



International Monterrey Model United Nations Simulation

American School Foundation of Monterrey



Human Rights Council

Topic: Protecting the rights of protesters, and/or journalists, and/or government opponents

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I. Committee Background

The United Nations Human Rights Council (HRC) was established on March 16, 2006 by the General Assembly. Its purpose is to promote and strengthen the protection of human rights set forth in the Universal Declaration of Human Rights, and address situations in which these are violated. The council's meetings take place in the UN offices at Geneva, where members gather to discuss human rights issues that require their immediate attention. The General Assembly is responsible for electing all 47 UN Member States that make up the council, as it is an inter-governmental body that functions within the UN's system. The Human Rights Council has four distinct assets that contribute to the improvement of human right conditions around the globe: the Universal Periodic Review, which assesses human rights situations in all member states; the Advisory Committee, that provides the council with advice and tactics to overcome an issue regarding the violation of human rights; the Complaint Procedure, in charge of allowing individuals to bring attention to situations regarding human rights; and the Special Procedures, which examine and monitor the existing conflicts (OHCHR, 2011).

II. Introduction

Description and Definition of the Topic

The basis for any socially adequate and responsible government is for it to be created by the people and to work for the people. This may not always mean that governments must be fully democratic or completely transparent, but that they are constantly aware of the needs of their citizens and are working to meet them ("Democracy", 2015). However, this is not always the case as it is common to see governments that do not act according to their nation's needs or even act against them. Such deviance can be identified in the recent increase in police brutality, international protests, and general calls for governmental action around the globe. These acts of injustice towards civilians have caused many citizens to take action in hopes of creating change within their country to improve better living conditions. For example, there are now millions of protesters fighting globally for several different rights, thousands of journalists working to uncover government issues, and many more government opponents that try to fight for what they believe in.

Nevertheless, the true issue stems from those instances in which the government of a country actively tries to prevent its citizens from opposing their views, and possibly uncovering secrets best left untold—at least from the government's perspective. According to the United Nations Educational, Scientific and Cultural Organization (UNESCO), one journalist is killed

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every five days for attempting to bring information to the public ("Safety of Journalists", 2019). Furthermore, as argued by journalist Alexandra Ma, certain countries like China deal with people who speak out against them by "barging into [their] homes, threatening [their] families, or making [them] disappear" (Ma, 2018). Press freedom on all media platforms is a requirement for a socially responsible government and a concept that the UN strongly believes in and supports ("Safety of Journalists", 2019).

In the same manner, social and political protests are the main component of the consolidation of countries around the world. These protests express the citizens' anger and opinions with the hopes to solve the present issue. According to Amnesty International, a non-governmental organization in the United Kingdom (UK) that focuses on human rights, "protesting peacefully is not a crime, it is in fact a human right" (Amnesty International). According to Article 19, an organization that focuses on helping the protection of human rights, all humans have the right to protest as well as the rights to express themselves, to associate and assemble peacefully, to take part in public affairs, to think freely, to have a religion and to take part in cultural life. Additionally, humans should have the rights of privacy, liberty, safety, and freedom from discrimination (Article 19).

For several years, governors have misinterpreted these protests and have reacted to them in an unethical and non-supportive way (Inter-American Commission on Human Rights). To add on, police officers present in these protests have, in multiple occasions, violated the rights of many protestors. According to Human Rights Watch, during a protest in Bangkok on October 16, 2020, "Thai police unnecessarily used water cannons against peaceful pro-democracy protesters [...] in violation of international human rights standards" (Human Rights Watch). As a result of these actions, protestors have become more conscious of their rights and the actions that cannot be committed against them.

The Problem

Article 19 of the Universal Declaration of Human Rights states that "everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers" (UN, 1948). This is one of the rights that protects journalists when they do their job of sharing events that are going on in the world. However, throughout history, governments have abused their power to silence protestors, journalists, and anyone who opposes them because of fear that they can lose power and support from the people. Around the world, journalists are tortured, imprisoned, and even murdered for trying to expose flaws in their governments. Despite the danger, these newsmen still risk their lives in order to provide reliable and truthful information to the world.

Police brutality is also a concerning problem which has led to the deaths of several protestors despite them causing no harm. Police officers have abused their power by ending the lives of thousands of innocent protestors without a valid reason (Police incidents 2019). Freedom of speech is defined as "the right to seek, receive and impart information and ideas of

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all kinds, by any means” (Amnesty). Nevertheless, protestors and journalists continue to be killed as a result of voicing their opinions and reporting on events. It is clear how freedom of speech is slowly vanishing seeing that it is continuously violated.

III. History of the Topic

Chronological History of the Topic

The article “Freedom of the Press”, written by Katherine Gammon, mentions that when the printing press was first invented in 1501, Pope Alexander VI and other officials looked for different ways to censor the information that the public received. All printers were forced to send a copy to the church authorities in order to control what the public knew and prevent heresy. If in any occasion the church did not receive a copy, whoever was responsible was fined and excommunicated (Gammon, 2012). Authorities began suppressing publications because the printing press made the spread of new ideas and information to larger audiences more accessible. Something that could potentially challenge the liability of authorities. Information had never been disseminated as quickly and could not make as big an impact as it did after 1501, which is why the freedom of press came to existence soon after the printing press was created.

In 1517 the Catholic Church faced what was the beginning of the greatest challenge to their authority. Martin Luther, a German Augustinian friar, saw how the church was charging people in return for God’s forgiveness. This angered Martin Luther which led him to resent the Catholic Church’s policies. That same year, Martin Luther pinned his 95 page Theses to a castle church in Wittenberg. Due to economic reasons more than theological, Luther was called to recant his views by the Pope. When he refused to do so, Luther was excommunicated (Edinburgh).

Centuries later, in 1735, John Peter Zenger, a german printer and journalist who lived in New York ,was defended against libel charges in the American colonies. This was the beginning of what is now known as the freedom of press. A few decades later, on December 2, 1766 the first ever law supporting the freedom of press was formulated by the Swedish parliament known as the Freedom of the Press Act. This act, mentioned in “A Brief History of Press Freedom” written by John M. Cunningham, prohibited government officials from censoring information, allowed for government activity to be released and made public, and created a safe environment to voice opinions without any repercussions of retaliation (Cunningham).

After the American Revolutionary War, many states provided their citizens with the freedom of the press. In 1791 it was written in the First Amendment of the Constitution of the United States of America that “*Congress shall make no law [...] abridging the freedom of speech or of the press*” (U.S. Constitution). Although the ratification of the First Amendment ensured the freedom of press in the United States (US), some gaps were yet to be filled. According to Stephen J. Wermiel, the “the free speech clause served only to protect rights from interference by the federal government and not by the states” (Wermiel, 2019). It was until 1925 and 1931 when the *Gitlow v. N.Y.* and *Near v. Minnesota* trials created a change of heart in the

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Supreme Court. The Supreme Court would then establish that the press would be protected from any potential censorship from US state governments as well as the federal government.

In the later stages of the twentieth century, the US experienced numerous challenges regarding the freedom of press. A clear occurrence of the matter took place in 1971, when US military analyst Daniel Ellsberg rewarded The New York Times various copies of classified documents which later became known as the Pentagon Papers. These documents revealed studies which manifested the political and military involvement of the US in Vietnam from 1945 to 1967. As reported by History.com editors, the papers also exposed false statements from the past presidential administrations of Harry Truman, Dwight D. Eisenhower, John F. Kennedy, and Lyndon B. Johnson (History, 2018). Moreover, these false statements consisted of lying about the United States' involvement in Vietnam and the expected number of casualties caused by the war, giving the American population a false sense of hope. These leaks led to the *New York Times Co. v. United States* trial, in which the government attempted to block the publication of the top-secret information; however, the Supreme Court granted the newspaper company permission to publish the papers without any act of censorship from the government (History, 2018).

Stephen J. Wermiel also mentions that in 1972, a Supreme Court ruling held in *Branzburg v. Hayes* indicated that news reporters had to “obey the law like anyone else,” disallowing their refusal to give evidence in order for a source to remain confidential (Wermiel, 2019). However, the 1991 *Cohen v. Cowles Media* case extended on the ruling, stating that “reporters and their newspaper” were to be held accountable for breaking the promise of maintaining the identity of a source confidential (Wermiel).

Years later, in 2014, the technological revolution of the twenty-first century forced changes in the freedom of reporters, in which the *Obsidian Finance Group, LLC v. Cox* trial caused the Supreme Court to consider bloggers as any other member of the press. This case involved an act of defamation in Crystal Cox's blog which accused the *Obsidian Finance Group* of tax fraud, damaging the reputation of the company and creating the trial which occurred in 2011. Dan Levine, writer for Reuters.com, establishes that Crystal Cox lost mainly because she “failed to submit evidence of her status as a journalist,” which worked in Obsidian's favor as they “did not have to prove that Cox acted negligently” because she was not classified as a member of the press (Levine, 2014). The aforementioned situation led the 9th US Circuit Court of Appeals in San Francisco to express that Cox deserved another trial due to the First Amendment and the difficulty to identify a “distinction between the institutional press and other speakers” (Levine, 2014). A new trial meant that Obsidian would have to find evidence that proved Cox's accusations to be false, which led to the Supreme Court ruling that bloggers would now have the same rights as a member of the press and “[could not] be liable for defamation unless [they] acted negligently” (Levine).

Historical Case Studies

Manhattan Riots: July 13-16, 1863.

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The New York Draft Riots occurred in July 1863 when the anger of working-class New Yorkers—over a new federal draft law during the Civil War—sparked three days of some of the bloodiest and most destructive rioting in US history (History, 2018). Hundreds of people were killed, especially African Americans which seemed to be the rioters' main target. The reason for this was that the mob believed they were the impetus for the Civil War. The Colored Orphan's Asylum on West 44th Street was set on fire; fortunately, all 237 children inside escaped safely. At least eleven African American men were murdered during the three-day riot, and fear of continued violence ultimately contributed to a 20% decrease in the African American population of New York City during the Civil War. The draft riots were not only anti-Black, but also anti-rich and anti-Republican. From an assault on draft headquarters, the rioters went on to attack wealthy homes and murder African Americans. They marched through the streets, forcing factories to close as they recruited more members of the mob. These protests were so gruesome that Union troops returned from the Battle of Gettysburg to stop the rioting because it seemed that nothing would stop them from killing and destroying Manhattan (Zinned Education, 2019). No exact figures have ever been given, however, they estimate that about 400 people lost their lives in the New York Draft Riots, marking a record of deaths due to riots in US history. Protestors' rights were violated in inhumane and unimaginable ways during the riots. As a result, many innocent people were killed and others tortured by police in ways that, to this day, are still used by the people whose job is to serve and protect.

Tiananmen Square Massacre: 1989

According to BBC news, in the early 1980's, China was experiencing big changes on behalf of the Communist Party. Deng Xiaoping, the leader of the party, wanted to improve China's economy which quickly led to a corrupt approach. The Communist Party at that moment was greatly divided by two groups who had very distinct ideals; one side of the party urged for change whereas the other side was more controlling over the state in order to keep their power. In the mid 1980's, protests led by students began when many who had traveled abroad were exposed to new and improved ways of living. In 1989, the protests became more evident as the demand for political improvement expanded. The death of Hu Yaobang, a liberal political leader, spiked the protests and, on the day of his funeral, over one million protesters gathered in Tiananmen Square to fight for the freedom of speech and less censorship. The Communist Party did not interact with the protesters at first, but then the stricter and more conservative side of the party decided to intervene violently as its position and ideologies quickly became challenged and endangered. From June 3rd to June 5th 1989, troops arrived with tanks and opened fire against the protesters. BBC news claimed that the number of protesters killed is unknown, but it is estimated by the British Ambassador that around 10,000 people were killed during that protest (BBC News, 2019).

The Charlie Hebdo Attacks: January 2015

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On January 7, 2015, the Charlie Hebdo building located in Paris, France was attacked by three Muslim extremists. According to Nicki Peter Petrikowski, writer for Britannica.com, there were seventeen casualties over a three-day span (Petrikowski 2019). Charlie Hebdo was a satirical magazine that published radicalized and left wing cartoons drawn by the most popular, and iconoclastic cartoonists in France. One of the victims was editorial director, Stéphane Charbonnier. He was under police protection since 2011 due to numerous threats and violent acts that were directed towards him (Petrikowski 2019). The magazine had a history of mocking Prophet Muhammad. In February 2006, they “reprinted cartoons of the Prophet Muhammad” that were previously published by the Danish Jyllands-Posten (Petrikowski 2019). On another occasion in 2011, Charlie Hebdo released a special edition of their magazine by the name of “Charia Hebdo,” naming Prophet Muhammad “as editor in chief” (Petrikowski 2019). This special edition caused the destruction of Charlie Hebdo’s editorial offices, which then led to Charbonniere requiring police protection until his death. An article published by the British Broadcasting Corporation mentions that in 2012, Charbonniere had said that “[he does not] blame Muslims for not laughing at [their] drawings”, adding that “[he lives] under French law”, not “under Koranic law”, which is the code of living that all Muslims must follow (“Charlie Hebdo: 14 suspects on trial over Paris massacre” 2020).

On the day of the attack, thousands of people joined in the streets of Paris to show solidarity for the journalists who were murdered. They used the slogan “Je suis Charlie”, meaning “I am Charlie”, which was used to spread the word on social media. On January 14, issue No. 1178 of Charlie Hebdo was released and its cover page included a cartoon of a “crying” Prophet Muhammad hoisting “a ‘Je suis Charlie’ sign under the headline “Tout est pardonné” (“All is forgiven)” (Petrikowski 2019). Eight million copies of this issue were sold, compared to its average of 60,000 copies sold per issue. Additionally, French President Emmanuel Macron voiced his support towards Charlie Hebdo and the freedom of press, as well as the “freedom to blaspheme, which is linked to freedom of conscience” ever since the killings in 2015 (“Charlie Hebdo: 14 suspects on trial over Paris massacre” 2020). In 2020, 14 suspects are under trial for the murder of the Charlie Hebdo journalists (“Charlie Hebdo: 14 suspects on trial over Paris massacre” 2020). The French government is actively protecting the rights of reporters and journalists as they attempt to provide justice to the fallen victims of the Charlie Hebdo attacks.

Women's March January 2017

On January 21, 2017, a day after President Donald Trump took office, 4.6 million people around the US gathered to support gender and civil rights; with the support of people in all the seven continents, around a total of 5 million people were part of this protest. Although this began as a local protest in Washington DC, several states began getting involved as it began spreading through social media. The reason behind this protest was the sexualizing and discrimination that Trump had evoked during his campaign, which triggered several women to fight against his ideas and support their rights. Journalist Rafferty states that while it seemed to be a protest against Trump, the organizers of this decided to call it the “Social Change”

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(Rafferty). Their mission was to gain support and equality for their gender as well as for the LGBTQ and the Black community. They protested for affordable health care, more environmental awareness, and for the freedom of the decisions involving their bodies (Rafferty).

In March 2017, women were protesting for those whose lives have been lost to the police. The famous singer and actress Janelle Monae began leading a chant saying “Sandra Bland! Say her name!.” Sandra Bland was a Black woman who had died in the custody of a police officer in Texas (Hartocollis & Alcindor 2017). With this, the “Mother of the Movement” began, in which all mothers who had lost their children in the hands of the police would get on stage and chant their name (Hartocollis & Alcindor 2017).

Although this protest was meant to get Trump’s attention and fight against his beliefs, President Donald Trump ignored the situation. In a speech the president gave at the CIA headquarters, he focused on himself and that many people wanted to see him, using the amount of people at his inaugural speech as an example. But more importantly, he failed to point out the massive protests against his policies happening during his inaugural speech (Hartocollis & Alcindor 2017). Although the topic of the protest was mostly ignored by the president, he tweeted the Sunday after the march: “Watched protests yesterday but was under the impression that we just had an election! Why didn't these people vote? Celebs hurt cause badly” (Hanrahan 2017). Despite the ignorance of the president towards this Women’s March and all the human rights protested in it, this event allowed citizens around the US to unite with those who share their beliefs in order to continue fighting for the future they want.

Hong Kong Protests 2019-2020

In April 2019, the Hong Kong government introduced an extradition bill that would have "allowed criminal suspects to be extradited to mainland China under certain circumstances" ("The Hong Kong protests explained in 100 and 500 words", 2020). For starters, the bill would have put journalists and government opponents at considerable danger since it would allow Hong Kong detainees to be extradited to mainland China, a country known for its cruel treatment of government opposers and for further prosecution (Ma, 2018). This bill would also have endangered protesters, journalists, and government opponents, essentially removing their rights. To fight this, hundreds of thousands of Hongkongers took to the streets in hopes of stopping the bill from passing.

According to The Guardian, leader Carrie Lam postponed the bill as a response to the protesters’ actions (Graham-Harrison & Yu, 2019). However, fearing that the legislation could eventually be revived, protesters kept going with the demonstrations, which provoked large scale clashes between police and demonstrators ("The Hong Kong protests explained in 100 and 500 words", 2020). Not happy with the measures the government was taking, Hong Kong citizens made protests at a wider-scale, stating that current action was "too little, too late" (Jim & Pomfret, 2019). This increase in magnitude, in return, also increased police presence and action against the overwhelming demonstrations, which is when the real problem started. Believing that violence or excessive use of force would help diminish the protests, police forces

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"[unleashed] 150 canisters of tear gas" and used their batons, but to no avail (Graham-Harrison et al., 2019). Instead of being subdued, Hongkongers reacted even more violently to this blatant use of police brutality, which increased police aggression. Thus, creating a cycle in which protests became more and more violent as the government and police looked for ways to silence their citizens; the same citizens that they are supposed to be serving and protecting.

This 'cycle' continued to the point where the rights of government opposers, such as demonstrators and journalists capturing the brutal scenes, were being blatantly violated. This violation can mainly be seen in the excessive force used by the police, characterized by tear gas, batons, water cannons, rubber bullets, and many more violent crowd control tactics (Graham-Harrison et al., 2019). Likewise, the "2,600+ injuries" caused by the protests as of December 9, 2019, further prove how complicated the situation is (Graham-Harrison et al., 2019). Lastly, the Hong Kong police directly aimed at reporters by breaking their filming equipment, targeting them with tear gas as well as with water cannon spray, or even shooting them with rubber bullets in an attempt to stop any further coverage of the topic (Sataline, 2019). These actions are clear violations of the journalists media rights, proving the need for the increased protection of government opposers' rights.

Black Lives Matter Protests

The Black Lives Matter (BLM) movement and protests for justice have been a major part of 2020. After the killing of George Floyd went viral, US citizens came together and protested against the American Justice System, seeking change and justice for the victims of racism and discrimination. During the hundreds of protests around the US, there have been policemen violating the human rights of the BLM protesters through the use of violence and excessive force. On Saturday June 20, 2020, hundreds of people gathered outside of the Federal Courthouse to protest in Portland, Oregon, after the denial of "Oregon's request to restrict federal agents' actions during protests" (Aljazeera, 2020). Protesters were chanting "Black Lives Matter" and when federal agents started throwing tear gas to scatter the crowds, they started chanting: "Feds go home" (Aljazeera, 2020). What had started as a peaceful protest became a giant mob. "The unnecessary and sometimes excessive use of force by police against protesters exhibits the very systemic racism and impunity they had taken to the streets to protest. The research shows that people who were simply exercising their right to peacefully protest were met with such violence that they lost eyesight, survived brutal beatings, and suffered seizures and severe wounds" (Ernest Coverson).

Likewise, journalists have dealt with police brutality during this situation. In the past months, there have been multiple cases of journalists being injured or arrested while covering the BLM protests. In Minneapolis, Minnesota, officers shot photojournalist Linda Tirado with a foam bullet in the face, leaving her permanently blind in her left eye (Courtney Douglas, Sep 2020). "The rate of physical attacks on reporters in the US has spiked dramatically in 2020. The Press Freedom Tracker has documented 185 attacks on the media in 2020, compared to 40 in 2019, 42 in 2018 and 50 in 2017" (Courtney Douglas, Sep 2020).

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Past UN Actions

Since 1948, the United Nations (UN) has recognized freedom of opinion and expression as a fundamental human right in the Universal Declaration of Human Rights. The purpose of freedom of speech is not only about one's ability to speak, but about reinforcing "all other human rights, allowing society to develop and progress" (Index on Censorship). Freedom of speech has helped change and develop society to the way it is today, allowing for far-fetched and unique ideas to be spread all around the globe. This right is protected by the International Covenant on Civil and Political Rights, which currently has 167 state parties who agree to these laws. Throughout history, the UN has tried its best to protect the rights of protestors and journalists in order for the world to be able to express its ideas and hear other people's unique points of view.

According to UNESCO, attacks and violence against journalists have increased from January to June of 2020. UNESCO Director-General Audrey Azoulay states that "[j]ournalists have a critical role in reporting and informing audiences on protest movements" (UN News). Findings have exposed that the use of excessive force by policemen and security forces has grown throughout the past five years. The Committee for the Protection of Journalists claims that over 500 violations occurred in some of the protests, including violations against journalists. For years, UNESCO has struggled to raise global awareness about this recurring issue in order for journalists to continue doing their job in a safer environment. This UN branch has been training "security forces and the judiciary on international norms in freedom of expression" (UN News). However, these efforts have yet to accomplish the goal; there is still a need for greater protective measures to be taken in order to protect journalists as well as protestors. The article *Safety of Journalists* proposed to re-enforce the training of the police and law enforcements on behavior and in freedom of expression when encountering with the media (UN News).

In December 1993, World Press Freedom Day was established by the UN General Assembly "following the recommendation of UNESCO's General Conference" ("World Press Freedom Day 3 May", 2020). It has been celebrated on May 3rd of each year since 1994, with the purpose of reminding governments to remain committed to protecting press members in their respective countries. World Press Freedom Day also pays tribute to journalists who have lost their lives working as reporters, providing an opportunity to reflect on the current treatment of the press as well as what needs to improve ("World Press Freedom Day 3 May", 2020). Moreover, Stephane Dujarric, spokesman for the UN's Secretary General António Guterres, published the thoughts expressed by the Secretary General on the freedom of press and the increasing number of attacks on press members. According to Dujarric, Guterres was "appalled" by the situation and wanted to restate that the freedom of press is "essential for peace, justice, sustainable development and human rights" as well as a requirement for democracy (Dujarric, 2020). The UN has repeatedly shown its commitment to the freedom of the press and protestors, displaying arduous efforts to make sure these rights are exercised worldwide.

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IV. Key Players and Points of View

China

China has been regarded as one of the most authoritarian countries in the UN. This is the result of their harsh actions against government opposers, enforcing strict obedience to authority and removing any sort of personal freedom enjoyed by its citizens. Some key examples of these authoritarian practices are seen in events such as the 1959 Tibetan uprising against the Communist Party rule and the 1989 Tiananmen Square protests, both of which were met with excessive police force ("Tiananmen Square: What happened in the protests of 1989?", 2019). In both of these scenarios, logistical changes made by the government—the Communist Party in these cases—created unrest amongst the citizens who desired more political freedom. Such unrest quickly grew into distrust for the government and growing protests. As a response, the government decided to declare martial law, “crushing and arresting protesters to regain control” ("Tiananmen Square", 2019).

Moreover, in present Hong Kong, protests were sparked as the result of the proposed legislation of the 2019 Hong Kong extradition bill (Khaliq, 2019). Other causes have also been pointed out, such as demands for democratic reform, the Causeway Bay Books disappearances, and the fear of losing a "high degree of autonomy" in general (Cheung, 2020). These protests do not look like they are going to stop anytime soon, so the Chinese government decided to take action, ignoring protesters' human rights in the process. China's government is set to approve a new national security law which, according to media reports, would allow mainland security personnel to legally operate in Hong Kong with impunity. This law could also lead to protesters and political figures being jailed for life if they are deemed to be subverting Communist Party rule or promoting Hong Kong independence.

Furthermore, China's government has demonstrated their strong-arm policies by implementing a strict censoring system that is currently active (Cadell, 2019). Such policies implemented by China's government severely limit the freedom of expression of Chinese citizens, forcing them to comply with and submit to the authorities. This example of 'censorship' is one amongst many, demonstrating how China has and is disregarding the rights of government opposers, journalists, and protesters on many occasions. As is further discussed by Zhang Wenmin, a recognized Chinese journalist, “the space for free speech has become [...] limited” because of government action against anti-government individuals (Hernández, 2019). Likewise, Wenmin discusses how “the police intimidate [her] sources [and] shut down her social media accounts”, arguing that it is now “dangerous” to be an independent investigator (Hernández, 2019). In an attempt to limit the amount of journalism and overall dissent amongst the populace, the Chinese government has constantly made a large effort to undermine the rights of protesters, journalists, and government opposers through various effective tactics such as force and intimidation. Henceforth, China's overall position on the topic becomes quite clear, as the government shows no sign of backing down from their authoritarian tactics in order to respect their civilians' rights.

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Spain

With many big protests that have taken place in Spain like the Catalanian protests and the women's strike, Spain established a law in 2015 known as the “gag law.” This law states the penalties that can be imposed on journalists as well as people who film law enforcement officers. A violation of it can be fined up to 30,000 euros (Diaz-Jogeix). Protestors also have to notify authorities previous to the event, even though they might be peaceful; otherwise, each protestor can be fined 600 euros. Protests that create disturbances to the city and have a violent ending can be fined up to 30,000 euros per protestor. Unauthorized protests that take place near important places in Spain like valuable monuments or cathedrals may lead to a fine of 600,000 euros each protestor. During the days of the pandemic, fines have been larger than ever. In the first 75 days of the Coronavirus outbreak, there were around 1,089,917 proposed fines against the protestors which is a 42% increase from all the sanctions made in the past 3 years by the government (Lopez 2020). With this law in place, Spanish citizens' freedom of speech has been suppressed along with their fight to make their country a better place.

United States

The US has had some of the most notable protests in the world, many of which have been quite recent. For example, the BLM protests and the 2017 Women's March, had around 15,000,000 to 26,000,000 national participants and 3,300,000 to 5,600,000 participants worldwide, respectively showing the influence they had around the world (Garfield, 2020). In these protests, like several others that have taken place in the US, there have been many casualties as a result of severe police brutality, forcing the government to take action. However, President Donald Trump remained silent and did not take any action to reduce brutality and violence from the police towards the protestors; this was due to his belief that the policemen were the ones who were protecting all Americans, when in reality, some were also endangering Americans, as seen in the video of George Floyd's murder. President Trump chose to turn a blind eye to more than 20 people who were killed in the BLM protests, many of whom were innocent. Even more recently, Trump supporters enraged with the presidential election of Joe Biden have taken the streets in Pennsylvania, Arizona and other states to protest what they call “an unfair” election (West, 2020). Several people brought guns and other weapons to these demonstrations; many have ended up violently. The US government has completely ignored The First Amendment to its constitution, which protects the right to assemble and express one's views through protests, as members of police departments across the country are continuously violating protestors human rights by using extreme violence (Aclu, 2019). Many protests in US history have started peacefully but have quickly turned violent due to harsh police involvement.

Egypt

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In 2019, Egypt was ranked number four on a list made by the Committee to Protect Journalists (CPJ) that ranks the number of journalists arrested in each country (Janensch, 2020). Ever since President Abdel Fattah El-Sisi rose to power, people realized how corrupt he was, despite his dismissal of such allegations. As a result, the Egyptians started to protest demanding his resignation. These manifestations caused an increase in the amount of protestors and journalists whose rights were violated, with such a number of violations currently at its peak. During 2019, in a single occasion, 26 journalists were arrested and charged before a protest in order to prevent them from posting any sort of media that undermined the president. On September 11, 2020, a journalist got arrested for reporting on a young man who died in police custody (The Associated Press, 2020). Protestors are also being arrested and killed for voicing their opinions. A report from Amnesty International states that on October 2, 2020, during a protest against the president, two protestors were killed, and at least 496 individuals were detained. Witnesses say that “forces have used teargas, batons, birdshot and on at least one occasion live ammunition”(Amnesty International).

North Korea

Since 2013, Reporters Without Borders (RSF)—an NGO that works for promoting press freedom worldwide—publishes a yearly World Press Freedom Index. The index for 2020 ranked 180 countries on where they stood in protecting the rights of the press. North Korea was ranked as the country that protects the freedom of press the least (“North Korea”, 2020). The last seven years, North Korea was also ranked last or second-to-last out of the 180 countries. Ever since Kim Jong-un took control of the country in 2012, citizens have remained in a “state of ignorance” (“North Korea”, 1). Regardless of the technological advancement in the 21st century, the totalitarian government has been able to control what their citizens can access on their mobile devices. If any citizen “[views, reads or listens] to content provided by a media outlet based outside the country,” they can potentially be sent by the authorities to a concentration camp (“North Korea”, 2020). The only source of official news in North Korea is the Korean Central News Agency (KCNA). Although the freedom of press is almost non-existent, the government has started to allow foreign media reporters to cover official events and has authorized the KCNA to partner with other press companies like the Agence France-Presse and the Associated Press (“North Korea”, 2020). North Korea has become well-known for its efforts to maintain control over its inhabitants, continuously attempting to limit any possibility for the freedom of the press to exist in their own country.

V. Possible Solutions

In order to fully protect the rights of journalists, protestors, and government opponents, it is crucial to attack the issue from its root. *Safety of Journalists* proposed to strengthen the training of police and law enforcements, specifically on their behavior towards freedom of expression when encountering the media (UN News). Focusing on the training that these officers receive will have an immediate effect on how people who are expressing themselves are

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treated by the authorities, creating a safer environment. Another potential solution to tackle this ongoing issue is providing the appropriate training and equipment for journalists and freelancers who are “sent to cover demonstrations as well as appointing national ombudsmen to hold police accountable for the use of force against journalists during demonstrations” (UN News). This will diminish the probability of protesters and journalists experiencing the cruelties that they currently face from the authorities, granting them better protection in the near future.

Countries should facilitate the action of protesting by abolishing protestant fees. Around the world, it is common to charge protesters due to their unadvised manifestations, violence, and property vandalism. According to the United Nations Human Rights Council, in the US there has been a large number of undemocratic bills proposed against protests. The UN responded by saying that this is against the act of the “International human rights law” along with the “First Amendment protections” (United Nations Human Rights). Having protester fees implicitly restricts the freedom of speech and takes away the motivation citizens have to fight for their rights. It will also create a bigger economic problem for those citizens in lower economic classes that cannot afford the protester fee. The implementation of a ban on protest fees will allow people to have more freedom to express their opinion, facilitating their ability to protest. However, it is important to also address the possibility of protests turning violent leading to the possible vandalism and destruction of private and public property.

Lastly, it is imperative to realize that, even though significant differences exist between forms of government, forms of censorship, and police brutality, they are still direct violations of UN policies and should be treated as such. The atrocious acts committed by the perpetrators in such nations are to be held responsible, not only them but also the bystanders that allow them to happen, mainly the government who is responsible for the safety of its nation. However, the UN cannot mandate any change in the systems of other countries, which is where the HRC should operate in order to find a resolution to this issue, or at least improve the existing conditions of government opposers. One such way that the HRC is allowed to operate is to mandate investigations based on substantial evidence of past acts that suggest an inherent flaw, not with the individuals that violate protesters’ and journalists’ rights, but within the system of government that allows for these violations to occur unpunished (“Commissions of Inquiry, Fact-Finding missions and other Investigations”).

VI. Current Status

Throughout 2020, catastrophic events regarding the safety of the press, government opposers, and protesters have occurred. For instance, according to the CPJ, 23 journalists have been killed (“23 Journalists Killed”, 2020). The CPJ has also confirmed that there were 64 more missing journalists in 2020 (“64 Journalists Missing”, 2020). On October 31, 2020, months after the monumental wave of BLM protests, The Guardian’s Lois Beckett reported that “at least” twenty five revolters were murdered (Beckett, 2020). In July 2020, the United Nations Human Rights Office officially warned the US government and authorities to stop using excessive amounts of force against protesters and journalists involved in the BLM protests

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across the country. They specifically warned authorities to make sure that all police officers are always identifiable when on-duty after seeing that “images emerged of officers hiding their badge numbers when using force against protesters” (ABC News). Not only are protesters and journalists being treated with extreme force by police officers, but even the mayor of Portland was hit with teargas when he was out alongside the protesters.

Over the last five years, violence towards journalists while reporting on protests has massively increased. According to UNESCO, there was a “wider upward trend” of the use of unlawful police force, and security has increased by double. During the global pandemic, protests have been aimed towards the injustice of government corruption, political freedoms, and the changes in the economy. In these protests, journalists and protesters have suffered by having to face intimidation, abduction, harassment, detention, and even being shot with lethal and non-lethal ammunition from the authorities of their respective governments (UN News). According to the Committee of Protection of Journalists, these reporters were also shot with rubber bullets and pepper balls, which left several journalists blind and unable to continue their jobs (UN News). Although UNESCO has been raising global awareness about this issue throughout the years, the UNESCO chief still believes that the organization needs to give greater effort towards the situation (UN News). With this, UNESCO will be implementing other actions like strengthening police training on the enforcement of freedom of expression and the appropriate behavior on how to deal with the media. These actions will also include training so that the authorities can provide adequate protection for journalists during protests as well as a commitment to hold police accountable for violent and unlawful actions towards journalists (UN News). This will allow journalists to perform their jobs in a safer environment where they will not face the risk of being hurt or killed.

Finally, systematic racism is a problem of the present. While some may believe it was a past issue, over the years, there has been an increase in the number of innocent Black Americans killed by police. Journalists and protestors who try to reveal the truth have been beaten, and in many cases, murdered. Over the past decade, 554 journalists and 49 media workers were killed around the world; some caught in crossfires while others were targeted for a variety of reasons (O’grady, 2019). These numbers will continue to increase due to the fact that people refuse to talk about this issue, which is why shining a light upon it is key to ensure that freedom of expression is not invalidated and is respected. (Lien, 2019). While it is true that some protests are not peaceful, the majority of them aim to achieve change through non-violence. Regardless, in several nations, policemen and governments are not allowing any kind of protests and retaliating by using violence. There will continue to be blatant violations of protesters’, journalists’, and government opposers’ rights by law enforcers worldwide unless action is taken. It is each government’s responsibility to respect their citizens’ freedom of speech in order to allow their desires to be heard, thus promoting societal growth and progress.

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