coverage.

The threats dimension in Table 2, all journalists have been frightened in their coverage of conflicts. Thus, in the category of intimidation, the most recurrent are actions of verbal violence (10); those of a physical nature (6) and those of social networks (6). In espionage, professionals face being followed (6), telephone taps (6), and social networks (6). Regarding censorship, it should be noted that it is declared that it is the media themselves (4) that exercise censorship over their workers and that both power groups (3) and organizations/institutions (3) also exert pressure on the delivery of information.

Table 3 – Transversal contents in the face of difficulties of the journalistic exercise in conflict coverage

Sources	Hinders access to information (Formal and informal)	Timely access to information (Transparency law)
Intv.1 – Intv.14	9	8
Infiltration work	<i>Safe</i>	<i>Unsafe</i>
Intv.1 – Intv.14	0	14

Own elaboration for study: Identification of threats, censorship, espionage and other types of aggressions against journalists in regions of Chile with conflict coverage.

In the case of the data collected corresponding to the transversal contents in conflict coverage (Table 3), the tension experienced by journalists both in access to information and their feeling about the work of infiltration is observed. Thus, in relation to access to sources, it is observed that 9 journalists (although some of them feel that both alternatives represented it) say they experience difficulty in access and that 8 have timely access. As for the safety of journalists in conflict zones, the fourteen consider their work to be unsafe.

Table 4 – Reflection on the work of organizations (institutions) in the face of journalistic coverage of conflicts

Police	Does disseminate data	Does not disseminate data - Data delivery delay
Intv.1 – Intv.14	10	4
Prosecution	Does disseminate data	Does not disseminate data - Data delivery delay
Intv.1 – Intv.14	10	4

Own elaboration for study: Identification of threats, censorship, espionage and other types of aggressions against journalists in regions of Chile with conflict coverage.

Regarding the size of the institutions (Table 4), where the objective was to know

the perception of professionals as to whether they disseminated data or if they were not delivered or if they did so with delay, it can be noted that journalists consider that both police (10) and prosecutor's office (10) do disseminate information. The other professionals (8) consider that these institutions do not disseminate or do so with delay the information requested.

In relation to the Key Informants, the analysis of the results is expressed in the following tables from the dimensions exposed.

Table 5 – Role of the press in the face of conflicts in different parts of the country

Table 6 – Your institution’s evaluation of the coordination that exists between the press and your organization

<p>Key informant 1 National Press Association and Media Federation</p>	<p>Freedom of the Press is fundamental to any democracy. In many countries, democracy has deteriorated, which also responds from control of the media to threats to professionals and institutions.</p>	<p>A survey of information has been prepared for the various directors who are associates. 47% of directors indicated that in recent years their media had received some kind of threat to press freedom. In the northern zone they have had extremely serious situations.</p>
<p>Key informant 2 General editor of regional media</p>	<p>The press plays a fundamental role, which is to show what is happening. Trying to do it with the greatest justice and fair play possible showing all angles, various situations that have resulted in conflicts that are very complex to understand by the general public. Throughout the last 10 years, through various digital platforms, it has become very difficult for people to be able to distinguish truth from lies.</p>	<p>It is considered that the entities that are linked to security are responsible for guaranteeing that journalists can carry out their work without security risk, it is considered that it is urgent to pay close attention to what is happening in other Latin American countries since in Chile it is evaluated that the seriousness of the facts is lower, however, it presents an exponential increase.</p>
<p>Key informant 3 Regional College of Journalists</p>	<p>To research, disseminate with full freedom and serve the community which is one of the purposes of journalism. To obtain testimonials from diverse sources</p>	<p>There is an authoritarian relationship between the authorities and journalists and the media, especially when there are more conflictive situations.</p>
<p>Key informant 4 Special team of carabineros, responsible for “reinforcing security” in Araucania</p>	<p>Priority role. The work of journalists is valued as substantial for society.</p>	<p>Coordination that presents various security complexities. There is willingness to work together.</p>
<p>Key informant 5 Director of Regional Media</p>	<p>The main one, being a nexus of information between the authorities and those involved, they are working on plans and projects, they also have the role of educating, making information visible.</p>	<p>The processes lack agility and much information is unknown about how many judicial processes are being carried out by the prosecutor’s office. There is no heavy-handedness on the issue of drug trafficking on the part of the authorities. There is no access to most cases, for example, those of organized crime.</p>

Own elaboration for study Identification of threats, censorship, espionage and other types of aggressions against

Table 7 – Proposed threat solution strategies

There is secrecy of official sources, so it stands out as one of the great advances that the country has had; The Transparency Law. A very important contribution to freedom of the press. The so-called “funas” to journalists on social networks are considered extremely serious. The peak moment was 2019 with attacks on the media in Santiago, Valparaíso, and Antofagasta

Public security in the broadest sense is the best antidote to avoid risks and aggressions or threats. The comparative experience (Mexico) of journalists who have been provided with GPS wristbands from various media is valued, in order to issue a kidnapping alert in some cases. When a journalist has felt threatened or affected, he is offered all the legal assistance he may need, an initiative of all newspapers in regions. In the case of demonstrations, several safeguards are taken and in Araucanía there are teams that clearly do not enter.

It is reiterated in the Draft of Law for the Safety of Journalists (Initiative of Lawmaker Castillo, 2022).

Protection and shielding of journalists covering conflict zones

Avoid reporting in the field in certain areas, avoid going to certain places in order to avoid risk. The need for greater protection is emphasized.

journalists in regions of Chile with conflict coverage.

Table 8 – Specific actions that have been observed at national level to be able to have a free exercise of the profession

Education is fundamental. There is a responsibility of all schools to make known what freedom of the press means and therefore a healthy democracy. Another initiative starts by asking opinion leaders to refrain from making verbal attacks towards media or press professionals.

Every journalist who has felt threatened or affected is offered all the legal assistance they may need; it is an initiative of all newspapers in regions. In the case of demonstrations several safeguards are taken and in Araucanía there are journalistic teams that clearly do not enter there.

Willingness to dialogue and conversation with the authorities in order to move forward. Importance is given to the bill that protects the work of journalists and communication workers and refers to the precursor of this project is the former president of the college of journalists the current, Lawmaker Natalie Castillo

Strengthen security. Due to the permanent risk in conflict zones, it is suggested that all journalists take the war correspondent course.

Genuine concern to deliver truthful information and try to be present during most field coverage.

5. CONCLUSIONS

The 14 journalists interviewed perceive – in terms of security, a meaningful change in the exercise of the profession. The professionals have reflected that a process of world globalization has developed, which considers politics, economy and culture, but where the issue of security has also suffered a large impact. In general, journalists recognize that the turning point has been the increase in migration, which has brought, not only multiculturalism and economic development, but also a process of stress in security due to practices carried out in the countries of origin of some of the migrants. This idea is also reflected when the fourteen journalists consider as unsafe the work of infiltration to carry out reports in conflict zones.

Journalists in conflict zones face threats in their daily work. Although only two of the fourteen interviewees report that they have not suffered intimidation, it should be noted that for the other 12 professionals, in this category, verbal, physical and social networks actions are the most practiced by third parties to frighten. In the case of the espionage category, again only in two cases have no actions of this type are reported. However, in the remaining universe, telephone tapping, social networks and persecution reach the highest records mentioned by professionals. In this sense, it is important, as a result of the growth of communication and information dissemination platforms, that social networks have become a channel for actions against press freedom. As a third element, in relation to the threats dimension, it is necessary to highlight what is related to censorship. In this case, on a positive note, six journalists say they have not suffered any form of censorship. However, the others have experienced pressure to censor their work. It is also interesting to mention that two professionals claimed to have self-censored.

Access to and quality of information is relatively evenly distributed. Thus, in terms of access, nine journalists considered that they face, whether formal or informal, difficulties in obtaining information. However, eight maintain that they have a timely avenue to information. In relation to the delivery of data by the Police and the Prosecutor's Office, the majority (ten of the interviewees) maintain that there is a dissemination and delivery of data and only four consider that they are not disseminated or there is a denunciation in the delivery. In this dimension, beyond a rather positive perception of the results, it is important to reflect on the implication given to the word "delay." In this sense, journalists point out that it is necessary not only to maintain the Transparency Law in Chile, but that it must be perfected, for what can be seen, depending on the political, economic or legal implications that journalistic work may have, a tendency to delay the required information, affecting the timely delivery (broadcast) of the report made.

On the attacks or threats against journalists in social networks, there are high coincidences in all the interviewees about the concern generated by insults and/or defamations, so from this exploratory research the need for regulation in Chile is deduced due to the threat to freedom of expression and freedom of information and press online.

Key informants, particularly the National Press Association and the Media Federation, report on the importance of press freedom in Chile. The fundamental value of education is highlighted. There is a responsibility of all schools to make known what freedom of the press means and therefore a healthy democracy. Another initiative of these media groups starts by asking opinion leaders to refrain from making verbal aggressions towards media professionals or the press.

The directors and editors of regional media reiterate that any journalist who has felt threatened or affected is offered all legal assistance. It is therefore considered that this initiative (of all the newspapers in regions) contributes to the protection of journalists, however, it is still high complexity that despite the various safeguards that are taken before certain types of demonstrations or in conflicts such as those that occur in the Araucanía area there is an enormous difficulty for journalistic teams to work without risk, so in many cases they cannot enter. There is a genuine concern to deliver truthful information and try to be present in the greatest amount of coverage in the field.

The special team of Carabineros, in charge of “reinforcing security” in Araucanía, considers the role of the free press fundamental, as a conclusive element indicates that security must be reinforced, and it is of consideration that journalists take the war correspondent course.

Finally, from the college of journalists (regions) it is concluded that there is a willingness to dialogue and conversation with the authorities. Importance is given to the bill that promotes the safety of journalists and communications workers.

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An Account of Physical and Social Media Attacks on Journalists in India: A Study of Cases Post 2014 General Elections

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Abstract: Under the narratives of hyper-nationalism created by the Narendra Modi-led BJP Government in India, known to be the largest democracy, the state of the fourth pillar of the constitution is grappling. The series of online as well as offline attacks on Journalists have taken a spike lately. While the mainstream media still holds on to its uncritical character towards the ruling party, the alternative and independent media houses have shown the grit to criticize and ‘cover’ the ‘uncovered’ events only to welcome brutal charges like sedition and Unlawful Activities Prevention Act (UAPA) against them. The reports and incidents of attacks and charges were equally reported by men and women journalists. Male journalists were more prone to physical attacks while female journalists faced thrash and trolls on social media by right-wing activists and Hindu activists. Freelance journalists have suffered the most fighting such narratives. Although many committees and activists’ group like the Committee for Protection of Journalists (CPJ) have come forward, the ruling party is least bothered by the protests they face. This article aims to bring out an account of the lethal attacks, both online and offline, made on Indian journalists since 2014, the year Narendra Modi was sworn in as the Prime Minister of India, and the role of independent committees and human rights in fighting the brutality of the Indian Government. Besides, the article also aims to discuss the state of media in India post the 2014 elections and the present political influence that itself muzzles the media’s voice. Though the idea may be no different from the situation prevalent in many other countries, this article would discuss the threat to journalists, especially arising out of the narratives of hyper-nationalism brought by the right-wing and Pro-Hindu groups.

KW: Hyper-nationalism, Online Attacks, Sedition, RSS

Introduction

Regarded as one of the most polarized elections in India, the General Election 2014 paved the way for the Narendra Modi-led Bhartiya Janata Party to form Government after winning 282 seats out of 543 in India. This was also the first time in the history that a non-Congress party won an absolute majority in the Parliament and formed a

government of its own. Since forming the Government, the party has always been vocal for its nationalist right-wing ideologies that prioritised and transcended ideas like cultural and religious values, nationalism, capitalism, entrepreneurship, national security, etc. Most of these ideas originated and were advocated by the Rastriya Swayamsevak Sangh (RSS) school of thoughts. RSS has been the guiding light of BJP and Narendra Modi. This is the same RSS that has protested against the secular nature of India, and proposed the idea of 'Hindu Rashtra', that demanded eliminating the non-Hindus from the geographical as well as cultural context of India. The same RSS also glorifies the assassination of Gandhi by Nathuram Godse, the convicted assassin of Gandhi and hail Savarkar, who was also involved in conspiracies to kill Gandhi, as their ideals.

As far as the nationalism and Hindutva ideologies of RSS is concerned, BJP, the ruling party of the largest democratic country, espouses the same strain of Hindu nationalism. The rise of communal hatred and communal politics was witnessed in India post 2014 elections. It was not a new concept or did not emerge by chance, rather was deep-rooted in Indian politics and re-emerged in 2014 like never before. BJP openly declared itself a Hindu party carrying the flags of Hindutva and a clarification call of making India a Hindu Rashtra. It was backed by organisations like RSS, Hindu Mahasabha, and Bajrang Dal. Making derogatory remarks and open-threats to the minorities, Muslims particularly, became a routine for the party workers. A Hindu person's nationalism was never in question even if he disobeys the constitution but a Muslim had to prove his nationalism even he follows the secular state of the constitution. The Hindutva narrative and hyper-nationalism believed in the fact that critics of the Government are enemies of the country. The situation was no different for the journalists.

The Press or the Media, known as the fourth pillar of democracy, is grappling under the narratives of hyper-nationalism created by Modi and his party's ideologies. Narendra Modi, who himself has never addressed a press conference in his entire tenure till today, doesn't even let the media ask questions. Even if they do, the party gags and muzzles their mouth with terms like 'Anti-nationals' and charge with draconian terror laws like the Unlawful Activities Prevention Act (UAPA) and sedition. Kiran Rijju, the former Minister of State for Home Affairs, who himself did not shy away from asking questions to the Government in power when he was in opposition, has asked journalists not to raise questions and doubts on his government. "First of all, we should stop this habit of raising doubt, questioning the authorities and the police. This is not a good culture. But what we have been observing in India is that the people have developed this habit of raising unnecessary doubts and questions" were his actual remarks as quoted by the Scroll.

A majority of the mainstream media houses including the Public Broadcasters like All India Radio and Doordarshan remained uncritical and faithful to the Government, disseminating the information, policies, and softly the ideologies of the Government. CJ Werleman, in one of his articles on Politics Today, referred the mainstream media as the PR arms of Narendra Modi. He has also highlighted the degraded position of India in the World Democracy Index and Press Freedom Index where India has slipped down to 53rd and 142nd position respectively. The Sweden based V-Dem Institute

has termed India as an ‘Electoral Autocrat’ country in its report. The same report has accused the Modi Government of “diminishing freedom of expression, media and civil society” to a point where it’s “as autocratic as Pakistan and worse than its neighbours Bangladesh and Nepal.” Those media houses that had guts to speak up against the Government, mostly known as the alternative media of freelance journalists, faced ‘counter- terrorism raids’, boycotts of prime-time debates, and were barred from Govt. advertisements, the main source of their revenue. The Modi-government has left no stones unturned to arm-twist the media owners and channels that speak up against him. Not just this, the attack goes personal to journalists who try to uncover the covered facts and are vocal against the Government. Death threats, online trolls, charges of sedition and UAPA, and even killings with confirmed motives were reported during this tenure of Narendra Modi.

An Account of Attack on Indian Journalists

Going by numbers, according to a study conducted by a group of independent researchers and commissioned by Thakur Family Foundation, there were almost 200 such cases where journalists were attacked for their work between 2014-2019 and at least 40 journalists were killed of whom 21 killings have confirmed motives. Of the 198 attacks mentioned in the report, 36 were from 2019 alone. At least 19 individual attacks on women journalists are also listed in this report. These attacks were allegedly carried out by government agencies, religious sects, members of political parties, student’s groups having one common objective - attain Hindu Rashtra and eliminate Muslims. The report finding says, *‘Journalists have been fired upon, blinded by pellet guns, forced to drink liquor laced with urine or urinated upon, kicked, beaten and chased. They have had petrol bombs thrown at their homes and the fuel pipes of their bikes cut.’*

Of the 22 murders of journalists with confirmed motives between 2014-2022 as per CPJ’s data, the murder of Gauri Lankesh has probably gathered more attention. Gauri Lankesh, the editor and publisher of Kannada Weekly *Gauri Lankesh Patrike*, was an outspoken left-wing journalist working in India, known for her critical and bold remarks against the Government and its Hindutva ideologies. She was a staunch critic of Brahmanism and Hindu nationalist politics of RSS. She was a rationalist thinker and these very ideas of secularism, rationalism, and respect for pluralism goes against the views of RSS and BJP. She sought to expose the communal politics of the Sangh (RSS) through her columns and editorials. Her magazine was vocal against the Brahmanistic ideologies present in Hinduism and stood for the rights of minorities, dalits, and even Lingayats. This very idea of secularism was a threat to the carriers of Hindutva ideology. She was silenced by a total of three gunshots, two at the chest and one at the back, by two unknown gunmen who gunned her down near her house in the late evening of a gloomy September.

On her death, noted historian Ramchandra Guha said, *“It is very likely that her [Gauri Lankesh’s] murderers came from the same Sangh Parivar from which the murderers of [Govind] Pansare, [Narendra] Dabholkar and [M.M.] Kalburgi came.”* Soon after the comment, Karnataka BJP Yuva Morcha sent a legal notice to Guha to withdraw his comments. The three names mentioned above were also killed in a similar manner for

raising their voices against the religious-extremists. Later, during the probe, a team of SIT arrested a person named KT Naveen Kumar and found out he was a member of Hindu Yuva Sena. Four more people were arrested in the case and were found out to be members of right-wing group Sanatan Sanstha. This unquestionably proves that she was a threat to the group carrying right-wing ideologies and was targeted by the right-wing extremists for her vocal remarks against the Hindutva.

Apart from the murders and killings, the Narendra Modi-led BJP Government is also very infamous for attacking and harassing journalists for speaking against its government and reporting against its ideologies. A number of reports on violence against religious minorities, people sharing memes on the Government, and Kashmiris protesting Indian rule were reported during Modi's era. In September 2021, government officials from the Finance department raided the homes of four Kashmiri journalists - Shah Abbas, Showkat Motta, Hilal Mir, Azhar Qadri and seized their phones and laptops and even passports. Crackdown of the government on journalists in Kashmir has risen after the state was ripped off its special autonomous status by abrogating Article 370. In the same year, the National Investigation Agency (NIA) raided Parvaiz Bukhari's home, the Kashmir correspondent for Agence France-Presse and the office of *Greater Kashmir*, an English daily in Srinagar. In the same year, the Srinagar office of the newspaper Kashmir Times was sealed as the executive editor Anuradha Bhasin has constantly been raising voices against Government's telecommunication shutdown following the abrogation of Article 370.

Not only in Kashmir, the repression by the Government was also felt at the capital of the country, New Delhi, where offices of the two news websites Newsclick and Newslaundry were raided as a part of an investigation into alleged tax evasion. Various financial documents along with official downloaded data and cell phones were seized during the raid. *"Indian tax authorities' raids on Newsclick and Newslaundry are clear intimidation tactics aimed at two outlets known to be critical of authorities,"* said Carlos Martinez de la Serna, CPJ's program director, in New York. *"Authorities must cease harassing Newsclick and Newslaundry employees and editors, and ensure that journalists' private digital information is not compromised."* Dainik Bhaskar, one of the widely circulated newspapers in India has also become a victim of the authoritarian government. At least 30 offices of Dainik Bhaskar in Maharashtra, Gujarat, Madhya Pradesh, Delhi, Rajasthan were raided after its critical and fearless reporting on the Government's failure in handling the pandemic. In 2017, Indian authorities raided one of the most watched satellite channels, New Delhi Television (NDTV) over allegations of financial illegitimacy.

These attacks were not just limited to newsrooms and famed journalists. Many women journalists have also faced the wrath the hatred spread by right wing activists. Rana Ayyub, a noted Muslim female Journalist and opinion columnist with The Washington Post, was prevented from flying to London from Mumbai Airport for money-laundering charges, which she has denied in her statement. Ayyub is an outspoken critic of BJP and the Indian authorities have harassed her over the past years as well. More than physical harassment, female journalists have to go through the online social trolling for criticizing the Government. According to reports by Committee to

Protect Journalists, at least 20 female Muslim journalists were put for auction as 'FOR SALE' on a fake auction app. These kinds of attacks are not physical but leave deep marks mentally as they are quite humiliating, intimidating, and degrading for a female journalist. All of these journalists, including Rana Ayyub have critically spoken against BJP on various media and social media platforms. The online trolling doesn't end with just trolling, they go as far as giving death and rape threats to those journalists.

Role of Activists' Groups and Committees to Protect Journalists

Professional journalism's value arises from people's right to express their thoughts and opinion without any fear, which almost every democratic government allows under Freedom of speech and expression. Journalists play a critical role in the society in the form of watchdogs, informers, moderators, entertainers, investigators, analysts, and commentators. These are the journalists that form and shape the public opinion, which is one of the most important function of media. Therefore, government and political parties remain watchful of these journalists who may, with their stories and columns, shape public opinion against a particular political party. Journalists have the power to expose or hold accountable government of its ill policies and wrong-doings, which makes them more hostile to the attacks, both physical and mental/virtual, by the government or concerned authorities.

There are numerous laws in India relating to Free Press that exists since the pre-Independence era. Some other laws and acts were added in the constitution to protect journalists and ensure a free press. Although unlike the Constitution of USA, which directly expresses and provides laws to protect journalists, Indian Constitution nowhere directly provides such laws. The laws for free press come under Article 19 (1) (a), Freedom of Speech and Expression of the Indian constitution. The Supreme Court of India has held that given the fact that freedom of the Press is inherent in the freedom of expression under article 19(1) (a), there was no need to mention it separately. Dr. B. R. Ambedkar, also known as the father of the Indian Constitution, while discussing the issue of Freedom of Press, explained:

The press has no special rights which are not to be given to or which are not to be exercised by the citizen in his individual capacity. The editor of a press or a manager are all citizens and, therefore, when they choose to represent any newspapers, they are merely exercising their expression and in my judgement no special mention is necessary of the freedom of press at all.

There are numerous laws and acts that have been introduced to regulate the press in India. Some of them are:

1. First Press Regulations Act, 1799
2. Press and Registration of Books Act, 1867
3. Vernacular Press Act, 1878
4. Indian Press Emergency Act, 1931
5. The Newspaper (Prices and Pages) Act, 1951
6. Press Council of India Act, 1951

7. Cable television Regulation Act, 1995
8. The Working Journalists and other Newspaper Employees (Conditions of Service and Miscellaneous Provisions) Act, 1955
9. Right to Information Act, 2005

Apart from this, on the recommendation of the First Press Commission set up in 1952, The Press Council of India was constituted in 1966 to regulate the press in India with main aim to preserve the freedom of Press. The Press Council of India has the power to inquire into complaints, summon witnesses, demand copies of the public records and warn newspaper against any ill-conducts, and the decision of Press Council is final, it cannot be appealed before the Court of Law. Such Council indeed are an instrument to save journalists but at the end of the day these councils are also under the governmental controls. This raises a question that how fair such councils are? According to a report issued by Press Council of India itself, out of 90 complaints 60% were either disposed of, dismissed, closed, dropped or withdrawn.

Due to notable loopholes and lacunas, various states came up with their own legislations and acts to safeguard the right of journalists. Maharashtra Legislative Assembly proposed Maharashtra Media Persons and Media Institutions (Prevention of Violence and Damage or Loss to Property) Act in 2017 and got President's assent in 2019. This was first and one its kind legislation that was enforced to save and protect journalists in India. This legislation held that any violent attack on journalists is a non-bailable offence and is punished accordingly. This was specially introduced after the three very brutal attacks and deaths of journalists Jagendra Singh in 2015, Rajdev Ranjan in 2016 and Gauri Lankesh in 2017. However, there was huge loophole in the legislation, where no such protection or law was mentioned for journalists associated with freelance or unregistered media organizations, social media influencers, bloggers, etc.

The Peoples Union for Democratic Rights proposed Chhattisgarh State Commission for Protection of Journalists and Human Rights Defenders Bill in 2016 which garnered support from law-makers and working journalists in India. Although there was not much aggression from the state, Chhattisgarh journalists were more prone to Naxalite attacks. This legislation included the clause that was missed by Maharashtra's act and provides 24/7 helpline for journalists in the state. '*The Bill provides for the formation of an autonomous body which provides the legal and financial assistance to the journalists who face any kind of difficulties in exercising their fundamental right of freedom of speech and expression*' reads the objectives of the bill. However, questions were raised regarding the provision of constitution of the committee and its composition because the bill allows members from government machinery to be a part of it, which may raise a conflict of interest.

Apart from this, many international and independent bodies were set up to act as a watchdog to the watchdog of democracy. Non-governmental human rights organizations including Reporters Without Borders (RSF), Committee to Protect Journalists (CPJ), and the International Federation of Journalists (IFJ) – have been actively fighting for the rights and freedoms of the journalists and raising awareness on the issue of violations, threats and attacks against journalists.

Conclusion

Reporters without Borders (RSF) has listed India in the top Five Deadliest Countries in December 2022. India slipped to 142nd position out of 180 countries in the World Press Freedom Index ranked by Reporters without Borders (RSF) in 2022 which ranks the countries on the basis of freedom of press. The last decade has recorded the highest number of attacks or brutality against journalists in India. This calls for a central legislation neutral to the government and authorities to legislate and regulate the press freedom in India. Although some states like Maharashtra and Chhattisgarh have taken steps to protect journalists through bills and acts, there are some loopholes that prevent them from functioning at their best. Lack of central legislation is another reason of higher number of crimes against journalists. A safe and free environment for press needs to be created that ensure entire safety and security to journalists for reporting and criticizing the government. Government should, on one hand create such bills and acts that ensure safety to journalists, while on the other hand should withdraw the draconian laws like the UAPA and other laws that muzzles the voice of the press.

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Causes and Effects of Impunity in Pakistan: A Quantitative Content Analysis of a Journalism Federation's Twitter Handle

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Introduction: Due to the Pakistan government's failure to hold offenders accountable, impunity for crimes against journalists has remained high. At a time when the free flow of information is more important than ever, the continuous cycle of impunity for crimes against journalists fosters further violence against the press. According to The Freedom Network (May, 3, 2022) over the course of a year, from May 2021 to April 2022, at least 86 instances of assaults and other breaches against the media and those who work in it, including journalists, occurred in Pakistan.

Objectives: Pakistani journalists are exposed to pressure from a number of sources including extremist groups that can threaten, kidnap, and even kill them with little to no consequences while performing their jobs, raising serious safety issues for them. This research will investigate issues such as killing, kidnapping, and harassment, including area of occurrence, cause, and effect. This study will examine the Twitter handle content of Pakistan's major union named Federal Union of Journalists, because it is the most authentic source of information regarding the issue. The researcher selected this account because it is believed not to be manipulated by government. Twitter changed its name to X in 2023.

Methodology: Qualitative Content analysis applied for data collection. Data collected through census procedure of 1 year from January 1, 2021, to December 31, 2021. The time period was selected because of the strict policies of the government of time against press. Coding sheet developed under the consideration of objectives, research questions, and literature review.

Data Analysis: Data analyzed through NVivo software, while descriptive statistics applied.

Conclusion: The study highlights Pakistan's limited safe journalism due to numerous safety concerns, including terrorists, government, political parties, intelligence services, religious organizations, and public and media organizations. It recommends safety training, support, online comment moderation, gender policies, and collective efforts to reduce self-censorship and protect journalists.

INTRODUCTION

The impunity of journalists around the world has been the subject of numerous studies (Harrison, Pukallus, and Sohal, 2021; Ali, Naz, Majid, Bhati, and Rehman, 2021; Kotiová, 2022; Ali,) and on various elements of it (Iqbal, 2022; Grubi, A., and Karameti, 2022; Charles, 2022). The causes and repercussions of the impunity for crimes against journalists were also examined. Media workers safety is a challenging issue due to the numerous dangers that journalists covering conflicts encounter on a daily basis (Latif, & Muslim, 2022)

Conflict coverage by the media mainly depends on timely information delivery by field journalists. Since media coverage can occasionally have an impact that is stronger than government actions, field journalists are supposed to report conflicts without fanning the fires of violence (Agha, & Demeter, 2022).

During Imran Khan's populist rule from August 2018 to April 2022, the researchers examined Pakistan's media freedom. For this reason, eminent journalists were interviewed in semi-structured interviews by prestigious journals and TV networks around the nation. According to the survey, there was a lot of pressure on journalists to carry out their tasks in a professional manner. They experienced coercion, service termination, and threats against their families. The government's approach to the media was one of rewards and punishments. While the anti-press media came under intense scrutiny and was punished, the pro-press media reaped financial and professional gains. Online journalists were also targeted by troll farms linked to the government.

LITERATURE REVIEW

A crucial issue for media freedom and freedom of speech is the right of journalists to carry out their watchdog function and carry out their regular occupations without fear of being murdered, abducted, harassed, or harmed. However, during the last ten years, murders of journalists have occurred all across the world, showing that the field is no longer secure. Notably, the Asia-Pacific area ranks third in the world for the worst abuses of press freedom. While the Middle East and North Africa do not have greater levels of press freedom or safety for journalists, the Asia-Pacific area stands out since it is home to two of the ten worst nations for the murder of journalists over the last 25 years, notably Pakistan and India. This research seeks to ascertain the journalists' first-hand accounts of various safety threats in Pakistan and India by leaning on the system theory. This research use the qualitative techniques of document reviews and in-depth interviews to achieve its goal. Additionally, this research employs theme analysis to examine the information acquired. The studies of journalists' actual experiences with safety hazards show a glaring systemic failure to defend their rights to safety and free speech in these two nations (Jamil, 2021).

The problem of journalist safety looks to be becoming worse as more journalists are being killed, abducted, and imprisoned on a global scale. Regarding threats to journalists' safety and restrictions on their right to free speech, Pakistan's position is significant. The media in this nation is known for being aggressive and outspoken. According to the volume and intensity of threats and other forms of abuse that journalists encounter, it is

one of the most hazardous nations in the world despite, or maybe even because of, this (See Amnesty International, IFJ, RSF etc). Reporters in Pakistan have been threatened with death and subjected to abuse by the military, intelligence services, and militant groups in recent years, according to statistics gathered by international organizations monitoring press freedom and violence against journalists in Pakistan (Freedom House 2015, 2016; Committee to Protect Journalists 2016). In this context, I think it's important to educate the nation's working journalists and journalism students about the kind of risks they can encounter and how to be safe in both combat and non-combat scenarios. However, it is unknown how frequently working journalists in Pakistan receive safety training, whether university-level journalism students are taught about journalistic safety, and whether academic journalists and journalists' safety trainers are aware of the types of safety threats that can affect journalists' daily work (Jamil, 2018).

In comparison to previous times, there are more threats and murders of journalists worldwide. Why do journalists put themselves in danger more often now than ever before? How can we explain these alarming trends? This chapter makes the case that it is crucial to comprehend how journalism is entangled in the historical and contemporary vortices of globalization if we are to better understand the motivations of journalists and the mobilization of journalism as a communicative and collective enterprise, one that is now capable of both reporting on and recognizing the human plight of others in violent, uncivil places. The debate expands on Jeffrey Alexander's (2006) significant work, reimagining journalism in and through the lens of the "Civil Sphere," and inflecting it here both historically and worldwide. I contend that in a world of worldwide communications, journalism's ability to report from inhospitable locations has increased geographically, culturally, and, in crucial ways, historically and normatively (Ashraf & Brooten, 2017).

Crimes against journalists have been subject to unduly restrictive definitions of impunity so far. In order to better grasp the complexity and scope of impunity, we suggest a new conceptual framework that is also based on journalists' lived realities and perspectives. It is based on the conclusions drawn from a series of semi-structured interviews conducted with 40 editors and senior journalists in five different nations, and it is presented in a novel typology of impunity. We contend that what we refer to as the "Politics of Impunity" is a form of governance in which the state and state-sponsored actors utilise impunity as a political instrument to accomplish journalistic self-censorship. The forced exile of journalists into a "space of exception," where they are both inside and outside the law, results in the purposeful restriction of individual autonomy that is the means by which this is accomplished. The practise of "Politics of Impunity" in an increasing number of regimes fosters a climate where only politically compatible journalists is permitted (Harrison & Pukallus, 2021).

In order to guarantee peaceful campaigns and free and fair elections, Nigeria has been working hard to strengthen its democratic institutions over the past 20 years. However, free media can only ensure the open flow of verifiable election information and citizen engagement, two things that democratic processes need. It is believed that journalism and expression freedoms would always be protected, as stipulated by the country's constitution. On the contrary, for Nigerian journalists, election seasons are

often depressing. As a result, questions are being asked regarding what causes threats against journalists during election periods and how the danger might be reduced. This chapter concluded that dangers to journalists' safety were caused by aggressive journalistic methods, overconfidence, and violations of journalistic ethics based on the experiences of 12 journalists who were face-to-face questioned. The chapter's conclusion states that one of the major issues putting Nigerian journalists at risk is their professional incapacity (Ibrahim et al, 2020).

There are significant safety hazards for Pakistani journalists all around the nation, and those responsible for crimes against them may go unpunished because of impunity. The nation is now acknowledged as one of the most dangerous in the world for working journalists. Given this circumstance, Pakistani female journalists are more at danger because they not only face increased safety concerns and sexual harassment, but also encounter gender discrimination in the hiring process and in terms of pay equity. Attacks against female journalists and instances of their sexual harassment have alarmingly increased in Pakistan during the last ten years. Despite the rising prevalence of sexual harassment and gender discrimination in the nation, it has not yet been thoroughly researched and analysed how resilient female journalists are to work in a hostile atmosphere. In order to better understand the lived experiences of sexual harassment, threats, and discrimination among Pakistani female journalists, this research draws on postcolonial feminist theory. The research also examines how gender discrimination, threats, and sexual harassment affect the nation's female journalists. This research uses the qualitative techniques of in-depth interviews and focus group discussions in order to accomplish the aforementioned goals and provides a thematic analysis of qualitative data (Jamil, 2020).

The study's primary research question is "Reporting is becoming a life risk profession in Pakistan." Pakistan has been ranked as one of the most hazardous nations for journalists by the International Federation of Journalists (IFJ). Khuzdar was referred to as "a cemetery for journalists" by Amnesty International. Pakistan's ranking in the World Press Freedom Index is declining year after year. But there are more journalists dying in Pakistan now than ever before. It is reasonable to state that between 2002 and 2014, Pakistan saw the deaths of at least 67 journalists. The Committee to Protect Journalists asserts that from 1992 to 2014, reporters made up the majority of journalists who died in the line of duty. Since 9/11, the situation in Pakistan for media, particularly reporters, has become worse every day. The lack of adequate protection for reporters from both the government and media organizations has led to an upsurge in crimes against journalists as well as incidents where the offenders go free. Even while the convictions in the murder cases of two reporters are a sign of optimism and have raised Pakistan's ranking in the global impunity index, more work still has to be done to stop the rising number of crimes against journalists (Khan, 2016).

Due to the nature of their employment, journalists have always faced threats to their lives. Intolerant acts by certain groups resulted in the deaths of up to 60 journalists in 2014. In contrast to earlier isolated incidents of attacks on one or two journalists, 2015 saw a new type of crime against journalists; the Charlie Hebdo shooting was an organized crime against an entire political satire publication (AFP, "Paris attacks")

Charlie Hebdo team struggles to heal after massacre). Such assaults do in fact violate a person's right to free speech and expression, and they have a greater negative impact on the journalistic industry (Arjun, 2016).

Journalists are often harmed by both state and non-state actors in Mexico and Honduras, and there is virtually total impunity. Some people turn to alternate methods of (self-)protection and justice-seeking since the state doesn't provide enough protection. This essay examines the advantages and drawbacks of journalists using journalistic and profession-specific types of self-protection via analysis of 67 interviews with journalists and protection players. It employs a fresh analytical strategy based on findings from several fields of study on how individuals react to violence and insecurity (Mitchell, 2022).

The right to "search, receive, and transmit information and ideas via any means" is outlined in Article 19 of the U.N.'s Universal Declaration of Human Rights, which was signed in 1948, and there have been concerted efforts by the international and supranational communities to raise awareness of and lessen anti-press violence throughout the almost seventy years since that document was adopted. Nevertheless, despite ongoing attempts, anti-press violence continues and, in some situations, even worsens. It is a new field that merits future thinking and research that the international community is concentrating on creating monitoring and enforcement mechanisms. In this field, academics should keep track of social change and build and modify social change frameworks for conceptual and empirical study (Relly and Bustamante 2017).

This research intends to look into the working circumstances for journalists in Swat after the insurgency ended. Since the Taliban began their terrorist actions in this picturesque valley in 2006, Swat has been a militantly affected region, and the duties of journalists have expanded. Swat journalists worked in the media for very little pay and had longer shifts than the typical eight hours. The majority of journalists are pleased to introduce their company. The majority of respondents said that their company did not require that people seek out advertising or urge that they protect the interests of advertisers. The majority of journalists were unhappy with their pay and worried that their jobs would be threatened (Laqbal & Ullah, 2013).

By examining the news coverage of the controversial right-wing politician Pim Fortuyn's passing on Dutch television, this article contributes to the discussion on media events. It seeks to show how the murder's coverage, particularly how emotions were portrayed, contributed to the formation of a multicultural and national consensus. By emphasizing mourning expressions and transforming negative emotions like anger and hatred into a unified and constructive representation of loss, a national bereaved community was established (Pantti & Mervi, 2005).

The authors look at safety as the biggest obstacle for journalists reporting war and conflict in both local and global settings via interviews with 100 journalists and editors in seven different nations. The essay focuses especially on the circumstances facing Filipino and Norwegian journalists. There is less presence and more journalistic coverage based on secondhand observation since the legal dimensions of international war are underreported and there is less security. According to the paper, journalists may have less access to conflict hotspots as a result of tactical targeting, which might lead to

inaccurate reporting on wars and conflicts in the future (Hiby & Ottosen, 2019).

They give a categorization of the many forms of media censorship to contextualize the multiple problems that journalism and freedom of expression confront in Mexico, which principally involve the State's role in preventing or imposing censorship, the monopoly of a few corporate organizations that control the majority of the mass media and impose set editorial lines across all of them, the impact of violence on journalism, and the problems that are growing around the freedom of speech in society.

Human rights defenders (HRDs) are those who stand up for human rights in the face of oppression, violence, and impunity on a local level. Mitchell looks at the protection that such journalists may get under the relevant international normative framework in this chapter. She then examines how these journalists and the HRD notion overlap before describing the international protection framework for HRDs and contrasting it with the similar system for journalists. She suggests that given the parallels between the challenges faced by the regimes and the security situations of such journalists and HRDs, international actors could work together more effectively to improve protection for both groups, albeit on a small scale in the absence of more resources and political will (Mitchell, 2019).

The development of an educated public opinion depends on freedom of speech, which is a fundamental component of democratic society. The findings are the result of a wider study effort carried out between 2014 and 2015 in collaboration with the civic group Collective of Analysis of Security with Democracy (CASEDE) and the non-governmental organization Freedom House. For more than 70 years, Sinaloa has been the base of operations for the most significant drug trafficking organizations in Mexico. Mexico City has avoided the worst of the drug violence, but risks there are different from those elsewhere in the nation. One of the few states in the nation possessing a Specialized Prosecutor's Agency for Crimes Against Freedom of Expression is Chiapas, albeit the office has limited power (Luna, 2017).

The first proof consists of two statistics, the first of which is a significant number: 30,000, which is a recent official count of individuals "executed" in the context of the violence against and among organized criminals from late 2006 to the end of 2010. 1 The second figure is modest: 66, which is the number of journalists who were slain or went missing over the same time period. But one of the world's most hazardous locations for journalists is Mexico. No matter how large the figures, it is impossible to calculate the human cost. However, if we follow the advice of President Felipe Calderón and other state officials, the societal cost is minor since the majority of those 30,000 people and perhaps some of the 66 are criminals in any case (Piccato, 2012).

Even in the most advanced cultures, there remains risk to life. Although there has been substantial success in lowering sickness and fatalities from infectious illnesses, this advancement has been greatly countered by increasing susceptibility to natural catastrophes and technological risks. 2 The ability of society to be concerned about risk and to give resources to lower it is limited. To get people's attention, risks must compete with one another. However, there is evidence that there are significant and pervasive biases in how individuals perceive danger. These myths surely affect how individuals perceive and react to risks in their own lives. Such prejudices may cause

government organizations and public interest groups to behave ineffectively (Combs & Slovic, 1979).

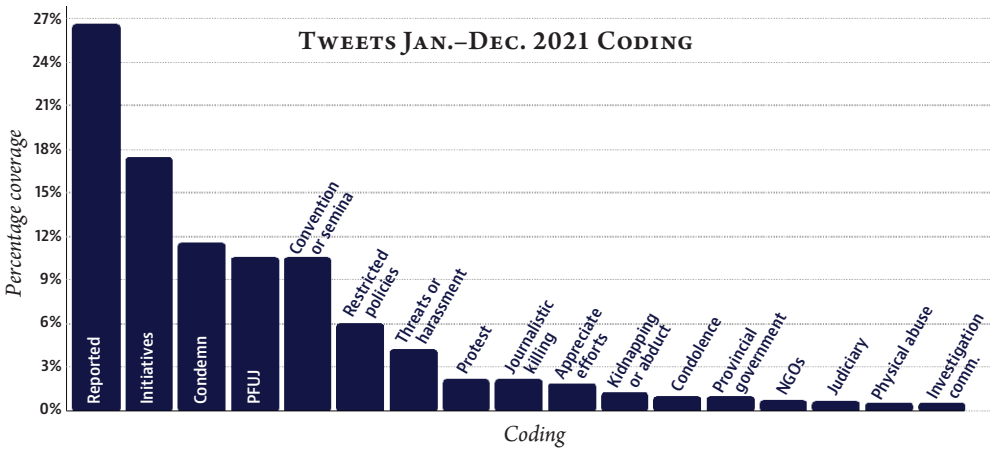
METHOD OF DATA COLLECTION

Qualitative content analysis was utilized for data collection. The research's reflexivity and the knowledge that a topic's construction may occasionally "emerge once in a text" must be considered in qualitative content analysis (Schreier, 2012). The researcher must gather "cultural artefacts" and study them after they have been collected, categorised, and sorted (Reinharz and Davidman, 1992). In this situation, Twitter posts that detail journalistic killings, kidnappings, abductions, threats, harassment, abuse, exile, etc. and their causes & effects are fascinating relics that offer a window into how impunity for journalists is built up across the world. The researchers in this study took the necessary actions outlined by Krippendorff (2004). Unitizing the texts is one of them. Others include sampling the observations, writing down and categorising the texts, decreasing the data, inferring contextual phenomena, and ultimately relating the conclusion to the research question.

Krippendorff (2004) stated that choosing what to evaluate, or what data will be collected, is the initial task of any study. Because of its large, international membership, Twitter was chosen by the researchers over other social media sites. Twitter can swiftly mobilise the conversation on a subject that normally would not garner that much attention, making it a useful tool for spreading awareness of specific situations (Kende, et al., 2016; Zhang & Kramarae, 2014).

The Pakistan Federal Union of Journalists (PFUJ) accessible tweets from the period of January 1 through December 31, 2021, made up the dataset the researchers used for their study. The technique creator asserts that the researcher can save time and effort by limiting the data to a sample of the full source. As well as the stern press-restriction rules of the government at the time were a factor in the selection of the time period. Total 156 tweets were posted by Pakistan Federal Union of Journalists (PFUJ) in January 1 through December 31, 2021. All tweets were analyzed by NViVo software.

The third step in content analysis is to code or split the individual texts into discrete groups. This stage is crucial because it bridges the gap between the data and the researcher's observations in the obtained data. An inductive coding technique was employed by the researcher. In order to collect data, a coding sheet was created while taking into account the objectives, research questions, and literature review.



FINDINGS

After conducting qualitative analysis using Nvivo, available tweets were coded into different categories. Majority of the tweets i.e. 26% was based on reported incidents that highlighted journalists’ murders and safety and threats related issues in Pakistan quite objectively as these were reported by PFUJ. Similarly, second major category i.e. 17% highlighted PFUJ’s various initiatives such as seminars/conventions which were taken to ensure freedom of expression and journalists’ safety in Pakistan. Tweets based on condemnation i.e. 11% was another key category where PFUJ strongly condemned different attacks, threats, physical abuses and brutal killings of journalists in Pakistan, for example, PFUJ convicted target killing of hub-based journalist *Shahid Zehri* which further compelled the government and law enforcement institutions for a strong action against the culprits. Several tweets i.e. 6% showed massive criticism on governments’ restrictive policies to snub journalists’ voice on certain issues that was known against the right to information law. Meanwhile, PFUJ also tweeted i.e. 2% to appreciate the government and law enforcement institutions in their efforts to provide justice to all the victims and bearers. Above mentioned categories secured maximum weightage, however, many tweets ranged from 1-2 % of the whole highlighted PFUJ’s condolences to the family members, role of provincial government to put the culprits behind the bar and role of Judiciary for undelayed justice.

After conducting qualitative analysis using Nvivo, a word tree was generated and multiple words repetitively used in available tweets during the selected time period were extracted out. For instance, #enoughisenough remained top of the list and was observed in majority of the tweets revolved around journalists’ issues i.e. their abductions, threats they faced while covering different news stories and murders similarly on government’s restrictive policies to stop journalists’ voice over the issue. It might sound like this brutal treatment of the journalists should be over now. Likewise, 2021 was another word, a year in fact, recycled most of the times because the selected year for data i.e. tweets was 2021. Similarly, @hamidmirpak remained frequent in its usage because PFUJ tagged him in majority of the tweets and he was the journalist who led maximum talk shows on the issue and raised voice to support journalist fraternity as

so is with Asmatullah Niazi who always stood by the journalists in all their thick and thin. Another journalist highlighted most of the times with word @geofahmigeo was Faheem Siddique who is general secretary of Karachi Union of Journalists and is an active member of Journalists Protection Commission. He not only raised his voice on such inhuman treatment of journalists through tweets but also highlighted it on different platforms as well like @officialkuj, as mentioned above, it is a Karachi based union of journalists. Above mentioned words secured maximum space on tweeter, however, many other words were also used including Press, media, trolling, bill, leader, protection, initiatives, Pakistan journalist, freedom, politicians, speech, rights, press and conventions etc. however lower frequency.

CONCLUSION

This study shows a rather narrow spectrum of safe journalism in Pakistan due to the numerous safety concerns that journalists must manage, which have an impact on their physical, psychological, financial, legal, social, and emotional well-being. The study emphasised that in addition to terrorists, the government, political parties, intelligence services, and religious organisations, the public and media organisations in Pakistan were the new sources of dangers.

It is recommended that newsrooms and journalists implement safety training, organisational and psychological support, moderation of online comment sections, gender policies, and collective efforts to share information and “speak out” against prosecution, harassment, and other safety risks. This will lessen risks and decrease self-censorship among journalists.

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Instrumentalization of the Law for Media Capture (case of Georgia)

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ABSTRACT

The Georgian media landscape continues to reflect the challenges encountered by hybrid democracies, as well as the threats inherited from autorotation regimes, even 32 years after the collapse of the Soviet Union. Despite efforts towards democratization, the authoritarian playbook and Soviet legacy continue to undermine the development of democratic institutions, including the media.

Based on the challenges that have existed since previous years, the study analyzes the existing threats in relation to media capture and freedom of expression. This situation is compounded by kleptocracy, systemic amendments in legislation, Strategic Lawsuits against Public Participation (SLAPPs) as acceptable practices within the Soviet legacy and mindset. In addition, the set of negative amendments, legal initiatives and established practices follow the Kremlin playbook and threaten democracy in Georgia.

The research focuses on the extent to which the safety of journalists is ensured in Georgia, identifies the types of law amendments used to reinforce the media capture and tactics used to adopt and execute negative law amendments. The purpose of this study is to assess such threats and highlight supporting mechanisms present in the Georgian media environment.

Keywords: media capture, SLAPP, media environment, safety of journalists, Georgia.

INTRODUCTION

After 32 years of collapse of the Soviet Union and gaining of independence, Georgia continues to grapple with the enduring effects of the Soviet institutions, which have left behind a toxic legacy. Although corruption at the societal level was successfully eliminated after the Rose Revolution in 2003, the country still confronts ongoing challenges

in dealing with high-level elite corruption¹ which manifests in forms of kleptocracy². In this context, the media, particularly investigative journalists, play a crucial role as a means of promoting transparency and combating state capture and corruption. Critical media outlets in Georgia strive to disclose public information regarding the ownership of assets, the modus operandi of kleptocratic practices. Consequently, investigative journalists find themselves targeted by groups associated with corruption. However, the persisting Soviet tradition of an unhealthy and symbiotic relationship between the media and political parties or governments poses additional risks to the sustainability and viability of media outlets in Georgia.

It is characteristic of kleptocracy to undermine trust in institutions and discredit them (media institutions included). Recent polls conducted in Georgia³ (NDI, CRRC Georgia, 2023), reveal a significant increase in the number of individuals distrusting the media in Georgia, doubling from 20% in 2019 to 51%. According to Gersamia and Toradze (2022), this shift can be attributed, in part, to the systemic discreditation campaign against journalists from the government and pro-Russian, ultra-right radical groups, which creates a fertile soil for spreading populist narratives and conspiracy theories. Regrettably, the Georgian populace remains largely unaware of the dangers associated with corruption. Based on the data from IRI in the past last three years (IRI, 2023)⁴, most Georgians (77%) still believe that democracy is the best form of governance in Georgia. Most citizens (around 50%) identify economic challenges connected with poverty, unemployment, high prices and costs of living as the most important problem (MIP). However, there appears to be a lack of awareness among the population regarding the various types of corruption and its direct influence on poverty, as 70% believe that corruption has not negatively affected them.

While on its way to building a democracy in Georgia, just like other post-Soviet countries, the malign influence of Russian propaganda emerges as a systematic threat. The year 2022 witnessed Russia's full-scale war in Ukraine, which caused a humanitarian disaster and a global crisis, affected the media and political environment in the Black Sea region, including Georgia. Researchers (Giesler, Barry, et al., 2022) highlight the dissemination of pro-Russian propaganda messages through a well-coordinated and systematic campaign. Journalists become targets of the Kremlin information warfare in Georgia. Consequently, ensuring the safety of journalists and combating impunity become crucial indicators of the progress made towards building a democracy resilience.

1 Alleged Cases of the High-Level Corruption — A Periodically Updated List, (2023), Transparency International - Georgia, available at: <https://transparency.ge/en/blog/alleged-cases-high-level-corruption-periodically-updated-list> (last seen: 16.06.2023).

2 CPI 2022 For Eastern Europe & Central Asia: Growing Security Risks and Authoritarianism Threaten Progress against Corruption, (2023), Transparency International, available at: <https://www.transparency.org/en/news/cpi-2022-eastern-europe-central-asia-growing-security-risks-authoritarianism-threaten-progress-corruption> (last seen: 16.06.2023).

3 Taking Georgians' Pulse, Carried out for National Democratic Institute (NDI) by CRRC Georgia, available at: <https://www.ndi.org/georgia-polls> (last seen: 17.04.2023).

4 Georgian Survey of Public Opinion (March, 2023), International Republican Institute, Center for Insights for Survey Research, available at: <https://www.iri.org/resources/national-public-opinion-survey-of-residents-of-georgia-march-2023/> (last seen: 27.04.2023)

1.2. “Legal pathways” of media capture in Georgia

Ensuring free flow of information is a necessary precondition for building a democratic, rule of law-based state. The effective implementation of freedom of expression involves establishing appropriate safeguards for freedom of information, with the state holding both negative and positive obligations in this regard. When evaluating potential interventions in the area concerned, it is important that the state considers, in each specific case, potential damage inflicted to the freedom of speech and expression. The Georgian media landscape and its viability are deliberately damaged by the government’s legislative amendments packaged as legitimate purposes, as well as the forms and terms of their implementation. The year 2022-23 was notable for such harsh methods of harassment used against Georgian media.

Several laws in Georgia provide guarantees of media freedom and independence. Firstly, we the provisions of the constitution protect freedom of expression. Article 17 of the Georgian Constitution states that freedom of opinion and expression shall be protected, and no one shall be persecuted because of their opinion. Every person has the right to freely receive and impart information freely, and censorship is deemed inadmissible. Neither the State nor individuals shall have the right to monopolize mass media or the means of dissemination of information.

The Constitutional reform implemented in 2017 brought changes to the regulation of freedom of expression and increased the standard of protection in this regard. Freedom of the Internet was recognized in the Constitution, granting everyone the right to access and use internet freely. Furthermore, the independence of the public broadcaster from state agencies and its freedom from political and substantial commercial influence were acknowledged.

In Georgia, there is no specific law that solely regulates media activity. Broadcasting is regulated by a special law “On Broadcasting”, while print media and social media are regulated by several laws. Of mention are the law “On Freedom of Speech and Expression” and the General Administrative Code of Georgia, which contain guarantees of freedom of information. The Law “On Freedom of Speech and Expression” includes guarantees protecting freedom of expression and provides detailed regulations on the limitations of this right. Standards of protection of freedom of speech and expression serves as a measure of the state’s democracy. Safeguarding these rights is especially important for the media as they are legal guarantees for the existence of independent media. Freedom of the press and of opinion are essential for the free exchange of ideas, which is vital for the functioning of a democratic society (Goinalakis, 2010).⁵ The protection of freedom of opinion is necessary not only for the existence of free media, but also for the functioning of a democratic society. According to Article 8.1. of the Law of Georgia on Freedom of Speech and Expression, any restriction of the rights recognized and protected by the Law may be established only if it is prescribed by a clear and comprehensive, narrowly tailored law and the benefit protected by the restriction exceeds the damage caused by the restriction.

The Law “On Freedom of Speech and Expression” also addresses the distinction

5 Georgious Goinalakis, *Privacy and Media*, Munchen 2010. p.9

between opinion and facts. Individuals cannot be held legally responsible for opinions. The law defines thought as a value judgment, point of view, comment, or expression of opinion in any form, which reflects one's attitude toward a person, event, or object, and does not contain any fact that may be either confirmed or denied.

Legal literature frequently discusses the distinction between opinion and fact. Assertions of fact are defined as statements about events that are currently happening or have occurred in the past and can be proven. On the other hand, according to Goinalakis (2010) an expression of opinion is a subjective assessment that contains elements of commentary, interpretation or opinion and cannot be verified.⁶ Armstrong, Blakeney and Watterson (1988) clarify that for media law, it is very important to separate not only opinion and fact, but also comment and assertion of fact. This expands the scope of media freedom and provides journalists with more opportunities to freely express their opinions. In this context, it is of great crucial for journalists to use expressions such as "in my opinion", "I think", "I believe that" when making comments.⁷ The Law "On Freedom of Speech and Expression" contains an important provision (Article 7.5) that determines the status of a statement as an opinion or fact. In cases where reasonable doubt cannot be confirmed through the established legal procedure, the piece of information in question is granted the status of an opinion.

In recent years, there have been several attempts to weaken the legislation, and problems have arisen in the enforcement of the law rather than in its provisions. In some cases, the government has been forced to backtrack due to public protests, although the legislation has still deteriorated to some extent. The following examples illustrate this:

In 2017, a member of the High Council of Justice, supported by the Georgian Dream (the ruling party in Georgia), proposed introducing a "limit on permissible criticism" towards judges to protect the court's reputation. While the proposal sparked intense debate, it did not progress as a formal initiative.

In 2018, a legislative initiative by Georgian Dream MPs aimed to allow courts to prohibit the dissemination of creative works that infringe on the rights and legal interests of others or incite hatred. Civil society harshly criticized⁸ the draft law, as it fundamental principles of basic human rights and the Constitution, posing a threat to freedom of expression. Eventually, the authors withdrew the initiative.

In 2018, an MP from the ruling party submitted a legislative initiative on criminalize "insult to religious feelings". The initiative is currently under review by parliamentary committees. Previous similar initiatives proposed by MPs faced strong protest from civil society, preventing any changes from being made.

In 2019, the Orthodox Christian Church, responded to discussions on potential restriction of freedom of expression by establishing a working group to study hate speech in the media. The working group intends to explore international practices to find out how "they regulate television there so that such aggression, violence, and

6 Georgios Goinalakis, *Privacy and Media*, Munchen 2010. p.20

7 Armstrong M., Blakeney M., Watterson R., *Media law in Australia*, Second edition. Oxford University press, Melbourne, Oxf Neword Auckland, New York. 1988. p. 47

8 Statement of Georgian NGOs: The legislative initiative of Beselia and Gogichaishvili poses a threat to freedom of expression. 13 June, 2018, available at: <https://www.transparency.ge/en/post/legislative-initiative-beselia-and-gogichaishvili-poses-threat-freedom-expression> (last seen: 16.06.2023)

obscenity does not emanate from it”⁹

At the end of 2022, the Parliament of Georgia approved amendments to the “Law on Broadcasting”, shifting the regulation of hate speech from self-regulation to official regulation. The amendments prohibit the use of hate speech and incitement to terrorism in TV programs and advertisements. The Georgian National Communications Commission (GNCC) is granted the authority to determine whether a program contains hate speech and impose appropriate sanctions. Prior to these amendments, hate speech was addressed through self-regulation mechanisms. Civil society criticized the amendments, emphasizing the risks related to the interpretation of hate speech by the government and the GNCC, which could potentially restrict the expression of critical opinions.¹⁰

The amendments implemented in the “Law of Georgian on Broadcasting” in 2022 had a profound impact on the market for critical media. Prior to the amendments, gambling companies were major financiers of broadcasting companies. Data published by the Communications Commission indicates a sharp decrease in revenues following the new regulations on gambling-related advertising. In the second quarter of 2022, “the total commercial advertising revenue of television and radio broadcasters amounted to 19 million GEL, which is 4.1 million GEL (17.5%) less compared to the same period of the previous year. The decrease in advertising revenues is caused by the new regulation on gambling broadcast advertising, which came into force on March 1, 2022.” In the third quarter, the dynamic of decline was maintained, and the total commercial advertising income of television and radio broadcasters amounted to 16.3 million GEL, which is 1.7 million GEL (9.3%) less than the same period of the previous year.

Legislative amendments may initially pursue legitimate aims, but their implementation can have detrimental effects on the democratic environment. For example, changes to the Law of Georgia on Broadcasting were made due to the request of the public to ban the advertising of gambling games to reduce the harmful effects of ludomania on young people. However, despite the legitimate aim, there has been no statistical evidence of a decrease in the number of people engaged in gambling after the advertising ban. The accelerated adoption of these amendments significantly damaged the viability of the media.

The Russian hybrid warfare strategy typically involves establishing a legal framework aimed at facilitating state and media capture. Negative amendments are often introduced and justified by seemingly legitimate goals, but in practice, those responsible for implementing these laws maintain direct affiliations with the ruling power, resulting in the suppression of journalism and critical media outlets.

In 2023, the biggest challenge emerged with the introduction of so-called Russian law. The draft law proposed that organizations receiving more than 20% of their income from foreign sources should be registered in the register of agents of foreign influence.

9 Why Freedom of Expression Must Not Be Restricted. Transparency International-Georgia. 06 June 2019. available at: <https://transparency.ge/en/blog/why-freedom-expression-must-not-be-restricted> (last seen: 20.06.2023)

10 Amendments to the “Law on Broadcasting” Threaten Freedom of Expression of Critical Opinions. Transparency International- Georgia. 26 September 2022. available at: <https://transparency.ge/en/blog/amendments-law-broadcasting-threaten-freedom-expression-critical-opinions> (last seen: 20.06.2023)

The law was supported by the ruling party MPs in the first reading, but it was met with numerous street demonstrations. Approximately 300 non-governmental organizations and media outlets issued a joint statement expressing that “the Russian law is not the will of Georgia.”¹¹ The draft law reflected the Kremlin’s playbook and followed the steps taken in Russia over the past decades. According to Yablokov (2020)¹², before the amendments against CSOs made in Russian legislation, conspiracy theories and narratives on “foreign spies” have been spread in a systemic and propagandistic way. Ultimately, due to the large-scale protests, the parliamentary majority withdrew it. However, in 2024, they reintroduced and adopted the law despite continued protests and international criticism.

Another authoritarian approach to the deteriorating the media environment was the imprisonment of Nika Gvaramia, the founder and director of the critical media broadcasting company Mtavari Channel. Gvaramia’s imprisonment was called to be politically motivated by various international and local organizations. Organizations such as Reporters Without Borders, Amnesty International, International Press Institute, Committee to Protect Journalists condemned the arrest and called for Gvaramia’s release, emphasizing its impact on media freedom. After one year and one month, Nika Gvaramia was granted a pardon and released on June 22, 2023, by the president of Georgia. Media representatives raised concerns about lawsuits and investigations against the owners of other critical television stations, which they believe were also politically motivated.

1.2. SLAPP as a threat to media freedom

When media is being strategically targeted, media people may face various be targeted from tactics, one of such is known as Strategic Lawsuits Against Public Participation (SLAPP). SLAPPs gained attention in academic discussion in recent decades. The acronym was first introduced in the 1980’s by George W. Pring (1988)¹³. According to Noorlander (2022), SLAPPs can have a chilling effect on journalists, because these are “lawsuits taken against media organizations or activists with the sole purpose of silencing them. You typically involve a huge disparity in resources and the claimant’s tactic is to use the lawsuit, or threat of a lawsuit, to divert a journalist or media organization’s resources”¹⁴, targets of these lawsuits include journalists, independent media outlets, academics, civil society, and human rights NGOs¹⁵ (Borg-Barthet,

11 The Russian law is not the will of Georgia. Joint statement of Georgian NGOs, Transparency International Georgia, 2023, available at: <https://transparency.ge/en/post/russian-law-not-will-georgia> (last seen: 15.05.2023)

12 Yakovlev, I., (2020), *Fortress Russia, Conspiracy Theories in the Post-Soviet World*, p. 193-216.

13 Pring G., “Studying Strategic Lawsuits against Public Participation: Mixing Quantitative and Qualitative Approaches,” *Law & Society Review*, vol. 22, no. 2 (1988), pp. 385-95.

14 Noorlander, R., (2022), *Fighting SLAPPs: What Can Media, Lawyers, and Funders Do?*, available at: <https://www.cima.ned.org/publication/fighting-slapps-what-can-media-lawyers-and-funders-do/> (last seen: 14.06.2023)

15 Borg-Barthet, J., Lobina, B., Zabrocka, M., (2021), *The Use of SLAPPs to Silence Journalists, NGOs and Civil Society*, p. 9, available at: [https://www.europarl.europa.eu/RegData/etudes/STUD/2021/694782/IPOL_STU\(2021\)694782_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2021/694782/IPOL_STU(2021)694782_EN.pdf) (last seen: 14.06.2023)

J., Lobina, B., Zabrocka, M., 2021, p. 9). According to Kraski (2017)¹⁶ SLAPPs are a form of retaliatory lawsuit intended to deter freedom of expression on matters of public interest. According to the Council of Europe SLAPP-related alerts in numbers and jurisdictions concerned¹⁷. As a respond to a growing risk related to the freedom of speech, some jurisdictions have already adopted anti-SLAPP legislation¹⁸. A survey conducted in 41 countries (Coughtrie and Ogier, 2020) revealed that 73 % of journalists have been threatened with legal action and due to these threats, 70 % of respondents admitted to engaging in self-censorship to some degree. Journalists working on investigations into financial crime and corruption face the highest number of threats and harassment. Worth noting that SLAPP has a psychological impact, such as trolling, verbal, and written threats, smear campaigns, and blackmail, were the most highly reported¹⁹.

Recent studies on SLAPP emphasize the importance of protecting free speech and democratic participation. Efforts to strengthen legal protections for defendants and combat the chilling effect of SLAPPs on public discourse are necessary. SLAPPs are often used as a tool to silence media and suppress free speech, particularly in countries with hybrid democracies. This creates an atmosphere of fear and self-censorship, reinforcing impunity. According to the Dekleptification Guide (2022):

“Oligarchs and other subjects of reporting on corruption often try to silence journalists by suing them and their publishers. At the 2021 Summit for Democracy, USAID announced a global Defamation Defense Fund, which would provide insurance to cover the cost of defending journalists and media organizations against frivolous lawsuits and strategic litigation against public participation (SLAPP)” (p. 19-20)

In countries where there is a risk of kleptocracy and media capture, it is crucial to engage civil society organizations in comparing the effects of SLAPPs. To fully understand the impact of SLAPPs on the media landscape, contextual factors such as historical legacy of authoritarianism, the current state of democratic institutions, and the condition of human rights must be considered.

In the last two years, Georgia has made changes to its legislation that have significantly worsened the media legislation. After the adoption of the Law “On Freedom of Speech and Expression”, criminal liability for defamation was abolished. The law provides important guarantees in order to protect the public interest in defamation cases, as well as the journalist’s right to disseminate news of public interest and be protected in case of mistakes. Defamation in Georgian legislation is defined as a statement

16 R Kraski, ‘Combating Fake News in Social Media: U.S. and German Legal Approaches’ (2017) 91 St John’s Law Review 923

17 Wanted! Real action for media freedom in Europe. Annual Report 2021 by the partner organizations to the Council of Europe Platform to Promote the Protection of Journalism and Safety of Journalists, available at: <https://rm.coe.int/final-version-annualreport-2021-en-wanted-real-action-for-media-freed/1680a2440e> (last seen: 14.06.2023)

18 The Use of SLAPPs to Silence Journalists, NGOs and Civil Society, available at: [https://www.europarl.europa.eu/RegData/etudes/STUD/2021/694782/IPOL_STU\(2021\)694782_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2021/694782/IPOL_STU(2021)694782_EN.pdf) (last seen: 14.06.2023)

19 Coughtrie S., Ogier P., Unsafe for Scrutiny: Examining the Pressures Faced by Journalists Uncovering Financial Crime and Corruption around the World (United Kingdom: The Foreign Policy Centre, November 2020), available at: <https://fpc.org.uk/wp-content/uploads/2020/11/Unsafe-for-Scrutiny-November-2020.pdf> (last seen: 14.06.2023)

containing a substantially falsehood inflicting harm on a person, a statement damaging a person's reputation. There are exceptions to defamation liability, such as statements made during political debates, while carrying out his/her obligations by a member of parliament, during pre-trial and trial procedures, etc. Litigation on defamation may not concern the protection of personal non-property rights of governmental or administrative bodies.

The Law of Georgia on Freedom of Speech and Expression (Article 13-14) established different standards for defamation of public and private individuals. Under civil law, a person is liable for defamation of a private person if the plaintiff can prove in court that the respondent made a substantially false statement about the plaintiff, resulting a harm. In case of defamation of a public person, the plaintiff must also prove that respondent either knew in advance that th stated fact was false or acted with apparent and gross negligence in spreading substantially false statement.

While Georgian legislation doesn't specifically include anti-SLAPP mechanisms, it does contain the concept of groundless claims. According to Article 18 of the Law of Georgia on Freedom of Speech and Expression, if an apparently groundless claim for defamation is filed with the aim of unlawful restricting freedom of speech and expression, the respondent has the right to demand monetary compensation, within reasonable limits, from the plaintiff.

Analysis of SLAPP²⁰ cases shows that the criteria for upholding an apparently groundless lawsuit under Article 18 of the Law of Georgia on Freedom of Speech and Expression include examining whether the plaintiff intends to limit the freedom of speech and expression illegally, assessing the claim's apparent groundless, and considering the prospect of the claim being successful. However, contrary to the standards set out by the European Court of Human Rights, while assessing the apparent groundlessness of the claim, the general courts in Georgia often approach the issue without examining the plaintiff's underlying intentions in defamation claims. This deprives SLAPP victims of a legal opportunity to protect their rights.

3. METHODOLOGY AND DESIGN

The research was preceded by media environment studies of the 2021 and 2022, which identified the challenges and supporting mechanisms of the Georgian media environment analyzed from the perspective of representatives (reporters, producers, media managers, media owners, journalists, and talk show hosts, etc.). Throughout 2021 and 2022, 49 media workers from 21 media outlets participated in 6 online and offline focus-group discussions.

The findings and research perspective have been used as the basement for the current study. In the current study, a qualitative research approach in-depth interviews (N=6) were conducted in 2023, with media workers and lawyers (in two phases: 1. interviews with lawyers; 2. interviews with journalists). Interviewed lawyers represented media outlets and/or journalists in the court hearings or were media law experts. Interviewed journalists were individuals who had been accused of defamation.

20 Slapp cases in Georgia, a new threat to media freedom, Georgian Democracy Initiative (GDI) Special Report. 2023, available at: <http://gdi.ge/storage/files/doc/SLAPP%20Report.pdf> (last seen: 17.06.2023)

As qualitative research instrument the questionnaire was used and included primary and secondary semi-structured questions (N=20). Secondary questions were identified during the interviews.

The current study answers the questions as it follows: how SLAPP practice used to increase pressure on journalists? (1); how SLAPP is used to reinforce the media capture? (2); what are the supportive mechanisms to empower SLAPPED journalists and media organizations? (3).

4. RESULTS AND DISCUSSION

The study answered the research question N1: how SLAPP practice used to increase pressure on journalists?

Based on observations from journalists', it was found that authorities in Georgia started to establish a new approach in their fight with the media. The government representatives, in case of complaints against journalists, rarely refer to self-regulation bodies and go directly to court to fine the journalist and the TV company. Establishing this practice, according to journalists, serves to further increase the number of fines for broadcasters and further limit freedom of expression. According to Transparency International Georgia, "a self-regulatory mechanism can also be used to assess media activities in terms of protection of professional and ethical standards. Unfortunately, the government and the persons affiliated with it prefer to apply to court rather than use the self-regulatory mechanism"²¹. SLAPP is perceived as part of the hybrid war strategy and mechanism to gradually the legal and financial aspects required for the existence of the media. According to the information obtained by TI Georgia, the number of lawsuits filed in court against critical media representatives for alleged defamatory statements has significantly increased. By 2022, April, "28 lawsuits have been filed against the representatives of critical TV channels - with a large portion filed in 2021"²². By 2023 defamation lawsuits against journalists reach around 38 cases (GDI, 2023)²³.

The overall goal of SLAPPs is reputational damage to journalists and media organizations, so it is difficult to predict from the very beginning of accusing journalists or media violations of the law. The primary aim of SLAPP lawsuits is to exert psychological pressure on the media, with winning the lawsuit considered a secondary or supplementary goal. We put forward the idea that SLAPP may also be used as a tool to increase self-censorship in the media (especially among entry-level journalists). To address this issue in hybrid democracies like Georgia, it is crucial to identify SLAPP tactics and develop preventing measures.

Slapped cases need to be addressed specifically to protect journalists from bullying and increased self-censorship. The interviews conducted revealed that journalists were generally unaware of SLAPP practice, its specifics, or phenomena. When asked

21 Defamation Lawsuits – Additional Lever against Critical Media, 2022, Transparency International Georgia, available at: https://transparency.ge/en/post/defamation-lawsuits-additional-lever-against-critical-media/?custom_searched_keyword=defamation (last seen: 15.06.2023)

22 Ibid

23 Slapp cases in Georgia, a new threat to media freedom, Georgian Democracy Initiative (GDI) Special Report. 2023, available at: <http://gdi.ge/storage/files/doc/SLAPP%20Report.pdf> (last seen: 17.06.2023)

whether journalists know what SLAPP means, one of the respondents had no information about it at all, and three notes that had some knowledge, but could not link it with their cases of defamation. While the respondents were unable to provide conclusive evidence regarding the deliberate prolongation of trials, it is evident that legal cases initiated against journalists have a detrimental impact on their ability to carry out their journalistic, professional duties. The average duration of court procedures against interviewed SLAPPED journalists was found approximately three years. The psychological pressure endured by respondents becomes even more pronounced when they are individually targeted in defamation litigation, as opposed to media organizations. During the second phase of the in-depth interviews conducted with selected journalists, all interviewees expressed that answered that the trial process itself was a source of stress for them. Consequently, this emotional burden influenced the quality of coverage of certain topics.

The existence of the negative emotional “chilling effect” was also confirmed by the interviewed lawyers. Two of them (respondents N1 and N3), assert that according to their observations, the trial process has negatively affected the journalists’ everyday life, including their personal endeavors, financial stability, and personal relationships. In this regard, solidarity emerges as a valuable public participating instrument for mitigating the chilling effect imposed by SLAPPs.

According to the lawyer’s perspective, this tendency was also evident in the treatment of journalists. For example, respondent N2, a lawyer, refers to a specific case where “the journalist’s freedom of expression on the social network was restricted, the media manager exerted control over content and questions posed by the journalist during the talk-shows, the journalist was abruptly dismissed from hosting a program merely 10 minutes prior to live broadcast, and the entire process seemed to carry political undertones”. Respondent N3, another lawyer, mentioned an even more severe scenario during a court trial: “The journalist’s case become intertwined with the legal proceedings against entire TV Company “Rustavi 2”, which resulted in changes in ownership and the general director, ultimately leading to the unlawful termination of journalists.” In the lawyers’ opinion, these examples illustrate how the rights and freedoms of journalists have been undermined in various ways throughout court trials, and in some cases, the consequences have extended to the individual journalist.

All journalists who were interviewed reported being subject to administrative proceedings, including court hearings, at least once, which they attributed to their professional activities. Furthermore, respondent N5 specifically mentioned that court proceedings were initiated against in relation to a defamation case. When asked whether high-profile officials and/or individuals connected to them demanded compensation for the alleged defamation, respondent N6, a journalist, disclosed an official demanded 100,000 GEL (equivalent to approximately 40,000 US dollars) as compensation. It is worth noting that all journalist respondents expressed a sense of fear and apprehension regarding the possibility of having to pay a substantial amount of money as compensation for damages. Respondent N6 mentioned that it was somewhat frightening that they might have to pay large sums of money/damages as a compensation. In addition, respondent N6 thinks that during the hearing, the emotional stress somehow affected the coverage

of similar topics. Additionally, respondent N6 believed that emotional stress experiences during the court hearing somehow impacted the quality of their coverage of similar topics. These accounts from the interviewed journalists shed light on the inherent anxieties and potential financial burdens faced by journalists when confronted with defamation lawsuits. Moreover, they suggest that the emotional strain associated with such legal proceedings can have a detrimental effect on the journalists' ability to objectively report on related subject matters.

However, as previously mentioned, there has been a notable shift in the approach taken by authorities in their confrontation with the media. One notable development is the establishment of the Georgian Charter for Journalistic Ethics, which operates as a self-regulatory body responsible for assessing compliance with journalistic standards. This self-regulatory entity offers a platform for citizens to lodge complaints regarding potential violations of these standards by journalists. When it comes to complaints against journalists, government representatives rarely resort to self-regulation bodies like the Georgian Charter of Journalistic Ethics. Instead, they opt to directly file lawsuit against journalist and the associated TV company. During the in-depth interviews conducted with journalists, the issue of whether they had faced legal action related to their professional activities within the framework of the Journalism Ethics Charter was raised. It was revealed that only one of the interviewed journalists (respondent N6) had their case discussed within the Charter. This finding suggests that in recent times, the frequency of cases against journalists being brought to court has increased. When comparing the intensity of the legal proceedings endured by journalists with the handling of cases within the Charter, respondent N6 expressed that the court hearings are more distressing for journalists compared to the proceedings within the Charter. This observation underscores the growing prevalence of court proceedings as a means of addressing complaints against journalists, further emphasizing the heightened stress and strain experienced by journalists during such legal processes, when compared to the less burdensome proceedings within the Journalism Ethics Charter.

The study answered the question N2: how impunity and SLAPP practice is used to reinforce the media capture?

In the specific context of Georgia, where media organizations grapple with financial instability and journalists face meager salaries, the threat posed by defamation lawsuits is particularly significant. These lawsuits often involve requests to freeze journalists' personal accounts, further exacerbating the psychological pressure imposed on them. Transparency International - Georgia (TIG) has underscored a worrisome trend of media intimidation, whereby representatives of the authorities exploit the court system to suppress critical media outlets, and the ruling party exploits its influence over the judiciary to stifle dissenting voices in the media landscape. TIG highlights that a substantial number of claimants in 2022 were associated with the ruling party or closely connected to its members. In particular "number of lawsuits filed against the critical media within a short period of time evidently indicates a coordinated tendency, which aims at restricting and intimidating media activities". TIG assesses the tendency as sign of kleptocratic form of governance when "the authorities try to silence journalists working on the topics of corruption by filing defamation lawsuits against

them”. When asked about the political motivations behind legal proceedings targeting journalists and media organizations, all respondents affirmed that such cases were politically motivated.

According to Article 6 of the Law of Georgia on Freedom of Speech and Expression, the responsibility for defamation published by a journalist in a media outlet falls on the owner of the outlet. However, plaintiffs attempt to avoid this provision and target individual journalists in their claims. It is worth noting that when a media owner is named as the defendant in a defamation case, it increases the plaintiff’s chances of receiving higher compensation for moral damages in the event of a successful outcome. Nonetheless, the act of filing lawsuits against journalists suggests that the intent behind such legal actions is to exert pressure on journalists rather than genuinely protect the plaintiff’s interests.

The strategy of punishing journalists on one hand and allowing impunity on the other hand is a deliberate approach that fosters an unsafe media environment, thereby facilitating media capture. Establishing a safe environment for journalists is intricately linked to putting an end to impunity. In this context, the term “safety” refers to and includes the joint package of understanding the problems of security and impunity, that is, the need to develop a mechanism of suspending / coming up with a restraining factor²⁴. The procrastination and lack of accountability in investigating crimes against journalists contribute to systemic threats, which in turn serve as incentives for further aggression and undermine the establishment of a secure media environment. Journalists in Georgia have observed a lack of effective deterrent and preventive measures being implemented, particularly when it comes to holding perpetrators accountable, even in formal statements made following specific instances of violence against media professionals. The impunity surrounding crimes committed against journalists starkly highlights the government’s failure to fulfill its obligation of safeguarding freedom of speech and expression. Impunity not only fosters an atmosphere of fear within professional circles but also reinforces and perpetuates existing stigmas, stereotypes, and hate speech directed at journalists. A journalist from Mtavari Channel aptly captures the prevailing sentiment, stating, “The government is attempting to promote the perception that journalists are not immune from consequences and should be treated as criminals who deserve punishment. We face physical assaults.”

Journalists in Georgia frequently encounter instances where crimes committed against them are left uninvestigated or face significant delays in the investigative process. Additionally, the issue of illegal surveillance targeting journalists persists, as highlighted by a journalist from Mtavari Channel who recounted an incident. The journalist stated that after sharing a story within the newsroom regarding a specific violation by an official, their source informed them on the same day that the official was already aware of Mtavari Channel’s intention to cover the matter, resulting in the violation being rectified. This occurrence strongly suggests that the journalists’ conversations were being monitored in real-time, amplifying concerns surrounding illegal surveillance.

24 Towards a Research Agenda on the Safety of Journalists, United Nations, UNESCO, 2015, available from https://en.unesco.org/sites/default/files/draft_research_agenda_safety_of_journalists_06_2015.pdf (last seen on Sept. 26, 2021).

The government's consistent adoption of aggressive rhetoric towards journalists, combined with a lack of investigations and impunity for crimes committed against them, has resulted in the erosion of trust in the journalism profession. Consequently, society has become polarized and openly exhibits anti-social behavior, including verbal and physical attacks, against journalists associated with different media outlets. Journalists themselves perceive their profession as unsafe in Georgia. They assert that every day, when they step outside, they must contend for their physical safety. The primary trigger for aggression is the presence of a television company's logo displayed on the journalist's microphone. Aggression emanates from opposition supporters towards journalists representing government-affiliated media, and vice versa. Instances of aggression are particularly prevalent during the coverage of rallies, and the rhetoric directed towards journalists, regardless of their alignment with the government or opposition, is strikingly similar. There are cases when journalists (both from alleged pro-government and pro-opposition channels) when covering the events where aggression towards journalists is expected, agree in advance among themselves to work without branded microphones and logos.

The stigmatization of critical media and the visibility of their microphones also create a sense of danger for sources, leading to increased fear and self-censorship among them. A journalist from Mtavari Channel recounted an incident where a source expressed gratitude for their coverage in Kutaisi but subsequently apologized and declined to share the story on social networks. However, the source mentioned that they would be willing to share the story if the journalist could provide it without the Mtavari Channel logo and with any visible traces of the journalist herself edited out.

If in 2021, in crisis situations, "for the safety of journalists, the editors had advised them to hide that they are journalists and not to show identifying signs"⁶⁸, in 2022, journalists in crisis situations (for example, during demonstrations or protests) agreed to remove the identifying logos of this or that media outlet from their microphones before filming, to feel safe.

The study answered the research question N3: what are the supportive mechanisms to empower SLAPPed journalists and media organizations?

According to the findings from the in-depth interviews, journalists operating in Georgia's highly politicized, violent, and distrustful media environment emphasize the significance of solidarity expressed by their colleagues, non-governmental organizations and a wider public. They view institutionalizing solidarity and fostering inclusivity among various groups as the most effective means to mitigate the impact of SLAPP. Solidarity within media organizations is seen to fortify a supportive media environment, thereby enhancing resilience. Two dimensions of solidarity are highlighted: 1) Solidarity among media organizations themselves, and 2) Solidarity extended to the media from the public and civil society.

In comparison to previous years, discussions of mutual solidarity and exploring collective resilience have gained greater relevance for journalists. Instead of relying solely on individual efforts, there is a growing recognition of the need for collective approaches to overcome the challenges faced by the media industry. By institutionalizing solidarity, there is a greater likelihood of ensuring the survival and improved

protection of professional standards. It is crucial to foster solidarity not only during crisis but also as an integral part of daily routines within the media landscape.

CONCLUSION

The findings highlight the detrimental impact of SLAPP practices and media capture on the freedom of expression and the safety of journalists. The study underscores the importance of addressing these issues to create a safe and supportive media environment that upholds professional standards and protects journalists from intimidation, violence, and legal harassment.

It shows how SLAPPs are being used as a tool to increase pressure on journalists, limit freedom of expression, and reinforce media capture. The research revealed that authorities have shifted their approach by bypassing self-regulation bodies and directly filing defamation lawsuits against journalists and TV companies. This practice aims to impose financial burdens through fines and reputational damage, thereby exerting psychological pressure on the media. SLAPP lawsuits serve as a mechanism for media capture, to gradually erode the legal and financial aspects necessary for media existence. The study also explored the role of SLAPPs in fostering self-censorship, particularly among entry-level journalists. It emphasized the need to identify the tactics employed during SLAPPs and develop preventive measures within hybrid democracies like Georgia. In this context, solidarity among media organizations and support from civil society play significant roles to combat SLAPP practices and strengthen the resilience of the media industry.

The politicization of legal actions against journalists further accentuates the chilling effect on their work, hindering their ability to provide unbiased and critical reporting. Furthermore, the government's aggressive rhetoric towards journalists, lack of investigations, and the perpetuation of impunity contribute to the discrediting of the journalism profession and reinforce stigmatization, stereotypes, and hate speech against journalists.

In recent years, there has been a notable shift in public perception towards the media, characterized by a decline in credibility and an increase in aggression towards journalists. This worrying trend can be attributed to factors such as nihilism, polarization, and the presence of weak democratic institutions. To address these challenges and bolster the resilience of the media, it is crucial to institutionalize solidarity among media professionals and stakeholders. By fostering a sense of collective responsibility and taking coordinated response actions, the media community can work towards restoring trust as a key resource.

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Doing Journalism During a Pandemic and Elections: Safety Threats and Pushbacks in an Authoritarian Democracy

Gerald Walulya¹ and Florence Namasinga Selnes²

INTRODUCTION

The first set of COVID-19 state instigated restrictions in Uganda took effect in March 2020 following presidential directives that led to a total lock-down of the country. The directive barred restricted human movement (public and private transport movement), banned gatherings such as conferences, and political rallies in addition to imposing a curfew under the guise of preventing the spread of the virus. The exceptions to the rule were what President Yoweri Museveni listed in his speech as essential service providers including “the medical, veterinary, telephones, door-to-door delivery, banks, private security companies, cleaning services, garbage collection, fire-brigade, petrol stations, water departments and some Kampala Capital City Authority (KCCA) staff.”³ Journalists and news media workers were initially not on this list. Enforcement of COVID-19 guidelines, a role left to security personnel and leadership at district, municipality, and parish levels, transformed into human rights violations⁴ as police and military personnel overzealously moved to enforce presidential anti-COVID-19 orders.

During the pandemic, journalists were caught between a rock and hard place as they had to find a balance between fulfilling their duty, staying healthy, and adhering to anti-coronavirus restrictions. In Uganda, the closure of media houses such as Record Television⁵ and the laying off scores of journalists in several media houses highlights the negative economic consequences of COVID-19 on the media industry. Aside from the obvious health-related effects, COVID-19 and the subsequent measures taken by

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3 *The Observer*: Museveni imposes 14-day COVID-19 lockdown (30 March 2020). <https://www.observer.ug/news/headlines/64074-museveni-announces-14-day-covid19-lockdown.>; Monitor: Museveni orders closure of schools, suspends religious gatherings over coronavirus (18 March 2020). <https://www.monitor.co.ug/uganda/news/national/museveni-orders-closure-of-schools-suspends-religious-gatherings-over-coronavirus-1881126>

4 HRW: Uganda: Respect Rights in COVID-19 Response: Ensure Security Forces Refrain From Violence, Abuse (02 April 2020). <https://www.hrw.org/news/2020/04/02/uganda-respect-rights-covid-19-response>

5 HRNJ-U, Press Freedom Index Report – 2021 Uganda: Media Shutouts & Shutdowns, (2021). <https://hrnjuganda.org/?wpdmpro=press-freedom-index-report-2021-media-shutouts-shutdowns>

different governments threatened journalists and news media at individual and institutional levels.

The implications for journalism were two-fold. First, the banning of human movement, private and public transport as well as prohibition of events was a direct assault on journalism, a profession that depends on movement and fieldwork. The ban inhibited access to information and sources, something that directly threatened practicing journalism. Second, journalists and media workers became targets of police and military brutality as they covered the enforcement of COVID-19 rules⁶. Scores of cases of physical assault were recorded, but it is estimated that the actual numbers could be higher than the registered considering that many such incidents go unreported. Journalists faced physical assault, sustained body injuries and some lost their gadgets such as cameras and field material (pictures and footage deleted) while covering stories connected to the implementation of COVID-19 restrictions. For example, a female radio journalist was attacked for covering a story that exposed a corrupt policeman. The security officer had allegedly been involved in extorting money from traders to allow them to operate contrary to the COVID-19 lockdown regulations. Another incident worth noting was of Dalton Iga, a radio journalist who lost money and a mobile phone during an assault attack as he reported about citizens' response to the curfew directive in central Uganda.⁷

The presidential directives and eventual restrictions were based on Uganda's Public Health Act and justifiable on health grounds. The directives were (mostly) in tandem with advice from the World Health Organization (WHO). Moreover, even considerably democratic countries such as Norway and the United Kingdom adopted similar approaches like a total country lockdown to control the spread of the coronavirus. The stark difference between Uganda and countries like Norway was in the implementation of the anti-coronavirus regulations. Uganda and several other less democratic countries in Africa and Asia adopted a war-like militaristic approach characterized with crackdown and brutality targeting citizens⁸ suspected of breaking the restrictions. Journalists and media workers, activists, healthcare workers, and political opposition groups faced the wrath of governments in their respective countries, which attacked, detained, prosecuted, and in some cases killed critics, broken up peaceful protests, closed media outlets, and enacted vague laws criminalizing speech (*ibid*).

During the early periods of the coronavirus pandemic, the WHO and the United Nations (UN) cautioned governments against weaponizing COVID-19 by instituting measures that curtail the right to freedom of expression, and in particular freedom of journalists to do their work. The UN Special Rapporteur on Freedom of Expression and Opinion, David Kaye, noted that in many countries around the world, states had exploited the prevailing circumstances to curtail press free freedom, silence criticism, and punish the free flow of information following the outbreak of the coronavirus

6 ACME: Responding to Threats to Press Freedom and the Media in a Time of Crisis (2021). <https://acme-ug.org/2022/03/25/report-responding-to-threats-to-press-freedom-and-the-media-in-a-time-of-crisis-in-uganda/>

7 HRNJ-U: Urgent call for safety of journalists covering the campaign to curb Covid-19 in Uganda. <https://hrnjuganda.org/?p=6034>

8 HRW: Covid-19 Triggers Wave of Free Speech Abuse Scores of Countries Target Media, Activists, Medics, Political Opponents (11 February 2021). <https://www.hrw.org/news/2021/02/11/covid-19-triggers-wave-free-speech-abuse>

pandemic. The UN warning followed reports that independent reporting was under new threat because of the pandemic, with several states passing emergency laws curtailing the freedom of movement, which led to suppression of freedom of the media, especially in developing countries. As media watchdog, Reporters Without Borders cautioned, COVID-19-triggered media restrictions and laws spelled disaster for press freedom around the world. In Uganda, for instance, journalists were jailed, harassed, or intimidated for their reporting on how their government had responded to the pandemic, while in Tanzania, the government banned media houses and passed new regulations that adversely affected the right to free expression and access to information. The COVID-19 pandemic broke out at the worst time in Uganda when the country was preparing for general elections. Journalists in Uganda, face extra attacks and pressure during elections and periods of social unrest⁹. This means that Uganda journalists confronted a double threat of restrictions arising from COVID-19 and elections.

Freedoms of the press and expression have been deteriorating over the past two decades in Uganda as threats to safety of individual journalists and news organizations have been increasing¹⁰. Journalists face threats in physical and virtual spaces including physical assault, detention, threats of and closure of media houses, surveillance coupled with a plethora of anti-media freedom laws and other civic rights violations¹¹.

We argue in this paper that while media freedom has been under threat for a while, the coronavirus pandemic and the regulations that followed present a triple burden for journalists in Uganda. Firstly because, freedom of the media is generally on a downturn spiral. Secondly, because COVID-19 regulations exacerbated the already unfavorable operating environment. And thirdly because the pandemic coincided with the presidential election season of 2020/ 2021.

In this study, we draw on narratives of reporters and media workers as well as on incidents captured in media reportage and reports from local media development organizations such as the African Centre for Media Excellence (ACME) and Human Rights Network for Journalists in Uganda (HRNJ-U), to interrogate a) threats experienced by journalists in relation to the coronavirus regulations between March 2020 and March 2022, and b) strategies adopted by journalists to surmount the anti-COVID-19 restrictions. Drawing on the hierarchy of influences model, the sociology of journalism framework as well as theoretical reflections of press freedom in “authoritarian democracies,” this paper contributes to our understanding of threats to media freedom during a health crisis from journalists’ viewpoint. The paper also sheds light on newsrooms and journalists’-initiated pushbacks to state repression against independent journalism during the COVID-19 period. Lastly, we reflect on how such strategies can help journalists and news media to respond to attacks during future emergencies. The paper is organized as follows: First we discuss the different scholarly perspectives followed with a theoretical framework we draw on to deepen our understanding of how a crisis like

9 Gerald Walulya, Gorretti L. Nassanga, *Democracy at Stake: Self-censorship as a Self-defence Strategy for Journalists, Media and Communication*, 8(1), 5-14. (2020).

10 <https://rsf.org/en/index>

11 Florence N. Selnes, Gerald Walulya, TYPES AND SOURCES OF THREATS TO MEDIA FREEDOM IN UGANDA (pp) (Jamil Sadia ed., 2020); Florence N. Selnes: Internet restrictions in Uganda: Examining their impact on journalism (2021). *Information, Communication and Society*, 24(3), 490-506.

the coronavirus pandemic can worsen conditions for the media in contexts where journalists already experience hardships in their profession. We thereafter discuss methodological choices, the key findings and conclude with a discussion and reflections about threats to journalists' safety and relevant approaches to mitigating them.

LITERATURE REVIEW

The coronavirus outbreak sparked interest in research within the natural sciences as well as humanities and social sciences as researchers attempted to explain and speculate the origin, cause, treatment, prevention, and effects of the disease. Of relevance to this paper are studies situated with journalism, media, and communication disciplines. A scan through Google scholar and online library catalogues yielded massive results of publications including social media's role during the pandemic¹²; mass media and public health communication, media narratives of COVID-19¹³; the impact of the pandemic on the media¹⁴. Others are concerned with media coverage of the coronavirus¹⁵. A lot of research focuses on fake news, misinformation, and disinformation during the pandemic¹⁶. Some of these studies are situated in Africa¹⁷. Scores of studies pay attention to the effect of COVID-19 on the media and journalists¹⁸. For example, Napakol and Dralega's book is a collection of interdisciplinary and multi-country perspectives focusing on media viability, framing and health crisis communication. Some research endeavors to specifically pay attention to the psychological effects of the pandemic on media workers¹⁹. Scholarly discourses on journalism, news media and the pandemic are

- 12 Diego Laurentino, Lima Maria Antonieta Albanez A. de Medeiros Lopes, Ana Maria Brito: Social media: friend or foe in the COVID-19 pandemic? (2020). *Clinics* 75. Doi: <https://doi.org/10.6061/clinics/2020/e1953>
- 13 Ayesha Anwar, Meryem Malik, Vaneeza Raees, Anjum Anwar: Role of Mass Media and Public Health Communications in the COVID-19 Pandemic (2020). <https://www.cureus.com/articles/38293#!/>
- 14 Angella Napakol & Carol A. Dralega (eds.): COVID-19 and the media in Sub-Saharan Africa: media viability, framing and health communication (2022).
- 15 Ivan Nathanael Lukanda and Gerald Walulya: Media Framing of COVID-19 in the Hybrid Democracies of Uganda and Tanzania (2021). *Taiwan Journal of Democracy*, 17(2), 73-96.
- 16 Sander van der Linden, Jon Roozenbeek and Josh Compton: Inoculating Against Fake News About COVID-19 (2020). <https://www.frontiersin.org/articles/10.3389/fpsyg.2020.566790/full>; Anuragini Shirish, Shirish C. Srivastava & Shalini Chandra: Impact of mobile connectivity and freedom on fake news propensity during the COVID-19 pandemic: a cross-country empirical examination (2021), *European Journal of Information Systems*, 30(3), 322-341; Apuke O. Destiny & Omar Bahiyah: Fake news and COVID-19: modelling the predictors of fake news sharing among social media users (2021), *Telematics and informatics*, 56, p.101475-101475
- 17 Angella Napakol & Carol A. Dralega (eds.): COVID-19 and the media in Sub-Saharan Africa: media viability, framing and health communication (2022); Stephen Mpfu: Digital humour in the COVID-19 pandemic: perspectives from the global south (2021). Cham, Palgrave MacMillan.
- 18 Šimunjak Maja: Pride and Anxiety: British Journalists' Emotional Labour in the Covid-19 Pandemic (2022). *Journalism studies*, 23(3), p.320-337; Finneman Teri, Thomas J. Ryan: "You Had to be Reporting Constantly": COVID-19's impact on U.S. weekly newspapers' journalistic routines (2021). *Newspaper research journal*, 42(3), p.330-345; Andreu Casero-Ripollés: The Impact of Covid-19 on Journalism: A Set of Transformations in Five Domains (2021). <https://journals.openedition.org/cs/5890>; Thorsten Quandt, Karin Wahl-Jorgensen: The Coronavirus Pandemic as a Critical Moment for Digital Journalism Introduction to Special Issue: Covering Covid-19: The Coronavirus Pandemic as a Critical Moment for Digital Journalism (2021). *Digital Journalism*, <https://doi.org/10.1080/21670811.2021.1996253>
- 19 Backholm Klas, Idås Trond: Journalists and the Coronavirus. How Changes in Work Environment Affected Psychological Health During the Pandemic (2022), *Journalism practice*, (ahead-of-print), p.1-17

concerned with digital technologies, professional routines, and journalists' lived experiences²⁰; COVID-19 impact on print media²¹. Scores of studies that address COVID-19 in relation to civil liberties such as freedom of expression, media freedom and safety of journalists are also emerging. Such publications examine digital and non-digital threats to journalists and state censorship exacerbated by increase in Internet use and regulations that were adopted during the pandemic²². This paper seeks to contribute to this body of research, focusing solely on COVID-19-related restrictions, directives, and regulations as threats to physical and professional safety of journalist and the media in Uganda, which is in East Africa.

MEDIA FREEDOM AND SAFETY OF JOURNALISTS

Assault on media freedom have generally intensified around the world in the last more than 10 years²³. Journalists are increasingly being threatened, harassed, assaulted, and sometimes killed²⁴. Many of the attacked journalists do not receive justice because of the high level of impunity that perpetrators of these crimes exhibit. This culture of impunity causes fear and self-censorship among journalists²⁵. As one can guess, the sources of these threats are numerous, but governments stand out as the leading source of vicious attacks on journalists²⁶. Governments, including those in developed democracies are increasingly suppressing critical media voices using a raft of measures that range from prosecutions, anti-press laws and denial of government advertisement²⁷.

The National Resistance Movement (NRM) regime in Uganda is a classic example of governments that do not respect freedom of the media. Although Article 29 of

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- 20 Mphathisi Ndlovu, Makhosi N. Sibanda: Digital Technologies and the Changing Journalism Cultures in Zimbabwe: Examining the Lived Experiences of Journalists Covering the COVID-19 Pandemic (2021). *Digital Journalism*, 10(6), 1059-1078.
 - 21 Ntibinyane Ntibinyane: Journalism in jeopardy: Mitigating the impact of COVID-19 on newspapers (2020). <https://www.africaportal.org/features/saving-journalism-mitigating-impact-covid-19-newspapers/>.
 - 22 Freedom of expression in times of COVID-19: Chilling effect in Serbia and Hungary (2020). *Journal of Liberty and International Affairs*. <https://www.ceeol.com/search/article-detail?id=909752>; Lada Trifonova Price, Vesislava Antonova: Challenges and Opportunities for Journalism in the Bulgarian COVID-19 Communication Ecology (2022). *Journalism Practice* DOI: 10.1080/17512786.2022.2118154; Roxana Radu: Fighting the 'Infodemic': Legal Responses to COVID-19 Disinformation (2020). *Social Media + Society*, July-September 2020: 1-4; Folker Hanusch: Change and continuity in Digital Journalism: The Covid-19 Pandemic as situational context for broader arguments about the field (2022). *Digital Journalism*, 10(6), 1135-1140.
 - 23 Freedom and the Media 2019: A Downward Spiral, Freedom House (2019), <https://freedomhouse.org/report/freedom-media/freedom-media-2019>.
 - 24 Joel Simon, THE NEW CENSORSHIP. INSIDE THE GLOBAL BATTLE FOR MEDIA FREEDOM. New York: Columbia University Press (2015); Sallie Hughes, Yulia Vorobyeva, *Explaining the Killing of Journalists in the Contemporary Era: The Importance of Hybrid Regimes and Subnational Variations*. *Journalism* (2019).
 - 25 Silvio Waisbord, *Antipress Violence and the Crisis of the State*, *Harvard International Journal of Press/Politics* 7 (3): 90-109 (2002).; Florence N. Selnes, Gerald Walulya, TYPES AND SOURCES OF THREATS TO MEDIA FREEDOM IN UGANDA (Jamil Sadia ed., 2020).; Gerald Walulya, Gorretti L. Nassanga, *Democracy at Stake: Self-censorship as a Self-defence Strategy for Journalists*, *Media and Communication*, 8(1), 5-14. (2020).
 - 26 Doris A. Graber, FREEDOM OF THE PRESS: THEORIES AND REALITIES 237-248 (Kate Kenski et al. eds. 2015). Oxford: Oxford University Press, (2015, p.237); Florence N. Selnes, Gerald Walulya, TYPES AND SOURCES OF THREATS TO MEDIA FREEDOM IN UGANDA (Jamil Sadia ed., 2020).
 - 27 Joel Simon, THE NEW CENSORSHIP. INSIDE THE GLOBAL BATTLE FOR MEDIA FREEDOM. New York: Columbia University Press (2015).

Uganda's Constitution guarantees freedom of the expression and of the media, an array of legal and extralegal mechanisms continues to hamper free speech. In the last 20 years, the press freedom situation has greatly deteriorated. For example, between 2002 and 2020, Uganda has fallen 73 positions, from rank 52 to 125 out of 180 countries in the World Press Freedom Index²⁸. Violations of media freedom are especially severe during elections and times of social unrest²⁹.

JOURNALISM PRACTICE IN AN "AUTHORITARIAN DEMOCRACY"

Uganda is an authoritarian democracy or what is classified³⁰ as a "semi-authoritarian or a hybrid" regime. Hybrid states are regimes that conduct elections to seek local and international legitimacy rather than giving citizens an opportunity to change political leadership if they wish to do so³¹. Such regimes "have the form of electoral democracy but fail to meet the substantive test or do so only ambiguously"³². Accordingly, elections are a necessary ritual but an insufficient condition to categorize such regimes as democratic.

The political configuration of a country is a major determinant of how the press functions. The position of the press in each society depends highly on the rules of the political game³³. As McNair³⁴ has noted, "the political environment acts as a frame within which the parameters of journalistic activity are drawn." Uganda's media system has been described as a "pluralist authoritarian media system,"³⁵ characterized by constitutional guarantees of media freedom, a pluralist media landscape, independent journalists, and an absence of censorship, while at the same time, the state is using a range of legal and extra-legal measures to control the flow of information. Uganda's media system (like the political system) is of a complicated and unique type because on the surface it could be seen as free and vibrant, while at the same time it suffers from legal and extralegal mechanisms that hinder free expression³⁶.

28 RSF, *2020 World Press Freedom Index*, 2020a, <https://rsf.org/en/ranking>.

29 Gerald Walulya, Gorretti L. Nassanga, *Democracy at stake: Self-censorship as a Self-defence Strategy for Journalists*, Media and Communication, 8(1), 5-14. (2020); Silvio Waisbord, *Antipress Violence and the Crisis of the State*, Harvard International Journal of Press/Politics 7 (3): 90-109 (2002).; Florence N. Selnes, Gerald Walulya, *TYPES AND SOURCES OF THREATS TO MEDIA FREEDOM IN UGANDA* (pp) (Jamil Sadia ed., 2020).; Gerald Walulya, Gorretti L. Nassanga, *Democracy at stake: Self-censorship as a Self-defence Strategy for Journalists*, Media and Communication, 8(1), 5-14. (2020).; Joel Simon, *THE NEW CENSORSHIP. INSIDE THE GLOBAL BATTLE FOR MEDIA FREEDOM*. New York: Columbia University Press (2015).

30 Tripp A. M, *The Changing Face of Authoritarianism in Africa: The Case of Uganda*, Africa Today, 50(3): 3-26 (2010)

31 Perrot, S., Makara, S., Lafargue, J., Fouere, M-A, *LOOKING BACK AT THE 2011 MULTI-PARTY ELECTIONS* (Perrot S et al. eds. 2014)

32 Diamond L, *Elections without Democracy: Thinking about Hybrid Regimes*, *Journal of Democracy* 13(2):21-35, (2002).

33 Michael Schudson, *THE SOCIOLOGY OF NEWS*. New York: W.W. Norton & Company (2011, p.152).

34 Brian McNair *THE SOCIOLOGY OF JOURNALISM*. London: Arnold (1998) (1998, p.82)

35 Marie Soleil Frère, *Francophone Africa: The Rise of 'Pluralist Authoritarian' Media Systems* *African Journalism Studies* 36 (1): 103-112. (2015).

36 Meghan S. Cohen, Karen McIntyre, *The State of Press Freedom in Uganda.* International Journal of Communication 14 (0): 20., (2020).

THEORETICAL PERSPECTIVES: HIERARCHY OF INFLUENCES MODEL AND THE SOCIOLOGY OF JOURNALISM

The hierarchy of influences model is relevant for facilitating our understanding of threats faced by media workers during a pandemic period. While the hierarchy of influences model limits itself to explaining levels that shape media content³⁷, we apply the model for extending our appreciation of the factors that shape journalism practice in Uganda's context. The hierarchy of influences model identifies individual-level professionals and their routines, the media organizations where they work, other institutions as well as the wider social systems within which they practice journalism³⁸ as determining media content.

Also relevant is the sociology of journalism theory³⁹, which regard professional, organizational, technological, economic, and political factors as determinants of journalism. We acknowledge the different levels and factors that contribute to shaping journalism and media, but we focus on the social systems' level and what McNair referred to as political and economic pressures. The sociology of journalism has been applied to examine how social media (technological factors) influence journalists' news sourcing practices⁴⁰, the current study is one of the first attempts, in the Ugandan context, to combine Reese and Shoemaker's societal systems and McNair's political and economic pressures to explain threats faced by journalists during times of uncertainty. The political environment, according to McNair (1998, p.83) is a frame within which parameters of journalistic activity are drawn. As such, journalists and news media operate in political contexts comprising regulations that can enable or disable their work. In economic terms, journalism is an industry and its product – news – a product for sale. Also, media organizations are businesses whose goal and survival depends on market forces. We argue that the pandemic period, under which measures such as country-wide lockdown and curfew posed unprecedented threats to the media as business and as professional institutions. As commercial enterprises, media organizations need a functioning economy to remain afloat as they depend on advertising. This was interrupted during the total lockdown, which also consisted of restricted movement and curfew. Moreover, enforcement of curfew and lockdown directives presented physical, psychological, and economic threats to individual journalists and their media houses.

RESEARCH METHODOLOGY

The paper employed semi-structured interviews and document review to obtain narratives from journalists and detailed evidence from media reports and documents from relevant organizations. Using a purposive sampling technique, the interviews targeted journalists that were attacked during the first two years of the pandemic. The

37 Stephen D. Reese & Pamela J. Shoemaker, *A Media Sociology for the Networked Public Sphere: The Hierarchy of Influences Model*, *Mass Communication and Society*, 19(4): 389-410 (2016)

38 (Ibid, p.390)

39 Brian McNair, *THE SOCIOLOGY OF JOURNALISM*. London: Arnold (1998)

40 Florence Namasinga, *Sourcing in Converged Media Spheres: A study of how print journalists in Uganda use social media in routine news coverage*, Unpublished Dissertation, University of Oslo (2018)

names of the attacked journalists were obtained from reports of two media support organizations, that is HRNJ-U and ACME. Editors of the identified reporters were also included to shed light on newsroom initiatives to combat attacks on journalists. Out of the twenty interviews conducted, four were with editors while 16 were with journalists. Five respondents were female, while 15 were male. Most interviews were conducted at the interviewees' places of work. The interviews, conducted between September 2022 and March 2023, lasted between 15 to 30. minutes.

Among others, we analyzed the following documents: HRNJ-U's press freedom index report – 2020 and 2021; ACME's reports on threats to civil liberties and threats to media freedom 2021 and 2022 respectively. These reports are freely accessible online. Document analysis helped us to identify attacks on journalists country-wide, especially in rural areas that are rarely covered by most studies. The researchers recorded and transcribed the interviews and later analyzed the transcript(s) and identified recurring themes relating to the study's focus. The themes were then categorized for further analysis. Care was taken to observe the necessary ethical guidelines for studying human subjects including seeking consent and full disclosure of the purpose of the investigation.

FINDINGS

Our analysis of interviews and documents yielded three main threats or challenges faced by journalists and media workers. We categorized these into a) professional threats; b) personal/individual threats and c) institutional threats (threats at the newsroom level). At the same time, we found several measures adopted at individual and institutional level to counter threats. First, we begin with a presentation and discussion of threats as identified by journalists through interviews and document reviews.

PROFESSIONAL THREATS

We categorized threats as professionally related when they directly impacted on journalists' ability to execute their duties. Such threats include inhibition of a) access to information and sources, b) destruction and loss of property and work material and c) arrest and detention. Restrictions of human movement and banning of transport, countrywide lock-down and curfew affected journalists' ability to access information, and their sources. It also entailed barring news sources from accessing journalists and the media. Statistics indicate that journalists were denied access to information through such acts as being prevented from attending weekly COVID-19 task-force meetings⁴¹. In 2021, the Human Rights Network for Journalists in Uganda (HRNJ-U) registered eight cases in which journalists were either blocked or denied access to events⁴². Blocking of access to events meant blocking of access to information and sources and

41 ACME, An assessment of types and sources of threats to press freedom and mitigation measures during the COVID-19 pandemic in Uganda (2022). <https://acme-ug.org/2022/03/25/report-responding-to-threats-to-press-freedom-and-the-media-in-a-time-of-crisis-in-uganda/>.

42 HRNJ-Uganda press freedom index report 2021: Media shoutouts and shutdowns <https://hrnjuganda.org/?wpdmp=press-freedom-index-report-2021-media-shoutouts-shutdowns>.

was reported as the most common threat faced by journalists during the pandemic⁴³. An analysis of reports showed that a group of journalists in northern Uganda were, for instance, kicked out of a COVID-19 related meeting as they were accused of being biased and “distorting” proceedings of the meetings. Elsewhere, a journalist was prevented by the police from “filming and ordered to delete footage he had recorded at the office of Mukono RDC⁴⁴.” A similar trend of blocking journalists’ access to news events and sources was also recorded in 2020. For example, the military blocked journalists from covering the arrest of then presidential candidate Robert Kyagulanyi Ssentamu⁴⁵.

Apart from the threat of contracting the coronavirus, the banning of public and private transport, human movement as well as instituting a curfew of 6pm was the most challenging for all journalists that were interviewed. This was exacerbated by a lack of clear guidelines on the status of journalists and media workers. The question of whether they were considered essential workers, was confusing considering that the initial presidential directive defining who was permitted to move around did not include journalists. Moreover, a later announcement that defined journalists as essential workers was not effectively embraced by enforcers of COVID-19 mandates, as evident in the excerpts below:

We encountered terrible security threats not once or twice (as) our cars were intercepted [...]. The security personnel were asking why we were traveling the way we were traveling. At times we would be three to four people in a car yet (the directive) strictly allowed only two people. Others [...] would question us why we moved at night. They would tell us that fine you are journalists, but the presidential order does not allow (you) to move beyond this time. (Interview, Female reporter, BBS TV, 21.03.2023)

Other journalists’ responses illustrate how the banning of crowds threatened their personal physical safety and their profession, thus,

One of the challenges I encountered was the banning of crowds in the city. I faced a lot of hassles with security. One time I was called for a story in Kampala (City Center), but on reaching there, there was a crowd of other people who were maneuvering [...] for a survival. As the police chased them away, they were beating them thereby creating a situation of either running away to survive, or to stay and die. It so happened that one of the unidentified police officers, [...] got hold (of) my camera and started asking, “why am I taking photos [...] It took a lot of explaining, thereby making me miss several newsworthy photos. (Interview, Male reporter, Vision Group, 31.10.2022)

Many of our colleagues tried to read the guidelines, but the security (personnel) was operating on one order, “Do not let anyone move, do not let anyone move beyond this time.” [...] The most trying time was the first month of the lock-down, because the people did not understand what the president meant by other services and the media to be part of the essential workers. So, we would see impounding of vehicles that were

43 See ACME 2022

44 Residential District Commissioner – a political appointee at local government level.

45 HRNJ-Uganda, Press freedom index report 2020. Resilience: Media in the face of COVID-19 and elections. <https://hrnjuganda.org/?wpdmp=press-freedom-index-report-2020>

taking journalists especially our reporters from upcountry. (Interview, Male reporter, NBS TV, 24.10.2022)

As is evident from the above excerpts, the army and the police indiscriminately enforced the presidential directives with a lot of zeal, refusing to listen to any excuses for their breach. This may be because the guidelines directly emerged from the president. This means that any soldier or police officer who failed to implement them feared that they may be regarded as insubordinate to the president. In the context of 'authoritarian democracies,' presidential orders carry a lot of weight because they are regarded as military commands as one journalist put it. "[COVID-19 threats] were unique because people [army/police] were following one order, the Presidential Order, no one wanted to compromise it." (Interview, Female reporter, BBS TV, 21.03.2023)

(In order to move) all people, journalists inclusive, were required to have clearance from the Ministry of Works and Transport. But all of us did not get those permits. I think they were limited in number and at the end of the day, they ended up giving out a specific number to different media houses. I can give an example, at Daily Monitor, we were given about 10 stickers, yet we have more than 10 workers. So, they [media organization] could pick the reporters from home. But some time you could be traveling when you forgot to carry your ID (identity card(s)). So, even if you were in a car that had a sticker, but didn't have the ID to prove that you are a journalist, it could be trouble for you. (Interview, Female reporter, Daily Monitor, 24.10.2022)

The role of enforcing movement restrictions and other COVID-19 restrictions was taken care of by security agencies such as the police, the military and other unidentifiable/unaffiliated security personnel at local and national levels. One of the tactics undertaken by the overzealous security officers was installing roadblocks and patrolling various small and main roads. As narrated in the quote(s) below, the roadblocks became a huge hurdle for citizens as well as the so-called essential service workers, journalists inclusive.

I stay in Mukono (central Uganda, 25 kilometers from the capital, Kampala), and almost in every 200-300 meters on Kampala – Jinja Highway, you could find a roadblock. So, even though I had my identification, it became so hectic on my side, explaining myself at every checkpoint. (Interview, Male reporter, Vision Group, 30.10.2022).

As a result of some of these attacks, some journalists have sustained life threatening injuries, while other injuries have decapitated journalists from the practice of journalists. One female TV journalist further explains.

During elections we used cover them [opposition politicians]. As journalists you do not make a choice of where you are supposed to be deployed. After elections on 21st of February 2021, I was deployed to cover the NUP party president, Robert Kyagulanyi Ssentamu he was filing a petition to the UN Human Rights offices in Kololo. [Protesting the human rights violations that the state had meted on him and his supporters.] We were well branded as journalists, and we saw security running around and we thought

it's a normal security routine. But we ended up being attacked and badly beaten. I was hit at the back and even to date I still experience back pain which can never go away. We were beaten with the batons that had metals inside them. So, when they hit you, you may not get bruises but inside body tissue gets hurt. I was with a colleague, whose head was badly hit and was taken to the hospital bleeding. They scanned his head and they told him that his skull was also damaged and has even left this career of journalism because of that. He can no longer work under hot weather, too much sunshine and he has to cover the head all the time, so he had to quit journalism." Interview, Female Reporter, NBS TV, 28.03.2023.

The above case exemplifies some of the politically motivated attacks on journalists who cover events organized by opposition politicians. The journalists are viewed as part and parcel of opposition leaders and are treated as enemies of the state.

Arrest and detention

While reports show a decline in the total number of cases of arrests between 2020 and 2021⁴⁶, our analysis showed that several journalists were arrested and detained in connection with COVID-19 regulations, thereby preventing them from doing their work. In 2020 alone, some 29 cases of arrests were recorded⁴⁷. Of the 26 cases of arrest registered in 2021, seven were connected to the enforcement of coronavirus directives⁴⁸. Notable was the arrest of an upcountry FM radio manager together with the station's talk show host over "inciting the public against presidential" COVID-19 directives⁴⁹. The program host was detained together with three talk show guests and the station manager. The radio talk show in contention was discussing police brutality towards citizens in Adjumani, a district in northern Uganda. While many of these arrests did not lead to prosecution, the detention has a negative effect on journalists in relation to psychological and sometimes physical harm. Moreover, the detention inhibited journalists from executing their duties and scared them from continuing to practice journalism. For example, Tom Gwebayanga, a New Vision journalist was arrested and detained for two nights for a story related to the theft of money that was donated by the International Development Institute to fight COVID-19⁵⁰. The journalist was charged with spreading harmful propaganda in addition to being forced to apologize after he refused to yield to pressure to reveal his sources.

Also noteworthy is an incident in which a female journalist was beaten for covering a story about corruption involving the officer in charge of a local police post. The

46 ACME, Report on threats to media, civil society and freedom of expression in Uganda (2021).

47 HRNJ-U, Press freedom index report, 2020.

48 HRNJ-U, Press freedom index report, 2021

49 Marko Taibot, Radio host, guests held over criticizing presidential directives on COVID-19 (20 June 2021). <https://www.monitor.co.ug/uganda/news/national/radio-host-guests-held-over-criticising-presidential-directives-on-covid-19-3443550>

50 IFEX, "New Vision" journalist Tom Gwebayanga arrested over corruption story (27 April 2020). <https://ifex.org/new-vision-journalist-tom-gwebayanga-arrested-over-corruption-story/>

reporter was attacked and “ordered to surrender her gadgets before she was slapped and kicked.”⁵¹ In addition, a renowned male TV news anchor, was seized and detained under the guise of a criminal-related investigation. But the detention was connected to his criticism on social media of government’s response to COVID-19⁵². Five journalists were also arrested in May 2021 over covering a story in which foreign students who were under lockdown at Makerere University were appealing for help due to lack of food and other basic needs. The journalists were detained for two hours, had their mobiles phones confiscated and released without a charge⁵³. This was further highlighted in the interviews as demonstrated in the quote below:

We could try (to) explain to them that we are on duty, but they could not listen hence leaving many of our friends arrested. I remember one day our car was intercepted at Nateete, and they asked us to sleep there (in police cells) until morning. To free us, it took us about three hours negotiating with them alongside making phone calls to various other security people (Interview, Calton Scovia Nakamya, BBS TV, 21.03.2023)

Another journalist also explained that,

It was at Bweyogerere [a Kampala city suburb], even after showing them my work ID, the police officers did not believe in me, and they ended up ordering me to seat down like any other suspect for breaching the SOPs (standard operating procedures). Painfully, we [journalists] were declared among the essential workers. So, I was very surprised seeing them ordering me to sit down in form of arrest, yet I had my ID (identification card) with me alongside my gadgets (the camera, laptop and the bag). (Stuart Yiga, Vision Group Reporter, 30.10.2022)

Others observed that the coronavirus restrictions translated into slowing down their way of working and interception. This is demonstrated below:

Occasionally, you could get calls from the reporters complaining that they were being stopped on the way, even when they have stickers. They could get stopped, and sometimes even detained for hours. Others were being arrested for going back late (beyond curfew time). (Interview, Male Editor, Vision Group editor, 28.10.2022)

Acquiring transport permits (stickers) was not easy, yet having a sticker was not a guarantee for free movement. The frequent interruption and interception of journalists by the police and the army may speak to the culture of lack of respect for press freedom and journalists. Even after it became apparent that journalists were part of the essential workers, the security officers were not willing to listen to journalists’ pleas. Compared to other essential workers such as medical workers, journalists were more exposed to

51 ACME, 2022

52 ACME, 2021; HRNJ-U, 2020; Otto Alex, NBS TV’s Samson Kasumba Arrested for Alleged Subversive Activities (21 April 2020). <https://www.ugandaradionetwork.net/story/nbs-tvs-samson-kasumba-in-police-custody>

53 ACME, 2021

threats of attacks from security forces because their work involves frequent movement looking for news sources. In most of the cases when journalists were arrested or intercepted, they called higher ranking officers in the police or the army to secure their freedom but in some instances, such as the one below, these calls did not yield any positive results.

In one incident, we were still traveling with our friends, two of them did not have the company ID, but they [security] said, you have carried some people on the way who are not supposed to be among the essential workers, and they arrested them because they had forgotten their IDs at home. We tried to call the police officers, but that day they did not help us. (Interview, Female journalist, Daily Monitor, 24.10.2022)

Following the stopping of movement of public transport vehicles many journalists who did not own cars resorted to using motorcycles and bicycles, these forms of transported were also regularly intercepted and confiscated by security officers as in the case below.

There is a time a colleague who works with Delta TV, his motorcycle was confiscated because he usually used his motorcycle. Remember there was a time when boda bodas [motorcycle taxis] were not allowed to move beyond 5pm, and then a time when they were not allowed beyond 6pm. He had a bulletin, so he left office a little late and, on his way back, he was arrested around Kibuye. He was manhandled, beaten up, and he developed bruises. And we had that challenge of getting back his confiscated motorcycle. (Interview, Male photo-journalist, Daily Monitor, 26.10.2022).

Arresting journalists defeated the purpose because it instead put them at risk of exposure to COVID-19 since they were detained with other people whose status was unknown. This is reflected in one journalist's sentiment below:

When I was arrested, it become a concern for my work and health because I did not know the health status of those who arrested me. However, I did not think about Covid-19 immediately. I first paid attention to how to get out of there (detention), and later I had to conduct tests to find out whether I contracted COVID-19 or not. (Interview, Female reporter, BBS TV reporter, 21.03.2023).

Loss of property and journalistic material

The findings also revealed that journalists faced a threat of loss of individual/institutional journalistic property that included mobile phones, and cameras in addition to loss of journalistic material such as photos, video footage and audio recordings This happened either during arrest or under attack as security forces enforced anti-coronavirus measures. In 2020, security forces confiscated a journalist's camera and damaged eight journalistic equipment. This was in addition to coercion to delete newsworthy

footage.⁵⁴ Additionally, a male journalist based in central Uganda⁵⁵, was attacked as he reported about citizens' responses to curfew rules. He lost his mobile phone and cash amounting to seventy thousand Uganda shillings (19 USD). Further, a *Daily Monitor* journalist in western Uganda was assaulted in April 2020 for reporting about curfew that was imposed between 7pm to 6.30am. The same reporter was later in the year severely beaten by security officials who were enforcing curfew rules⁵⁶. The journalist was also forced to delete all pictures on his camera. The major reason why perpetrators of attacks on journalists target recorded journalistic content such as video footage is that these records contain incriminating evidence of their human rights violations, such as beating of civilians and opposition politicians.

Findings from the interviews confirmed incidents in which journalists lost their gadgets and property such as mobile phones, motorcycles, cash, in addition to cameras and photos as illustrated in the following excerpts:

We did not have so many cases of journalists being beaten, but there those who were really badly beaten. Cases that came to me, were like three, but the one that I still remember properly was that of my colleague. Jamir, whose motorcycle was confiscated at Kibuye. There were also others, whose motorcycles were also taken away, but on reaching the police station, they could sort out issues and then left to move. [...] a colleague who works with Delta TV, his motorcycle was confiscated [...]. He had a bulletin, so he left office a little late and, on his way, back, he was arrested around Kibuye. He was manhandled, beaten up, and he developed bruises. And we had the challenge of getting back his confiscated motorcycle. (Interview, Male photojournalist, *Daily Monitor*, 26.10.2022)

Following the stopping of movement of public transport vehicles many journalists who did not own cars resorted to using motorcycles and bicycles, these forms of transport were also regularly intercepted and confiscated. Although the use of motorcycle taxis (*bodaboda*) is a common means of transport, the president's directives restricted this form of transport to move only during daytime and that it should carry only the cyclist alone and any luggage but not a passenger.

Economic threat(s)

The lockdown coupled with curfew rules affected the economy of media houses as their revenues from both circulation and advertising dwindled coupled with high operational costs. One media manager⁵⁷ painted a gloomy picture of the situation, thus:

We saw our revenue dwindle from about 500 million (\$139,000) a month to around about 100 million (\$28,000) a month and that was much later probably

54 HRNJ-U, Press freedom index report 2020

55 International Press Institute (IPI), Two journalists assaulted while covering implementation of lockdown (01 April 2020). <https://ipi.media/alerts/two-journalists-assaulted-while-covering-implementation-of-lockdown/>

56 ACME, 2022; IFJ, Uganda: Journalist hospitalized after being brutalized by the UPDF (03 April 2020). <https://www.ifj.org/media-centre/news/detail/article/uganda-journalist-hospitalised-after-being-brutalised-by-the-updf.html>

57 ACME, 2022

towards the fourth to seventh month of lockdown. We almost had zero revenue in the first three months of COVID-19. So, it really dwindled our accounts but also, our costs of operations went up because we had to operate a little differently, we literary were picking and dropping some staff home. We had also to provide accommodation to some of our technical staff at the beginning of COVID-19 because we didn't know how to take them home and back during this period."

Reductions and in some instances loss of revenue meant that media houses and individual journalists faced negative repercussions. For media houses, it translated into cutting down on operations, slashing budgets and in the extreme cases closing operations. One such news media was Record television, a commercial broadcaster, which folded its operations in March 2021 due to economic hardships attributed to the pandemic⁵⁸. Economic hardships for media houses led to loss of jobs while other journalists experienced cuts and delays in their salaries. As an example, the closure of Record Television affected 32 members of staff, who included journalists. Other media houses cut down staff salaries in order to mitigate the effects of the pandemic. For example, Vision Group, the largest media organization in Uganda, cut salaries "by up to 60%"⁵⁹

The situation was worse for freelance journalists who barely got any salary during the lockdown period. This put journalists in this category completely out of work. The banning of public and private transport in some cases prompted media houses and individual journalists to purchase motorcycles to improve efficiency as narrated by on manager: "It was difficult to transport journalists back from the field and home. It was [an] additional cost. We ended up buying motorcycles, which were unplanned for"⁶⁰. The then managing director attributed the reductions to "the recent downturn (which) requires even more stiff measures to keep the business viable." This affected journalists' economic status and "raised anxiety" among them. Even after the partial lifting of the lockdown, the cost of transport remained relatively high because the presidential directives required public transport vehicles to carry only about 50% of the vehicle capacity so that passengers can remain spaced while in cars. This pushed the cost of public transport to remain high. The need to improvise for alternative means of transport such as motorcycles was an extra expense on journalists as illustrated in the interview extract below:

COVID time is one of the moments that I will never forget in life. It was characterized by several challenges, especially in transport, and accessing crime scenes. I had to improvise, and I used a sports bike, which I had taken several years without riding. I used my little savings to buy it and bought it expensively. Normally, it could cost around shs 350,000 (\$100) but I exorbitantly bought

58 Stanley Ebele, Record TV Uganda Officials Signs Out after 15 Years (31 March 2021). <https://ugandaradionetwork.net/story/record-tv-uganda-officials-signs-out-after-15-years>

59 Uganda Radio Network, Vision Group cuts staff salaries by up to 60% (30 April 2020). <https://www.observer.ug/news/headlines/64564-vision-group-cuts-staff-salaries-by-60>

60 ACME, 2022

it at about shs 800,000 (\$220). (Interview, Male reporter, Vision Group, 30.10.2022)

The confiscation of cameras, mobile phones and motorcycles, damage of such company and individual journalists' property and in sometimes loss of cash had economic implications. For instance, journalists had their gadgets confiscated, and often coerced to delete contents such as photographs, and footage as illustrated in the section above. Findings from interviews links COVID-19 to loss personal property as evident in this journalist's narration, thus,

During the second phase of corona, my motorcycle was confiscated by police at Nsambya and taken to Kabalagala police station. I was riding around at night, and the police officers stopped me at a check point where they had as well stopped and already confiscated other people's motorcycles. I confidently stopped with a mindset that I am a journalist, with all the documents that could help me move on with my work. [...] other journalists came on motorcycles, and they did the same to them. That day we were like four journalists who were stuck. Our motorcycles were put on a breakdown and towed to Kabalagala Police Station. (Interview, Henry Katsumoto, Vision Group, 31.10.2022).

Confiscation and damage of gadgets coupled with loss of journalistic material meant double trouble for freelance journalists. It meant loss of journalistic material and loss of income because they are paid per piece. As ACME⁶¹ observed, many freelance journalists struggled to practice their profession due to suppression of transport and movement.

Our findings about economic threats resulting from COVID-19 restrictions are drawn from and resonate with the study of the economic impact of the pandemic on media houses⁶². The authors highlight loss of advertising, loss of market, closure of media houses and loss of jobs as effects of the pandemic and lockdown regulations.

STRATEGIES FOR FIGHTING AGAINST THREATS TARGETING JOURNALISTS

Our study also aimed at identifying measures for mitigating threats to journalists' safety. We asked journalists what strategies they undertook to fend off attacks and insecurity that they faced during the pandemic. Our analysis led to two categorizations which we summarized as professional and personal approaches as well as institutional. The preceding sections explains and exemplifies these strategies in detail.

INSTITUTIONAL APPROACHES

Newsrooms prepared journalists for any would-be safety-related threats through training on conflict reporting. As one respondent revealed, the pandemic was regarded

61 ACME, 2022

62 Gerald Walulya and Mulatu A. Moges, The sustainability and economic impact of the COVID-19 pandemic on media houses in Uganda and Ethiopia (Carol D. Azungi and Angella Napakol 2022).

a crisis as reflected in this sentiment, “since COVID-period was more of a conflict. We looked at how you would navigate to survive security in case they are looking for you” (Interview, Male reporter, NBS TV, 24.10.2022)

The findings also suggest that newsrooms encouraged journalists to stay away from settings that would expose them to safety threats. Such settings included crowded places, which had been outlawed during the pandemic. This was a dilemma for journalists, and it meant refraining from covering some newsworthy issues. The effect of such a strategy is censorship. A political reporter, for instance, explained how he took a break from covering campaigns of the 2020/2021 presidential elections to avoid being attacked by the warring camps. The reporter added: “I stopped going to the field for about two weeks and concentrated on doing and the interviews in the studio. I did this until the elections were (over) since the threats were really (many).” (Interview, Male reporter, NBS TV, 24.10.2022). Further, the fear of contracting the coronavirus prompted some journalists to completely withdraw from covering certain stories as illustrated in this quote:

There was a time I was called to go to Mulago (where) they were discharging people who (had recovered) from COVID. I decided to let it go, after all, I did not know how safe they were. There were assignments which you could say, “they are not worth my life”. (Interview, Male photojournalist, Daily Monitor, 26.10.2022)

Newsrooms also employed measures that were at per with the standard operating procedures as reflected in a Vision Group’s editor, thus,

On top of an advisory to work from home, journalists were advised to resort to recorded programs, especially those that were airing between 7pm and 5am. It was done to ensure safety of journalists and reducing risks during curfew time, as well as insecurity, especially in Kampala suburbs, where thugs were taking advantage of curfew time, to attack communities. Apart from live coverage and news bulletins, other programs including talk shows were usually recorded and aired. Physical newsroom meetings were immediately suspended, and online meetings became the order of the day, for safety purposes.” (Interview, Male editor, Vision Group, 27.10.2022)

Newsrooms used legal means and directly engaging with authorities and contacting leaders of the security forces to secure the release of incarcerated journalists. For example, Nile Broadcasting Service, combined legal and nonlegal measures which included hiring lawyers for specific regions as explained below:

We would respond by either calling authorities in that area, or we would also go ahead (directly) to people like the deputy police commander who was very instrumental in helping us (with) the officers on the ground who were humiliating and dehumanizing the journalists. A case in point is of Kasumba, who was arrested [for moving] beyond the time [curfew time]. The security thought

that he was not supposed to move. It was our legal team which responded.” (Interview, Male reporter, NBS TV, 24.10.2022).

Another measure that newsrooms adopted was to provide company branded cars that can transport their staff as we explained earlier in the economic threat of COVID-19. This was intended to ensure that security personnel easily distinguish journalists from other ordinary people as one editor explains below:

Use of well-branded company cars was applied in transporting journalists, especially during curfew hours. This was done to maneuver through numerous roadblocks mounted along major roads, enforcing curfew guidelines, including a ban on the movement of cars and motorcycles, except for essential sectors, media inclusive. An advisory was issued to journalists who were using motorcycles as a means of transport, to have them branded with company logos and stickers.” (Interview, Male editor, Vision Group, 27.10.2022)

Although the use of branded cars and motorcycles was employed as a solution to attacks from the police and the army, the same measure was regarded as counterproductive when election campaigns kicked off during the pandemic as one journalist explains, thus,

We resolved that we remove branding from all our cars. Some cars were being targeted because of the branding that they had, maybe due to a given story which might have aired at a given night, or a previous week. We had an incident while in Northern Uganda where thugs came and attacked our car, with stones and stole laptops and other things. So, we thought, this was not just a random incident out of nowhere, but it was rather a targeted incident. We removed NBS brands off our cars, which helped us to move in a way that could not make us a target. (Interview, Male reporter, NBS TV, 24.10.2022)

From the above two contrasting scenarios, we noted that identification is an important approach if you are dealing with formal sources of threats such as the police and the army, but the same approach becomes futile while dealing with a mob. Apart from branding, most newsrooms put in place alert mechanisms through which journalists could report if they are in danger.

Journalists were given hotlines for company administrators who would come in for rescue, in case of any emergency. The administration team would secure the release of arrested journalists, arrange medical services for journalists and address all related emergencies from time to time. Journalists initiated a number of WhatsApp groups including “Bukedde Emergency” which was meant to update members in case of any emergencies that required the urgent intervention of other team members and supervisors. (Interview, Male editor, Vision Group editor, 27.10.2022)

Ironically, although journalists had an option of taking perpetrators of attacks to court basing on existing laws, most of them did not pursue this route. This points to

impunity and suggests a lack of trust in the judicial system as one journalist indicated below:

We have gone to court. We have sued these officers but to our surprise some of them are not punished. They pick out the smallest of those that engage in attacking the media but the big ones who even command the attacks are actually promoted to higher ranks and offices. (Interview, Female reporter, NBS TV, 28.03.2023).

INDIVIDUAL LEVEL AND PROFESSIONAL APPROACHES

The measures taken by individual journalists were closely related to the ones instituted by their newsrooms. We therefore regarded these as directly related to their professional standards. They included following COVID-19 guidelines and observing professional advice from health professionals, which included wearing masks, washing hands, and avoiding crowds. Other measures included working from home, collaborating, and working in groups with fellow journalists, forming and being part of groups on social media such as WhatsApp. This was done with journalists from different media houses as explained in the quotes below:

We had team of journalists from various media houses. We formed this solidarity teamwork after realizing that there was a lot of pulling ropes between journalists and security organs. It was specifically for protection, because, if you are walking alone in the field, you can easily be defeated when you land into police officers. We employed a system of walking in groups, and we completely discouraged our fellow (journalists) from walking alone. We could split ourselves in groups of about five to six and on moving, we could alert and give directions to each other on where to go and not to go. We also had each other's telephone number, so that in case of any mistake or on realizing that this one is different, you could call and alert others immediately. (Interview, Male reporter, Vision Group, 31.10.2022).

Another individual mechanism initiated at the individual level included communication and keeping in contact with fellow journalists and with the newsroom as illustrated in the following excerpt: "besides the consistent communication among us while in the field, we could as well remain in touch and communicate with our immediate bosses at the office."

Employing social media as tools for group communication, according to journalists, served as an "alert mechanism" to inform and alert others of an attack or an arrest and to call for help from colleagues. (Interview, Male reporter, NBS TV, 24.10.2022). This finding is in tandem with observations made in an earlier study in which social media were regarded as essential in securing journalists' safety in Uganda⁶³.

Additionally, some journalists resorted to standing up to the perpetrators and exposing their brutality actions. While this tactic had a potential to backfire, we

63 Florence N. Selnes, *Safety and Self-censorship: Examining their linkage to Social media usage among Uganda journalists* (pp.164-180) (2020). (Anna G. Larsen, Ingrid Fadnes and Roy Krøvel).

established that some journalists are convinced that dealing with perpetrators of violence in such a way can be effective as highlighted below:

We realized that the only way to deter these people from overzealousness, was to expose them on an individual basis. So, in case of any brutality against the journalist, we could single out the individuals behind it, take their photos and expose them. In that way, some of them were isolated, and they even fear to be blacklisted by international bodies, and NGOs. (Interview, Male reporter, NBS TV, 24.10.2022)

That journalists chose to navigate an unpredictable and potentially dangerous terrain amidst a deadly pandemic is evidence of commitment to their work, which is further reflected in the creative approaches deployed, coupled with a certain level of resilience. Stay home until the pandemic ebbed was an option for many, but our analysis reveals a spirit of resilience, service beyond self and the institutions they work for as demonstrated in means such as using own finances to buy motorcycles as one of the respondents shared. Yet, tactics such as confronting the perpetrators of violence is a clear example of placing self in harms way and hence raising the question of the extent to which a journalist ought to go to get a story.

DISCUSSION AND CONCLUSION

The above findings drawn from journalists, media reports and documented evidence from local organizations such as HRNJ-U and ACME highlight risks to safety and actual physical and psychological harm to journalists and the media in Uganda. The findings are in tandem with what scholarly and non-scholarly works from other contexts show⁶⁴. Our findings point to how journalists and newsrooms had to suddenly change their work routines to be at par with new safety requirements, regulations and the constant threat posed by the coronavirus. For some journalists, it meant switching from working in a newsroom setting to their homes or hotels as some of the interview excerpts exemplify. For others, it meant walking for very long distances in addition to encountering and countering security threats along the way to or from work.

While respondents in this study mentioned little about the psychological effects of the pandemic and the security threats that accompanying COVID-19 restrictions, we are aware that mental-health issues are usually associated with working in such stressful circumstances. As has been noted elsewhere⁶⁵, it would be useful to closely look at the mental impact of the pandemic on individual journalists especially in the longrun after the pandemic period is over.

64 Šimunjak Maja: *Pride and Anxiety: British Journalists' Emotional Labour in the Covid-19 Pandemic* (2022). *Journalism studies*, 23(3), p.320-337; Finneman Teri, Thomas J. Ryan: "You Had to be Reporting Constantly": COVID-19's impact on U.S. weekly newspapers' journalistic routines (2021). *Newspaper research journal*, 42(3), p.330-345; Andreu Casero-Ripollés: *The Impact of Covid-19 on Journalism: A Set of Transformations in Five Domains* (2021). <https://journals.openedition.org/cs/5890>; Thorsten Quandt, Karin Wahl-Jorgensen: *The Coronavirus Pandemic as a Critical Moment for Digital Journalism* Introduction to Special Issue: *Covering Covid-19: The Coronavirus Pandemic as a Critical Moment for Digital Journalism* (2021). *Digital Journalism*, <https://doi.org/10.1080/21670811.2021.1996253>; Lada Trifonova Price, Vesislava Antonova: *Challenges and Opportunities for Journalism in the Bulgarian COVID-19 Communication Ecology* (2022). *Journalism Practice* DOI: 10.1080/17512786.2022.2118154;

65 Backholm Klas, Idås Trond: *Journalists and the Coronavirus. How Changes in Work Environment Affected Psychological Health During the Pandemic* (2022), *Journalism practice*, (ahead-of-print), p.1-17

Additionally, the pandemic period as we explain above, led to the death of several journalistic institutions and its effects on the remaining news media will continue to be felt for some years to come as has been the case in different parts of the world⁶⁶. It is important to note that all other sectors in every country was greatly affected by the pandemic.

In relation to the hierarchy of influences model and the sociology of journalism theory, we observe that the presidential directive was the law and had to be obeyed as journalists tried to surmount the safety threats posed by the coronavirus and physical harm from the military, police, local security personnel coupled with roadblocks and the curfew. While journalists in some other countries operated under similar lockdown restrictions, we posit that Ugandan journalists worked under strenuous security, health and economic circumstances. Moreover, lockdown and curfew conditions were worsened by the election period, which usually carries its own safety risks. We, thus, note that the presidential directive and the restrictions that followed dictated how journalists and news media operated during the pandemic. The resulting impact on the physical, economic and mental state of journalists and the media as well as the eventual content that published during that period are directly attributed to the COVID-19 restrictions.

Additionally, Ugandan journalists and perhaps journalists from other authoritarian democracies usually operate under unsafe circumstances. As we pointed out earlier, conditions for media freedom and freedom of expression in Uganda have been deteriorating for a while. The pandemic period only worsened an already uncondusive political and economic environment for practicing journalism.

This paper makes theoretical, empirical and practical contributions by addressing an understudied phenomenon of practicing journalism in an authoritarian democracy context during elections and COVID-19. The paper shines a light on newsrooms' and journalists'-initiated pushbacks to state repression against independent journalism during a pandemic. The article contributes new knowledge on the nature of attacks journalists can face in an authoritarian democracy context during an unprecedented pandemic and how individual journalists and media organizations can remain resilient and committed to journalism in the face of oppression from state and non-state actors. By understanding the nature of attacks journalists and media organizations faced and how they confronted them, we can draw lessons that may be illuminating to future emergencies, especially in authoritarian democracies.

66 Marc Tracy, News Media Outlets Have Been Ravaged by the Pandemic (10 April 2020). <https://www.nytimes.com/2020/04/10/business/media/news-media-coronavirus-jobs.html>



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Journalists are under attack. The digital and physical intimidation and injuries cause harm to not only journalists themselves but also the societies they serve. Society suffers when journalists are silenced because the valuable information they would have provided is prevented from entering the public consciousness. Attacks on journalists are largely met with indifference or ineffective efforts to achieve justice. This impunity emboldens others.

This book originated with an international online symposium in 2022 in which scholars and practitioners from around the globe met to discuss not only the problem but also possible solutions. Ultimately six groups of scholars have contributed to this volume in the following areas:

- ▶ Legal mechanisms in Georgia reinforce media capture and the safety of journalists is examined in light of that reality.
- ▶ Government officials in Uganda took measures during the COVID-19 pandemic that caused difficulties for journalists to perform their functions and resulted in safety threats.
- ▶ Impunity for attacks on journalists in Pakistan appears to be particularly problematic.
- ▶ Hyper-nationalism in India contributed to a culture of digital attacks on women and physical attacks on men in journalism.
- ▶ The Chilean region of Araucanía has established a special law enforcement approach to journalists' safety that poses both challenges and opportunities.
- ▶ Journalists in Ukraine during a time of Russian invasion and aggression have faced daunting obstacles and yet performed a vital function to share news of the war to the world.



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