



Committee to Protect Journalists

*Re: The report of the United Nations High Commissioner for Human Rights pursuant to Human Rights Council resolution 43/1 on the “Promotion and protection of the human rights and fundamental freedoms of Africans and of people of African descent against excessive use of force and other human rights violations by law enforcement officers”*

December 4, 2020

To Whom It May Concern:

The Committee to Protect Journalists ([CPJ](#)) is an independent, nonprofit organization that promotes press freedom worldwide. We are submitting this document in response to the request for input for the report of the High Commissioner on the “Promotion and protection of the human rights and fundamental freedoms of Africans and of people of African descent against excessive use of force and other human rights violations by law enforcement officers” resulting from Human Rights Council resolution 43/1.

Operative paragraph four of the resolution requests that the High Commissioner “examine government responses to anti-racism peaceful protests, including the alleged use of excessive force against protesters, bystanders and journalists.” As such, this submission will focus on the safety of journalists during Black Lives Matter (BLM) protests throughout the U.S. that followed the death in police custody of an unarmed civilian, George Floyd, in May 2020.

CPJ defends the right of journalists to report the news without fear of reprisal. The research staff documents hundreds of attacks on the press each year such as killings, nonfatal assaults, restrictive legislation, imprisonment, media closures, threats, and other acts aimed at silencing the media.

This summer, CPJ noted an [unprecedented](#) number of attacks on the press that occurred while they were covering the BLM protests. At least 90 journalists were arrested or criminally charged in relation to their reporting, and at least 246 journalists have been assaulted, according to the [U.S. Press Freedom Tracker](#), of which CPJ is a founding member and contributor. The Tracker is working to verify at least 930 reported incidents, the majority of which were allegedly perpetrated by various branches of law enforcement, across 79 cities. During the protests, CPJ’s board took the rare step of sending a [letter](#) calling on U.S. local authorities to take immediate action and ensure the safety of journalists reporting on protests, and in partnership with PEN America, CPJ reached out to [every U.S. governor](#) in response to these attacks. CPJ also joined with multimedia news agencies Agence France-Presse, The Associated Press, Getty Images, and Reuters to call on the National Governors Association to investigate and respond to attacks on photographers and visual journalists in particular.

Some key observations from CPJ’s research and reporting:

- This summer's large-scale attacks on the press across the country were not indicative of isolated missteps, but rather the [result of a deterioration](#) in respect of the media as neutral, third-party observers.
- The continued [militarization of police](#), which began after the 9/11 attacks, has made the reporting environment in the U.S. inherently more dangerous for journalists.
- President Donald J. Trump's inflammatory rhetoric against the media has encouraged anti-press sentiments, making the U.S. an inherently more hostile environment for journalists than in previous administrations, as CPJ outlined in our [April U.S. report](#).
- At least four journalists who reported on protests still face charges, including *Des Moines Register* reporter [Andrea Sahouri](#), who was pepper-sprayed and zip-tied by local police while reporting on Black Lives Matter protests in Des Moines on May 31, 2020.
- Some minority journalists told CPJ that they felt targeted. A four-person [VICE film](#) crew was arrested while reporting on protests in Minneapolis, Minnesota, on May 30, 2020, causing them to lose a night of critical news coverage. The crew, three Black men and one Latina woman, told CPJ they felt like they were targeted not only for being journalists, but specifically because of their race.
- Many journalists were targeted after identifying themselves as press. Three photographers--[Matthew Hatcher](#), [Seth Herald](#), and [Nicole Hester](#)--were hit with non-lethal rounds at point blank range by Detroit police. The trio was returning to their car after reporting on protests when police opened fire, despite the reporters clearly indicating they were members of the media. An officer is facing felony assault charges for shooting at Hester and narrowly missing her eye.

Our reporting shows that an increasingly [militarized police force](#), an increasingly polarized political environment, and the sheer scale of protests were contributing factors in the uptick of attacks on journalists. In our [report on press freedom](#) under President Trump, we emphasized the global impact that the administration's hostile relationship with the media had both domestically and globally.

CPJ continues to work with other press freedom and First Amendment organizations to promote safer working environments for those documenting protests. In October, CPJ authored an amicus brief to the Ninth Circuit Court on the importance of preserving reporting rights within the United States, arguing that federal agents should be held accountable for using force against journalists and legal observers. The brief argued that press freedom in the United States has global importance, and that the deterioration of domestic press freedoms has impact worldwide.

For more information on our work please refer to CPJ's website [www.cpj.org](http://www.cpj.org) or contact CPJ's advocacy director at [cradsch@cpj.org](mailto:cradsch@cpj.org).

Sincerely,

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 Committee to Protect Journalists