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Tom Tugendhat MP
Chair, Foreign Affairs Committee
House of Commons
London
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12 February 2021

Dear Tom,

In its March 2020 response to the Foreign Affairs Committee's report on the Media Freedom Campaign the Government committed to providing updates on its work every six months. Given that COVID-19 slowed down some activity and the follow-up Global Media Freedom Conference was delayed until 16 November 2020, the Committee Clerk agreed that waiting until after the Conference would enable the Government to provide a more substantial update. I am pleased to attach our update in the enclosed annex.

Yours sincerely,

THE RT HON DOMINIC RAAB MP

Government response to the House of Commons Foreign Affairs Committee report “Media freedom is under attack”: The FCO’s defence of an endangered liberty

The Committee’s text is in bold and the Government’s response is in plain text.

Overview of Progress of the Campaign

The need to redeploy staff to the Government’s response to the COVID-19 pandemic led to an office wide reprioritisation of resources. Non-pandemic related work, including media freedom, was scaled back between March and July due to the unprecedented nature of the challenges facing the UK and FCO. Nevertheless, since summer, the Government has re-focused on the campaign, shining a global spotlight on media freedom and taking actions to increase the costs to those who restrict it.

The pandemic exacerbated threats to media freedom in a number of countries. Some states have strengthened their repressive machinery. Media organisations are struggling with the financial impact, outlets have been closed and journalists have lost their jobs. We have seen the media facing growing restrictions in a range of countries.

In response, the Government’s campaign to protect and promote media freedom has focused on strengthening the ability of the Global Media Coalition to act at the international level, and supporting action by our Missions, including programmatic work, to promote media freedom on the ground. With respect to the former, members of the Coalition coordinated statements in response to a number of cases including in the Philippines, Yemen, Belarus, Egypt, and Uganda.

Ahead of the second Global Conference on Media Freedom, which took place virtually on 16 November 2020, we worked closely with the host, Canada, as co-chairs of the Media Freedom Coalition. Attendees at the Conference discussed the impacts of COVID-19 on media freedom, the increasing damage to public trust in journalism and democracy caused by disinformation, and the prevalence of physical threats to journalists.

The first annual Ministerial meeting of the Coalition took place during the Conference. The Foreign, Commonwealth and Development Secretary attended and discussed a range of policy options and best practices to strengthen media freedom worldwide. The Ministerial communique issued after the meeting recommitted members to working together to improve media freedom and the safety of journalists at home and abroad. It commended the crucial role played by journalists and media workers, and that media freedom is essential to the protection of human rights, a cornerstone of democracy and a means to help address the current health crisis through countering false information. The Communiqué also recognised the continued decline in media freedom caused in part by the rise of authoritarianism. Finally, it paid tribute to those who lost their lives defending media freedom.

At the Conference, the Foreign Secretary and Foreign Minister Champagne also announced the winner of the Canada-UK Media Freedom Award. This award recognises the journalists, individuals and organisations that actively promote and protect media freedom. Over 60 nominations were received. The Award was presented to the Belarusian Association of Journalists, one of the most prominent non-governmental organisations in Belarus. The Foreign Secretary highlighted the

Association's consistent commitment to journalistic ethics and principles and its perseverance and self-sacrifice in the face of increased targeted crackdowns on media in Belarus. The Conference also took note of the progress made by the Coalition, in particular its expanded membership and the issuance of a number of statements on situations of concern.

The World Press Freedom Conference followed on 9-10 December, co-hosted by The Netherlands and UNESCO. Over 90 countries were invited with 'virtual' engagement enabled for NGOs and the public around combatting impunity for crimes against journalists and the safety of journalists. Dutch Minister of Foreign Affairs, Minister Blok, hosted a closed Ministerial meeting which over 50 Ministers appeared, either live or via pre-recorded messages. The Foreign Secretary's intervention reiterated the UK's commitment to media freedom worldwide and our intention to maintain a focus on this work through our G7 Presidency in 2021. The Hague Commitment on the Safety of Journalists was issued following the meeting.

Our overseas missions campaigned for media freedom throughout the pandemic. Recent examples include our High Commissioner in Nairobi hosting a group of recently sacked journalists to show support, taking on the role of the international community's Media Reform Working Group Coordinator in Khartoum, and joining with six other Ambassadors to deliver a joint digital media campaign in Bangladesh on upholding press independence and freedom of expression.

We have used programme funds to support the campaign, for example funding a local NGO in Manila to upskill local journalists to counter disinformation about COVID-19, funding workshops for journalists in India on reporting violence against women and girls, and funding a programme of technical support and capacity building to six independent media outlets in Egypt.

In Belarus, the FCDO has allocated an extra £950,000 worth of support to media freedom to enable outlets across all regions of the country to remain open and maintain a functional level of equipment. Without this support, they would otherwise have been forced to close by government measures. The funding has saved jobs and ensured that independent media can still hold the Government to account during a period of increasingly violent action by the security forces.

We are refreshing our communication strategy. We regularly use communication to support and amplify our policy objectives, demonstrating that by defending media freedom the UK is acting as a force for good in the world. Examples in November include marking the International Day to End Impunity for Crimes Against Journalists, the International Bar Association's Conference and the second Global Conference on Media Freedom. We also ensured a strong social media presence to mark the World Press Freedom Conference.

In September 2020, Amal Clooney stepped down from her role as Special Envoy on Media Freedom. She continues in her role as Deputy Chair of the High Level Legal Panel.

(1) The FCO must now demonstrate the impact, and sustainability, of its policies and initiatives.

12. However well intentioned, the credibility of the FCO's proposals to defend media freedom will face significant doubt. This is not the fault of the UK alone. Around the world and across the years, empty words have bred cynicism among journalists and their supporters. But there has been criticism of the FCO's past performance in this field. Currently, there are concerns that the

FCO has allocated too few resources, given too little detail about how it will fulfil its campaign, and taken too passing an interest in how to make it sustainable. There is anxiety that this vital initiative by the FCO risks becoming a disappointment. The FCO must now move beyond the rhetoric to demonstrate impact in defending media freedom. It must move beyond assurances to demonstrate working structures that will sustain that impact beyond the current year, the current campaign, and the past tenure of Jeremy Hunt as Foreign Secretary. We ask the FCO to provide updates every six months on its work in this area. We will return to this topic to assess the FCO's progress.

In its March 2020 response to the Foreign Affairs Committee's report on the Media Freedom Campaign the Government committed to providing updates on its work every six months. Given that COVID-19 slowed down some activity and the follow-up Media Freedom Conference was delayed until 16 November 2020, the Committee Clerk agreed that waiting until after the Conference would enable the Government to provide a more substantial update.

Despite the constraints placed on the Campaign by COVID-19, the Foreign Secretary continues to be clear that our Media Freedom work is a priority and will remain so. At the Conference he said "Governments have a duty to defend this fundamental freedom – and we are absolutely committed to doing so."

Ministers have frequently raised media freedom in bilateral meetings with counterparts. For example, the Foreign Secretary requested the lifting of the block on the BBC Vietnamese service and the easing of visas for international journalists to report in Vietnam during his trip to Hanoi in September. Lord Ahmad hosted a media freedom roundtable featuring prominent journalists and civil society representatives during his virtual visit to Pakistan in September.

From the very outset, we aimed to place the campaign on a sustainable footing by developing it and the initiatives together with partners, who will continue to champion respective efforts internationally. Our primary focus is to grow and strengthen the Coalition, and broaden its geographical representation. Since our last update, Cyprus, Japan, Botswana, Belize, Australia, Italy, Spain and the Republic of Korea have joined, bringing the total to 43 members. We plan to strengthen the governance of the Coalition to enable greater ambition. The Executive Committee discussed its working methods during virtual meetings in October and December. Outcomes of these meetings are to agree a process of 'opt out' rather than 'opt in' to statements, and have a systematic approach to statements through an agreed case mechanism paper to speed up the process and encourage more countries to align to statements. These meetings of the Executive Committee will be held quarterly going forward. A Senior Officials meeting of the Coalition will take place early in 2021 to increase the engagement of the Coalition and to identify future key priorities and issues of concern.

The creation of the FCDO has brought together former FCO and DFID expertise into one Department enabling us to have greater impact. There is already close co-ordination between the former FCO and former DFID teams dealing with media freedom, and greater benefits will be fully realised once implementation of structural changes is complete in early 2021. Planning for the future direction of media freedom work in 2021 and beyond is underway. That is expected to include a continued focus on the Media Freedom Coalition and, for example, how we can use our Presidency of the G7 in 2021 to keep the spotlight on media freedom.

The UK has supported the Global Media Defence Fund, committing £3m over five years, and encouraging contributions from others. This year the fund announced the

outcome of the first tranche of projects, which will benefit at least 1100 journalists in 55 different countries through training and support. The UK continued to encourage donations to this fund. Canada announced a further CAN \$1m at their Conference. Germany, the Czech Republic, Latvia, Luxembourg and Serbia have also made donations.

(2) The Government should support training for law-enforcement organisations around the world to help them protect journalists.

(3) The FCO should consider supporting an international mechanism to investigate and punish the abuse of journalists if governments will not.

20. We welcome the FCO's aim of assisting countries to ensure that their laws protect media freedom (even though witnesses asserted that the UK itself could improve in this respect). We worry nonetheless that those most likely to abuse the media are those least likely to comply with 'Pledges', 'Action Plans', or a 'High-Level Panel of Legal Experts', for as long as these remain voluntary and non-binding. Laws must be enforced and, when protections for journalists are flouted or absent, those who violate media freedom must be punished.

- **The UK should support training to the law-enforcement branches of countries so that they are willing and able to protect journalists.**

- **The FCO should give more consideration to supporting an international mechanism for investigating and punishing the abuse of journalists when governments cannot or will not do so.**

We continue to take a number of approaches to ensure there are costs to countries that abuse the media. The FCDO funds a range of programme activity to support this work, including projects convening governments and civil society to review restrictive policy and law, providing safety and security training for journalists and training the authorities on how to support freedom of expression and protect journalists. We are also supporting UNESCO's work on the development of national mechanisms for the safety of journalists.

Sustained Government lobbying and technical support led to the Sierra Leone parliament voting in July 2020 to repeal its criminal libel law and implement a new Independent Media Commission Act. This Act removes the threat of imprisonment to suppress journalism and creates an independent commission to retain standards.

We have continued to work closely with the independent High Level Legal Panel, which provides advice to governments to prevent and reverse violations of media freedom. The Panel issued a number of reports in November, including on international investigatory mechanisms and transparency. We are currently considering these reports and will provide detail on the Government's response in our next update to the Committee.

The Government has taken action to ensure that journalists operating in the UK are able to do so as safely as possible. The Department for Digital, Culture, Media and Sport (DCMS) established a National Committee for the Safety of Journalists, which brings together representatives from government, journalism, policing, prosecution services and civil society to work in collaboration to make sure journalists in the UK are able to operate free from threats and violence. The Committee held its inaugural meeting in July 2020. The Committee's first task will be to develop a National Action Plan for the Safety of Journalists, a draft of which will be discussed at its next meeting on 13 January 2021.

(4) The FCO should do more in public to shame those who persecute the media. We refer to examples in Malta, Saudi Arabia, and Turkey.

21. We praise the work of the FCO to raise the cases or attend the trials of persecuted journalists. We also welcome the FCO's convening of a coalition to lobby in unison and amplify its impact through coordination with other countries. However, the FCO must do more in public to shame perpetrators; including when those perpetrators are governments. There is concern that the FCO's preferred method is a firm word behind closed doors, especially when other UK interests are involved. The UK is seen, quite literally in some cases, as trading away its values. Three cases were repeated among those raised by our witnesses:

- As part of its campaign to defend global media freedom, the FCO should publicly press for an independent judicial public inquiry in Malta into the murder of the journalist Daphne Caruana Galizia. Her death should set a precedent for accountability and not, as it does currently, for impunity.**

- Likewise, in one of its submissions, the FCO referred for the first time to the murder of Jamal Khashoggi "by Saudi Arabia". It should build on that acknowledgement, and work with international partners, to achieve accountability through public criticism and sanctions against Saudi perpetrators.**

- Severe reductions in media freedom have taken place in Turkey. The journalists who wrote to us from there were too fearful of reprisals to have their names or views published. The FCO should designate Turkey a Human Rights Priority Country. It should criticise the violations taking place there publicly and forcefully.**

The UK remains committed to raising these challenging human rights issues at all levels and has not shied away from publicly raising individual cases since our last update, both at Ministerial and official level.

The Government continues to condemn the assassination of the journalist Daphne Caruana Galizia. We are taking an active interest in the progress of the case as it progresses through Malta's judicial system. On 30 October 2020 our High Commissioner to Valetta met with Prime Minister Abela to discuss rule of law issues and High Commission officials continue to observe the public inquiry.

The Government has repeatedly called for justice for the murder of Jamal Khashoggi. The Foreign Secretary raised the case directly with the Saudi Government during his visit in March 2020 and in July the Government sanctioned 20 Saudi nationals involved in the murder under our new Global Human Rights regime.

Human Rights Priority Countries (HRPCs) generally remain in place for the duration of a Parliament. However, the list of HRPCs is currently undergoing ministerial review. We regularly encourage Turkey to address human rights concerns, including media freedom, at the most senior Ministerial levels. We continue to provide direct support to Civil Society Organisations to promote a free media through our programme funds and we monitor trials where we have concerns about individual cases relating to media freedom. We note that in October 2020 Turkey enacted legislation governing the use of social media and have encouraged the Turkish

government to ensure that this legislation is administered in an impartial and proportionate manner.

Media Freedom Coalition members have expressed a collective intent to speak out publicly and lobby in private on individual cases and situations of concern. Since our last update, the Coalition has issued statements addressing the situations in Belarus, Yemen, the Philippines, Uganda and Egypt as well as the impact of C-19 on media freedom, and to mark World Press Freedom Day and the International Day to End Impunity against Journalists. It also welcomed action taken by Mexican authorities in relation to the Miroslava Breach case.

(5) The FCO should use sanctions to punish those who persecute the media.

22. In general, the FCO should use sanctions to punish abusers of the media through a material cost, such as economic sanctions or travel bans. It should likewise coordinate such action with other countries, to amplify its impact.

In our March update we set out our intention to establish a UK autonomous global human rights sanctions regime for after we left the European Union. On 6 July 2020, the Government established the Global Human Rights ('Magnitsky') sanctions regime by laying regulations in Parliament under the Sanctions and Anti-Money Laundering Act 2018. This sanctions regime gives the UK a powerful new tool to hold to account those involved in serious human rights violations or abuses, including those committed against journalists and media workers, and includes the power to freeze assets and introduce travel ban measures. The regime meets a number of the recommendations in the High Level Legal Panel's report of February 2020.

On the day the Global Human Rights Regime was launched, the Government made immediate use of the powers provided by the regulations to impose sanctions on 20 individuals in relation to the death of Jamal Khashoggi.

The UK will remain a global leader on sanctions and continue to seek opportunities for international cooperation on sanctions, including with the EU and with close allies such as the US, Canada and Australia.

(6) The FCO should coordinate more closely with the Home Office over visas for persecuted journalists, and their families and associates.

27. Beyond the physical threats to journalists are issues of harassment and intimidation that also play a crucial role in silencing the media. Journalists who seek escape abroad might face their families or associates being thus targeted in their countries of origin. And the evolving cross-border nature of this threat means that distance is no longer a deterrent: digital technology and the online space give new opportunities for journalists to work, but also new avenues through which they can be targeted wherever they are in the world.

28. The FCO should:

- **coordinate more closely with the Home Office to ensure that visas or asylum are not unduly denied to those journalists, and their associates or families, who are abused in their own countries.**

- **urge the Government to consider a particular class of visa for journalists, and their associates or families, threatened with violence to ensure journalists**

have the confidence to keep reporting, knowing they can make the judgement to leave when they need, not simply when they have the most chance of securing asylum.

We recognise this argument as well as the suggestions on visas and asylum from the recent report on providing safe refuge to journalists at risk published by the High Level Legal Panel of Experts on Media Freedom. This report was launched on 23 November at the International Bar Association's Conference, which Lord Ahmad attended and spoke at. He welcomed the report and committed to ensure that it, along with its recommendations, would be carefully considered by the Government. We have already started to work with the Home Office on our response and anticipate it taking some time to complete. We expect to be able to provide a more substantive response to the report in our next update to the Committee.

(7) The FCO should put the online and digital threats to journalists at the heart of their strategy.

(8) The FCO should provide training and/or technical assistance to journalists to counter harassment and intimidation, including online, designed in consultation with them.

- put the online and digital threats to journalists at the heart of their strategy, including the FCO's work to achieve legal reform. Such threats are increasing, and they mean that those who deny media freedom can project their impact—and their violations of our values—across borders and around the world. The future threat will often come through our cables and airwaves. Being an island will not protect the UK's media freedom. Journalists must be able to work online and offline, free from surveillance and intimidation, and confident in the security of their sources and data.**

- deliver specific training or technical assistance for journalists to counter the threats of harassment, intimidation, or the impeding of their work, especially as these threats often manifest themselves through digital means.**

We are mindful of the link between the physical threats journalists face and online and digital threats. Limited resources meant we were unable to focus on this area in 2020 as much as we would have liked. However, the FCDO's Media Freedom campaign team has recently recruited additional resource, which will enable us to explore online and digital threats in more detail.

The Ministerial communique issued after the Media Freedom Conference underlined that human rights involving media freedom must be protected online just as they are protected offline. It reaffirmed the responsibilities of intermediaries, such as social media platforms and search engines, to respect human rights and defend media freedom, given their effects on the exercise of the right to freedom of expression. The Communique also acknowledged the profound impact the use of artificial intelligence may have on media freedom, including the potential for enhanced capacity for large-scale unlawful and/or arbitrary surveillance of journalists and censorship of the media, and the algorithmic curation of news without transparency or accountability.

We continue to support other initiatives active in this space. These include the Freedom Online Coalition and the International Partnership for Information and Democracy led by France and Reporters Without Borders (RSF), which promotes the democratisation of the internet.

(9) The FCO should consider further measures to address the financial weakness and vulnerability of media organisations around the world.

32. Journalists need to fund their operations. And they need to do so without vulnerability to corruption or editorial interference derived from financial dependence on governments, wealthy individuals, or other vested interests. Yet the disruption of the conventional funding models for independent journalism is making that harder and harder, especially given the emergence of rival online platforms and the decline of advertising revenue. These financial challenges might not be physical, like the risks of death or injury or imprisonment. Nevertheless, like the risks of harassment and intimidation, they are having a debilitating real-world effect of silencing the free media.

33. We praise the FCO for its work to establish the Global Media Defence Fund. The FCO should consider widening the remit of this Fund, further to support journalists trying to preserve their work and independence despite their financial vulnerability and malicious efforts to silence them by exploiting it. The FCO's proposed training and legal assistance will be of real benefit, but limited use to journalists financially. Further to this point, the Government should also consider measures such as expanding its advertising with suitable media organisations abroad, to give journalists a legitimate source of revenue, or taking steps such as donating equipment to lower the costs associated with their job.

The remit of the Global Media Defence Fund is to foster media protection and support the provision of legal advice to journalists. The UK and Canada are the major donors to the Fund and sit on the Steering Committee. Total donations to the Fund as of November 2020 were \$2,800,477.

The UK has donated £850,299 (\$1,092,864) and has committed a further £2.2million, which will be paid in instalments between December 2020 and April 2024. This makes a total commitment of £3 million to the fund over a period of five years. The Foreign Secretary urged Coalition members to donate to the Fund during the November Conference and Lord Ahmad has lobbied directly a number of key partners with the aim of raising an additional \$1,200,000. The Government has also identified a number of media organisations, philanthropists, philanthropic foundations and private donors which may be willing to support the Fund.

The Global Media Defence Fund is managed by UNESCO. The first call for project proposals aimed at enhancing journalists' legal protection and their access to legal assistance, as well as supporting investigative journalism, was launched in April 2020. In October, UNESCO announced it would be supporting 44 projects around the globe in this first tranche, which would benefit over 1180 journalists and 65 media lawyers. Projects include:

- *Journalists' Association of Bhutan: A project to provide pro bono legal services to its 160 members to help protect themselves from litigation.*
- *Center for Strategic Litigation, Zanzibar, Tanzania: A project to challenge those aspects of the law that infringe on media freedom.*
- *The Gulf Centre for Human Rights (covering the MENA region): A project to identify, expose and hold to account those who commit crimes against journalists.*

The Government also recognises the importance of supporting the sustainability of independent journalism and public interest media, particularly in developing

countries. The UK is consistently among top international donors to media in developing countries.

The FCDO is currently providing up to £12 million funding to the Protecting Independent Media for Effective Development programme. The programme seeks to build the resilience of media to political and economic pressures that are undermining viability. It supports the development of information ecosystems that enable a better flow of trusted public interest media content in three countries with different media environments: Bangladesh, Ethiopia and Sierra Leone. The learning and evidence generated on 'what works' for supporting sustainable media will be disseminated across the wider media development community. The programme is now moving into the implementation phase.

The FCDO is also providing £11.7 million to the Protecting Rights, Openness and Transparency - Enhancing Civic Transformation programme, which is building the capacity of media organisations to adopt new or improved practices, procedures and strategies. This includes supporting public-service media outlets to expand and diversify their audiences, use data-driven strategies to drive audience engagement with public-service content, and develop new revenue streams to increased financial resilience.

The development sector needs to improve the quality and quantity of assistance being given to media development. The UK is engaging with other donors, including within the Media Freedom Coalition, and media development experts to examine future financing models and expand international support to media sustainability.

(10) The Government should give a further extension to its funding of the BBC World Service, to give the World Service greater financial certainty.

35. The BBC World Service is a vital force for projecting and encouraging the free media globally. The £291 million of additional Government funding announced in 2015 has expanded the World Service's reach. That funding was nevertheless due to expire in March 2020. The Government has already given the World Service a six-month funding extension. The Government should extend that funding for at least an additional six months, to give the World Service greater financial certainty.

The FCDO has guaranteed World2020 funding until September 2021. Funding beyond that is currently being discussed in the context of the 2021-2022 Spending Review. We will provide more detail in our next update to the Committee.