

**The contribution of Media and Information to an effective
strategy of prevention to atrocity crimes**
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A speech delivered for the side event to launch the Framework of Analysis for Atrocity Crimes¹
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Your Excellencies, Special Advisors, Ladies and Gentlemen

It is a privilege to speak with you this morning. I am particularly honoured to do so as part of the marking of this year's international human rights day. A marking that – as the human rights commissioner has reminded us - should occur every day.

When has there ever been a good year for atrocity crimes? Instead of their sure steady decline or far better still, their complete eradication, it seems that each year we must face up to a new series of gruesome mass killings. Yet 2014 stands out. It most certainly has been one of the worst years in recent memory in terms of the multiplicity and global spread of the conflicts.

Allegations of genocide and of crimes against humanity, repeated accusations of war crimes committed in the theatres of diverse conflicts around the world, ethnic cleansing – unfold before our very eyes – streaming to us over television sets and computer screens. 2014 – a bloody year for human rights and year in which the blood of people flowed all too freely.

2014 is also distinctive for the ways in which we documented, narrated and reported on those crimes. The Media, Internet and Social Media in particular, have too often been mentioned as implicated in the context for atrocities; part of the enabling for the worst that human beings can do to each other rather than the stalwart in helping to protect against such abuse. And there was the other reality as well: Journalists, bloggers, human rights defenders have been the victims of the very atrocities they were seeking to report or denounce, killed in indiscriminate or targeted shelling, or brutally murdered.

This dual reality is well reflected in the framework we are launching here today – a framework for analysis of atrocity crimes and for assisting us in developing strategies for their prevention.

Some eight of this important framework's indicators make mention of the Media and some additional 10 of its indicators are related to freedoms of expression and information. Among these metrics, are those that directly concern the absence of an information regime based on the principles of diversity and pluralism, long

¹http://www.un.org/en/preventgenocide/adviser/pdf/framework%20of%20analysis%20for%20atrocity%20crimes_en.pdf

considered to be a key contributor to the generation of an environment in which incitement and other hate propaganda flourishes unchecked. Other indicators direct us to monitor closely the ways in which the Media and public circulation of information foments incitement and hate.

This dual impact of Information and the Media (as enabler of the best and the worst) has been the object of other important initiatives such as the work fostered by the Office for the prevention of Genocide whose **policy guidelines on the prevention of incitement**² – constitute an essential complement to the framework launched today, along with the **Rabat Plan of Action**³, launched by the High Commissioner for Human Rights.

What are these indicators reminding us about? What lessons are there that we seem not yet to have learned sufficiently well?

1. What mass violence needs in order to breed is a context where dissent and criticism are not tolerated; a context in which media outlets are owned or dominated by monolithic political actors, owned by a single political party or by political parties alone; a context where people have access to only one source of information or rely on a single form of information or are able to listen to only a single voice.

The gravest of man-made calamities to accost our world over the centuries - the Inquisition, the slave trade, the Holocaust, the Soviet Union Gulag, the genocides in Cambodia or Rwanda - not only involved but actually required a totalizing control of expression, opinion and, at times, even conscience.

It will surely escape no one's attention that such calamities both fed and were driven by some form or another of hatred of "the other" - organised, funded, mobilized, political and all-encompassing hatred, that to flourish required an absolute control over information and an absolute suppression of freedom of expression in order to (and I quote) *"assist in the attainment, preservation or continuance of somebody's power... .. the extension of physical power into the realm of the mind and the spirit...."*⁴

In other words, history shows us that atrocities and censorship are on the two sides of the same coin. Hatred needs and is fed by censorship, which, in turn, is needed to nurture incitement to the actual commission of atrocity crimes.

The lesson is clear: In our efforts to prevent mass atrocities, the free flow of information and freedom of expression are ultimately are our key allies – not our enemies.

² <http://www.un.org/en/preventgenocide/adviser/projects.shtml>

³ Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, violence and hostility

http://www.ohchr.org/documents/issues/opinion/seminarrabat/rabat_draft_outcome.pdf

⁴ Michael Scammell, "Censorship and its History – A personal View" in 1988 ARTICLE 19 World Report, p5

2. Information and the Media in particular can then play three critical roles towards the prevention of mass atrocities:

- a. The most crucial of its roles is that of providing readers, listeners, it consumers, with information on human rights violations. Unbiased, professional reporting on abuses of minorities; reporting that understands its environment (cultural, ethnic, racial), reporting that does not sensationalize but “factual”ises, reporting that highlights and denounces those practices that the many indicators of this Framework seek to expose: that is the key function of the Media. And we should never forget that many bloggers, journalists, and editors who enable such reporting do so at grave personal cost, sometimes at cost of their lives.

These qualities are not always present in all the Media and Social Media all around the world and once present there is no absolute guarantee that they are permanently so. Journalists and editors know full well that a badly researched and badly written article can cause distress and may well cause harm. And that is why initiatives in promotion and implementation of ethical journalism, ethical reporting in conflict areas; gender-sensitive reporting and diversity reporting; ethical interviewing victims of violence are so important⁵. Similarly, initiatives within the blogosphere regarding self-regulation, including through developing and following codes of conduct or codes of ethics for bloggers and the development of bloggers websites espousing the best in professional values – all of these testify to the commitment of many within the sector to address the worse behaviours.

- b. The second role that the Media and Social Media in particular can play extends beyond traditional reporting. There is today an increasing number of radio and television broadcasters whose main objective is to contribute to – actively engage in the creation of - a culture of peace and tolerance. Radio Benevolence is an excellent example but there are many others around the world that are using the power of the media, through distinctive kinds of reporting or info-tainment or pure entertainment to raise public awareness about the “others” and to strengthen the climate of understanding, empathy, and self awareness etc.
- c. A third critical part that public information can and ought to play, whether disseminated through traditional media, on-line Media, NGOs or other actors, is to engage in the battle of ideas.

As the High Commissioner reminded us recently, it is probably not possible to bomb an ideology of hatred into submission, or to hope it can just vaporise at the end of a judge’s gavel... “*Thought must therefore be undermined by thought*”⁶. His conclusion – that neither the use of force nor the reliance on the law can *prevent* extremist and

⁵ Diversity reporting initiatives are multiplying around the world. See Media Diversity Institute; The Ethical Journalism network, the various initiatives within Journalists syndicates, etc. These include Trainings, guidelines, teaching, development of code of ethics, reinforcement of the capacities of self-regulatory bodies, etc.

⁶ <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15311&LangID=E>

hateful ideologies – is shared by many around the world who have studied such ideologies. To prevent hateful ideologies from resulting in atrocity crimes, discourse and speech countering the official or non-official hate propaganda are crucial.

These are the so-called counter-speeches that:

- Denounce fundamentalist, extremist or radical thinking
- Provide alternative and progressive interpretation
- Bust myths, refute them through counter-examples
- Discredit (in particular rumors)
- Plant ‘seeds of doubt’ (in the reluctant radicals)
- Highlight the risks linked to the use of violence

These counter-speeches can be practiced anywhere any time – in an organised and planned fashion, by using on-line tools, including videos – but also and possibly more effectively at grass root level.

I recently had the great honour to listen to Father Bernard Kinvi, who heads a hospital in Central African Republic. Father Kinvi saved hundreds of lives – Muslim lives – from what surely would have been savage mass-killings. What struck me when listening and speaking to him was how important were his dialogue and verbal exchange with various dangerous rebels who were the perpetrators of mass atrocities. And the amount of courage that this required. This is possibly the most extreme form of counter discourse I have encountered.

But the evidence demonstrates that ensuring the environment is not dominated by one narrative only involves courage and confrontation with its alternative - a narrative of hatred and demonization. That courage is simply crucial to the prevention of mass atrocities. It may be personal as in the case of Father Bernard Kinvi. It may also be political and institutional as in the case of political, religious or social leaders standing up firmly to, and speaking out against, a domineering ideology of hate.

3. However, let’s be clear, the power of information and the media to prevent descent into atrocities can only be realized if and when certain conditions are met and these conditions are largely dependent on governments and Parliaments actions. The key requirement is a legal regime that promotes and protects diversity and pluralism of opinions and of the media, unhindered and equal access to Internet, freedom of association and freedom of expression, etc.

States must put in place a range of appropriate measures to create an environment in which a pluralistic media sector can flourish. These should include, among others, obligations of transparency of media ownership, licensing of different types of broadcasters to promote diversity, rules to prevent undue concentration of media ownership and measures to promote content diversity among and within media outlets.

More broadly, people should have access to Internet and they should be able to organize without fear – The blocking of the entire Internet system, as has been attempted on and off by many governments, has disastrous consequences for the economy and social resilience of the country. Governments’ blocking of entire platforms such as facebook or twitter is overbroad and misused. It is just the case that there is no evidence of any such form of overbroad censorship preventing mass violence in the short or long term while there is plenty of evidence of such censorship muzzling legitimate dissenting voices, including those that spoke against the victimization of particular communities.

This is not to say that media and information regulation has no role to play. It does. But to be legitimate and effective at *preventing* atrocity crimes, such regulation must meet international standards - particularly those arising from articles 19 and 20 of the ICCPR, article 4 of the CERD, and article 3(c) of the Genocide Convention - as interpreted by a number of UN bodies and experts⁷.

To undermine the circumstances in which atrocities flourish, Governments should also:

- Refrain from speech that directly or indirectly ostracize, discriminate, and of course from hate or incitement speech
- Explore and deliver targeted alternative narratives on and off-line, re-enforced by strong community engagement
- Ensure that messages are reinforced by government policies and practices.

Conclusion:

The importance and value of non-discrimination and equality, including substantive equality, to the advance of human rights is well known and well understood: and human history is just replete with instances in which hatred of the other, racism, intolerance giving rise to mass atrocities.

But along with the principle of non-discrimination, the right to freedom of expression is central to human rights and human dignity.

As we are launching the Framework of Analysis for Atrocity Crimes, at a time when voices around the world are calling for and in too many cases implementing some ill-considered information regulation regime when not outright censorship, in the name of the fight against mass atrocities,

Let’s recall the UDHR preamble, 2nd paragraph: *“the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people”*

⁷ For instance, see the Rabat Plan of Action and the Policy Framework for the prevention of Incitement, cited above; see also Human Rights Committee General Comment 34: <http://www2.ohchr.org/english/bodies/hrc/docs/gc34.pdf>

And remember that as early as 1946, at its very first session, the UN General Assembly adopted Resolution 59(I) which states: *“Freedom of information is a fundamental human right and ... the touchstone of all the freedoms to which the United Nations is consecrated.”*