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People's Tribunal on the Murder of Journalists

Indictment

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Preamble

Guided by the principles and purposes of the Universal Declaration of Human Rights and the Universal Declaration of the Rights of Peoples,

Reaffirming that all humans have a fundamental right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers,

Recognizing that all human beings must have access to news and information that allows them to know, understand and develop an opinion about what is at stake in the world and their environment,

Recognizing that the media play a crucial role in providing people free and unrestricted access to information that can help them develop and monitor the authorities,

Recognizing that the free flow of information requires journalists to be able to report the news safely and without fear of reprisal,

Expressing grave concern about the increased threats that journalists across the world face to their safety; including online harassment, physical harassment, intimidation, violent attacks, arbitrary detention, torture and murder,

Noting that this pattern forms a systematic infringement on the people's right to freedom of expression, information, accountability and self-determination,

Noting that the murder of journalists constitutes the most extreme threat to journalism and the most extreme threat to the people's right to information,

Expressing grave concern about the unabated and systematic impunity with regards to murders of journalists, which fuels and perpetuates the cycle of violence,

As a coalition of independent press freedom organizations, we have come together to propose an opinion tribunal by formulating a request and presenting this indictment to the Permanent Peoples' Tribunal (PPT) to investigate and pronounce an independent judgment on:

- The global patterns in threats against the media, and the murder of journalists in particular;
- The consequences of the systematic, widespread and global impunity for the murder of journalists on the people's right to information;
- Three specific murder cases where no justice was achieved in order to assess the deeper causes of impunity and its consequences for journalists and the people's right to information.

1. Introduction to the People's Tribunal on the Murder of Journalists

1.1 Prosecution and organizing coalition

1. This indictment has been formulated and is presented to the Permanent Peoples' Tribunal (PPT) by a coalition consisting of press freedom organizations Free Press Unlimited, the Committee to Protect Journalists, and Reporters without Borders, in cooperation with the Syrian Center for Media and Freedom of Expression and the Center for Justice and Accountability.
2. The PPT is an internationally recognized people's tribunal, which according to its Statute, as consistently documented over more than 40 years of activity, operates independently from state authorities on the basis of the framework defined in the Universal Declaration of the Rights of Peoples (Algiers Charter).

1.2 Request to the PPT

3. The Prosecution brings this indictment in response to the alarming number of journalists who are murdered in relation to their work, and the lack of justice in the majority of these cases. Since 1992, at least 1400 journalists have been killed for doing their vital job: bringing reliable information to the public. In at least 900 of these cases, journalists were killed in direct reprisal for their work.¹ In 86% of these cases, none of the perpetrators are brought to justice.² These murders, and the subsequent impunity, are the ultimate consequence of a hostile environment for press freedom, characterized by harassment, violent attacks or other attempts at silencing journalists.³

1 CPJ. *Data*. <https://cpj.org/data/> (as per 26 August 2021)

2 CPJ. *Getting Away with Murder*. 2020. <https://cpj.org/reports/2020/10/global-impunity-index-journalist-murders/>

3 UNESCO. *Intensified attacks, new defences: developments in the fight to protect journalists and end impunity*. 2019. <https://unesdoc.unesco.org/ark:/48223/pf0000371487>, p. 38-43

4. These murders do not take place in isolation: they fit in a wider pattern of intimidation and repression of media outlets.⁴ Impunity fortifies this hostile climate for press freedom. The lack of judicial action sends the message that killing journalists remains without consequences, further emboldening the killers and stimulating self-censorship among journalists.⁵ Leaving the murder of a journalist unpunished can silence an entire community of journalists. Impunity for murders of journalists thereby not only has grave consequences for those seeking justice for the murder of their loved ones, but impacts the ability of a society as a whole to inform itself and enter into dialogue and debate.⁶
5. Impunity for murders of journalists thereby represents a systemic problem of States failing to honor their obligations to protect journalists and investigate when they are attacked. While there are many successful initiatives that respond to immediate threats to journalists, this problem persists.⁷ In most cases, States are not held accountable for their failure to perform these duties.⁸ Moreover, existing judicial systems consider individual cases and do not assess States' persistent violations with regard to the protection of journalists and the people's right to information.
6. This session of the PPT is an opportunity to address this gap by documenting the systemic nature of impunity for murders of journalists, and its impact on journalists and society. It can provide victims with a platform to testify on the consequences of impunity for murders of journalists, and highlight the ways in which States should implement their obligations to protect and to investigate.
7. We therefore request the PPT to hear the evidence that has been collected and formulate a comprehensive judgment on:
 - The systemic nature of and responsibilities for threats against the media, and the murder of journalists in particular;
 - The charges of human rights violations against three States in relation to a specific case, and the wider context for journalists in which these murders took place.

4 CPJ. *Attacks on the Press in 2020*. 2021. <https://cpj.org/attacks-on-press-2020-journalists-killed-jailed/>; RSF. *RSF Index 2020*. 2021. <https://rsf.org/en/news/rsf-index-2020-regional-analysis>

5 Draghici and Woods. *Killing journalists is not media regulation: Private rights, collective wrongs and the impact of impunity*. 2019. *Transnational Law and Contemporary Problems* 28(2), pp. 263-308; Harrison and Pukallus. *The politics of impunity: A study of journalists' experiential accounts of impunity in Bulgaria, Democratic Republic of Congo, India, Mexico and Pakistan*. 2018. *Journalism* 00(0), pp. 1-17

6 CPJ. *The Road to Justice*. 2014. <https://cpj.org/reports/2014/10/the-road-to-justice-killing-journalists-impunity/>, p. 8-10

7 CPJ. *Getting Away with Murder*. 2020. <https://cpj.org/reports/2020/10/global-impunity-index-journalist-murders/>; UNESCO. *Director-General's report on the safety of journalists and the danger of impunity*. 2020. <https://unesdoc.unesco.org/ark:/48223/pf0000374700?posInSet=2&queryId=59f40786-004d-4e02-b22a-3c5f3fef2291>

8 Independent High Level Panel of Legal Experts on Media Freedom. *Advice on Promoting More Effective Investigations into Abuses Against Journalists*. 2020. <https://www.ibanet.org/MediaHandler?id=5A00CE8E-0D66-41E2-A04A-FFCC36F8C67D>, p. 65

8. The Prosecution has indicted the Democratic Socialist Republic of Sri Lanka, the Syrian Arab Republic and the State of Mexico in relation to their conduct in the cases of, respectively, journalists Lasantha Wickrematunge, Nabil Al-Sharbaji and Miguel Ángel López Velasco. The formulated charges are included in the third section of this indictment.
9. Each of these cases are marked by continued impunity, without concrete perspective for justice in the country in question. They are reflective of a wider pattern of violence against journalists in these contexts, and illustrate the ways in which these States, by act or omission, fail to honor their obligations under international human rights law.
10. By documenting these cases in detail, the Prosecution aims to illustrate the impact of impunity on victims, journalistic communities, and societies. These cases are not representative of all of the diverse contexts in which journalists are murdered for doing their work, but help to concretize the patterns and principles discussed throughout the Tribunal.

1.3 Framework and procedures

11. The Prosecution bases its submissions and allegations on the obligations of States under international human rights law, specifically those enshrined in the International Covenant on Civil and Political Rights (ICCPR) and interpreted by the Human Rights Committee. This framework is supplemented with standards and case law from regional human rights bodies to fill gaps and provide further context. In its consideration of impunity for murders of journalists as a systemic crime that impacts society as a whole, the Prosecution also draws on the people's rights declared in the Algiers Charter - specifically the people's right to information.
12. The PPT will follow its standard procedures which have been applied throughout its long experience,⁹ and which have enabled other opinion tribunals to produce a free evaluation of the evidence by the independent judges.¹⁰ In its preparation of the hearings, the Prosecution has adhered to the following principles.

9 Permanent People's Tribunal. *New Statute of the Permanent People's Tribunal*. 27 December 2018. http://permanentpeopletribunal.org/wp-content/uploads/2019/05/Statute-of-the-PPT_ENG_FINAL.pdf, Art. 23

10 Rogo, *People's Tribunals and truth commissions*, in: Paulosey, 'People's Tribunals, Human Rights and the Law'. 2020. p. 42; Byrnes & Simm. *People's Tribunals and International Law*. 2018. p. 19.

13. The Prosecution seeks to adhere to 'beyond reasonable doubt' as its standard of proof. In the interest of documenting the cases in question, however, the Prosecution may deviate from this standard by applying a differentiated standard of proof. The use of a differentiated standard is derived from human rights fact-finding missions, and entails the use of multiple categories to qualify the evidentiary base for an alleged violation.¹¹ These categories include: reasonable suspicion; balance of probabilities; clear and convincing evidence.¹² The Prosecution will indicate when it has applied such a standard, and will motivate this choice taking into account the gravity of the charge and the quality of the evidence offered.
14. The Prosecution's evidence will consist of documentary evidence and witness testimonies. The documentary evidence consists of both public documentation and documentation retrieved during the course of its investigation. These documents will be included in a public case file, presented during the Tribunal. Documentary evidence has been collected and preserved in line with international human rights fact-finding practices. This includes maintaining a chain of custody, ensuring that the documents are stored and exchanged in a digitally secure way and conducting risk assessments before disclosure.¹³
15. The Prosecution will put forward witnesses during all hearings. Considering that a People's Tribunal cannot order witnesses to take a binding oath, witnesses will be asked to confirm the accuracy of their statement through a solemn declaration.
16. In addition to witnesses who testify on their personal experiences, the Prosecution will invite expert witnesses. Expert witnesses have verifiable knowledge or expertise on the topic they are invited to testify about. Other expert evidence may come from *amicus curiae* briefs, reports or other publications.

11 Geneva academy of international humanitarian law and human rights. 2015. *Standards of Proof in International Humanitarian and Human Rights Fact-Finding and Inquiry Missions*. <https://www.geneva-academy.ch/joomlatools-files/docman-files/Standards%20of%20Proof%20in%20Fact-Finding.pdf>, p. 59

12 Geneva academy of international humanitarian law and human rights. 2015. *Standards of Proof in International Humanitarian and Human Rights Fact-Finding and Inquiry Missions*. <https://www.geneva-academy.ch/joomlatools-files/docman-files/Standards%20of%20Proof%20in%20Fact-Finding.pdf>, p. 49

13 PILPG. 2016. *Handbook on Civil Society Documentation of Serious Human Rights Violations*. https://www.vu.nl/nl/Images/PILPG_Handbook_on_Civil_Society_Documentation_of_Serious_Human_Rights_Violations_Sept_2016_tcm289-785328.pdf

17. The Prosecution will to its best abilities assess the security risks of delivering testimony to the Tribunal. Where applicable, it will shield the identity of witnesses from the public record, and only share this information in a secure and confidential manner with the judges. The Prosecution has also applied the 'do no harm' principle to its investigations and the preparation of the hearings, implementing international standards on informed consent, risk assessments, digital security, and ethical interview techniques.¹⁴

1.4 Hearings

18. The Secretariat of the PPT, in consultation with the Coalition, has agreed on an agenda, which at present consists of an opening hearing, followed by three case hearings and a closing session. The opening hearing will take place on 2 November 2021 and will focus on the systemic nature of the problem of impunity for murders of journalists. The opening hearing is followed by three case hearings organized between January and March 2022. Each case hearing will consist of two days; covering the facts of the individual case as well as the wider context of safety for journalists in the country in question. During the closing hearing in May 2022, the judges will present their preliminary findings, which will be followed by a full written judgment in due course in a timely manner.

¹⁴ PILPG. 2016. *Handbook on Civil Society Documentation of Serious Human Rights Violations*. https://www.vu.nl/nl/Images/PILPG_Handbook_on_Civil_Society_Documentation_of_Serious_Human_Rights_Violations_Sept_2016_tcm289-785328.pdf, p. 20-37

2. Framework on the systemic problem of impunity for murders of journalists proposed by the Prosecution in light of its questions to the Tribunal

2.1 Obligations of States under international human rights law

19. The Prosecution has formulated its charges based on the existing obligations of States under international human rights law. These obligations primarily derive from the right to life (art. 6 ICCPR) and the right to freedom of expression (art. 19 ICCPR). The right to freedom from torture or cruel, inhuman or degrading treatment (art. 7 ICCPR), the right to an effective remedy (art. 2 ICCPR) and the right to freedom from discrimination based on political opinion (art. 26 ICCPR) are also relevant to some cases involving impunity for the murder of a journalist.
20. The Prosecution underlines that it follows that States have to comply with, at minimum, the following obligations in order to respect, protect and fulfill these rights:
 - Refrain from the arbitrary deprivation of the lives of journalists
 - Protect journalists against threats and foreseeable risks to their lives
 - Implement preventive measures of protection in light of the special role of journalists and the pattern of violence against them
 - Conduct prompt, effective, independent, impartial, credible and transparent and thorough investigations, regardless of who allegedly committed the murder, and capable of identifying and punishing the perpetrators
 - Investigate the link between the murder and the journalist's work
 - Hold both the intellectual and material authors of the crime to account
 - Take all reasonable measures to secure the prosecution of the alleged perpetrators
 - Protect judicial officers, investigators, witnesses and victims' next-of-kin from harassment and threats
 - Remove legal obstacles to investigation and punishment, such as amnesties and statutes of limitations
 - Ensure the implementation of an effective remedy by a competent judicial, legislative or administrative authority, in accordance with the legal system of the State
 - Provide the victim's family with information about the case

21. The Prosecution will not only discuss these obligations in relation to the States in whose territories the murder of a journalist has taken place, or of which the journalist in question was a citizen. In line with existing standards concerning the responsibility to protect and the responsibility of the international community in these cases,¹⁵ the Prosecution will address the responsibility of third States and international organizations to act, particularly when they know or ought to have known about a threat to a journalist's life.

2.2 Murders of journalists

22. The Prosecution, in line with international guidelines, applies a functional definition of 'journalist'. This definition includes all individuals performing journalistic activities, defined as 'to observe and describe events, document and analyse events, statements, policies, and any propositions that can affect society, with the purpose of systematizing such information and gathering of facts and analyses to inform sectors of society or society as a whole'.¹⁶

23. The Prosecution notes that murders of journalists rarely come unannounced and are preceded by other forms of violence targeted at journalists.¹⁷ The Prosecution will provide evidence on these patterns in the broader context of violence against journalists as a tool to suppress the truth. Without disregarding the grave nature of all other forms of attacks against journalists, the Prosecution will otherwise primarily focus on cases involving the murder of a journalist. For the purpose of its case selection, this includes all cases in which a journalist is deliberately killed in direct reprisal for their work.

15 Special Rapporteur on extrajudicial, summary or arbitrary executions. *Investigation of, accountability for and prevention of intentional State killings of human rights defenders, journalists and prominent dissidents* [U.N. Doc. A/HRC/41/36], 4 October 2019, p. 14

16 Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression. *Report* [U.N. Doc. A/HRC/20/17]. 4 June 2021. https://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session20/A-HRC-20-17_en.pdf, par. 4

17 UNESCO. *Intensified Attacks, New Defences: Developments in the Fight to Protect Journalists and End Impunity*. (2019), p. 47

2.3 Impunity for murders of journalists

24. The three selected cases are all examples of complete impunity: no convictions have been obtained to date. The Tribunal will also discuss evidence relating to cases with partial impunity, where some, but not all of the perpetrators have been convicted.¹⁸ The latter is particularly relevant in light of the fact that, in many cases, only material or low-level perpetrators are convicted while the masterminds behind the crime run free.¹⁹
25. In line with international standards on the obligation to implement preventive measures, the Prosecution will not primarily discuss impunity as the lack of justice in an individual case, but rather as a systemic problem that requires the implementation of comprehensive measures. While impunity is exacerbated by a lack of resources and capacity, in most impunity contexts, it remains a matter of lack of political will and a strategic tool to undermine the free flow of information.²⁰ The Prosecution will therefore highlight the chilling effect impunity causes and the way in which it drives further acts of violence against journalists.

18 CPJ. *Methodology*. 2021. <https://cpj.org/data-methodology/>

19 IFJ. *In the Shadow of Violence*. 2019.

20 CPJ. *The Road to Justice*. 2014, p. 25; IMS. *Defending Journalism*. 2017, p. 13

3. Allegations of human rights violations brought against the three indicted States by the Prosecution

3.1 Sri Lanka hearing: the case of Lasantha Wickrematunge

The Prosecutor of the People's Tribunal on the Murder of Journalists holds the Democratic Socialist Republic of Sri Lanka responsible for grave violations of the international human rights of journalist Lasantha Wickrematunge, specifically the right to life, the right to freedom of expression and the right to an effective remedy.

The State Party

1. The Democratic Socialist Republic of Sri Lanka, in particular the security and intelligence services under the leadership of then. Secretary of Defence and now President Gotabaya Rajapaksa, as well as subsequent governments and other government actors.
2. The Prosecutor notes that the murder of journalist Lasantha Wickrematunge on 8 January 2009 was part of systematic attacks of journalists during the civil war in Sri Lanka. Particularly in the last months of the war and the aftermath, the government, under the leadership of Mahinda Rajapaksa as President and Gotabaya Rajapaksa as Secretary of Defence, authorized attacks on journalists including abductions, assaults, torture and killings. More publicly, the Rajapaksa regime arrested, deported, and sued journalists and attempted to enact laws and regulations limiting the free press.
3. During the Rajapaksas' 10-year rule, between 2005 and 2015, violence against journalists spiked. At least 15 journalists and media workers were killed and many others were threatened, assaulted, or abducted. UN investigators have concluded that these attacks were widespread, and systematic in their repeated targeting of specific media known for being critical of government policies or figures.
4. The case of Lasantha Wickrematunge is also emblematic of the notorious culture of impunity in Sri Lanka for human rights violations. International bodies have found that no progress has been made in the majority of cases from the civil war, and that the justice system is particularly inadequate for remedies against powerful public figures and government actors.
5. Gotabaya Rajapaksa was elected President of Sri Lanka in November 2019. Since then, a new campaign of attacks against journalists has started and, through the targeting of witnesses and investigators and the interference with several legal interventions, total impunity for both historic and more recent attacks on journalists by government actors has been ensured.

Alleged human rights violations in the case of Lasantha Wickrematunge

1. Sri Lankan journalist Lasantha Wickrematunge was one of the co-founders and editor-in-chief of the English weekly *The Sunday Leader*. He was one of the most prominent journalists who dared to report critically on senior officials during Sri Lanka's civil war, and became a government target as a result.
2. The State did nothing to protect Lasantha from the repeated public death threats he received, which intensified in the weeks before his death. To the contrary, in clear violation of Article 6 of the ICCPR, senior Sri Lankan officials encouraged attacks on Lasantha: then-President Rajapaksa even went so far as to call Lasantha a 'terrorist' - a dog whistle during a civil war in which the government had deployed that label to justify attacks against those it deemed as critics and political opponents. The State utterly failed to address systematic patterns of violence against independent journalists, including Lasantha, through precautionary measures.
3. By targeting Lasantha for his perceived opposition to the Rajapaksa regime, Sri Lanka also discriminated against him on the basis of political or other opinion. The State subjected Lasantha to the same systematic discrimination that it applied to all journalists it cast as "Tiger sympathizers".

Through these acts and omissions, the government committed violations of the right to life ex art. 6 ICCPR, the right to freedom of expression ex art. 19 ICCPR and the right to freedom from discrimination based on political opinion ex. art. 26 ICCPR.

4. Circumstantial evidence strongly supports the conclusion that the State, including through then-Sec. Gotabaya Rajapaksa, directed or ordered the threats and attacks against Lasantha - including his assassination - as retaliation for his independent journalism and that the State's security forces carried them out. Following *The Sunday Leader's* reporting on a corruption scandal that implicated then-Sec. Gotabaya Rajapaksa, Lasantha was sued by Gotabaya Rajapaksa for defamation and publicly threatened by then-President Mahinda Rajapaksa. During this period, then-Sec. Rajapaksa personally directed Sri Lanka's military and intelligence apparatus, taking a hands-on role in cases that mattered to him most. The State Intelligence Service intercepted Lasantha's mobile phone communications, and individuals within the Ministry of Defence's Tripoli Platoon surveilled him in the weeks leading up to his murder. Armed men in all-black tactical outfits carrying weapons that only State security forces can lawfully purchase and possess then attacked a news station where Lasantha had a weekly show two days before his assassination.

5. On 8 January 2009, black-clad commandos believed to be part of the Military Intelligence Division surrounded Lasantha's vehicle and executed the fatal blow to his skull before driving off to a high-security military zone. This evidence indicates Lasantha's death was a political assassination and constituted an extrajudicial killing, as it resulted from State agents' intentional use of lethal force without meeting the requirements of necessity, proportionality, or precaution.

Through these acts, the government committed violations of the right to life ex art. 6 ICCPR and the right to freedom of expression ex. art. 19 ICCPR.

6. Sri Lanka has to date failed to thoroughly investigate the attacks against Lasantha. Moreover, it has deliberately obstructed those efforts by manipulating evidence, releasing likely suspects, obstructing witness testimony, and dismissing the assassination as 'just another murder'. Over a decade on, Lasantha's family is still waiting for justice for his killing, with the best evidence destroyed and the leading suspects released or in the nation's highest political offices. Sri Lanka breaches their right to an effective remedy anew every day that it continues to impede its investigations into the attacks against Lasantha and other journalists.

Through these acts and omissions, the government committed violations of the right to life ex art. 6 ICCPR, the right to freedom of expression ex. art. 19 ICCPR, and the right to an effective remedy ex art. 2 ICCPR.

3.2 Syria hearing: the case of Nabil Walid Al-Sharbaji

The Prosecutor of the People's Tribunal on the Murder of Journalists holds the Syrian Arab Republic responsible for grave violations of the international human rights of journalist Nabil Walid Al-Sharbaji, specifically the right to freedom from torture, the right to life, the right to freedom of expression and the right to an effective remedy.

The State Party

1. The Syrian Arab Republic, in particular the armed forces under the command of Bashar Al-Assad, and the judicial authorities, including the Military Court.
2. The Prosecutor notes that the murder of journalist Nabil Walid Al-Sharbaji, as a result of the conditions of his arbitrary detention and the acts of torture he was subjected to, was part of systematic attacks on journalists in Syria. Since the start of the conflict in 2011, at least 23 journalists have been murdered in reprisal for their work, with many others killed in crossfire or faced with other forms of physical attacks and intimidation.
3. The Syrian government was responsible for the majority of the violations committed against journalists between 2011 and 2021, acts which included extrajudicial killing, arbitrary detention, torture, and enforced disappearance. Media outlets have also been faced with censorship, intimidation and surveillance. The government has, moreover, failed to undertake action to protect journalists against violence from other actors in the conflict, who have also been responsible for a large share of the deadly attacks on journalists.
4. The impunity for these crimes against journalists is nearly complete. Syria has one of the highest impunity rates for murders of journalists in the world, and victims and their relatives lack access to justice. The exceptional measures instituted under emergency law both enable government actors to violate the rights of journalists, and contribute to a climate of impunity. Investigation and prosecution of cases involving the murder of a journalist are further complicated by the lack of an independent judiciary, as well as far-reaching impunity and amnesty legislation.

Alleged human rights violations

1. Nabil Al-Sharbaji was a blogger, journalist and peaceful political activist with a degree in Media from Damascus University. Nabil participated in organizing the peaceful protest demonstrations in Darayya. As a journalist, he was also known for his activities in documenting and photographing the city's demonstrations. He was one of the founders of the magazine Enab Baladi.
2. Together with two other journalists, Nabil Al-Sharbaji was arrested for the first time on March 16, 2011. He was released later that month, but arrested again by the Air Force Intelligence in Darayya on February 26, 2012, without a formal charge. He was arrested after disclosing his profession as a journalist and his laptop was confiscated.

Through these acts, the government committed violations of the right to freedom of expression ex art. 19 ICCPR and the right to freedom from discrimination based on political opinion ex. art. 26 ICCPR.

3. After his arrest, he was brought to Mezzeh Military Airport. During his detention, Nabil was transferred to the Fourth Division prison on April 21, 2011, then returned to Mezzeh and to Fourth Division prison, before being taken to Adra Central Prison in February 2013 and Sednaya prison on 25 September 2013. Nabil Al-Sharbaji was subjected to severe forms of torture during his detention, particularly in Mezzeh Military Airport.
4. Throughout his detention, Nabil was not presented with a formal charge. On one occasion, he was brought before the Military Field Court in Qaboun. His family was not allowed to attend the hearing and no public information about the hearing has been made available. During his detention, he did not have access to a lawyer in prison and was only allowed a visit by his family once.
5. In May 2015, Nabil passed away in Sednaya Military Prison as a result of the conditions of his arbitrary detention and the torture he had been subjected to. On May 25, 2015, his family was informed of his death. They were not provided with further information about his death, and his body was not returned to his family.

Through these acts and omissions, the government committed violations of the right to life ex art. 6 ICCPR, the right to freedom from torture or cruel, inhuman or degrading treatment ex. art. 7 ICCPR, the right to freedom of expression ex. art. 19 ICCPR and the right to a fair trial ex. Art. 14 ICCPR.

6. Beyond the notification of his death, the Syrian government has not made any statements regarding Nabil Al-Sharbaji's death and has not announced any investigation into the circumstances of his death. The government has thereby grossly failed to uphold its obligations to investigate his death and hold those responsible accountable.

Through these acts and omissions, the government committed violations of the right to life ex art. 6 ICCPR, the right to freedom of expression ex. art. 19 ICCPR, and the right to an effective remedy ex art. 2 ICCPR.

3.3 Mexico hearing: the case of Miguel Ángel López Velasco

The Prosecutor of the People's Tribunal on the Murder of Journalists holds the State of Mexico responsible for grave violations of the international human rights of journalist Miguel Ángel López Velasco, specifically the right to life, the right to freedom of expression and the right to an effective remedy.

The State Party

1. The State of Mexico, in particular the government actors tasked with the protection of journalists and investigation of attacks on journalists, both within the federal government and the government of the State of Veracruz.
2. The Prosecutor notes that the murders of journalist Miguel Ángel López Velasco, his wife Agustina Solana and their son Misael on 20 June 2011, were part of systemic attacks on journalists in Mexico. In the period 2000-2020, between 46 and 133 murders of journalists were reported in Mexico. Many other journalists have been faced with other forms of physical attacks and harassment, in some cases committed by public officials. Mexico has consistently been ranked as one of the most dangerous countries for journalists.
3. The State of Mexico thereby consistently fails to protect journalists against threats and attacks on their life. International bodies have found that the measures implemented to counteract these patterns of violence are underfunded, ineffective and, in some cases, obstructed by a lack of political will and corruption. In some cases, public officials, often in concert with organized crime groups, play an active role in the ordering, planning or covering of attacks on journalists.

4. Within Mexico, the State of Veracruz, in which Miguel Ángel López Velasco worked and where he was murdered, was and continues to be one of the most dangerous regions for journalists. Between 2000 and 2016, 20% of the murders of journalists in Mexico took place in Veracruz. The murder of Miguel Ángel López Velasco took place while governor Javier Duarte was in power in Veracruz. Under Duarte, the number of murders of journalists in Veracruz soared, government intimidation of journalists increased, as well as the influence of cartels engaged in violence against journalists.
5. The case of Miguel Ángel López Velasco is also emblematic of the persistent impunity for murders of journalists in Mexico, widely believed to be one of the drivers of continuing violence against journalists. While the federal government and state governments have adopted several measures to improve the investigation and prosecution of these cases, the impunity rate for murders of journalists remains close to 95%.

Alleged human rights violations

1. Mexican journalist Miguel Ángel López Velasco was a crime reporter and well-known columnist for Notiver with more than forty years of journalistic experience. He wrote under the name 'Milo Vela'. He typically covered politics, crime and drug trafficking, and published a book about drug trafficking. In his writings, he regularly implicated officials from Duarte's administration. His sons Misael and Miguel Ángel jr. worked for Notiver as photographers.
2. The State failed to protect Miguel and his family from the attack on their lives as a result of his reporting. Prior to the murder, Miguel was repeatedly threatened. Four years before the murder, a human head was delivered to Notiver, Milo Vela's work place, with a note that said 'We are leaving you a present here (...) Heads are going to roll. Milovela knows it and many others know it too'. These, and other public threats, were not sufficiently investigated and Miguel did not receive adequate protection. The State failed to address these patterns of violence and intimidation, and continued to do so in the months after the murder, when journalists Yolanda Ordaz and Gabriel Hugué, two of Miguel's colleagues at Notiver, were murdered as well.

Through these acts and omissions, the government committed violations of the right to life ex art. 6 ICCPR and the right to freedom of expression ex art. 19 ICCPR.

3. Despite investigations having been opened at the state and the federal level, the Mexican state has to date failed to thoroughly investigate the murders of Miguel, his wife, and his son and prosecute the perpetrators. As Mexico's National Human Rights Commission noted in a 2013 recommendation, no progress has been made in the case. The Commission notes that in this, and other cases, the responsible government actors have failed to take the actions required to fulfill their duty to investigate and prosecute murders of journalists.

4. More than ten years after the murder, the family members of Miguel, Agustina and Misael are still waiting for justice. None of the perpetrators have been convicted to date, and investigators have failed to follow up leads connected to the threats Miguel received prior to his death. The government has not provided information in recent years, and upon request from UNESCO only noted that the investigation remains open.

Through these acts and omissions, the government committed violations of the right to life ex art. 6 ICCPR, the right to freedom of expression ex. art. 19 ICCPR, and the right to an effective remedy ex art. 2 ICCPR.