

GLOBAL CONFERENCE FOR MEDIA FREEDOM
Remarks by Amal Clooney
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Excellencies, ladies and gentlemen, thank you very much for inviting me to address you today.

I am a human rights lawyer and my work has shown me that advocacy for human rights is often a fight for the next generation. We can easily take for granted rights that we only enjoy because of the courage of those who came before us. I can only practise as a barrister because 100 years ago women in this country fought for the right to study and practise law on the same basis as men. A gay person can today marry the person they love only thanks to advocacy campaigns that began a generation ago. *But progress is not inevitable.* We can also move backwards. And when it comes to the right to a free press we are seeing – according to Freedom House – the 13th consecutive year of decline across the globe. This decline in media freedom does not only mean that journalists have fewer rights, it means we all have. Because as James Madison, one of America’s founding fathers, warned us more than 200 years ago: the right to a free press is “the only effectual guardian of every other right.”

Yet today, journalists are under attack like never before. They are dying not only while covering wars– but because they are being *targeted* for *exposing* crimes committed in war and for speaking the truth about abuses of power in peacetime. In the last 18 months over 100 journalists and media workers have been killed. India and Brazil, two of the world’s largest democracies, have some of the highest murder rates. And the vast majority of these murders have gone unpunished. Last year when Washington Post columnist Jamal Khashoggi was tortured to death and

dismembered by Saudi Arabian officials in Istanbul, world leaders responded with little more than a collective shrug. And journalists are being *jailed* in record numbers, with the highest rates reported in Turkey, China, Egypt, Saudi Arabia and Iran.

I am a witness in my legal practice to the challenges faced by journalists. I have represented journalists targeted by their governments for reporting corruption and human rights abuses from Azerbaijan to the Maldives, to Cairo. And my foundation's TrialWatch initiative monitors the prosecution of journalists all over the world.

Over the past year I have also spent hundreds of hours working on the defence of Reuters journalists Wa Lone and Kyaw Soe Oo, heroic young reporters imprisoned in Myanmar for allegedly violating the Official Secrets Act after they wrote an article about the execution of 10 Rohingya men by security forces. The government's treatment of the journalists was so outrageous it is hard to believe: the phone rings one evening at the Reuters office; a police officer asks the journalists to meet at a café; when they walk in to the café the officer hands them rolled-up documents; when they walk out they are arrested for espionage. When the journalists were in custody the police did not even pretend to be interested in supposedly secret documents they were carrying; they asked only about the sources for their Rohingya report, offering to drop the charges if Reuters dropped the story. When this offer was refused the journalists were put on trial. And then, in an extraordinary twist, a policeman called to give evidence confessed that the journalists' arrest was set up. But the judges convicted them anyway and sentenced them to 7 years' imprisonment.

It took over a year to secure a pardon for the journalists. But on the 6th of May, they walked out of the prison gates to be reunited with their wives and baby daughters, one of whom had been born while her father was in prison. And 6 weeks ago they went to New York to collect a Pulitzer Prize for that Rohingya report.

More recently I have been appointed as counsel for another award-winning journalist, Maria Ressa. Ms Ressa was CNN's bureau chief in Jakarta and Manila before she teamed up with three other women to set up an independent news site. Their site, Rappler.com, quickly became one of the leading online news portals in the Philippines, known for its hard-hitting stories about human rights abuses under the administration of President Rodrigo Duterte. Last year Ms Ressa was one of four journalists named Time Magazine's 'Person of the Year' for taking "great risks in pursuit of greater truth". The government's response has been to arrest her and initiate a series of civil and criminal cases that expose her to a maximum sentence of 63 years in prison.

The Maria Ressa case in the Philippines, like the Reuters case in Myanmar, exposes a cruel irony that I see time and time again in my work: journalists who expose abuses face arrest, while those who commit the abuses do so with impunity. Crimes allegedly committed by the authorities in Myanmar and the Philippines are being examined by the Prosecutor of the International Criminal Court. But so far it is only the reporters being sent to jail.

You may think that these problems only affect people in far-off lands; but that is not true. These problems are global. They exist even in democracies that otherwise have a strong tradition of free speech; and no region is untouched. Many people don't know that journalists have been murdered *because they are journalists* even here in

Europe, in places like Malta and Slovakia. Australia's Parliament just launched an inquiry into press freedom after police raided the Sydney headquarters of *ABC News* alleging that classified material was used in a report on killings by Australian forces in Afghanistan. In *this* country, two journalists were recently arrested for using a leaked ombudsman report in a documentary alleging police collusion in a murder in Northern Ireland during The Troubles. And the indictment against Wikileaks founder Julian Assange has alarmed journalists at newspapers around the world including the New York Times, the Washington Post, the Wall Street Journal and The Guardian because, as the editor of the Washington Post has put it, it "criminaliz[es] common practices in journalism that have long served the public interest".

With many governments also insulting and threatening journalists, and seeking to throttle media organisations through strict controls on ownership, licensing, and online activity, we have reached the point where there are *few* places in the world where journalists are not surveilled, harassed, disenfranchised or subjected to self-censorship.

I should not need to explain why this is so consequential. In the last story that Jamal Khashoggi wrote in the Washington Post, he lamented the fact that the vast majority of countries in the Arab world lack a free press, and that as a result, millions of Arabs are either uninformed or misinformed. This is of course true of other regions as well. Meaning democracy cannot work. Progress is restrained or thwarted. And any human rights abuse can occur in the dark.

So it is clear that the challenges to media freedom are urgent and they are global. But an international campaign like the one being launched today can bring positive

change *only if* governments are willing to pay more than lip service to the ideal of media freedom. All governments *say* they believe in a free press: the right is even enshrined in North Korea's constitution. What matters is *enforcement* of this right. And enforcement depends on states.

So I am grateful to the Foreign Secretary, Jeremy Hunt, and to Foreign Minister Chrystia Freeland for bringing us all here today. I am grateful for their assistance in cases where I have represented detained journalists; and I am grateful that today they are shining a light on the importance of media freedom around the world. But my message to all the ministers who are here is that signing pledges and making speeches is not enough; they must make sure that their *laws* respect media freedom, and that their police, prosecutors, judges and citizens do the same. States must ensure that when a journalist is attacked, this crime is investigated and that those responsible are held to account. States should ensure that when a journalist is detained, they have access to legal advice and open monitoring of their trial. States can provide more robust consular assistance when their nationals are arrested abroad for their reporting. They can provide special visas for persecuted journalists who need asylum. And they can impose targeted sanctions and other penalties on states that try to silence critical speech by detaining or killing journalists. States can make a concrete commitment today by contributing to the Global Media Defence Fund that will help journalists access legal assistance and training. And I hope they will support the work of the new international independent legal panel that I will introduce tomorrow.

Recent reports suggest that today, only one in ten people in the world lives in a country with a free press. And today the country of James Madison has a leader who vilifies the media, making honest journalists all over the world more vulnerable to

abuse. With authoritarianism, isolationism and nationalism gaining ground, the relevance of international institutions and respect for international norms are seriously in question. I believe it is this *crisis* of the international rule of law that makes this initiative compelling. It is compelling not because the international system works; but because it is broken. So we need to think outside the box. We need groups of likeminded states that will move forward on one issue, even if they are paralyzed on others. That is why I am supporting this campaign, and I look forward to working with many of you here to see what we can achieve.