

STUDY REPORT/// **DISPOSABLE JOURNALISTS?** LOCAL INJURED JOURNALISTS IN SYRIA AND THE FUTURE OF CONFLICT REPORTING

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ABOUT ASML/SYRIA

Founded in 2011, ASML/Syria is a French-Syrian organization that supports the development of independent journalism and media in Syria. Our international team coordinates a wide network including Syrian media outlets and journalists to implement projects together, improving the lives of Syrians and creating opportunities for their voice to be heard. Since 2011, journalists are among the most important actors in this civil society and are forming the backbone of the Syrian progressive civil society. Ensuring local journalists the right to work with dignity and to contribute to the future of their country is at the core of our engagement.

For more information, visit **www.asmlsyria.com**

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ABSTRACT



Since 2012, the international community's view into the horrors of the Syrian war has been primarily through the eyes of local Syrian freelance journalists, working under deadly conditions to document the war and protect civilians. Having emerged from the grassroots civil society movement and professionalized through practice, these reporters are mostly inexperienced, lack formal training and protective equipment, and are unaware that they might be entitled to rights or protection from their employers. From the start of the revolution in March 2011 through May 2019, the Syrian Network for Human Rights documented that 695 journalists and media professionals have been killed in the conflict, most of them local. Hundreds of local journalists who survive their injuries remain permanently disabled and receive little or no help from their employer.

This study was organized by ASML/Syria, a Syrian-French NGO that supports independent Syrian media and civil society. ASML/Syria coordinates a wide network including Syrian media outlets and journalists to implement projects together, improving the lives of Syrians and creating opportunities for their voice to be heard. Based on data collected from 72 journalists, this study investigated the conditions under which Syrian journalists were working when they were injured and the support they received. Only in 22% of cases did the journalists receive security training prior to the injury, and this was provided by the employer in only 12% of cases. Similarly, only 16% had any protection equipment, which was provided by the employer in 8% of cases. Their experiences shine a light on the complex calculations of physical risk and cost that are being made both on the individual and organizational

levels across the media industry with regard to working in conflict zones.

The tragic deaths of journalists in Syria were not all unavoidable, and the blame is shared globally among various parties. Media organizations that employ journalists in Syria and buy content from local freelancers have obligations to provide them basic protection and support, but the neglect of these obligations is widespread. There are many structural factors that contribute to this failure, and while dangerous conditions that lead to injury are inherent to a conflict zone, some of the factors that result in journalists being permanently disabled or killed by their injuries could be mitigated.

In addition to failing to meet minimum protection and provide injury support, by accepting non-commissioned work from independent freelancers, the industry rewards high-risk reporting by typically under-trained, under-equipped, inexperienced young stringers who then do not receive any support in case of injury because they are not employees. While the media industry globally faces a crisis of its business model, this is an informed collective choice by the media sector to reduce expenses and mitigate legal risks at the expense of local journalists' safety. This growing trend has led to the deaths and permanent disabilities of numerous freelancers in Syria alone and has tragic implications for the future of conflict-zone reporting.

The Arab Spring opened a new era of news reporting with the active participation of volunteer citizen journalists. This undoubtedly strengthened freedom of information by circumventing censorship. However, in a time of global financial difficulties for the media industry, their growing reliance on this cheap available content dilutes their responsibility towards the content providers and makes local journalists' work even more precarious.



78%
of injured
journalists had
not received
any security
training



84%
injured
journalists
did not have
any protection
equipment

KEY FINDINGS

- ▶ The legal framework around the responsibilities of media organizations toward local journalists is vague and non-binding in a manner that offers little protection to local journalists and freelancers. However, there is a broad-based consensus across multiple separate international initiatives about the responsibilities of employers toward journalists working for them in war zones, regardless of their contractual status.
- ▶ The performance of media organizations in meeting responsibilities is in general very poor: Across 119 recorded injuries, the journalists only received support from their employer after the injury in 24% of cases. Only in 22% of cases did the journalists receive security training prior to the injury, and this was provided by the employer in only 12% of cases. Similarly, only 16% had any protection equipment, provided by the employer in 8% of cases. Finally, journalists only had a contract with their employer in 20% of cases.
- ▶ This has serious and sometimes dramatic consequences on these journalist's lives, with 85% of the journalists having still not recovered from one or multiple injuries.
- ▶ Media organizations that have a transparent, official request and decision-making process for providing injury support and have budgeted this support into their operation are more likely to provide overall better safety conditions to their journalists.
- ▶ While cost is certainly a factor, the problem is not a simple issue of resources; many local Syrian media organizations performed better at protecting and supporting their journalists than international media with access to more funding and connections.
- ▶ The core of the problem lies within purchasing unsolicited content from freelance journalists. Media professionals and journalists agree on the absence of obligations towards freelance journalists when the stringer was not commissioned by the media. However, this is a common and widespread practice.
- ▶ **The widespread acceptance of non-commissioned content creates an incentive for the least experienced, least equipped freelancers - who are not covered by any employer's insurance and generally do not receive any injury support - to take the most risks.**
- ▶ Accepting unsolicited content and refraining from commissioning local journalists is a deliberate practice for the employer to avoid their obligations – and therefore minimize the legal risk – and reduce their costs.



RECOMMENDATIONS

To better ensure that the rights of local journalists are protected and the basic obligations towards them are met, **media organizations should:**

- ▶ Strengthen their efforts to ensure their local staff or freelance journalists are appropriately trained and equipped, and institute clear, transparent protocols for the process and decision-making of providing support. They should proactively make journalists they work with aware of them, and reserve financial resources for this in contexts where the security risks are well-known, like Syria. If security conditions make it difficult for international news organizations to provide equipment or appropriate training, they should collaborate with local media and civil society organizations for ground logistics. Local media that lack the financial means to provide this should collaborate with international news organizations or international NGOs to cover the costs.
- ▶ Refrain from accepting content from journalists to whom they cannot meet these basic obligations, regardless of the status or nature of the employment relationship. Therefore, if they cannot meet these obligations for non-commissioned freelancers, media organizations should minimize the amount of content that they accept on a non-commissioned basis, or ideally stop the practice entirely.

NGOs and organizations interested in the protection of journalists should:

- ▶ Educate journalists, and especially local journalists, about the rights and protections to which they are entitled. In a context where most local journalists did not study journalism and entered the profession under extraordinary circumstances, part of the responsibility lies with NGOs to promote awareness among journalists of the principles agreed upon by the ACOS Alliance and other similar initiatives and explain these rights and obligations to journalists through well-mapped outreach activities.
- ▶ Include the issue of the purchase of unsolicited material at the core of the discussions regarding journalists' safety, prioritizing this for renewed commitments by media and international bodies, and the evolution of ethical charters linked to journalists' safety.
- ▶ Continue working together with the media industry (through multi-stakeholder platforms like ACOS) to develop research and evidence-based standards and protocols for requesting and delivering support to journalists in conflict zones.

INTRODUCTION

Since the start of nation-wide protests in 2011 that turned into a protracted civil war, Syria has topped the list of most dangerous countries to be a journalist in nearly every year, according to the Committee to Protect Journalists¹. Many of these tragedies were mourned internationally, and drew attention to the importance of quality, professional reporting in an era during which the impact of social media, citizen journalism, and politically-motivated disinformation is being analysed and re-analysed almost daily.

The particularly gruesome murder of James Foley in 2014 was recorded and circulated online by ISIS militants, focusing attention on the uniquely theatrical and medieval nature of the group's violence. The deaths of Marie Colvin and Remi Ochlik in 2012 in Homs were met with global condemnation and inspired an acclaimed biographical film. According to Reporters Without Borders (RSF) 217 journalists died in Syria between 2011 and 2019², though the names known around the world tend to be only those of international reporters such as Stephen Sotloff and Mika Yamamoto.

The deaths and attacks on local journalists in Syria are generally less well-known and rarely make international headlines. The death of Mulham Barakat in 2013 was the first that drew attention to the fate of local journalists, who typically have less experience and training, work for little pay and receive fewer benefits than foreign journalists working for the same agency. Mulhem Barakat was younger than 18 years old when he started sending photos to Reuters and was killed in Aleppo seven months later covering a battle between the opposition and government forces. As a freelancer, he did not receive the same benefits or protection as journalists working within the news agency, and photos of his blood-smeared camera were run by news outlets around the world.³

Citizen journalism and its professionalization in Syria

The rise of citizen journalists accompanied the demonstrations in all Arab Spring countries, challenging a media apparatus controlled by the state. This phenomenon has been even more striking in Syria than in other countries, possibly because of the trauma of the 1982 Hama massacre and the media blackout used by the government to facilitate it.

Becoming a citizen journalist in Syria in 2011 meant challenging the monopoly over information that was held by the state media and the propaganda it was producing. For many, it represented a way to protect the population. The phenomenon created a flow of information captured in an informal manner by young people with no formal journalism education, driven by a sense of duty. Over time, the movement would evolve to become more organized and professional, creating the first independent Syrian newspapers, radio stations, and news agencies that had existed in decades.

As an experienced, award-winning veteran in the field, Marie Colvin's death in 2012 marked a shocking moment for international media, and reinforced the understanding that journalists were being deliberately targeted. International media organizations became reluctant to send their own reporters in the field, and increasingly tapped into the inexperienced local talent pool, who by this point were successfully crossing into professional journalism.

In the devastated economy of a country where violence was only intensifying and the war increasing in political complexity, working in the media offered a relatively reliable source of income. But media workers were being targeted by the government and their allies, who equated independent journalism with terrorism by ISIS and, to a lesser extent but nonetheless consistently, by other armed groups who frequently kidnapped, tortured, intimidated, and killed reporters. According to a report published by the Syrian Network for Human Rights in May 2019, taking into account all perpetrators, 695 journalists and media professionals were killed in Syria between March 2011 and May 2019.⁴

1 <https://cpj.org/reports/2004/05/worlds-worst-places-to-be-a-journalist/>

2 This number is calculated by adding the 211 killed journalists mentioned in the 2017 RWB's report, In Syria, 211 journalists killed in conflict that began six years ago, <https://bit.ly/39L8qob> to the six Syrian journalists that RSF's barometer reports as having been killed between 2018 <https://bit.ly/3035I96> and 2019 <https://bit.ly/2rVLDES>

3 Syria, cannon fodder in the search for news, <https://syriadirect.org/news/reporters-in-syria-cannon-fodder-in-the-chase-for-news/>

4 Syrian Network For Human Rights, May 2019, <https://bit.ly/36LceDD>

METHODOLOGICAL NOTE

This study was designed to investigate the safety conditions in which Syrian local journalists were immersed when and after they were injured, and whether their employer at the time respected the international consensus around minimum safety standards.

The concept of a journalist applied to this study is based on the definition described by the UN Plan of Action⁵ on the Safety of Journalists:

"The protection of journalists should not be limited to those formally recognised as journalists, but should cover others, including community media workers and citizen journalists and others who may be using new media as a means of reaching their audiences."

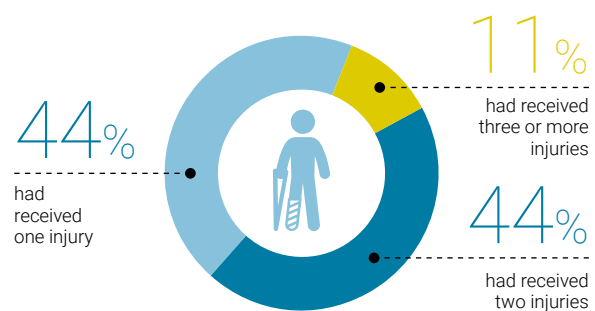
For injuries that took place during the initial years of the Syrian civil society movement, it is difficult to make the distinction between an activist and a journalist. Consistent with the UN definition, individuals working for a specialized media body were included, even though this participation was pro bono. However, individuals working for media departments of other bodies, whose aim was not to provide information, for example political bodies such as local coordination committees, local councils, or local NGOs, were excluded. Lastly, individuals who work or used to work for an armed group, whether in a fighting or communication capacity, were also excluded.

The data was collected by circulating questionnaires among local Syrian journalists who had suffered one or several injuries. After excluding the respondents that did not meet the criteria, responses from 72 journalists were examined, for a total of 119 documented injuries; eight journalists included in the survey had received three or more injuries (11%), 32 received two injuries (44%), and 32 received one injury (44%).

The data was collected between 29 August and 3 November 2019.

In a later stage, we conducted 11 more in-depth interviews with Syrian local journalists who represent

Number of injuries among the 72 journalists who took part to the study (119 injuries were documented in total)



different cases vis-à-vis the issue of safety. The in-depth interviews include journalists who worked with local and/or international media, with or without contracts, insurance, and protective gear. They also include both journalists who received some forms of support after their injury and others who did not.

Most of the information gathered from the 119 injuries documented are declarative in nature. Responses were corrected when there were clear and obvious mistakes, or responses that contradicted answers provided by the respondent in a long interview (for those selected for long format interviews), or when verified information was available that contradicted the answers provided. However, we did not systematically verify every response provided by the respondents.

Additionally, we conducted interviews with Syrian media representatives Smart News Agency and Enab Baladi, with representatives of international media the AFP and Anadolu Agency (through writing), and with the media support NGOs Committee to Protect Journalists, Syria Center for Media and Freedom of Expression.

The interviews were conducted between 26 November 2019 and 6 June 2020. A list of interviews with dates is available in the appendix. The following media were contacted but did not respond: Orient News, Al-Jazeera and Reuters.

5 https://en.unesco.org/sites/default/files/un-plan-on-safety-journalists_en.pdf

PART 1: IN SYRIA, THE MEDIA INDUSTRY HAS BEEN DRAMATICALLY FAILING JOURNALISTS



1/ The absence of a binding unified legal framework

The legal framework around the responsibilities of media organizations toward local journalists is vague and non-binding in a manner that offers little protection to local journalists and freelancers. However, there is a broad-based consensus across multiple separate international initiatives about the responsibilities of employers toward journalists working for them in war zones, regardless of their contractual status.

The existing international legal framework regarding the protection of journalists in general is almost exclusively focused on states' obligations and the issue of impunity.

Article 19 of the Universal Declaration of Human Rights is broad, simply protecting freedom of speech and thus offering little in terms of concrete legal protection for journalists. Article 79 of Protocol I of the Geneva Conventions defines journalists as civilians who should be protected from parties to the conflict. It is written purely about the responsibilities of state militaries and based on a historical concept of warfare, giving journalists the right to prisoner-of-war status.⁶ In 2006, the UN Security Council adopted Resolution S/RES/1738, on the treatment of civilians in conflict, which condemns attacks against journalists, while issues of impunity and prosecution were covered by the UN Commission on Human Rights Resolution 2005/81⁷. Resolution A/70/125 of the General Assembly in December 2015 recognized serious threats to freedom of expression in the context of reviewing progress since the 2005 World Summit on the Information Society (WSIS). The Resolution called for further protection of journalists and media workers.

This corpus of international law is focused on the protection of journalists, the obligations of States worldwide to protect journalists, to prevent their rights from being violated and to prosecute those responsible for serious violations. The few components which are legally binding are general, and do not touch on the working relationship between the media and their journalists.

In absence of binding and relevant international legal protections, only national laws can apply to the relationship between journalists and news organizations. However, in the context of international media coverage of conflict zones, the question of which national laws should apply to a relationship, which is international in nature, can be interpreted in various ways. There are

always several national laws that could be applicable, and each case is specific. In the context of a relationship between an international media organization legally registered in France but whose Syrian desk is in Turkey, with a Syrian freelance journalist, the applicable law could be the French Turkish or Syrian law. Each case would be specific and the national applicable law could vary according to the location of the news organization's headquarters, the country where its regional office is based, the citizenship of the journalist, their country of residence or the country where the journalist works.

Therefore, there is no uniform, binding legal framework that can apply to local journalists and international media outlets - at least not in any consistent way. The rare international laws that are binding are either general or irrelevant, while applicable national laws are entirely situational and subject to interpretation.

2/ International consensus-building on best practices

To fill this lack of uniformity and clarity, international institutions and NGOs have been working for decades, elaborating principles and good practices that should regulate this relationship.

The UN Plan of Action for the Safety of Journalists and the Issue of Impunity⁸ was endorsed by the UN Chief Executives Board for Coordination on 12 April 2012. In the text, the UN agencies "*Urge all stakeholders, and in particular the media industry and its professional associations, to establish general safety provisions for journalists, including but not limited to safety training courses, health care and life insurance, access to social protection and adequate remuneration for free-lance and full-time employees.*"

In addition, NGOs focusing on the defence of freedom of expression and information have been working on the issue of the media industry's role for the safety of journalists working in war zones or dangerous areas.

Through a consultation process supported by UNESCO, Reporters Without Borders published in 2002 the Charter for the Safety of Journalists Working in War Zones or Dangerous Areas, addressing questions of proper equipment, training, insurance, and psychological counselling.⁹ The International Federation of Journalists then made more concrete, prescriptive contributions to the conversation by publishing the International Code

6 https://www.icrc.org/en/doc/assets/files/other/icrc_002_0321.pdf

7 UN Commission on Human Rights, *Human Rights Resolution 2005/81: Impunity*, 21 April 2005, E/CN.4/RES/2005/81, available at: <https://www.refworld.org/docid/45377c930.html> [accessed 23 April 2020]

8 <https://unesdoc.unesco.org/ark:/48223/pf0000246014/PDF/246014eng.pdf.multi>

9 https://d3n8a8pro7vnmx.cloudfront.net/cjfe/pages/1479/attachments/original/1439686829/charter_en.pdf?1439686829



THE FREELANCE JOURNALIST SAFETY PRINCIPLES

FOR JOURNALISTS ON DANGEROUS ASSIGNMENTS:

1. Before setting out on any assignment in a conflict zone or any dangerous environment, journalists should have basic skills to care for themselves or injured colleagues.
2. We encourage all journalists to complete a recognized news industry first aid course, to carry a suitable first-aid kit and continue their training to stay up-to-date on standards of care and safety both physical and psychological. Before undertaking an assignment in such zones, journalists should seek adequate medical insurance covering them in a conflict zone or area of infectious disease.
3. Journalists in active war zones should be aware of the need and importance of having protective ballistic clothing, including armored jackets and helmets. Journalists operating in a conflict zone or dangerous environment should endeavor to complete an industry-recognized hostile environment course.
4. Journalists should work with colleagues on the ground and with news organizations to complete a careful risk assessment before traveling to any hostile or dangerous environment and measure the journalistic value of an assignment against the risks.
5. On assignment, journalists should plan and prepare in detail how they will operate including identifying routes, transport, contacts and a communications strategy with daily check-in routines with a colleague in the region or their editor. Whenever practical, journalists should take appropriate precautions to secure mobile and Internet communications from intrusion and tracking.
6. Journalists should work closely with their news organizations, the organization that has commissioned them, or their colleagues in the industry if acting independently, to understand the risks of any specific assignment. In doing so, they should seek and take into account the safety information and travel advice of professional colleagues, local contacts, embassies and security personnel. And, likewise, they should share safety information with colleagues to help prevent them harm.
7. Journalists should leave next of kin details with news organizations, ensuring that these named contacts have clear instructions and action plans in the case of injury, kidnap or death in the field.

FOR NEWS ORGANIZATIONS MAKING ASSIGNMENTS IN DANGEROUS PLACES:

1. Editors and news organizations recognize that local journalists and freelancers, including photographers and videographers, play an increasingly vital role in international coverage, particularly on dangerous stories.
2. Editors and news organizations should show the same concern for the welfare of local journalists and freelancers that they do for staffers.
3. News organizations and editors should endeavor to treat journalists and freelancers they use on a regular basis in a similar manner to the way they treat staffers when it comes to issues of safety training, first aid and other safety equipment, and responsibility in the event of injury or kidnap.
4. Editors and news organizations should be aware of, and factor in, the additional costs of training, insurance and safety equipment in war zones. They should clearly delineate before an assignment what a freelancer will be paid and what expenses will be covered.
5. Editors and news organizations should recognize the importance of prompt payment for freelancers. When setting assignments, news organizations should endeavor to provide agreed upon expenses in advance, or as soon as possible on completion of work, and pay for work done in as timely a manner as possible.
6. Editors and news organizations should ensure that all freelance journalists are given fair recognition in bylines and credits for the work they do both at the time the work is published or broadcast and if it is later submitted for awards, unless the news organization and the freelancer agree that crediting the journalist can compromise the safety of the freelancer and/or the freelancer's family.
7. News organizations should not make an assignment with a freelancer in a conflict zone or dangerous environment unless the news organization is prepared to take the same responsibility for the freelancer's well-being in the event of kidnap or injury as it would a staffer. News organizations have a moral responsibility to support journalists to whom they give assignments in dangerous areas, as long as the freelancer complies with the rules and instructions of the news organization.
8. In conclusion, we, the undersigned, encourage all staff and freelance journalists and the news organizations they work with to actively join in a shared commitment to safety and a new spirit of collegiality and concern.

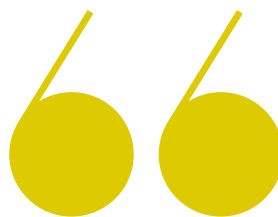
of Practice for the Safe Conduct of Journalism in April 2003¹⁰ and subsequently the Charter of Freelance Rights in 2006.¹¹ In 2015, the International Press Institute, Al Jazeera Media Network, Geneva Global Media and the Geneva Press Club presented the *International Declaration and Best Practices on the Promotion of Journalists Safety*.¹²

These declarations and charters highlighted the specific rights and protections that employers should afford their journalists, but only recently has a more unified approach emerged attempting to bring all relevant actors to a true consensus. The ACOS (A Culture Of Safety) Alliance, a coalition of six organizations, Frontline Freelance Register, Reuters, The Associated Press, the Dart Center, GroundTruth Project and the Overseas Press Club drafted the *Freelance Journalist Safety Principles*¹³ to embed a culture of safety into their work. Currently there are **nearly 100 signatories including major television networks, wire services, global and national NGOs, and journalism representatives.**

While the commitments agreed upon by ACOS are still far from universal in the sector, the project formalized and specified the main principles that have remained consistent across various prior related initiatives. Over time, a broad-based consensus has been built around the key elements of the media sector's obligations towards journalists:

- ▶ News organizations should ensure the journalist is appropriately equipped and trained to cover the story. If they are not, the organization should provide him/her with the appropriate safety and first aid training, protective equipment.
- ▶ Media organizations should take responsibility to provide the necessary support in the event of injury or kidnap of a journalist who is currently working for them.
- ▶ Editors and news organizations should show the same concern for the welfare of local journalists and freelancers that they do for staff journalists.
- ▶ Finally, journalists should not be obliged, against their will, to cover dangerous assignments that involve serious recognizable risk.

The full principles of the ACOS Alliance outline detailed rights and obligations on the part of both journalists and employers.



the UN agencies
“Urge all stakeholders,
and in particular
the media industry
and its professional
associations, to
establish general safety
provisions for journalists,
including but not limited
to safety training
courses, health care and
life insurance, access
to social protection and
adequate remuneration
for free-lance and full-
time employees.”

¹⁰ <https://www.ifj.org/media-centre/news/detail/article/international-code-of-practice-for-the-safe-conduct-of-journalism.html>

¹¹ <https://www.ifj.org/media-centre/news/detail/article/charter-of-freelance-rights-efj.html>

¹² <https://ipi.media/international-declaration-and-best-practices-to-promote-journalists-safety-launched/>

¹³ <https://www.acosalliance.org/the-principles>



Only in **22%** of cases did the journalists **receive security training** prior to the injury, and this was provided **by the employer in only 12%** of cases



Only **16%** had any **protection equipment**, which was provided **by the employer in 8%** of cases



Finally, in only **20%** of cases did the journalist have a **contract with their employer**

Across 119 recorded cases...



Only in **24%** of cases did the journalist received **support from their employer after the injury**

Across the 72 journalists who took part in the study...



86% of them suffered at least one injury for which they **did not receive any support**.

3/ In Syria, a widespread failure to meet ACOS obligations

The ACOS principles represent a significant elaboration of commitments to journalists, and numerous media organizations are among the signatories. However, our investigation into a total of 119 incidents in which local journalists were injured in Syria clearly demonstrates that these obligations are not being met. Local journalists are receiving virtually no protection, very little prevention measures, and minimal support.

Only in 22% of cases did the journalists receive security training prior to the injury, and this was provided by the employer in only 12% of cases. Similarly, only 16% had any protection equipment, which was provided by the employer in 8% of cases. Finally, in only 20% of cases did the journalist have a contract with their employer. This means that in the vast majority of cases, the employer did not ensure that *"the journalist [was] appropriately equipped and trained to cover the story"* and subsequently did not *"provide him/her with the appropriate safety and first aid training [and] protective equipment."*

Similarly, across 119 recorded cases, the journalists only received support from their employer after the injury in 24% of cases. And in many of these, the support given was merely what some interviewed journalists described as "symbolic". Across the 72 journalists who took part in the study, 86% of them suffered at least one injury for which they did not receive any support. The media organizations did not *"take responsibility to provide the necessary support in the event of injury or kidnap of a journalist who [was] working for them."*

4/ The dramatic consequences of this failure

Among the injured Syrian journalists who were surveyed or interviewed, 85% indicated that they had still not recovered from one or more of their injuries at the time of answering the survey. The lack of support after an injury can have life-threatening or career-ending consequences.

In October 2016, Syrian journalist Dergham Hamadi was hit by a rock during an airstrike, injuring his neck. During our interview with him in late 2019, he explained that he still could not sleep for more than a few hours

at a time because he could not keep his head in the same position without pain.

*"Also, I cannot remain seated in front of the laptop when I have to edit an article or transcribe some soundbites that I collected for an article, a report or an investigation. I can stay seated in front of the laptop for an hour but after that I have to lay down, move my head or do some physical exercises in order to rest before continuing my work."*¹⁴

The injury occurred four years prior to the interview, while Hamadi was working for a local media organization. He had a written contract, but it contained no conditions, and he had not received safety training or equipment. He received "symbolic" support for his injury - an X-ray and painkillers - but the surgery he needed was not and is still not available in Aleppo. This situation directly impacts his ability to work.

Another local journalist, Taym al-Youssef, was only a few meters from a missile during a bombardment in Hama in 2017 and received multiple severe injuries. Three days later, he awoke in a hospital with partial memory loss. Pieces of shrapnel had been removed from his head, neck, and jaw. He still has shrapnel in his eyes and needs surgery, but the most severe injury was to his right hand: *"a shrapnel pierced it, cutting a nerve and sensory tendons. I am suffering from a 50% or more disability. My pinky and my ring finger are twisted, and I cannot straighten or move them."*

He described the permanent consequences on his day-to-day life: *"I am suffering a lot because of my hand. We are in winter and I am suffering a lot. I cannot do anything with it. I can write but my handwriting is very bad and I cannot write fast. Also, when it is sunny, I have to wear sunglasses because I feel heavy discomfort... I don't have headaches, but a pain in the eyes as if you were opening your eyes in front of a laser".*¹⁵

At the time of his injury, he was working for a local television network, with a salary, albeit an irregular one. He did not receive any safety training and was given a bulletproof vest only after his injury. As support for his injury, which still causes him a partial disability that impacts his use of a camera, he received only 500 USD. He still works as a journalist but can only do so behind a computer with a mouse and keyboard.

These cases are numerous, and while the circumstances of each situation differ, the vast majority of the journalists we interviewed received nothing close to the rights and protections outlined by the ACOS Safety Principles. They almost all described having entered the field of journalism out of a sense of duty, to protect people and expose the truth. Most

of them did not study journalism in university, and in general their employers did not try to bridge this gap in preparation, nor supported them when they faced injuries.

5/ Syrian media organizations are relatively more willing to meet their responsibilities

On the surface, a compelling, "common sense" explanation for this systemic failure to protect Syrian journalists could be that the independent Syrian media sector is nascent, under-resourced and vulnerable, having been created as a result of the 2011 uprising. Most Syrian media organizations are young, weakly established, and struggling to survive financially. It would be reasonable to assume that they have lower standards of professional practices, fewer resources at their disposal, lower accountability requirements, more fragile organizational structures, and could be less capable of abiding by international standards regarding responsibilities towards their staff. Since most local journalists work for local outlets, their lower standards would account for the general failure to protect Syrian journalists.

However, the data collected from Syrian journalists working for both Syrian and international media organizations immediately undermines this explanation, showing that **local Syrian media organizations are actually more likely to meet their obligations to journalists compared to foreign media, despite typically having less financial resources to do so.**

The following table shows the conditions under which journalists were working while they received an injury, and the extent to which their employer met the key obligations derived from the ACOS principles; 112 injuries occurred while the respondent was working for a Syrian media organization, while 20 occurred while working for international media (some injuries occurred while the journalists were working for both Syrian and international media outlets, and were counted in both categories, as both had the opportunity to provide support).

¹⁴ Interview with Dergham Hamadi, 9 December 2019

¹⁵ Interview with Taym al-Youssef, 25 November 2019

Table 1: Working conditions and support received when an injury occurred

	Syrian Media (112)				International media (20)			
	Number of Yes	Number of NA	Number of No	% of Yes (out of expressed answers)	Number of Yes	Number of NA	Number of No	% of Yes (out of expressed answers)
Contract established with sole/main employer	22	3	87	20%	1	0	19	5%
Security training - in general	24	1	87	22%	2	0	18	10%
Security training - provided by the employer	13	0	99	12%	1	0	19	5%
Safety equipment - in general	17	0	95	15%	3	0	17	15%
Safety equipment - provided by the employer	8	0	104	7%	1	0	19	5%
Support from employer after the injury	24	7	81	23%	5	0	15	25%

The number of injured journalists who were working for an international media organization represents a small sample. The percentage should therefore be interpreted with caution since the margin of error is high. However, the findings are consistent with the information obtained through the different interviews we conducted. For instance, according to Jean-Marc Mojon, the AFP Beirut Bureau Chief, as per the time of the interview, January 2020, the AFP was operating with 15 people throughout Syria, a number which had recently decreased after the various victories of the government and its allies. Out of these 15 journalists, two of them were members of staff, both based in Damascus.¹⁶ All others were freelance journalists working without contracts, an information that contributes to confirming that the majority of journalists working with international media do not have contracts.

Foreign News Editor for Idlib Mehmet Burak Karacaoğlu from Anadolu Agency admitted that the prevention measures taken by the agency to protect journalists are limited: *"We have trained a limited number of collaborators because we have other issues to tend to and the legal situation and red tape would make providing training even harder. We provided security equipment to a small number of freelancers."*¹⁷ This tends to confirm the data on low numbers of journalists receiving training or security equipment.

The data indicates that Syrian media organizations outperform their international peers in respecting the rights of their journalists in several ways, particularly regarding precautions that can be taken before an injury. In addition to being more likely to establish a contract with local journalists, Syrian media are more likely to ensure that journalists they work with have had safety or first-aid training, whether this had been provided by another source prior to hiring or directly by the employer. They were also more likely

to provide safety equipment if the journalist had not already received it. Overall, this shows a commitment to ensuring that their journalists are properly equipped and trained, as per the ACOS principles, both by providing this preparation when it is needed and in their hiring preferences.

We believe that the performance of Syrian media as described in this table is also artificially under-reported for two reasons:

First, a significant amount of the injuries related to Syrian media happened prior to 2013, prior to the transformation of the citizen-journalist networks into professional media outlets. These journalists were citizen journalists or activists working as volunteers in an environment where none were paid and all of their peers were risking their lives willingly and not for the benefit of any media organization. Obviously, in this context, there were no contracts and no support provided.

Second, certain media outlets have remained volunteer-based, therefore there are no financial transactions, contracts, or financial support.

Since we have defined journalists according to the UNESCO definition, these injuries were counted, meaning that the performance of Syrian media outlets with regard to supporting journalists is artificially downplayed. On balance, and accounting for these downplaying factors, the data suggests that Syrian media organizations are more likely to follow through on commitments to keep journalists safe.

The Committee to Protect Journalists (CPJ) Middle East and North Africa Representative, Igancio Delgado, also expressed the view that international news organizations tend to be less supportive of Syrian journalists. *"Most of the time, whenever local journalists have found themselves in trouble, I have found international news organizations to be of very little help"*, he explained. *"In the cases that I have dealt with, where I had to reach out to them, I don't think*

¹⁶ Interview with Jean-Marc Mojon, 16 January 2020

¹⁷ Interview with Mehmet Burak Karacaoğlu, via email, 8 June 2020

they provide enough support. In fact, they provide no support at all". He said that international media "are more worried about covering any possible legal implication, lawsuits or whatever... than they are about providing assistance to journalists who need it." He also confirmed our observations about the gap between local and international media, stating that *"It has also been my experience that local and regional outlets are taking better care of their journalists than international outlets".*¹⁸

For one, Syrian media organizations are better embedded locally, often rooted in the civil society movement, and therefore face more peer pressure from activists and organizations collectively bound by a sense of civic duty. They are also more aware of the circumstances local journalists are facing, the threats they encounter, and the specific nature of the choices they are forced to make.

Additionally, despite being nascent, Syrian media have already gone through a large-scale reflection process on ethics. The Syrian Charter of Ethics: process started in 2015 in Istanbul with seminars gathering 20 Syrian media institutions, that grew to 36, who all signed a jointly-produced document. While the Charter is not specific with regards to employer-employee relations, the process implies a level of coordination and accountability to peer organizations to be more ethical as media organizations.

Nonetheless, our data showed striking differences between Syrian news organizations in their willingness to meet these ethical obligations, and even in the treatment of journalists working within the same organization.

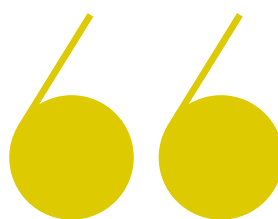
For example, from the 13 respondents who were injured while working for Orient, 12 received no support after their injury, while one, Saif Al-Abdullah, was fully covered at every level, receiving equipment, training, and full support when he was injured.

During his coverage of Hama in early 2017, Al-Abdullah was working with a contract for Orient. He and his colleagues working for various other media outlets were targeted by Russian airstrikes near Kafr Ramboudah. A piece of shrapnel pierced his leg and he could barely move or walk. He was taken by Civil Defence to several field hospitals before receiving surgery in Ma'arat Al Numan.

While he still suffers muscle contractions that prevent him from covering hotspots where bombardments are taking place, Al-Abdullah did receive treatment covered by Orient, unlike all 12 of his peers who were interviewed. He entered Turkey through a border crossing and stayed for one year while receiving surgeries that were not available in Syria at the time.

He still requires physiotherapy and his movement in the field is limited.¹⁹

Within the same media organization journalists seem to be treated very differently, and based on the experiences of the journalists interviewed, the levels of support and types of protection offered by media organizations varies drastically. Even though Syrian media tend to treat their local journalists better overall, the national or local base of the employer does not seem to be the main factor accounting for the extent to which they meet their obligations to reporters.



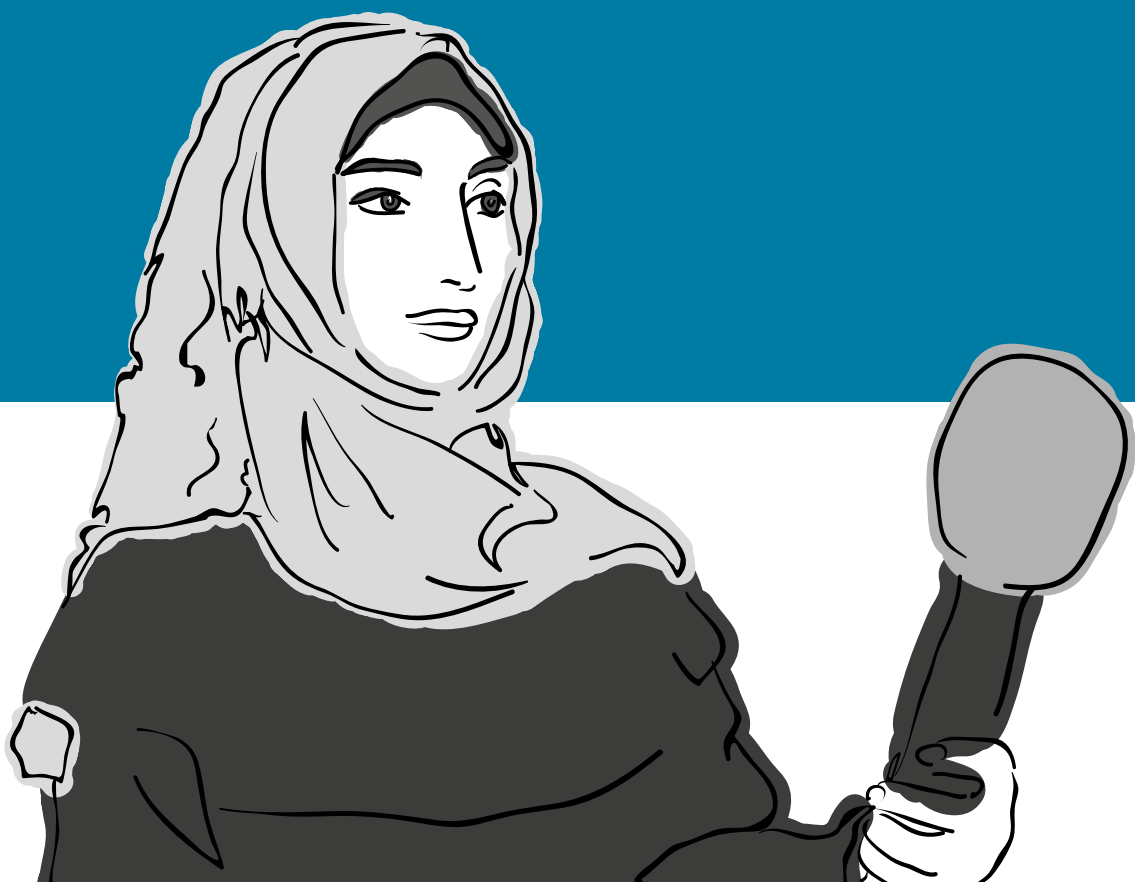
We have trained a limited number of collaborators because we have other issues to tend to and the legal situation and red tape would make providing training even harder. We provided security equipment to a small number of freelancers.

¹⁸ Interview with Ignacio Delgado, 8 November 2019

¹⁹ Interview with Saif Al-Abdallah, 26 November 2019

PART 2:

MULTIPLE FACTORS SEEM TO IMPACT THE LEVEL OF SUPPORT OFFERED AND THE EFFICIENCY OF ITS DELIVERY



First, the existence within media organizations of an established mechanism for providing support to journalists is far from universal, and accounts for many differences in treatment. Some media organizations we investigated reserved part of their budget for these support costs and built it into their business model, while others addressed injuries in an ad-hoc manner.

1/ The existence of a clear request and decision-making process

There seems to be an important difference in the outcome when the prospect of an injury is clearly identified from the start, and there exists a clear process within the media on how to react in these situations and what resources are made readily available.

For example, according to Jean-Marc Mojon, Agence France Presse Beirut Bureau Chief, the AFP has a clear protocol, process, and insurance policy for incidents when journalists are injured.

He explained that *"the AFP behaves honourably towards the journalists who do not have a contract but that we end up knowing so well that the type of response provided is grossly the same that would be provided to a staffer. We help them reach a place where*

they will be able to receive decent medical care. In other words, to evacuate them from the place where they were hit, either to the area of their choosing or to an area which is reachable that day. If their injuries seem to require treatment which is not available in the area in Syria that they have access to, we facilitate their evacuation, to Turkey for example."

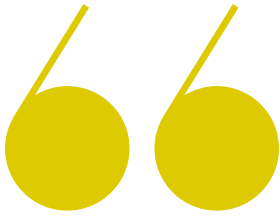
*"As soon as I am informed, I inform the AFP's management, the company doctor, as well as the people in charge of insurance, who will request the medical documents as regularly as possible, in order to establish a diagnosis and consult with the doctors who delivered first aid. We have specialists that we can consult. If the recommendation is to receive treatment elsewhere, the AFP's insurance can cover such expenses."*²⁰

The AFP has clearly designated resources for this purpose. Mojon explained that the AFP have subscribed to an insurance policy that covers the work of local journalists. As long as they were working with the AFP at the time of the injury, the costs associated with the injury are automatically covered.

Based on the data collected from journalists, the AFP's systematic approach does result in much more consistent support for injuries, and better performance meeting obligations to journalists in general. The table below includes an overview of the conditions for 11 cases in which injuries were suffered while working for the AFP, Anadolu Agency, and Al Jazeera, the latter two of which have been included as indicative samples. The percentages shown are calculated only from a small sample which cannot be considered statistically significant.

Table 2: Working conditions and support received from three international media organizations

	Anadolu (4)			Al-Jazeera (5)			AFP (2)		
	Number of yes	Number of No	% of yes	Number of yes	Number of No	% of yes	Number of yes	Number of No	% of yes
Contract established with sole/main employer	0	4	0%	0	5	0%	1	1	50%
Security training - in general	0	4	0%	0	5	0%	1	1	50%
Security training - provided by the employer	0	4	0%	0	5	5%	1	1	50%
Security gear - in general	0	4	0%	2	3	40%	1	1	50%
Security gear - provided by the employer	0	4	0%	0	5	0%	1	1	50%
Support from employer after the injury	1	3	25%	1	4	20%	2	0	100%



“It took a lot of pressure from many different sides for Anadolu to honour their responsibilities as employer towards him, and allow him to receive medical [treatment] in Turkey [...] And probably because there was a lot of noise and they didn’t want bad publicity, they decided to help him receive medical treatment while covering [the cost], but only after pressure.”

As an illustrative comparison, of the four cases documented that occurred while the journalists were working for Anadolu Agency, only one of them, Abdel Raouf Kontar, received any support from his employer. This support took the form of 800 USD injury compensation, described by the journalist as “very small”. This sole journalist who received support from the agency was very unsatisfied with the agency’s response to his situation.

Abdel Raouf Kontar had been working for Anadolu on a regular and continuous basis since 2013. He was injured in April 2017 in the infamous Khan Sheikhoun

chemical attack. While struggling to breathe, he was carried away by ambulance, and his car as well as his personal camera and equipment (not provided by any employer) was left at the location of the attack and never recovered.

Kontar explained “After my injury I was taken to Turkey. And in Turkey my colleagues at the agency visited me. Then after returning to Syria, I was informed that there was 800 USD compensation for me, and the amount was transferred to me.”²¹

He received no replacement equipment or vehicle.

Ignacio Delgado from CPJ confirmed Andalou’s general reluctance to support their journalists, citing the 2018 case of injured journalist Walid al-Rashid, which was the focus of advocacy from numerous international organizations.

Delgado recalled that “It took a lot of pressure from many different sides for Anadolu to honour their responsibilities as employer towards him, and allow him to receive medical [treatment] in Turkey [...] And probably because there was a lot of noise and they didn’t want bad publicity, they decided to help him receive medical treatment while covering [the cost], but only after pressure.”

When asked about the support that Anadolu provides to injured freelance journalists in general, Karacaoğlu said: “We provide help and support to the injured in line with the legal framework of our agency. When a freelancer is injured, we support them financially depending on the severity of their injury.”²²

The AFP seems consistently more likely to support their journalists. Mojon explained that when he learns about an injury, he informs the head office in France, the agency occupational doctor and the people responsible for insurance, who then ask for medical documents to establish a diagnosis. And according to him, “the simple fact that the freelancer was collaborating with the AFP at the time of [their] injury guarantees that funds will be allocated to compensate [them]”.²³ He further explained that the AFP does not proactively arrange evacuation when it is needed, but follows the situation from afar and pays the cost of the required medical treatment once the freelancers reach a medical centre (in Syria or outside of the country).

On some occasions the Agency has even assisted some of their most deserving or exposed Syrian freelancers to seek asylum in France, and to find accommodation in Paris (in some cases through La Maison des Journalistes). They offered freelance work as photographers to three Syrian journalists to continue their collaboration with the AFP in France,

21 Interview with Abdel Raouf Kontar, 27 November 2019

22 Interview with Mehmet Burak Karacaoğlu, via email, 8 June 2020

23 Interview with Jean-Marc Mojon, 16 January 2020

enabling them to earn a living and easing their integration in their new country.²⁴

Nonetheless, there still seems to be a limit to the help that the AFP is willing and able to provide, and not all journalists interviewed were satisfied. Syrian journalist Ammar Souleiman was hit by a piece of shrapnel in Ghouta in March 2018 and displaced to Idlib, where part of his leg had to be amputated. He remains disabled and lives in exile in Turkey, where international organizations have been trying to help him obtain a prosthesis.

Souleiman told us that the AFP, for whom he was working at the time, initially offered him 1,000 EUR compensation, to his great disappointment. *"What am I going to do with it? It barely sustains me for a month... the medicine, the physiotherapy treatment, the expenses, the cost of living, the housing... In exile, expenses are much higher than in Damascus or Idlib. So at first, I refused. But later, when they reached 2,500 EUR I did, because I had no other choice. After the injury I tried a lot, and only got a very small compensation. They didn't give me what I was asking for. Regarding the treatment they didn't do anything. They didn't cooperate for the prosthesis."*

His injury has caused a permanent disability and cost him his ability to work. In the end, Souleiman was evacuated to Turkey not by the AFP, but by Anadolu Agency, who have on several occasions used their relationship with the Turkish government to evacuate injured Syrian journalists to Turkey for treatment, which other agencies seem unable to do. Karacaoğlu confirmed that the agency uses this capacity fairly regularly: *"We provide help and support to the injured in line with the legal framework of our agency. We closely*

monitor their situation and if things get worse and their life is in danger, we get them to Turkey and make sure they get the medical attention they need."

2/ Building support into the business model

In the case of SMART News Agency, their strong performance in terms of support could be explained by the integration of the support mechanism as part of their core activities, having been launched during the inception of the organization. From the beginning, they have been intentional and open about providing support for their journalists, with a clear request process and clear decision-making.

Chamsy Sarkis, co-founder and President of SMART, explained the origin of this mechanism:

*"From 2013, when we restructured SMART (a group of volunteer activists) – and structured it around 35 reporters on the ground along with the inception of a news agency "SMART News", and a radio station "Hawa SMART" and a video production team, we also established a "social fund". This fund would always have 5k\$-10k\$ immediately available to respond to [an] emergency situation faced by the reporters or members of staff."*²⁵

This deliberate commitment to injury and crisis support made by SMART is fully visible in the data collected. Table 3 compares the types of support offered by Orient News and SMART News Agency in a total of 28 cases.

Table 3: Working conditions and support received from two Syrian media organizations

	Orient (13)			SMART (15)		
	Number of yes	Number of No	% of yes	Number of yes	Number of No	% of yes
Contract established with sole/main employer	4	9	31%	2	13	13%
Security training received - in general	6	7	46%	2	13	13%
Security training received - provided by the employer	3	10	23%	2	13	13%
Security gear - in general	5	8	38%	4	11	27%
Security gear - provided by the employer	4	9	31%	2	13	13%
Support from employer after the injury	1	12	8%	9	6	60%

SMART News Agency significantly outperformed Orient in taking care of journalists after they were injured, having supported 60% of cases after injuries. This suggests that

the existence of the pre-planned social fund did result in more consistent provision of support after an injury, though the organization's record is still far from perfect.

²⁴ Interview with Jean-Marc Mojon, 16 January 2020

²⁵ Interview with Chamsy Sarkis, 26 April 2020

Orient provides significantly more training, equipment, and is more likely to establish a contract.

Sarkis explained, however, that the range of support for which this fund was intended was wider than just support for a media worker after an injury.

*"The fund would provide emergency support either for critical needs of the media worker or for a member of their family. As for the type of support, responding to medical needs was the priority. However, the fund could also cover emergency support to face exceptional situations such as a destroyed house [or] support to relocate if displaced. In addition, in a broader sense it was also meant to provide support for a social situation (non-urgent) to help overcome a temporary difficulty faced by a media worker or one of [their] family members."*²⁶

SMART has maintained this commitment to not only providing support, but also doing so in a structured way. Sarkis further emphasized that *"Every person working for us would be informed during their job interview of the existence of this fund and this support."*²⁶

There is also a clear decision-making structure and protocol around providing support. Reporters on the ground would transmit requests to their coordinator in daily contact with them, based in Paris, while the staff based in Turkey would make requests to the financial direction, based in Gaziantep. The role of these focal points was to verify and document the request for support, and once the legitimacy was proven, to transmit it to Sarkis for approval.

The agency provides meaningful help for those injured. Their support takes several forms: Once a journalist is injured and has to stop working, part of their salary continues to be paid, with an amount of 250 USD monthly. This represents the fixed base salary (excluding bonuses) until they can resume work. This sum is provided to the family if the journalist is killed. The medical bills for the necessary treatment of their injury are also paid. The budget for this support represents a significant line of expenses for a Syrian media organization: An average of 60,000 USD per year between 2013 and January 2019.²⁷

3/ Awareness of the ground conditions by those tasked with delivering support

Delgado pointed out another aspect of the situation that may influence the extent of support offered

and why Syrian media organizations seem more responsive to requests:

*"I think they are closer to what is going on the ground, so they are very aware of what they are asking of [Syrian journalists]. That is why I think they probably are trying to protect them more by providing like you said, support, protective gear... whereas probably with international media, there is a human resource guy who is in a room in New York making decisions about who goes or who to trust."*²⁸

The closeness to the facts on the ground and the awareness of the danger into which they are sending their journalists was actually the main explanation he could think of when it comes to the difference of attitude between local and international media. While this factor is relatively intangible and difficult to pinpoint or measure within an organization, it is significant enough that it was mentioned in the UN Action Plan on the Safety of Journalists, among the proposed actions:

*"5.17: Sensitize news organizations, media owners, editors and journalists on the dangers confronting their staff, particularly those faced by local journalists"*²⁹.

4/ The availability of resources to distribute: necessary but insufficient

Part of the formula is quite obvious: the support that is possible is determined by the financial resources available in the media organization. All the volunteer-based organizations with no salaries obviously could not provide financial support. Until 2015, this was true of most Syrian media organizations, which operated on a symbolic budget.

Likewise, a drastic decrease in funding available to SMART News Agency required them to end the social fund.

"In 2018, SMART faced financial difficulties that led to the closure of this fund in January 2019, along with the closure of Hawa SMART radio station." explained Sarkis. *"The support has not been completely interrupted, as we have continued to support cases that we deemed as urgent priorities, but it hasn't been done in a systematic way anymore. Only according to available resources."*³⁰

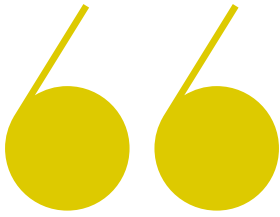
²⁶ Interview with Chamsy Sarkis, 26 April 2020

²⁷ Interview with Chamsy Sarkis, 26 April 2020

²⁸ Interview with Ignacio Delgado, 8 November 2019

²⁹ https://en.unesco.org/sites/default/files/un-plan-on-safety-journalists_en.pdf,

³⁰ Interview with Chamsy Sarkis, 26 April 2020



I think they are closer to what is going on the ground, so they are very aware of what they are asking of [Syrian journalists]. That is why I think they probably are trying to protect them more by providing like you said, support, protective gear... whereas probably with international media, there is a human resource guy who is in a room in New York making decisions about who goes or who to trust.

Notably, and as reflected in Sarkis' statements, the absence of resources does not necessarily impact the sense of responsibility held by media organizations, who were reported to provide non-financial support to the extent possible.

Focus Aleppo demonstrated this commitment when their reporter Derghan Hamadi was detained by Hayat Tahrir Al-Sham (HTS) while reporting on a story about the marriages of Syrian women to foreign jihadi fighters. Focus Aleppo sent money to his mother for a lawyer and for her living costs, but also organized a media campaign with other organizations to pressure the HTS to release him.

"They wrote about my kidnapping on Facebook and were holding the HTS responsible for my safety. And between you and I, they are scared of the media" explained Hamadi. "And a declaration was supposed to be issued and published on Al-Jazeera and Al-

Arabiya. However, they released me a day before [its publication]. They had given them an ultimatum until Saturday."

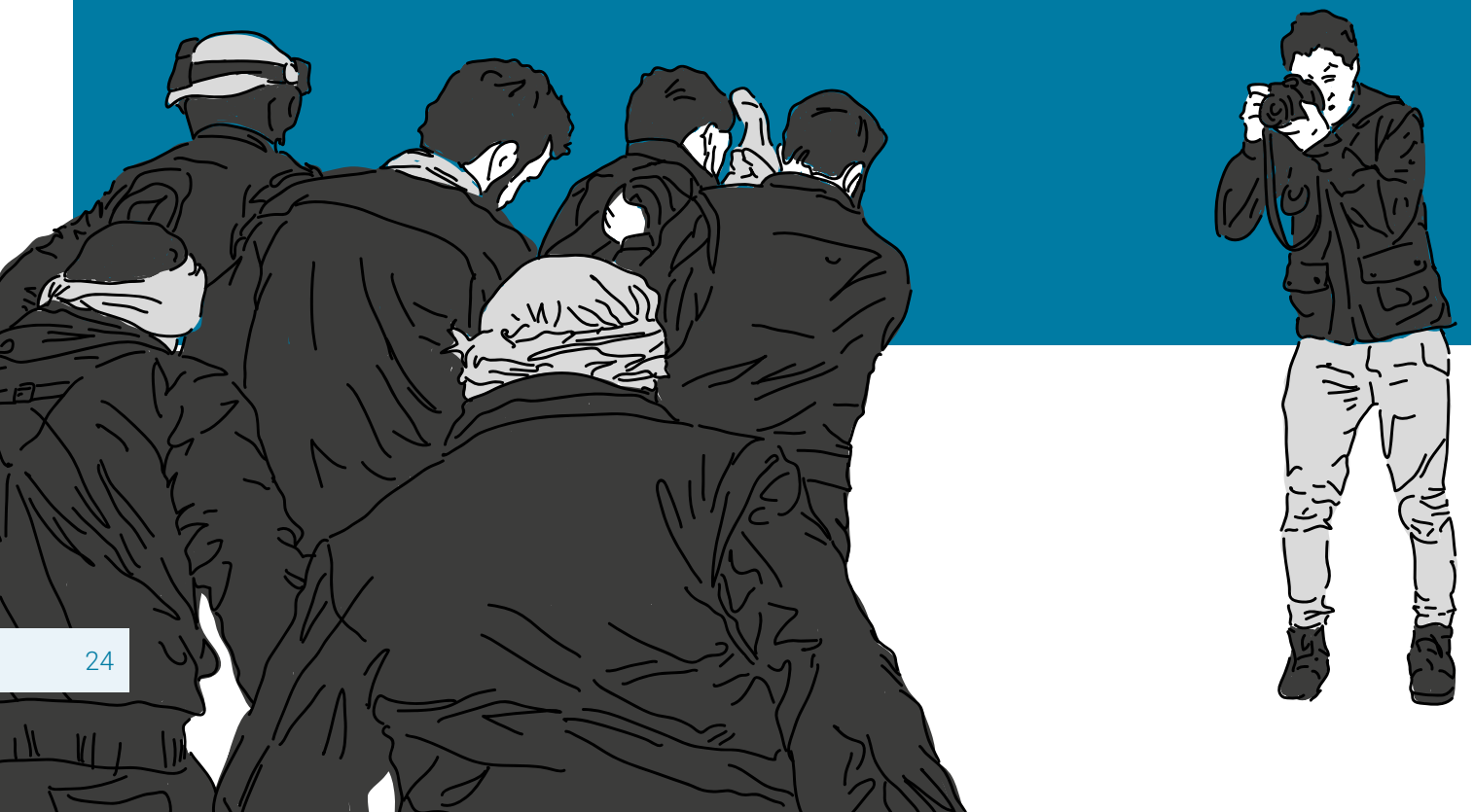
Hamadi was held for 22 days in total.

Yara Badr, who leads the Syrian Center for Media and Freedom of Expression (SCM), also mentioned this type of non-financial commitment and moral support from small organizations.

*"Some small organizations do not have the means of an organization, but their members do all they can to provide something. And there might be big Syrian organizations that do not do anything. I cannot say how much this is personal, but sometimes members do all they can when the organization does not have means."*³¹

31 Interview with Yara Badr and Ebaa Munzer, 3 December 2019

PART 3: UNCLEAR DEFINITION OF THE RIGHTS- HOLDERS: TO WHOM SPECIFICALLY DOES THE INDUSTRY HAVE OBLIGATIONS?



1/ The widespread perception that industry obligations do not apply to non-commissioned freelancers

The perception that the industry has no obligations toward independent freelance journalists (local or foreign) while not on assignment is widespread and not limited to Syria. Both international and Syrian media affirmed this and treated it as essentially common knowledge.

Regarding independent freelancers, Delgado explained *"They may have a contract per service, or per photo, or per footage. They have small contracts for that... but it is like a business transaction... it does not include any sort of responsibility towards the journalist. It does not include any clauses [related to responsibility]."*

He has confronted international media outlets about cases of freelancers in trouble that have been contributing material regularly, but they always made the same excuse: *"They are not our employees, they are not on our payroll, they are just freelancers and they are offering their material to us".*³²

The employers that were interviewed tended to confirm this perception of an absence of obligations.

Sarkis confirmed: *"The question becomes complicated when a media outlet regularly purchases non-commissioned content from independent journalists. It is merely a purchase of property. The media did not request the journalist to take the risk. The journalist decided on their own to take the risk without any prior agreement with the media to go to a dangerous area. Why would the media have to pay for anything if something happened? My interpretation is that the media is not responsible for the consequences of a risk taken by a non-commissioned independent journalist from their own initiative."*³³

This interpretation is also shared at the AFP. *"When a stringer is injured, one of the first things we do is to try to establish whether they were working for us or not [at the time of the injury]. The insurance applies if the injury happened when they were working for the AFP."* Their insurance only applies to journalists injured while on assignment by the AFP, meaning that it would not apply to journalists gathering content for the AFP but outside of a strict assignment. The AFP could still intervene but on an informal or ad-hoc basis. *"It would be a matter of goodwill. A network of solidarity may assemble to help them; however it won't be within*

*the company. [...] This would not be part of a standard process. More of a human gesture."*³⁴

And even if there is an obligation, who holds it?

As part of the UN Plan of Action for the Safety of Journalists, close to 300 participants met at UNESCO headquarters in Paris in February 2016 to discuss the topic: "News organizations standing up for the safety of media professionals", collecting ideas and sharing good practices.

The report they published, entitled *"An attack on one is an attack on all"* explores this question in its full complexity:

*"It's a straightforward premise, that freelance journalists working for news organizations in dangerous places should get the same protections as staff journalists. But it isn't always the case. And the details of how that arrangement might work can be complicated. In the case of a journalist who is working for several news organizations simultaneously - a frequent occurrence for international reporters in danger zones - who is responsible for providing care if the journalist gets hurt? Who provides the insurance? Who plucks the reporter from the scene and gets him or her to hospital? Who helps the family if the reporter can't work?"*³⁵

Mojon (AFP) also acknowledged that with freelancers, the decision is complicated.

"There is always a grey area pertaining to the decisions made regarding the freelancers", he explained. *"We look into the conditions in which the accident happened: was the freelancer working for us or not? Had we commissioned them? Who are their other employers? Have they already received support from another employer to cover the medical expenses? We are not immune to getting scammed."*³⁶

2/ The near-universal acceptance by freelancers that they are owed nothing by employers

The perception in media organizations that non-commissioned freelancers are not entitled to rights or protections is reinforced by the fact that most local journalists accept the idea that the industry has no responsibility towards them, and may not even report their injuries to their employers. There may

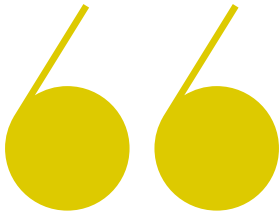
32 Interview with Ignacio Delgado, 8 November 2019

33 Interview with Chamsy Sarkis, 26 April 2020

34 Interview with Jean-Marc Mojon, 16 January 2020

35 <https://unesdoc.unesco.org/ark:/48223/pf0000250430>

36 Interview with Jean-Marc Mojon, 16 January 2020



Nobody is recognizing the freelancer whether they are injured or whether anything happens to them. They just receive payment for their work and that is it. They might get injured or killed, nobody cares about them. No one recognizes them. This is the difference between the correspondent and the [freelance] journalist.

be a theoretical consensus on the idea that news organizations should show the same concern for the welfare of local journalists and freelancers that they do for staff journalists, however, **out of the 11 journalists we asked about this, 10 did not think media outlets have any obligations toward freelancers.** Most of them said that they did not even request a contract, safety equipment or safety training because no-one had any and they did not know that such things could be requested.

Delgado (CPJ) described this lack of awareness among journalists: *"All they know about is the business relationship between them and the employer: I take the risk, I sell, they pay me".*³⁷

Syrian journalist Moaz 'Awad al-Abas confirmed: *"All the journalists inside who work as freelancers with TVs and agencies, do not know that those TVs or agencies they provide material to have obligations towards them... Honestly, most of us work this way, we don't know what our obligations are and what theirs are."*³⁸

Journalist Abdel Raouf Kontar directly pointed to the lack of contracts: *"Of course, they are not obliged since there are no contracts. Neither are they obligated to provide any compensation, nor to care about the person who is providing them with the material."*³⁹

In the absence of a contract, the lack of responsibility seems to be understood as universal and unconditional. Journalist Mohammad Huweish explained unambiguously:

*"Nobody is recognizing the freelancer whether they are injured or whether anything happens to them. They just receive payment for their work and that is it. They might get injured or killed, nobody cares about them. No one recognizes them. This is the difference between the correspondent and the [freelance] journalist."*⁴⁰

Only Dergham Hamadi, who was the subject of a media campaign when he was detained while working for Focus Aleppo, suggested that there is a responsibility toward freelancers. This could be a reflection of the moral support that the organization showed by campaigning for his release, and the rhetoric used by the campaign around the safety of journalists.

The view that there is no responsibility seems to be so widespread and tacitly understood that many journalists would not even request help from their employer.

The direction of SMART News Agency also implied that this is common and may even make it harder for the employers to meet their obligations. When

37 Interview with Ignacio Delgado, 8 November 2019

38 Interview with Moaz 'Awad al-Abas, 22 November 2019

39 Interview with Abdel Raouf Kontar, 7 November 2019

40 Interview with Mohamad Howeish, 10 December 2019

given names of journalists who were injured while freelancing for SMART, they claimed that these journalists had not requested any support from them, nor informed them that they had been injured, and that SMART's direction did not even know about their injuries.

3/ The industry preference for non-commissioned work: a means to escape obligations

While most local journalists and media representatives interviewed shared an understanding that employers had no official obligations toward unsolicited contributors, whether this really implies zero responsibility for their safety is, at the very least, debatable.

The most experienced, professionally trained journalists are more likely to find full-time positions with media outlets as staff reporters or correspondents. Thus, they are often protected by their employer and warned about limiting the risks they take. But the majority of Syrian journalists did not study journalism, started as volunteers and professionalized in the field. **They are working as freelancers often in an unsolicited manner and are less prepared to face dangerous situations, less likely to receive post-injury support, and simultaneously incentivized to take higher risks.**

Kontar described being warned while working for Reuters as a correspondent (part of staff):

*"I remember that I was once covering a missile and mortar shelling. I was very close to the area and I came back with great pictures of the mortars in the air. I was happy to have good pictures. I sent them and was surprised that they were rejected. I spoke with the director and asked him why. He told me 'your pictures were great, but I refused them, so you won't endanger yourself again. You were close and this could have led to injury, hence I am going to refuse those pictures but also all the pictures you will send us if I feel that you endangered yourself to take them'"*⁴¹.

Orient also tried to create a culture of safety among their correspondents, according to journalist Saif Al-Abdullah: *"During our constant communication with the management, they were telling me to take care of*

*myself, to not risk my life, etc. Those were constant directives."*⁴²

However, this effort seems to have only been made for correspondents. The rest of the journalists (freelancers) have much stricter access to the media organizations, are paid by the pieces they manage to sell, and face much stiffer competition. **This creates an incentive to capture exceptional material, which, in the context of war, is understood by most local journalists to mean taking higher risks.** While not legally or contractually obliging them, this can be viewed as violating the spirit of the ACOS principle, that *"journalists should not be obliged, against their will, to cover dangerous assignments that involve serious recognizable risk"*.

Relying on non-commissioned work not only creates a systemic problem where the most vulnerable are incentivized to take the most risk, it is also a **practice to which the media industry resorts knowingly to reduce costs and escape their obligations in a context of global economic difficulty.**

Interview sources on both sides of the relationship suggested that media organisations frequently choose to accept non-commissioned work and then use that fact to claim zero responsibility towards the journalist.

Delgado explained this dynamic: *"[The international media outlets] always invoke their contract, or some clause, like... 'we didn't actively recruit them, they were offering material to us'. They pay for the work, but don't commission journalists for work, they only take material from journalists who offer. And they use that to avoid any sort of responsibility towards the journalists – especially the freelancers – they have been employing. [...] They use the fact that journalists are offering the material and that they are not commissioning them as a legal excuse not to take responsibility"*.⁴³

When Syrian journalist Abdel Raouf Kontar was asked how he explained that his employers Anadolu and Zaman al-Wasel did not offer him a contract, he reflected similarly on what he perceived as cost calculations made by his employers:

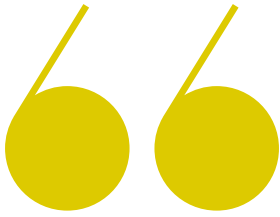
"Most agencies do not sign an [employment] contract with someone that may be injured or killed at any time. What those agencies care about is to be the first to get exceptional material to display and sell. But if someone inside Syria got injured, they might have to take care of their treatment, and if they were killed, they might give some compensation. So they weren't signing contracts."

He added that he thought that agencies worked with local journalists because they consider them disposable: *"Most of the agencies or organizations were dealing with the activists or the photographers*

41 Interview with Abdel Raouf Kontar, 27 November 2019

42 Interview with Saif Al-Abdallah, 26 November 2019

43 Interview with Ignacio Delgado, 8 November 2019



[...] When a freelancer is injured, we support them financially depending on the severity of their injury. We support them to an extent, but we are not legally obliged to provide them with full support.

*in Syria – the expression may be a bit harsh – as if they were tools that could die at any second. Syria is a dangerous place where they are not willing to send one of the journalists they have a contract with, because if they were to be injured there would be additional arrangements in the future. They were using us as tools. And even if anything were to happen to us, they weren't responsible for us. What was important to them was to get the material."*⁴⁴

Mojon acknowledged the practice within the AFP. "Sometimes we do not commission anyone in our network on a specific event because we do not want to take the risk. However, what often happens in these situations is that the stringer, who often wants to work as much as possible, decides to go there anyway. Or sometimes they do not ask permission for fear of being denied. Then they submit the content. In some cases, it is possible we will purchase the material if it is of interest. This is a sensitive situation for the employer, but this is how things work. But there is some hypocrisy. [...] The grey zone is that everyone knows what will happen [in the absence of commission]. Stringers knows that they will nonetheless have a chance to sell their material once the work is done. And the employer knows that stringers know this. Here, there is hypocrisy."

Mojon describes the increasing reliance on non-solicited content as a negative trend for the past decade which is explained by the difficult economic situation faced by the media industry. "When there is a budget squeeze, it is much easier not to commission anything and to cherry-pick within the already available content. This is a negative evolution of our profession." [...] "We have noticed this trend for a while. The Arab Spring was a turning point as there were very few commissions and lots of stringers decided to start working and send their work to the media, which was beneficial for the employers who did not have to take care of their safety. The editor can wait for the offer to be fully ready and at the end say yes or no. This makes the stringer's job more precarious. We apply a

*similar system, partially because we have to, however with a much higher commitment [to the stringers] and we make up for it by doing what we must – or a minimum – through the insurance system or through the protection gear that we manage to funnel. We try to be decent, while knowing that it is simply not possible to give everyone a contract. We need to find a good balance."*⁴⁵

Karacaoğlu acknowledged that Anadolu accepts non-commissioned work as well: "We usually get our content from commissioned freelancers, and we sometimes work with non-commissioned freelancers and purchase content from them if we find the content valuable and it sheds some light on the humanitarian situation in Syria. When a freelancer is injured, we support them financially depending on the severity of their injury. We support them to an extent, but we are not legally obliged to provide them with full support".⁴⁶

The pressure to cut costs is not surprising, considering that traditional media globally is suffering from a crisis of its business model and is forced to rethink revenue streams as more people access information elsewhere. Mojon described the dilemma of the media: "The situation is difficult to overcome, as long as there is no more money [for the media] to have stringers work under good conditions. Unfortunately, this system benefits both sides to some extent. Very few stringers are commissioned for this type of work, and even fewer local stringers. Employers end up in a situation where they don't need to incur any cost other than that of the journalistic material they are acquiring. This is the cheapest method allowing media outlets to quote 'our correspondent' instead of quoting a wire. It gives them some prestige and at the same time it gives the stringers additional options to sell their work."

And yet, like Karacaoğlu and Sarkis, Mojon still reaffirmed the official lack of obligations to these journalists: "We cannot prevent a stringer from doing whatever they want. If we don't know, we don't know."⁴⁷

45 Interview with Jean-Marc Mojon, 6 June 2020

46 Interview with Mehmet Burak Karacaoğlu, via email, 8 June 2020

47 Interview with Jean-Marc Mojon, 6 June 2020

44 Interview with Abdel Raouf Kontar, 27 November 2019



CONCLUSION

The question of responsibilities towards journalists becomes complicated in the situation of independent freelance journalists that offer non-commissioned material to many different outlets. The discussions and agreements to purchase the content occur after the material has been captured, and therefore after the risks have been taken. When the journalist enters the dangerous zone or situation, no agreement has been made with any media organization, and often the media organisations are not even informed that the journalist is covering the story and is therefore taking this risk.

While a number of individual media organizations have shown a commitment to keeping their journalists safe, the definition of “their” journalists is unclear, and **collectively the industry is failing to meet their responsibilities to local journalists. Their practices indirectly force inexperienced, untrained stringers to do high-risk reporting, while excluding them from contractual protection and support because they are not employees. They are doing this knowingly, at least in part for economic reasons.**

This relationship and the incentives it creates has had deadly consequences for hundreds of Syrian journalists. Numerous journalists interviewed still suffer from pain or permanent disabilities that limit their ability to work and lead fulfilling lives.

Ending, or limiting, the acceptance of non-commissioned content is an important part of the solution, though it will be hard to fully implement. Mojon acknowledges this possibility:

“We need to [head in this direction], even though it is not possible to achieve this at 100%. No media would accept to close themselves to the possibility to access an urgent development, to a piece of content that would come at the right time. [...] This would [also] prevent the use of User Generated Content. I really don’t see large media refusing to use UGC. But yes, in principle.”

“We may need to reach a balance, not necessarily through a binding framework but in the shape of an ethical charter or commitment. There is surely important progress to be made.”⁴⁸

The context of the economic difficulties faced by the media industry worldwide - including a business model that no longer fits how most people access information - must be fully acknowledged while addressing this issue. However, while we urge international and local media outlets to keep reporting on conflict zones, it is important to find solutions so that the primary information providers, who are facing the most life-threatening risks, do not disproportionately bear the consequences of these economic difficulties.

48 Interview with Jean-Marc Mojon, 6 June 2020

APPENDIX

Interviews with Syrian journalists:

- ▶ Moaz 'Awd Al-'Abass, 22 November 2019
- ▶ Taym Al-Youssef, 25 November 2019
- ▶ Yaarb Al-Dale, 25 November 2019
- ▶ Saif Al-Abdallah, 26 November 2019
- ▶ Ammar Suleiman, 26 November 2019
- ▶ Abdel Raouf Kontar, 27 November 2019
- ▶ Hussein Al-Zerai, 27 November 2019
- ▶ Majd Bakoura, 28 November 2019
- ▶ Mohammad Alali, 29 November 2019
- ▶ Dergham Hamadi, 9 December 2019
- ▶ Mohamad Howeish, 10 December 2019

Interviews with senior staff members of media operating inside Syria:

- ▶ Jean-Marc Mojon, Beirut Bureau of the Agence France Presse, 16 January and 6 June 2020.
- ▶ Jawad Sharbaji, Editor in Chief of Enab Baladi (Syrian independent media), 17 January 2020.
- ▶ Chamsy Sarkis, President of SMART News Agency (Syrian independent media) and president of ASML/Syria, 9 January 2020 and 26 April 2020.
- ▶ Mehmet Burak Karacaoğlu, Foreign News Editor for Idlib District for Anadolu Agency, via email, 8 June 2020.

Interviews with representatives of media support organizations:

- ▶ Ignacio Miguel Delgado, the Committee to Protect Journalist MENA representative, 8 November 2019.
- ▶ Yara Bader and Ebaa Munzer of the Syrian Center for Media and Freedom of Expression (SCM), 3 December 2019.



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