

**Cartooning for Peace**

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# **PROTECTION OF EDITORIAL CARTOONISTS**

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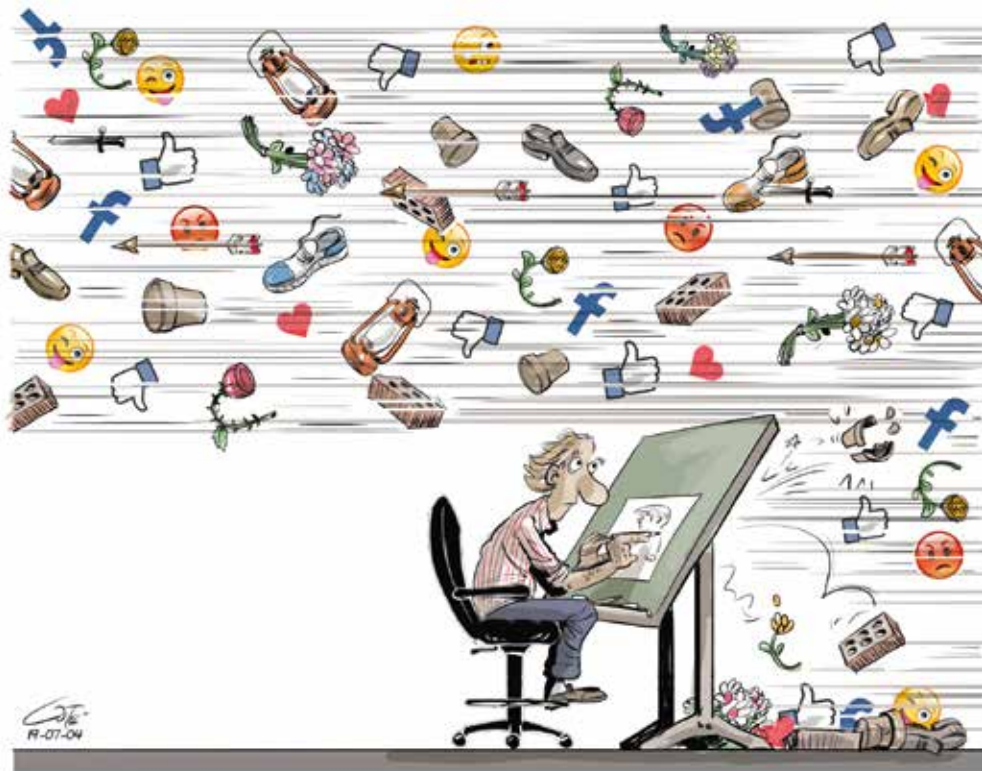
**Practical Guide**



**2022 Edition**



## QUE DEVIENT LE MÉTIER DE CARICATURISTE ?



« What's the job of a cartoonist becoming? »

Côté (Canada)

The first edition of this publication was prepared with the support of the European Union. The content of that first edition is the sole responsibility of Cartooning for Peace and should not be understood as reflecting the views of the European Union. The following edited version was made possible by the support of UNESCO's Global Media Defense Fund.

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# Abbreviations

<b>APF</b>	Artist Protection Fund
<b>ARC</b>	Artists at Risk Connection
<b>CFP</b>	Cartooning for Peace
<b>COE</b>	Council of Europe
<b>CPJ</b>	Committee to Protect Journalists
<b>CRNI</b>	Cartoonists Rights Network International
<b>EFJ</b>	European Federation of Journalists
<b>EU</b>	European Union
<b>GMDF</b>	Global Media Defense Fund
<b>ICORN</b>	International Cities of Refugees Network
<b>IFJ</b>	International Federation of Journalists
<b>IMS</b>	International Media Support
<b>IWMF</b>	International Women’s Media Foundation
<b>NGO</b>	Non-Governmental Organization
<b>OHCHR</b>	Office of the High Commissioner for Human Rights
<b>OSCE</b>	Organization for Security and Co-operation in Europe
<b>RSF</b>	Reporters Without Borders
<b>SLAPP</b>	Strategic Lawsuit Against Public Participation
<b>UN</b>	United Nations
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>VPN</b>	Virtual Private Network

# Foreword

## IDEOLOGICAL WARMING

Plantu likes to state that cartoonists are the barometers of democracy. When a political regime hardens, cartoonists are often the first targets of authoritarians. Cartoonists have the bad idea to indulge in two practices tyrants of all kinds hate: journalism and derision.

In addition to climate change, our societies are currently going through several major crises, which are contributing to warm up ideologies and political radicalism, often at the initiative of governments and sometimes of society itself.

Firstly, the Covid pandemic, which has served as a pretext for many regimes to include liberticidal measures to muzzle criticism among the directives aimed at protecting the population. In these countries, opinions have been confined as much as citizens.

Then the return to power of the Taliban in Afghanistan, which was accompanied by a purge of individual freedoms. Then the war in Ukraine, for which Vladimir

Putin further tightened his grip on the Russian media, strangling the last independent press titles in his country and distilling his propaganda on the world's social networks.

The third crisis, instigated by a few political leaders and amplified by an anxious public, is the radicalisation of opinions, accentuated by the effect of social networks. Most major issues now boil down to two antagonistic and extreme positions, without nuance. It's either white or black. And you are urged to choose sides. This phenomenon seems to be global, multicultural, and is even beginning to affect some media in the ►



Vladimir  
Kazanevsky  
(Ukraine)

- 'big democracies'. The United States is the main laboratory. It also runs through the main religions, whose fundamentalist currents are growing in influence.

Logically, all these crises have increased the threats to cartoonists. In many cases, these threats begin with an online publication, followed by accusations and sometimes prosecutions for, depending on the case: calls for sedition or rebellion, contempt for power, ideological terrorism, collusion with foreign states or organizations, insults to a particular community, etc. Rachita Taneja (India), Osama and Emad Hajjaj (Jordan), Khaliq Alizada and Hossien Rezaie (Afghanistan), Victoria Lamasko and Sergei Elkin (Russia), Optertus Fwema (Tanzania), Ahmed Kishore (Bangladesh)... Cartooning for Peace and its partners, including CRNI, have received a growing number of alerts and requests for support, including on the European continent. This inspired the decision of the Freedom Cartoonists Foundation in Geneva to give its Kofi Annan Courage in Cartooning Award in 2022 to the Hungarian Gábor Pápai and the Ukrainian Vladimir Kazanevsky, both of whom were threatened in the exercise of their profession.

This second edition of the Cartoonists' Protection Guide is intended for all my colleagues, to help them take all the necessary steps to ensure their professional, legal and physical safety more quickly... And also, for all those who think they are safe, to know how to anticipate.

Long live freedom.


**Kak, cartoonist and president of Cartooning for Peace (France)**

Osama Hajjaj  
(Jordan)



# Caveat

In 2016, Cartoonists Rights Network International (CRNI) published the extremely helpful “Safety Manual for Political Cartoonists in Trouble”—the only one of its kind to this day. Thanks to the support of the European Union, Cartooning for Peace presents this guide which we hope will expand on the work done by CRNI.

In publishing this guide, CFP aspires to help you foresee or respond to a one-off or persistent attack on your work or integrity. We have taken up the support provided by the Global Media Defense Fund, administered by UNESCO , to update this guide. The reasons of the update lie in the increase in threats and censorship through the courts, especially since the beginning of the COVID-19 pandemic, and because cartoonists have been seeking more information on what supranational legal protections exist for freedom of expression. In that purpose, Media Defense has produced practical sheets on how freedom of expression is protected in various regions and what institutions are responsible for ensuring its enforcement. These are added in the appendix. While they may be more helpful to the lawyer who is defending you, they can shed some light on the matter that you come up against.

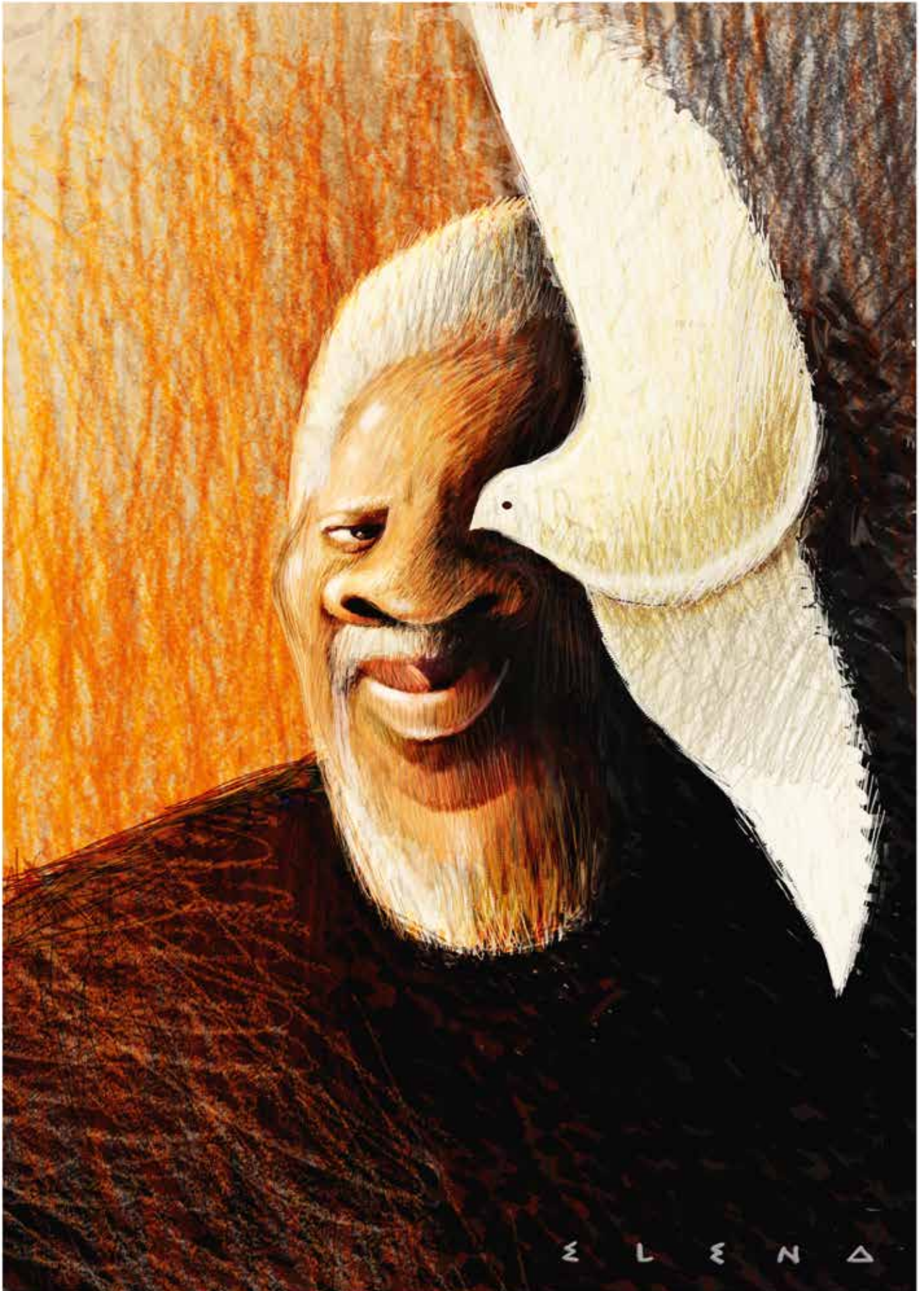
We have tried to be exhaustive in this publication; however, this guidebook might not give you **the solution** to your problem, which may be unique and have several appropriate answers. Nevertheless, it has been written to be a **tool that can drive you to** the solution matching your need, as well as direct you to those who will be able to help you. And because the world changes quickly, we will carry out frequent updates to avoid this guidebook becoming outdated. The document and the updates will be available on the Cartooning for Peace Website: [www.cartooningforpeace.org/resources/?lang=en](http://www.cartooningforpeace.org/resources/?lang=en)

We must state that this guidebook is focused on violations against **the exercise of your work**, which may be an attack relating to a particular cartoon or even personal persecution. However, if you find yourself in **a situation not covered by this guidebook**, there are organizations listed in the [Appendix 1](#) which will be able to help you according to their area of work.

This guidebook has been inspired by the practical experience of CFP and its partners, the reports and needs expressed by cartoonists, and manuals published by organizations specializing in assisting artists, journalists and human rights defenders. Certain sections might act as a **gateway** to the resources of other organizations and are interspersed with useful links.

Some parts will appear familiar to experienced cartoonists but, for the sake of newcomers to the profession, we did not want to be frugal with this information. The guidebook has been structured to allow you easy reference to those sections that seem most pertinent.

[Section 1](#) focuses on the need to anticipate and prevent. It also presents methodology and conceptual tools. [Section 2](#) offers practical steps in responding to a threat or attack supported by real-life cases. The [Appendices](#) provide a list of partner organizations and practical tools.





We would like to thank:

🐦 Cartoonists who, through their work, advice and experience, contributed to the creation of this guidebook. Without your enthusiasm to infuse life into your art despite the possible repercussions, all this would be for naught.

🐦 And in particular Plantu, Patrick Chappatte, Willy Zekid, Pedro X. Molina, Damien Glez, Steven Degryse (Lectrr), Patrick Lamassoure (Kak) for their thorough revision and illuminating opinions, as well as the cartoonists who agreed to recount their experiences.

# Acknowledgments

🐦 The European Union for its support in the production of this guidebook, fruit of the “Cartooning for Peace and Democracy” program implemented by CFP, and the UNESCO/GMDF for making possible its 2022 update as part of the “Enhancing Legal Support to Press Cartoonists” project. As well as all listed or cited organizations which participated in preparing this guidebook. Lastly, we wish to acknowledge the work of all institutions and people who made this publication possible.

🐦 Particular thanks go to the representatives of the following organizations for agreeing to comment on the content and enriching it with their opinions and observations:

- Terry Anderson, CRNI;
- Christophe Deloire and Victoria Lavenue, RSF;
- Anne Rimmer, Front Line Defenders;
- Cathrine Helland, ICORN.

🐦 Fatima Abdelkarim, Aurélia Rommel and Hélène Garreta, whose meticulous research was vital to the success of this publication, and the entire Cartooning for Peace team.

🐦 Suzanne Grossmann for the graphic design and ITC France for the English translation.

🐦 Finally, we could not end these acknowledgments without turning our thoughts to Kofi Annan who initiated the “Unlearning Intolerance” conference in 2006. These seminars led to the creation of CFP of which he was honorary president. He passed away in 2018.

Previous page:  
Elena (Colombia)

# Cartooning for Peace in Support of Editorial Cartoonists

One of the CFP's prior missions has always been to provide assistance to editorial cartoonists.

Alone or in partnership, the association intends to contribute to **the recognition you deserve** and also **assist you practically** when doing your job makes you a target of incomprehension, intolerance, obscurantism or violence.

Among other things, this involves **promoting your work**, exhibitions, editorial partnerships and **meetings** with the general public and young, disadvantaged audiences.

CFP is a place of openness and exchange but also a **gateway** for cartoonists who have suffered attacks as part of their work. CFP uses campaigns, advocacy work, operational support, networking and other ways to help you find the support you deserve.

One of **CFP's major assets is its network** of cartoonists and **the solidarity it brings to life**. CFP draws its strength from this network; it is therefore crucial that you enrich it through mutual support and communication to CFP. In this way, we can give you the best possible help and, in turn, assist your colleagues from around the world.

Tjeerd Royaards  
(The Netherlands)

*"Perhaps a colleague is in trouble and you can help them in some way... do it! You never know when the next person needing help will be you. Because, as we've seen in recent times, even the best-known cartoonists are not exempt from being incriminated, threatened, fired, persecuted or even killed." (Pedro X. Molina, Nicaragua, August 2019)*

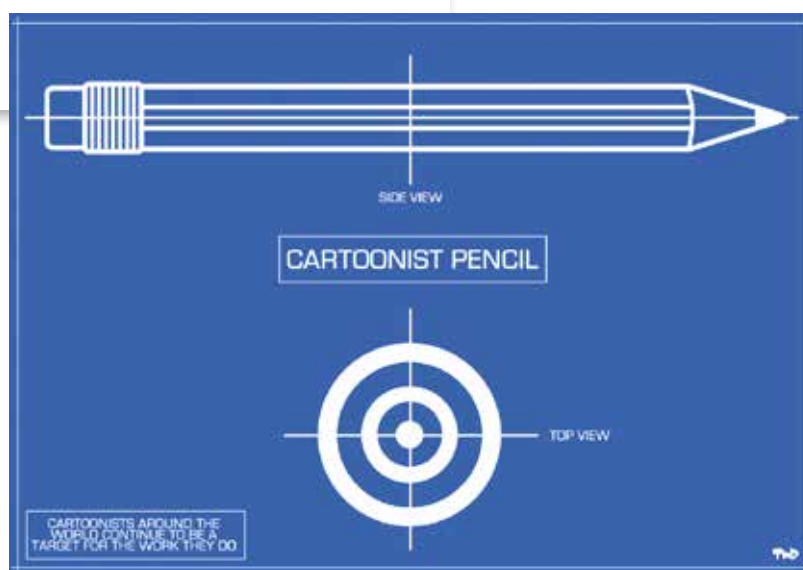
## To contact or alert CFP:

[contact@cartooningforpeace.org](mailto:contact@cartooningforpeace.org)

For secured communications  
and sensitive contents:  
[cartooningforsupport@protonmail.com](mailto:cartooningforsupport@protonmail.com)

Téléphone : +33 (0)1 4023 2403

[www.cartooningforpeace.org](http://www.cartooningforpeace.org)





"Are we allowed to laugh about everything?"  
"No !", "Yes !"  
Willem (France)

# Introduction

*"Get informed on your rights as a human, a citizen and a journalist... on the organizations that can help you in an emergency. Build up a relation with them, volunteer in other cases relating to freedom of the press and the like if you can."* (Pedro X. Molina, Nicaragua, August 2019)

The threats made against the cartoonists of the Danish newspaper *Jyllands-Posten* following its publication of caricatures of Mohammad, and the killings at *Charlie Hebdo* on January 7, 2015, had a global impact and marked a turning point in the history of editorial cartoons. The Internet has allowed cartoons to be circulated worldwide and the reactions to those drawings, more than ever, can be violent and even deadly.

*The New York Times'* decision in June 2019 to cease publication of editorial cartoons in its international edition and dismiss Chappatte and Heng Kim Song in response to the controversy surrounding a cartoon of Antonio, that was published without the author's consent, is also symptomatic of a dangerous change in the threat hanging over the profession. <sup>2</sup>

These globally publicized event must not take away from the fact that, **throughout the world, editorial cartoonists are obstructed from performing their job or take a risk when putting pen to paper.** There is either no longer any publication available or they are threatened, harassed or disparaged for what their work is or represents.

According to the French academic Patrick Charaudeau, "editorial cartoons [...] are unquestionably an act of humor, through their caricatures and bizarre settings, but, on the other hand, they are a commentary on current political and social events. In other words, they are both a source of laughter and a serious act of information." <sup>3</sup>

# S A T I R E

T I N G   A N N O Y   E A C H   I N F O R M   I D I C U L E   E X P O S E

Hall  
(U.S.A)



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► Yet, the caricature, portrayal of incompetence, criticism or humor is **not always to the taste of the person being made fun of**. **Virulent reactions of varying degrees ensue** when it is not a deliberate, institutionalized desire to rub out any form of criticism or opposing view through harassment, censorship or even physical and psychological violence.

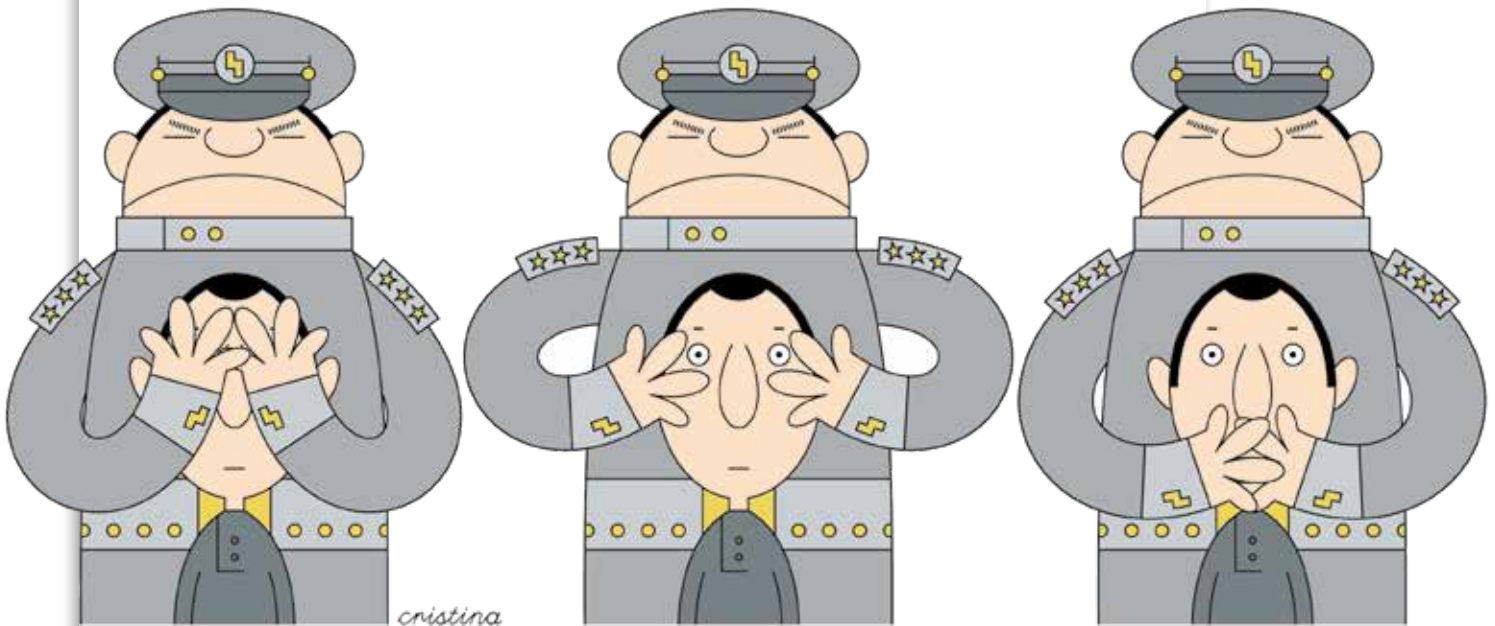
Although editorial cartoons are supposed to create a reaction, the actual reaction may not be the one expected and can take the author completely by surprise. **It is no longer the topic of the cartoon or the failings highlighted that is attacked, instead it is the very existence of the cartoon, the caricature depicted or the reference used**. Sometimes, and even often, a massive **reaction targets the artist and not the drawing**. With the development of the Internet and social media, this tendency has only increased. Nowadays, physical or institutional violence is accompanied by the moral verdict of public opinion which can harm the reputation or dignity of the illustrator.

Elena (Colombia)

*“This guidebook is an outstretched hand in a chain of solidarity. It is part of the counter-offensive in the fight for trust and justice, the very thing editorial cartoons fight for. Despite it all, we should not forget that the fight is good-humored. And our job remains the best in the world!” (Chappatte, Switzerland, 2019)*



Many cartoonists have borne the consequences of their profession. Among the most emblematic illustrative cases are that of [Zunar](#) (Malaysia) <sup>4</sup> who was charged with nine counts of sedition until 2018 for denouncing the corruption in his country; [Musa Kart](#), imprisoned for the second time in Turkey from April to September 2019 <sup>5</sup>; [Jamon y Queso](#) from Equatorial Guinea, also imprisoned and released after a worldwide support campaign <sup>6</sup>; [Denis Lopatin](#), a Russian artist, forced into exile for a cartoon used in a protest <sup>7</sup>, just like [Pedro X. Molina](#), who has had to flee Nicaragua <sup>8</sup>. More recently, [Kishore](#) (Bangladesh) was arrested in 2020 and imprisoned for almost 10 months for a series of cartoons criticizing his country's handling of the COVID-19 pandemic <sup>9</sup>.



Cristina  
(Portugal)

## RISKS OF THE PROFESSION

At any given time in their career, a cartoonist could clash with the sensitivities of individuals or groups, or provoke the wrath of the powerful. This has the potential to create a **risk** for them or their close ones.

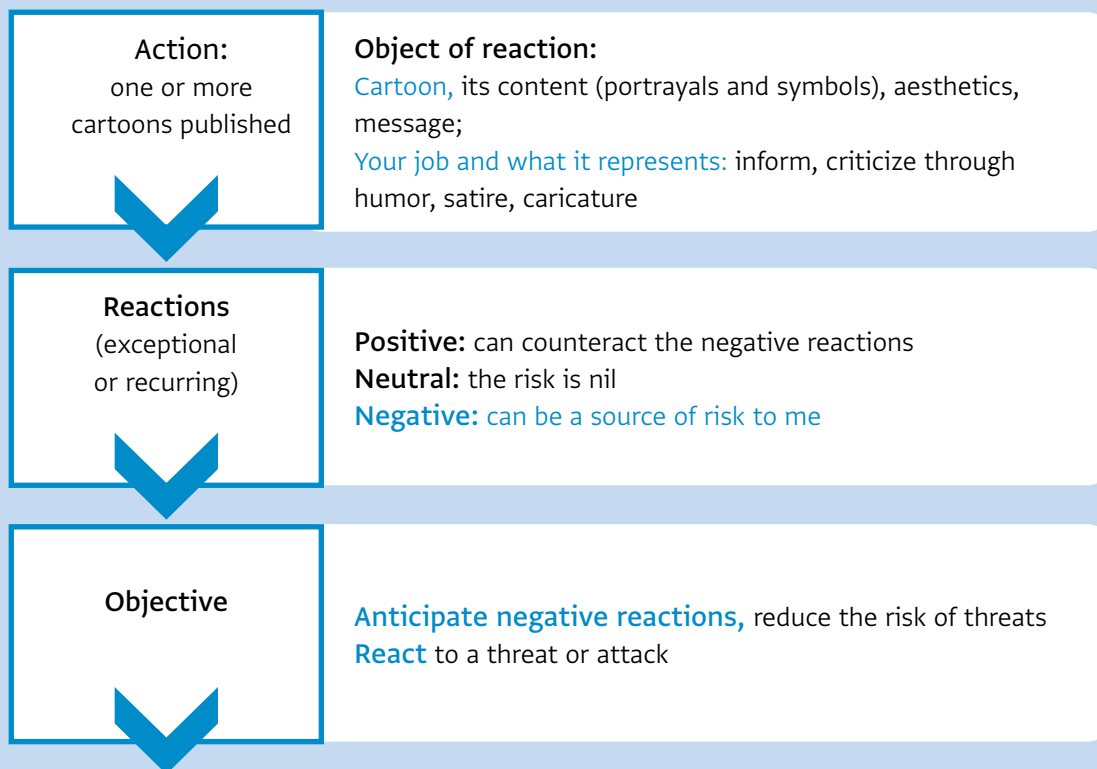
According to Front Line Defenders, "There is no widely accepted definition of risk, but we can say that risk refers to possible events, however uncertain, that result in harm." <sup>10</sup>

Supposing that "zero risk" is illusory and dismissing the idea of self-censorship, the goal is to **reduce the extent of the risk**.

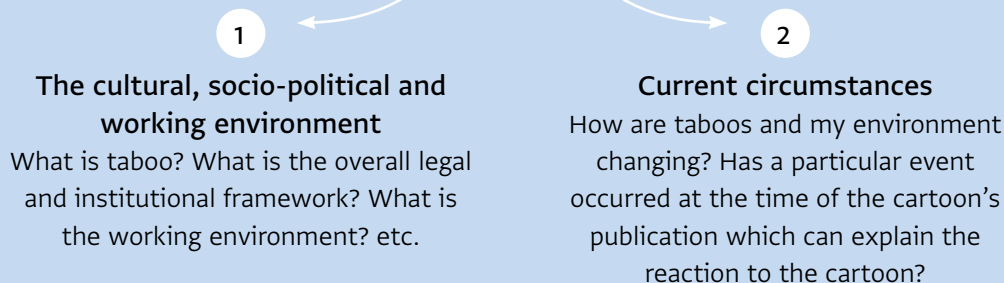
While every case is unique, even though the attack can be isolated or recurring, and the artist may or may not be taken by surprise, **two questions** common to all cases should allow you to reach this goal: 1) how can I **anticipate** a threat or attack, and 2) how will/can I **respond to a threat** when it occurs?

*"Is security an absence of risk? Or being able to manage risk? [...]"*

(A human rights defender in Europe, quoted by Front Line Defenders) <sup>11</sup>



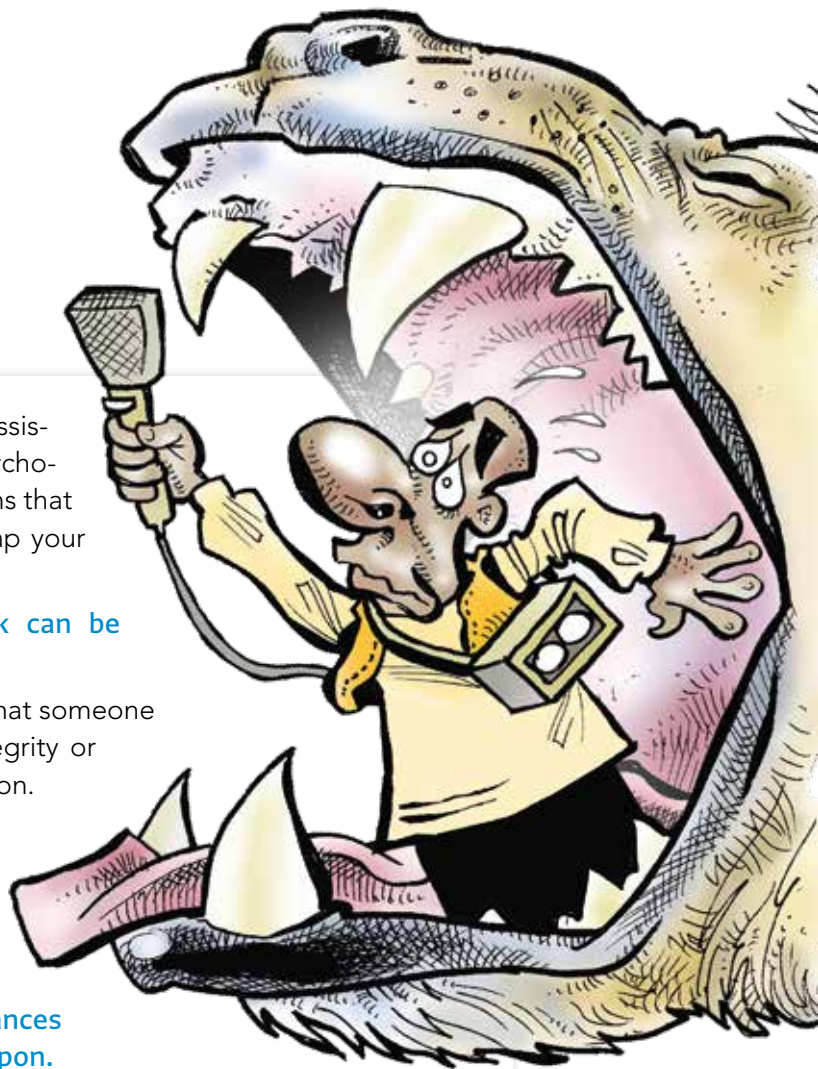
**Indirect factors:**



➤ **CONCEPTS OF THREATS, VULNERABILITIES AND CAPACITIES**

Front Line Defenders states that risk is dependent on different factors that raise or reduce its severity; it is necessary to assess and, if possible, influence the **threat or attack**, the degree of **vulnerability** to those threats, and the **capacities** at hand. <sup>12</sup>

**Vulnerability** is "the degree to which people are susceptible to loss, damage, suffering and death in the event of an attack." <sup>13</sup> This is a relative concept that can affect everyone in different ways. In terms of mobility, the place where you live can decrease or increase your vulnerability (for example, living next to an airport or far from the city center can make you more or less vulnerable), just like a lack of financial resources can



Damien Glez  
(Burkina Faso)

cause greater vulnerability when you need legal assistance. Vulnerability can also emanate from a psychological state; fear could push you to make decisions that put your security at greater risk but it can also sap your mental resilience.

> **By preventing vulnerability factors, risk can be reduced.**

**Threats**, for their part, “represent the possibility that someone will harm somebody else’s physical or moral integrity or property through purposeful and often violent action. Making a threat assessment means analyzing the likelihood of a threat being put into action.”<sup>14</sup> In other words, it is a statement or intention to inflict damage, punishment or injury.

> **The objective is to reduce either the chances of a threat or the impact of a threat acted upon.**

**Capacities** are the strengths and resources that a group or individual can rely on to gain a reasonable amount of security.<sup>15</sup>

Essentially, these are means to **reduce risks** and protect oneself. Therefore, it is indispensable to:

- **Assess the threats and reduce their possibility;**
- **Reduce vulnerability factors;**
- **Increase capacities.**

One way to decrease your degree of vulnerability is through **anticipation** (section 1). This involves:

- Working with **full awareness of the immediate environment** in order to identify threats, the means to prevent them or decrease their impact in the medium-to-long term;
- Establishing **prevention measures** to reduce vulnerability.

While essential, prevention and anticipation may prove inadequate. In which case, comes the time to **respond to a threat** or the **harm** (section 2).



# Risk Prevention

## PREREQUISITE: KNOWING YOUR ENVIRONMENT

By knowing your environment, you can anticipate the risks lurking within it. Analyzing it makes it possible to reduce vulnerabilities through preventive measures and develop ways of responding to a threat or attack.

This involves, for example, knowing the cultural, institutional, socio-political, economic, legal and professional context along with the resulting taboos.

Awareness of these undercurrents within the overall environment can assist you to:

- identify the threats and resources in your environs;
- make rational choices relating to your security and reduce your vulnerability as a result. A factor that can make all the difference when faced with a threat requiring a, sometimes urgent, response.

Front Line Defenders has proposed three methods for analyzing your environment:

**Asking questions, the force field analysis** and **the stakeholder analysis** .

### ■ ASKING QUESTIONS

(see work sheets 2 and 3 in the appendices)

This simple method involves asking questions about your environment in order to understand and analyze it along with its underlying elements. This should point you in the direction of preventive measures. It can also be used in a deteriorating situation to assess the changes occurring and respond to them as best as possible. You can find some example questions below.

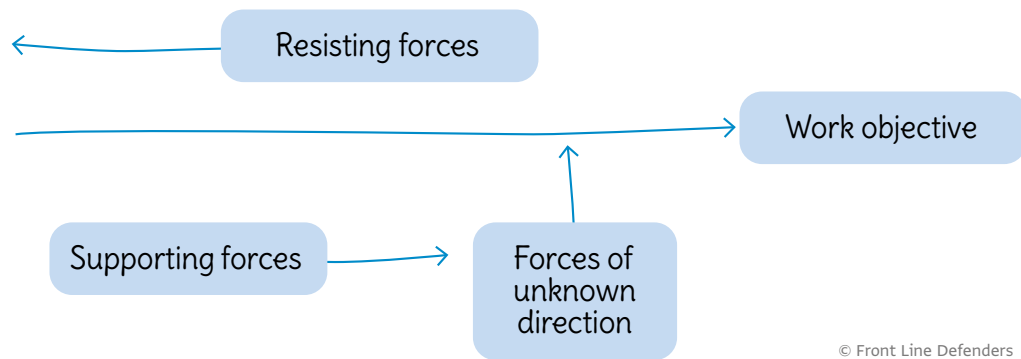
### ■ FORCE FIELD ANALYSIS

This technique helps you visualize the resisting forces and supporting forces at work in a given situation and affecting the achievement of a work objective. **Resisting forces** could be a **source of danger**, while the **supporting forces would be useful** in opposing those resisting forces.

*“This does not mean censoring yourself to avoid talking about certain topics or particular groups. It means that you need to get ahead of those groups who may be looking for a weak point to attack you, and covering those weak points through strategies, forcing those groups to find an advantage to attack you or give up.” (Pedro X. Molina, Nicaragua, August 2019)*



## Force field analysis



Suppose you have drawn public attention to the endemic corruption in your country through one or more cartoons, in the hope of shedding light on the practice (**work objective**). Those who you criticize in your cartoons will show **resistance** to your work in various ways (threats, harassment, jailing?). On the other hand, non-governmental organizations fighting corruption and your newspaper will probably be **sources of support** for you.

Forces can lay in people and organizations that, depending on their involvement, could play an important role in a given situation in either way. They will appear sometimes only when the problem surfaces: a politician seeking election but whose chances have been jeopardized by your accusation could become a resisting force, a human rights association or international organization informed of your work might not show their support until a specific moment further down the road.

**This analysis facilitates the reduction or elimination of the risk caused by resisting forces and the identification of supporting forces.**

### ■ STAKEHOLDER ANALYSIS

(see [work sheet 4](#) in the appendices)

Front Line Defenders has specified that an “actor or stakeholder analysis is an important way of increasing the information you have available when making decisions about protection. It involves identifying and describing the different actors or stakeholders involved and their relationships, on the basis of their characteristics and interests – all in

relation to a given protection issue.” <sup>17</sup> We can cite, among others:

- **Personal relationships:** family, friends;
- **Professional relationships:** colleagues, employer, media council;
- **State powers** (incl. security forces, judges, lawmakers, etc.);
- **National and international organizations** that defend the profession, freedom of expression or human rights;
- **Opinion leaders or the diplomatic corps** (who, through their position or what they represent, are a real supporting force): international institutions (agencies of the United Nations or European Union, for example), diplomats of foreign governments, media, religious institutions, public opinion, etc.

► We suggest you inform yourself about the local, national, regional and international actors and make a **list of useful contacts** with a short description, the relationships between them and how they could help. This list should be frequently revised. The directory in the [appendices](#) is a start but you should find local contacts.

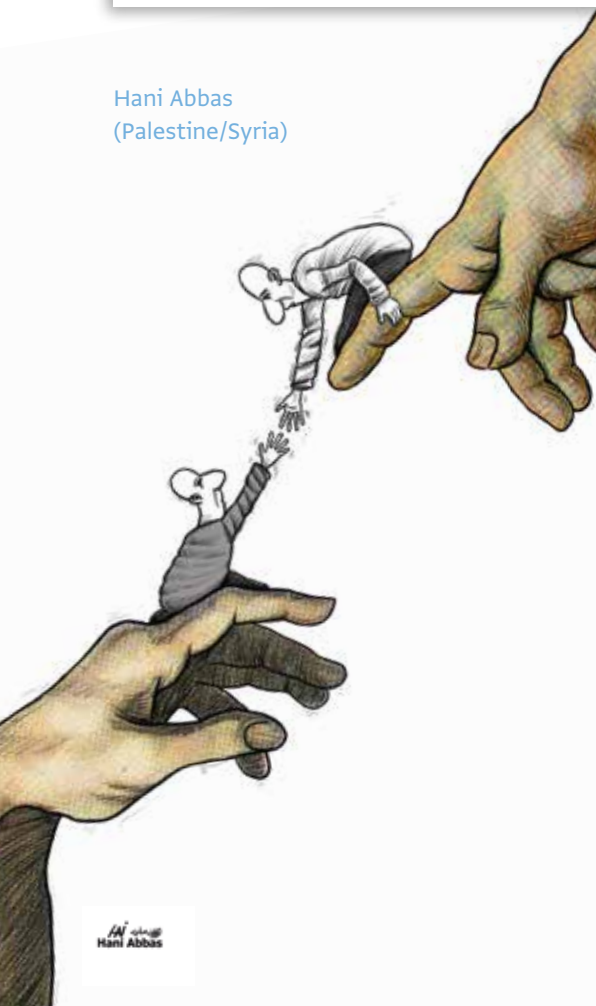
The useful contact list can be supplemented by an **email distribution list** that can be used in the case of a problem. We will see later that it can be important to encrypt your messages to **prevent cyber-crime**.

Stakeholder analysis goes hand in hand with assessing the environment and forces present as it assists in identifying those actors as resistance or support. In certain contexts where the rule of law has broken down, the government, security forces or legal institutions, which are primarily to assist citizens (supporting force), can sometimes become a threat (resisting force). And requesting their help might become counter-productive.

It is also essential to consider this **task proactively** and **frequently update contact lists** because the situations, forces, structures, people and contact details can change.

When the situation in Nicaragua deteriorated, [Pedro X. Molina](#) created an email distribution list (in blind carbon copy) of many actors likely to provide assistance. On one hand, it was to inform them of the deterioration in the country and, on the other hand, to inform them of his personal situation. This allowed all actors to receive the same information at the same time and strengthen coordination as well as, for him, receive advice from those actors at every step.

Hani Abbas  
(Palestine/Syria)




### Many non-governmental organizations have the mission to support those promoting human rights and freedom of expression.

We suggest you get in contact with their branch in your country and make yourself known to them. However, you should keep in mind **that organizations are bound by their mandate** and the assistance they can provide flows from it. They will be mindful of your status (journalist, artist, human rights defender, etc.), the nature of your work and the type of attack directed at you (an arrest for a cartoon and an arrest for protest activities could be treated by different entities). These issues will decide on their ability to assist you and the type of assistance they can offer, with

due regard to their purview. It is important you consider this when first identifying actors. The majority, including Cartooning for Peace, will have you fill out a form specifying your situation and your reasons for applying for help if need be. Knowing their field of operations in relation to your status and needs will help you focus on the organizations to contact and to which you can make a request according to your needs.

## Cartoonist – a human rights defender?

According to the OHCHR, “Many professional activities do not involve human rights work all of the time but can have occasional links with human rights (...) journalists have a broad mandate to gather information and disseminate it to a public audience through print, radio or television media. In their general role, journalists are not human rights defenders. Nevertheless, many journalists do act as defenders, for example when they report on human rights abuses and bear witness to acts that they have seen.” 

Due to your work and the targeting you are subject to because of it, your profession contributes to the promotion of human rights. Some cartoonists see themselves as human rights defenders. In any case, you should remember that active campaigning is not a prerequisite for receiving assistance from a Human Rights dedicated organization, your work contributing to that crucial mission. Again, there are a wide range of organizations and options that can be provided.

## Cartoonists' networks and organizations

The work of an editorial cartoonist is often seen as a solitary job. But, in good or bad times, being a member of any type of group can help a lot. You should join professional networks or associations and participate in events because this will keep you informed as well as act as a source of sharing and learning from the experiences of

others (who may have been attacked), and help develop a network that can aid you in time of need. Nonetheless, you have to distinguish between the types of organizations, their roles and mandates as they don't all necessarily provide the same type of services.

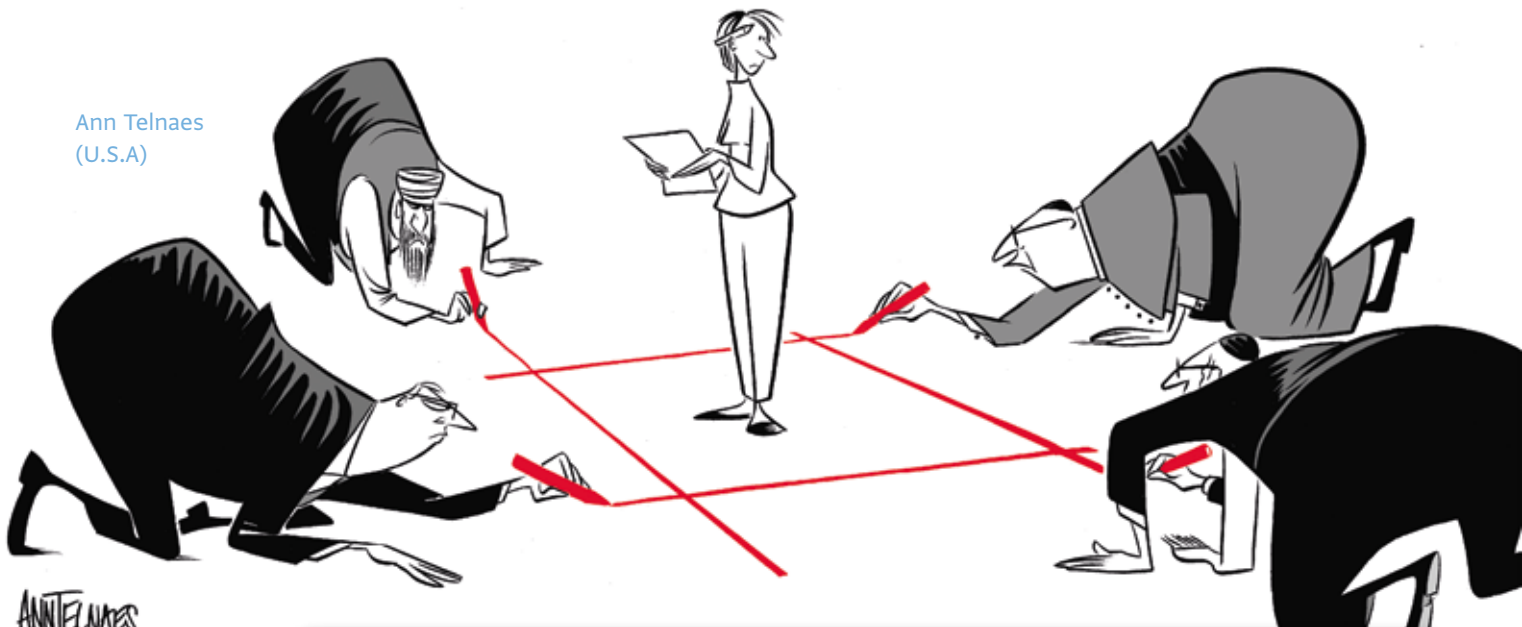
## Summary

- ▶ Your work could lead to risks
- ▶ Your environment can be a source of threats but also provide you with useful resources
- ▶ One means to prevent or reduce risk is to learn about that environment, its specific features, the forces involved and whether they present support or threats
- ▶ By doing so, you can be better informed, better positioned to identify certain threats and set up ways of responding to those threats. You will also increase your capacities and reduce your vulnerabilities
- ▶ Your environment contains many different dimensions and its analysis can help prevent risks
- ▶ By questioning yourself and conducting force field analysis and stakeholder analysis, you can gain much greater knowledge about your environment which will, in turn, reduce your vulnerabilities. In short, anticipate the risks to better prevent them

## For further information

- OHCHR, *Who is a defender?*, [www.ohchr.org/EN/Issues/SRHRDefenders/Pages/Defender.aspx](http://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/Defender.aspx)
- Front Line Defenders, *Workbook on Security: Practical Steps for Human Rights Defenders at Risk*, 2016, [www.frontlinedefenders.org/en/resource-publication/workbook-security-practical-steps-human-rights-defenders-risk](http://www.frontlinedefenders.org/en/resource-publication/workbook-security-practical-steps-human-rights-defenders-risk)
- Front Line Defenders, *Protection Manuel for Human Rights Defenders*, 2005, [www.Frontlinedefenders.org/en/resource-publication/protection-handbook-human-rights-defenders](http://www.Frontlinedefenders.org/en/resource-publication/protection-handbook-human-rights-defenders)

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(U.S.A)



ANNTELNAES  
2/12/06

➤ **KNOWING YOUR ENVIRONMENT: EXAMPLES OF QUESTIONS TO ASK YOURSELF AND TESTIMONIES**

■ **CULTURE AND SOCIETY**

**LA LIBERTÉ D'EXPRESSION !**



"Freedom of expression!"  
"Forbidden"  
Khalid  
Gueddar  
(Morocco)

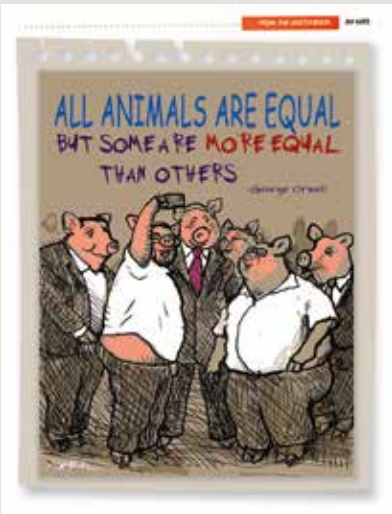
Every society is fixed to a particular cultural, political and religious foundation that determines societal taboos. Experience has shown that religion and the issue of identity are influential and can lead to oft-times virulent reactions by the public to certain cartoons when the law does not simply forbid cartoons to depict such taboos.

Taboos, which are often understood through culture and religion, can be established by history, socio-economic contexts, politics or even by people. As societies, cultures and systems change, so too can taboos. And with the development of the Internet, the reaction can come from the other side of the world and generate mass reactions. Recently, social networks have themselves erected new taboos and regulatory bodies that encourage the censorship of publications on their respective networks.

**POSSIBLE QUESTIONS TO ASK YOURSELF:**

- What are the cultural taboos of the society in which I work? Are they local, regional, national and international?
- Are the issues I depict or the way I depict them of a particular sensitivity?
- Are breaking the taboos forbidden by the law?

Avi Katz (Israel)



The cartoons of artist [Avi Katz](#) (Israel) <sup>19</sup> have not been published by *The Jerusalem Report* since 2018, because of an Internet backlash over a cartoon depicting Israeli politicians, including the prime minister, as pigs taking a selfie. The cartoon alluded to George Orwell's "Animal Farm" but some people felt the depiction of Jews as pigs was anti-Semitic.



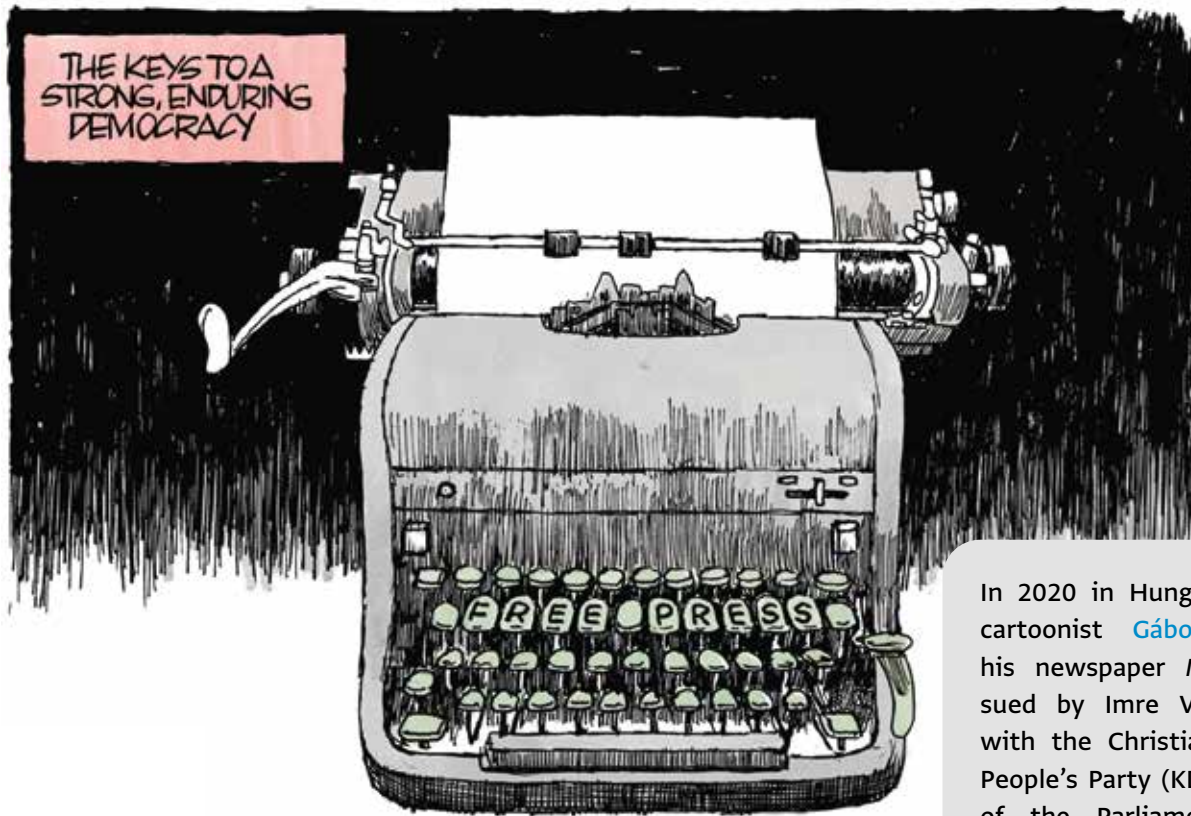
Jiho (France)

Marco de Angelis (Italy)

Page from the newspaper *Courrier International*, February 7<sup>th</sup> 2019



In February 2019, a cartoon by the Italian cartoonist, [Marco de Angelis](#), published in the *Courrier International*, was censored by the Lebanese authorities for the depiction of Ayatollah Khamenei (Islamic Republic of Iran). Journalists who excoriated this censorship were then attacked through the courts and trolled online <sup>20</sup>.



Morin  
(U.S.A)

In 2020 in Hungary, the press cartoonist [Gábor Pápai](#) and his newspaper *Népszava* were sued by Imre Vejkey, an MP with the Christian Democratic People's Party (KDNP) and chair of the Parliamentary Justice Commission. The lawsuit took almost a year to make its way through the legal system. The paper and cartoonist were ordered to apologize and pay a fine for infringing the plaintiff's right to human dignity as a member of the Christian community. The newspaper has recently decided to seize the European Court of Human Rights <sup>21</sup>.



"...His underlying condition caused dependence"

[Gábor Pápai](#)  
(Hungary)

## THE INSTITUTIONAL AND SOCIO-POLITICAL ENVIRONMENT: A SOURCE OF RISK OR PROTECTION?

The political context is probably the largest cache of risk because it feeds the work of the editorial cartoonist and determines the governing rules of the public forum. A large number of editorial cartoonists of the CFP network who were surveyed at the start of 2019 stated that censorship and political oppression were the primary dangers in their job. Political leaders and the powerful, having lost any sense of humor, are often the ones who draw the line in the sand.

Getting to grips with the political and legal environment of your country can help you anticipate possible attacks but also give you knowledge of the available defense tools (laws, state protection, etc.).

Knowing one's political environment is also about assessing the stimuli created by the political calendar. For example, periods before and after elections can become a risk factor, in the sense that they crystallize numerous tensions: political or religious sensitivities, reinforced ethnic identity, personal irascibility or concern or even a political strategy of belittling media or opposition voices. To find out more about this topic, please refer to the *Handbook for Journalists During Elections* prepared by [RSF](#) (2022 edition) <sup>22</sup>.



Zunar (Malaysia) was accused of nine counts of sedition by the Najib Razak government. He faced 43 years in prison and was banned from traveling. All charges against him were dropped in August 2018 following a change of government <sup>23</sup>.

*"Call my cartoons whatever you want - provocative, humiliating, intimidating, blunt, hard-hitting - as long they can wake up the Malaysians' minds, I am happy."*

Top:  
Zunar  
(Malaysia)

Bottom:  
Tayo  
(Nigeria)

#### POSSIBLE QUESTIONS TO ASK YOURSELF?

- Has the State in which I live elevated taboos to legal bans?
- Has the State established bodies and legislation that protect or curb my freedom of expression?
- Am I aware of my rights and duties as a citizen?
- Is the rule of law respected and can I count on it to safeguard me?

## ■ THE ECONOMIC ENVIRONMENT

Just like political power, economic power can be a fount of threats. The risk could be its confluence with political powers, an economic crisis in the media sector that drains publications of income, just as much as the concentration of media outlets in the hands of private groups, which has recently overwhelmed some cartoonists. Numerous editorial cartoonists of the CFP network

have also mentioned the lack of work opportunities which has destabilized them financially. This is a growing and complex phenomenon. The IFJ and its regional networks are probably the best source of advice on this issue.



#### POSSIBLE QUESTIONS TO ASK YOURSELF:

- How are the finances of my paper? Does it belong to a private or public group?
- What means are available to protect my rights as an employee or a contractual?
- Should I diversify my sources of income in case I get thrown a curve ball?



In June 2018, [Rob Rogers \(U.S.A\)](#) <sup>24</sup> was fired from the *Pittsburgh Gazette* after 25 years of service. He had criticized President Trump one too many times in his cartoons.

One year later, *The New York Times* ceased the publication of editorial cartoons in its international edition and would later fire two cartoonists, [Patrick Chappatte](#) and [Heng Kim Song](#).

Since then, many cartoonists have lost their jobs or seen their papers cease the publication of cartoons, especially in the United States – a situation poignantly noted by [Ted Rall](#) <sup>25</sup>.

In Thailand, the cartoonist [Stephff](#), who has had many contracts suspended for political or financial reasons, makes frequent comments on his Facebook page about the difficulty facing political cartoonists these days, given those financial constraints. Many in the world have seen their employment suspended for budgetary reasons.

## ■ THE LEGAL ENVIRONMENT

You should learn about your rights along with the national laws and international treaties relating to freedom of expression and the protection of basic human rights. Another **fundamental** action for any global citizen is to find out about those bodies likely to provide assistance if you suffer an attack.

Recent experience, especially since the outbreak of the pandemic in 2020, has demonstrated the importance of taking these steps because the courts have increasingly become a tool of pressure and censorship. There are plenty of examples where press cartoonists have been sued or threatened with legal action (see inset).

Nevertheless, the law is also there to protect cartoonists and satire. Cartoonists are in increasing need of protecting themselves from the misappropriation and fraudulent use of their work for the political machinations of others <sup>26</sup>. They also need to protect themselves from death threats and other violent threats which have not stopped rising, especially online <sup>27</sup>. So, we recommend that you press charges if you feel your rights are being trampled on.

Two texts serve as an example for **freedom of expression**: **article 19 of the United Nations Universal Declaration of Human Rights** and **article 19 of the International Covenant on Civil and Political Rights**. Their application by signatory States is monitored by the United Nations Human Rights Committee. In Europe, the **European Convention on Human Rights** places an obligation on signatories to respect some of the rights listed in the Universal Declaration of Human Rights, including freedom of opinion and expression. In Africa, the **african charter on Human and Peoples' Rights**,

Zlatkovsky  
(Russia)





adopted by the Organisation of African Unity, serves as the standard for assessing the observance of those principles by States.

Both the African Commission and African Court on Human and Peoples' Rights (the African Court) monitor the proper implementation of this text. There are another two regional courts available: the Court of Justice of the Economic Community of West African States (ECOWAS) and the East African Court of Justice (EACJ).

**In the Latin America**, freedom of expression is protected by article 13(1) of the **American Convention on Human Rights (ACHR)**. This treaty is interpreted and applied by the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights (the Inter-American Court and Inter-American Commission respectively).

On the other side of the world, the Association of South-East Asian Nations adopted the **ASEAN Declaration of Human Rights**. Article 23 lays out the right

### United Nations Universal Declaration of Human Rights

#### Article 19

“Everyone has the 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.”

### International Covenant on Civil and Political Rights

#### Article 19

1. Everyone shall have the right to hold opinions without interference.
2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
  - a) For respect of the rights or reputations of others;
  - b) For the protection of national security or of public order, or of public health or morals.



CASSAZIONE

« Cassation »  
Forattini (Italy)

In Malaysia, just as in Pakistan and India, the “**Sedition Act**”, a colonial law put in place by the British authority to quash seditious discourse, still forms part of the criminal legislation of those countries and is often relied on to suppress dissident voices.

“The Office of the High Commissioner for Human Rights (OHCHR) is the leading UN entity on human rights. The OHCHR provides assistance in the form of technical expertise and capacity-development in order to support the implementation of international human rights standards on the ground. It assists governments, which bear the primary responsibility for the protection of human rights, to fulfill their obligations and supports individuals to claim their rights. Moreover,

it speaks out objectively on human rights violations.”

The OHCHR website contains a vast wealth of useful information, including a search tool on the state of human rights enforcement in a particular country, the competent bodies and useful contacts (refer to the tab “Human right by country” on the general webpage).

For further information:

[www.ohchr.org/EN/pages/home.aspx](http://www.ohchr.org/EN/pages/home.aspx)

➤ of a person to form, hold and express their opinions without undue interference. No court is specifically dedicated to interpreting and applying this declaration and the text has been criticized.

As for the Middle East, it currently has no equivalent. For further information, please see the practical sheets prepared by Media Defense in the appendices (page 70).

However, each country has its own legal instruments (constitutions, criminal legislation and decrees). All do not necessarily refer to freedom of expression. Some may be slowly incorporating the concept while others flatly contradict such international principles. You should find out as much as you can about the international texts on freedom of expression and the bodies that monitor its implementation; yet, you cannot ignore the legislation of your own country.

The OHCHR’s website contains a section on general comments issued by the Human Rights Treaty Bodies. For comments on the freedom of opinion and expression, select the Human Rights Committee:

[www.ohchr.org/EN/HRBodies/Pages/TBGeneralComments.aspx](http://www.ohchr.org/EN/HRBodies/Pages/TBGeneralComments.aspx)

RSF publishes an annual ranking of press freedom which gives a global, regional and national overview of the positive and negative changes affecting the freedom of the press. The issue frequently revolves around the laws of the analyzed countries <sup>28</sup>.

Freemuse, an organization that defends artistic freedom, has also reported examples of violations of rights in its annual report.

If you end up in court, whether to defend or protect yourself, courts on the national, regional or continental level are likely to hear your case. You need to bear in mind that the process can sometimes be long and not always provide an immediate response to your problem. However, the decisions handed down help interpret the law and can be used for settling future cases.

For a clear explanation of how the international legal framework can buttress domestic law, we suggest checking out the insightful February 2021 report “COVID-19, Culture and Cultural Rights” by Karima Bennoune, the Special Rapporteur in the field of cultural rights. In this report, she calls for press cartoonists to be protected <sup>29</sup>.

As laws can be revised, it is **important to keep abreast of changes**. As an example, anti-terrorism or security legislation and laws on cybercrime or to tackle hate speech have recently been enacted by many countries in response to tragic events for

Hate Speech...



The legal arsenal, which has been used to decimate freedom, has gotten the best of many cartoonists. In Malaysia, [Zunar](#) and [Fahmi Reza](#) <sup>30</sup> were investigated after the publication of cartoons (Fahmi Reza was arrested 11 times between 2021 and June 2022). [Osama](#) <sup>31</sup> and [Emad Hajjaj](#) <sup>32</sup> of Jordan have also been subject to legal proceedings in their country, while [Rachita Taneja](#) <sup>33</sup> (India) and [Optatus Fwema](#) <sup>34</sup> (Tanzania) are awaiting judgment in their cases. There is also of course the dramatic case of [Ahmed Kishore](#) (Bangladesh) who was charged under the 2018 Digital Security Act but finally released on bail after pressure from the national and international community.

[Charlie Hebdo](#) has been the target of many lawsuits for various reasons; however, it has won the majority under freedom of expression <sup>35</sup>.

The revised [Rwandan criminal code](#), adopted on September 27, 2018, stated that "Humiliating state officials or legislators in either spoken word, writing or cartoons is punishable for up to two years in prison or a fine of 490 euros, and the penalties are doubled if those targeted are "top-ranking" authorities." The proposal was then luckily abrogated <sup>36</sup>.

Similarly, articles 384, 385, 386 and 388 of the [Lebanese criminal code](#) "criminalize contempt, libel and defamation against the president, other public officials and judges. Possible penalties include up to one year in prison and/or a fine. Similar criminalization is found in Egypt, Morocco, Tunisia, Pakistan and Zimbabwe." <sup>37</sup>

➤ the first ones and technological advances for the latest; however, these laws can sometimes serve as a pretext to suppress any form of political opposition. The COVID-19 pandemic has been particularly impactful for individual freedoms and has been used to usher in laws that purportedly seek to combat the propagation of rumors and disinformation as well as other laws that are likely to undermine national unity.

Looking up the laws and regulations can be tedious work but there are organizations that specialize in providing legal support or defending freedom of expression which can offer some necessary illumination. You can refer to the list in the [appendices](#).

**POSSIBLE QUESTIONS TO ASK YOURSELF:**

- What do international treaties say about freedom of expression? How does my country enforce this right?
- Is there a law defending my right to freedom of expression? What does it say? Or, are there laws curbing rights in my country?
- Which national and international institutions handles cases involving freedom of expression?

UN DÉCRET DONNE À L'ATT LA  
POSSIBILITÉ DE SURVEILLER INTERNET



"A decree gives the ATT (Tunisian Telecommunication Technical Agency) the authorization to monitor the Internet"

"It's to protect you from the evil terrorists..."

Willis from Tunis (Tunisia)

## ■ THE WORK ENVIRONMENT



In September 2018, the Australian newspaper the *Herald Sun* published a cartoon by [Mark Knight](#) (Australia) featuring Serena Williams. The cartoon was considered sexist and racist by many people and drew a plethora of criticism. The Australian media council in February 2019, after reviewing the issue, responded that it “does not consider that the publication failed to take reasonable steps to avoid causing substantial offense, distress or prejudice without sufficient justification in the public interest.” <sup>38</sup>

[Mark Knight](#)  
(Australia)

Laws also govern work and employment relationships. Numerous editorial cartoonists, whether freelance or on staff, have been fired for a controversial editorial cartoon after their employer disavowed their work despite the prior editorial decision to publish it. While the reasons behind dismissal can vary and are debatable, the laws on firing or breaking a contract have to be observed. So, it is important to know those rules relating to an employee or freelance contract with a newspaper or, for some countries like the United States, with a syndicate.

An employer and a team, when choosing a cartoon or taking on its publication, can act as a bulwark against threats if the artwork creates controversy or worse. In some countries, disputes relating to a cartoon have also been the subject of a review by media councils, as in Australia in the case of a cartoon by Mark Knight (see opposite).

Finally, cartoonists who work on staff in a publication can find their physical environment become a source of protection or vulnerability in the case of an attack. Many international NGOs working in sensitive sectors or contexts advise their employees to assess their work environment in anticipation of attacks. Security measures can then be established to reduce risks.

### POSSIBLE QUESTIONS TO ASK YOURSELF:

- **What does my contract say about my rights and obligations?**
- **Is the contract in line with legal texts?**
- **Does my contract protect me from unfair dismissal?**
- **Is there a media watchdog? What's its role?**
- **Should I join a professional association or union?**
- **Is my work environment secure?**
- **Is my home or area secure against invasion?**




We all know the tragic attack on the *Charlie Hebdo* publication that led to increased security among all paper outlets in France. In Nicaragua, the premises of *El Confidencial*, an independent newspaper at which [Pedro X. Molina](#) worked, was ransacked and cordoned off by police in December 2018 <sup>39</sup>. As of September 2019, it was still under government control.

Locaux du journal *Confidencial*, saccagés par la police gouvernementale (Nicaragua) © *Confidencial*

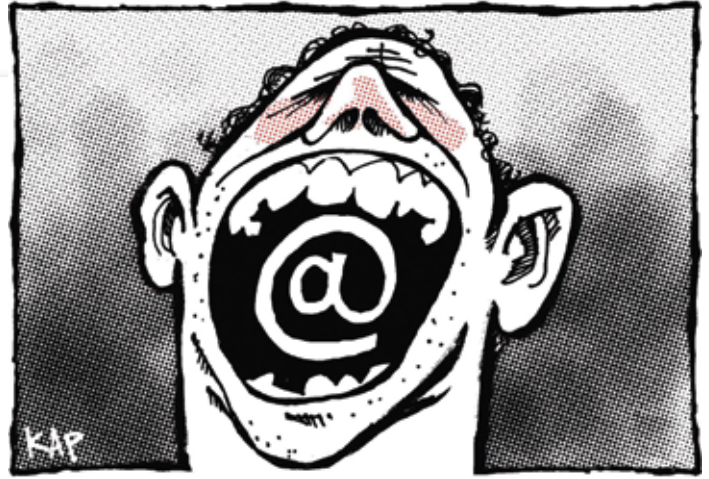
## THE ONLINE ENVIRONMENT - THE INTERNET AND SOCIAL MEDIA

Cartoonists in ever growing numbers are publishing their drawings online, through a paper's website or on social networks and sometimes in addition to their work for a newspaper. The publication of cartoons on social media, whether in addition to publications in a newspaper or not, constitutes a whole different reality in relation to the artist's relationship with their employer, who is not necessarily involved in the decision to publish, and the wider audience that may see it.

The Internet has become an indispensable work tool in many ways. It provides greater visibility and a platform for advocacy (e.g. online support campaigns for a cause or cartoonist). However, it can also be constricting when online criticism (did on purpose or not) leads to unexpected and sometimes violent reactions or when censorship occurs online .

One way to anticipate threats goes back to questioning your relationship to this online world and mastering its norms. Another complementary way is to understand the laws relating to online publications, including intellectual property and, more generally, freedom of expression. Indeed, well-known social networks and certain States have also used the Internet as a means to censor and even suppress freedom of expression as demonstrated by the inappropriate censorship of cartoons on the grounds of inciting hatred or use of nudity on the social networks or contravening laws on cybercrime (refer to the paragraphs on legal framework and the organizations mentioned in the [appendices](#) for further information).

The Internet is also **replete with personal information**. This and your cartoons can be weaponized by your detractors to be used against you or others: piracy, data retrieval, creation of attack websites, cartoon alteration and publication out of context, trolling, etc. Measures against cybercrime can also be implemented to your benefit (see the section on cybersecurity on [page 32](#)).



Kap (Spain)

*"It's sad to say that threats have become quite normal in 'open' debate, on social media and internet. Not a week goes by without getting hate mail, mostly anonymous. At first it is threatening, but nowadays it's merely background noise - which is a bit alarming. If hate mail is considered 'normal' behaviour towards cartoonists or journalists then what is the next step? It's a slippery slope towards actual violence."*

(Lectrr, Belgium, July 2022)

Kichka (Israel)



**Pedro X. Molina** (Nicaragua) gives the following advice: “If you work for an established publication, let them do the heavy lifting of publicizing your work online and, when you promote your work on your own social media accounts, try to link it to the publication paying you for this. This helps reinforce the idea that your cartoons have the backing of a stable media, that you are not alone.”

In an article from 2016, cartoonist **Ann Telnaes** (U.S.A.) recounted the vitriolic reactions that followed the publication of her cartoon criticizing the presidential candidate Ted Cruz. <sup>41</sup>

In an interview published in the newspaper *Le Vif/L'Express* in January 2019, the cartoonist **Nicolas Vadot** explained why he had quit Facebook after a discussion with a troll close to the yellow vest movement. <sup>42</sup> (in French)

An example that also ties in with the legal environment and copyright law is that of **Mechaín Doroteo** (Peru). <sup>43</sup> One of his cartoons was entirely doctored by a candidate for the Peruvian presidency, breaching the cartoonist’s intellectual property rights. Here again, every country has its own rules on the matter.



Molina  
(Nicaragua)

**POSSIBLE QUESTIONS TO ASK YOURSELF:**

- How well protected am I from online attacks?
- Am I aware of the consequence of publishing a cartoon online?
- What do my country’s laws say about online publication?

## For further information

- UN, *Universal Declaration of Human Rights*, [www.un.org/en/universal-declaration-human-rights](http://www.un.org/en/universal-declaration-human-rights)
- EU, *EU Charter of Fundamental Rights*, [fra.europa.eu/en/charterpedia/article/11-freedom-expression-and-information](http://fra.europa.eu/en/charterpedia/article/11-freedom-expression-and-information)
- COE, *European Convention on Human Rights (freedom of expression)*, [www.coe.int/en/web/human-rights-convention/expression](http://www.coe.int/en/web/human-rights-convention/expression)
- ACHR, *American Charter on Human Rights*, [www.globalhealthrights.org/wp-content/uploads/2013/10/American-Convention-on-Human-Rights-ACHR.pdf](http://www.globalhealthrights.org/wp-content/uploads/2013/10/American-Convention-on-Human-Rights-ACHR.pdf)
- ACHPR, *African Charter on Human and Peoples' Rights*, [www.achpr.org/legalinstruments/detail?id=49#:~:text=The%20African%20Charter%20on%20Human,freedoms%20in%20the%20African%20continent.](http://www.achpr.org/legalinstruments/detail?id=49#:~:text=The%20African%20Charter%20on%20Human,freedoms%20in%20the%20African%20continent.)
- AHRC, *Asian Human Rights Charter*, [www.refworld.org/pdfid/452678304.pdf](http://www.refworld.org/pdfid/452678304.pdf)
- RSF, *Handbook for Journalists During Elections, 2022*, [rsf.org/en/assistance-journalists-and-media](http://rsf.org/en/assistance-journalists-and-media) (second handbook under consideration)
- IFJ, *Workers' Rights*, [www.ifj.org/what/workers-rights.html](http://www.ifj.org/what/workers-rights.html)
- Article 19, *Defining defamation*, [www.article19.org/resources/defining-defamation-principles-on-freedom-of-expression-and-protection-of-reputation](http://www.article19.org/resources/defining-defamation-principles-on-freedom-of-expression-and-protection-of-reputation)
- CFP, *Supporting Cartoonists*, [www.cartooningforpeace.org/supporting-cartoonists/?lang=en](http://www.cartooningforpeace.org/supporting-cartoonists/?lang=en)




### PREVENTIVE MEASURES

Knowing your environment can help you foresee events, boost your abilities and also take steps in preventing attacks. Here are some measures that can be vital.

#### CYBERSECURITY

The private and professional use of the Internet and smartphones has exploded with the propagation of social networks. While being work tools and means of communication, they can also be a source of risk or attack when used by detractors seeking to do harm. Also, as reminded by **RSF**, the use of these tools in war zones or under a repressive regime can present significant risks to safety. Your location can be tracked and even data shared over a network could be intercepted.

The following list of advice and recommendations from RSF is not exhaustive  and, at the end of this section, you will find links to organizations that offer training, guidelines and quality tutorials.

Some of the following tips are universal and others apply to journalists travelling to conflict areas. However, they can also make sense if you operate in a sensitive context.

#### ◆ *Frequent Back-Ups*

A standard, yet very important, principle for anyone with a database of files (artwork, contacts, legal documents, etc.) is to **frequently make a copy of the hard drive** on an external hard drive or online platform. This is to avoid any loss of the data in the event of computer problems. It can also be done with a smartphone. However, you should be wary of how the platform secures data or how and where you store your external hard drive.



## ◆ Computer Protection

### Create a Blank Digital Profile

It is a good idea to avoid leaving personal data on your computer and to **clean up your data from time to time**, especially on social networks. Consider photos and political or religious comments that could be taken out of context.

To create a new blank identity on the computer, the first step is to **save your files** on an external hard drive that you will keep safe, **then format the computer**, deleting all data irretrievably or replace the hard drive with a new blank one.

Once the formatting is done, you can then **install an operating system** (Windows, Mac OS, Irix, Symbian OS, GNU/Linux) and your previous activities will no longer be traceable.

**Note:** as stated by RSF, just throwing computer files into the recycle bin and emptying it is not enough since the files can still be easily recovered from your computer.

### Installation of Cybersecurity Tools and Updating Anti-Virus Software

Once you have wiped your hard drive, you can then install tools that will protect your computer.

Firstly, it is important to make sure your **anti-virus software is up to date**. To make your computer even more secure, you can **encrypt the entire hard drive**. You should **lock** your session when leaving your computer and strengthen your **passwords**.

**Install a VPN** (virtual private network) **that will encrypt your Internet connections**. This will make the connections unreadable by third parties, protect them (against hacking or interception) and allow you to access websites that are blocked or banned in your country.

**Note:** avoid using public or unknown WiFi networks (e.g. in a café, etc.) without a VPN when handling confidential information. To prevent connections to such a network when your VPN is deactivated, consider turning off the “automatic WiFi search/connect” function on your smartphone.

**Install encryption software and applications** to encrypt emails, chats and texts messages. This will make them unreadable to anyone other than the sender and receiver. Their installation is straightforward and the majority of organizations use them in some form or another. Examples include Signal, Wire and Telegram.

**Note:** your contacts will also have to use these encryption programs.



Lars Refn  
(Denmark)



➤ **Identify Risks and Compartmentalize Activities**

Cybersecurity experts agree that **going too far** to protect your equipment can prove **counter-productive**. For example, encrypting all your data could be seen as suspicious. RSF suggests arranging confidential spaces to carry out the most sensitive activities in complete secrecy. This consists of prioritizing the protection of the data that you want to safeguard due to their sensitivity or the risk they hold.

It is thus possible to **divide activities** (business, personal, highly sensitive) among several devices and mailboxes in order to limit possible mingling. This could involve using different phones, only encrypting communications with particular contacts, etc.

◆ **Caution and Discretion**

It may seem obvious but you should avoid opening any emails from people you do not know or if the content looks suspicious. It could be a phishing email. Phishing can also occur through websites or messages.

**Beware of Prying Eyes in Public**

Another obvious step is not to leave your equipment unattended in public places, such as hotels.

Remember the **risk of connecting to WiFi networks without a VPN**. Similarly, if you are working in an Internet café or on a shared computer, it is important you log out of your account and erase the history, cookies and on-screen form fields (or use “private browsing” mode).

**Pedro X. Molina** has advised never giving out or sharing any personal information relating to your family, your home or work address on social networks, unless absolutely necessary, such as announcing a talk you will give.



**Do Not Trust Smartphones**

The smartphone is a treasure trove of information that could be used against you. We have seen the need to frequently clean up data on your devices according to the context and need (especially if you are feeling vulnerable). As far as possible, it may be best to use a basic cell phone with a pre-paid SIM card and holding minimum information and contacts. Smartphones are also constantly transmitting data which can be used to locate you. Furthermore, if it is seized, even for a few minutes at a checkpoint

Chappatte  
(Switzerland)

or customs, malware could be installed onto it. If you travel with your smartphone, deactivate the WiFi, Bluetooth and geo-location functions of the apps or simply activate flight mode to avoid the chances of being spied on.



Ares (Cuba)

## Summary

- ▶ Computers and smartphones contain a lot of data that should be protected. Several methods can reduce the risk of these data being accessed (cleaning, encryption, anti-virus software, passwords, etc.)
- ▶ Consider the ways you communicate, especially in public or insecure places

### Means of Communications

Depending on the situation, your patience or urgency to communicate can act as your guide. Be brief: any type of connection or call can be used to track you. Pay attention to where you are calling from, use earphones to be more discreet. Similarly, turn off your phone and remove the battery after use. As mentioned previously, you can consider encrypting your emails. One trick is to create a “dead-drop” email account with the password shared between you and your contact. You can then communicate through unsent draft emails on the servers. Another possibility is to use an anonymous email service or disposable address. Lastly, there are also more secure email and phone messaging services such as ProtonMail, Signal and Telegram.

### Information Sharing Through Secure Platforms

Some classic online platforms for sharing information are not very secure. As such, you ought to use tools that provide greater security to your data if that is what you want. Do not hesitate in asking specialized organizations to give you some recommendations.

## For further information

- RSF, *Safety Guide for Journalist*, [rsf.org/sites/default/files/safety\\_guide\\_2017.pdf](https://rsf.org/sites/default/files/safety_guide_2017.pdf)
- RSF, News, March 2018, *Seven Digital Security Habits That Journalists Should Adopt*, [rsf.org/en/news/seven-digital-security-habits-journalists-should-adopt](https://rsf.org/en/news/seven-digital-security-habits-journalists-should-adopt)
- Nothing2Hide, website (recommended by RSF), [nothing2hide.org/en](https://nothing2hide.org/en)
- Front Line Defenders, *Digital Protection*, [www.frontlinedefenders.org/en/programme/digital-protection](https://www.frontlinedefenders.org/en/programme/digital-protection)
- OSCE, *Cyber/ICT Security*, [www.osce.org/cyber-ict-security](https://www.osce.org/cyber-ict-security)
- CPJ, *Technology Security*, [cpj.org/reports/2012/04/technology-security.php](https://cpj.org/reports/2012/04/technology-security.php)

## ■ SECURITY AT YOUR WORKPLACE

The majority of cartoonists work for a publication that employs them and is obliged to ensure the safety of its employees. Accordingly, it is crucial you ask yourself what has your employer put in place to prevent risks. If you work from home, it can prove just as important to consider the security measures that you can set up: alarm, emergency escape route, etc.

Whatever your work situation, it is important to take note that organizations like **Front Line Defenders**, the **CPJ** and **IFJ** offer practical training in safety and protection. You can find a list below.

## ■ KEEPING YOUR AFFAIRS IN ORDER

It may seem trivial but if you have fallen behind on any legal, administrative or tax obligations, this could be used as a reason by authorities to come knocking on your door, discredit you or worse. It could be an innocuous police check, passing through customs or the border or even an investigation targeting you.

Having a valid passport will be necessary if, by chance, you need to travel urgently or request assistance in relocating (see the section on temporary or emergency relocation on [page 48](#)).

*“In my case, they tried targeting my home. We were able to stop it because a dog alerted us to some guy hanging around in the middle of the night. So, if you can, have a dog. Two times in my life they’ve saved me from an attack.”* (Pedro X. Molina, Nicaragua)



## Summary

- ▶ Along with analyzing your environment, taking proactive measures can help reduce your vulnerability
- ▶ Some examples are being cybersecure, checking workplace security, and performing administrative tasks and security training

## For further information

- Front Line Defenders, *Risk analysis and protection training*, [www.frontlinedefenders.org/en/programme/risk-analysis-protection-training](http://www.frontlinedefenders.org/en/programme/risk-analysis-protection-training)
- CPJ: *Journalists’ Safety Guide, Appendix B: Safety Training*, [cpj.org/reports/2012/04/security-training.php](http://cpj.org/reports/2012/04/security-training.php)
- IFJ, *IFJ safety mission*, [www.ifj.org/what/safety.html](http://www.ifj.org/what/safety.html)

# When Comes the Time to React



Mana  
Neyestani  
(Iran)

## REACTING TO THE DANGER - KEY STEPS AND ACTION PLAN

The work done in anticipating risks can prevent threats and help you be prepared for possible attacks. However, not everything can be foreseen and, even with the most effective preparation, you could still find yourself in a situation where you need to react to an actual attack.

### ■ BASIC PRINCIPLES

- 1. We strongly recommend that you document all attacks against you, from online threats to repression.** This will help your contacts (organizations, lawyers, etc.) to understand your case more fully and even prepare comprehensive assistance applications.
- 2. You alone control your destiny.** Insofar as you are still capable of taking decisions, only you can decide on what you want to do. If you end up in a situation that incapacitates you, it will then be critical to have chosen someone beforehand to represent you. It could be a member of your immediate family (partner, sibling, parent, etc.), a friend, colleague or lawyer;
- 3. Time.** Experience has shown that the suddenness of a threat or attack can vary. Some editorial cartoonists have witnessed a progressive deterioration in their situa-





tion, giving them plenty of time to react or consider a medium- to long-term response; whereas, others have had very little time to act. Assessing the situation and having knowledge of the environment will help in quickly determining the urgency of a given situation. You should notify your contacts of an emergency. However, be wary of acting too hastily;

**4. Fear** can lead to ill-timed action or paralysis. It can be a significant vulnerability at all stages. Even though it is not easy to control, it cannot be allowed to overwhelm you. Proper preparation beforehand will reduce its effects and allow you to enact measures (see below);

**5.** Similarly, you might not always see the **warning signs** of a threat. As such, you should listen to the advice of a trusted person or ask for it.

### ■ STEP 1: ANALYSIS OF THE THREAT OR ATTACK

It is important to take the time to analyze the situation when it occurs so as to assess whether it entails a risk or a degree of risk to your safety. In this section, **a threat is a form of attack or danger** with an uncertain likelihood of being performed but which can already impact your life.

You will have to assess, among other things (see [work sheets 5-7](#) in the appendices):

- the probability of a threat being carried through;
- the nature of the threat or attack;
- the degree of risk involved considering various interconnected factors. For example, you ought to analyze your vulnerability and capacities, taking into account the environment and available resources (see [section 1](#) and [work sheets](#) in the [appendices](#)).

### ■ STEP 2: PREPARE AN INFORMATION PACK

It is vital that you **document precisely and in detail** what is happening. All actors likely to assist you (lawyers, organizations in defense of journalists/cartoonists/artists, humanitarian or human rights organizations, etc.) will rely on **full, concrete and verifiable information** to give you the most suitable assistance or guidance.

So, consider **collecting as much documentary evidence as possible**: emailed threats, photos, incriminated cartoons, screen capture of phone messages and **add them to a file**.

> **The collection of verifiable proof is essential! You will not obtain any assistance if you do not convince agencies of the extent of the danger you face.**

As an example, we have included in the [appendix 2](#) a standard questionnaire and, opposite, are links to various assistance request forms that specify the type of information required.

Protect Defenders, *Together with Human Rights Defenders Worldwide,*

[www.protectdefenders.eu/en](http://www.protectdefenders.eu/en)

Front Line Defenders, *Encrypted Online Security Grant Application Form,*

[frontlinedefenders.org/secure/grant.php?l=en](http://frontlinedefenders.org/secure/grant.php?l=en)

AR, *Connect with us,*

[artistsatriskconnection.org/search?query=&occupation=&location=&service=&demographic=&emergency=&offset=0](http://artistsatriskconnection.org/search?query=&occupation=&location=&service=&demographic=&emergency=&offset=0)


### ■ STEP 3: GET IN TOUCH WITH YOUR NETWORK

First, if you have not done it already, we advise **using encrypted communications**. However, you should check that your contacts use the same technology as you. Try asking specialist organizations for their recommendation on such a tool.

We mentioned earlier the value of creating a network of people and organizations who could act as your supporting forces. We also referred to the need to keep this list up-to-date, after all, some of those people could move to other organizations. This network can be an ally and act as a messenger on your situation. It is thus important to keep these people informed of what is happening when you think appropriate.

**Explain briefly and accurately** what is happening to you and it is especially important to **specify to them whether or not there is reason to act**. Remember, you control your destiny and are the only person who can know what should or should not be done. Tell them whether you are just passing on information or, on the other hand, what you expect from them. There is a chance that the actions of your support network prove counter-productive due to a lack of information. For example, a media campaign raising awareness on your situation could affect any diplomatic efforts under way.

In the event you foresee yourself being incommunicado, **assign** a person beforehand to act as your proxy (family member, lawyer, etc.).

Creating an **email distribution list** has proven to be an effective and fast way to communicate on a grand scale. **Social networks** can be a quick, effective communication tool. However, be sure that you have taken into account the digital security measures recommended previously. Similarly, as advised by Freemuse, do not reveal the email addresses of your contacts in the distribution list, use the blank carbon copy line (bcc) for the addresses. 

### ■ STEP 4: ADOPT AN ACTION PLAN

After the analysis, documentation and touching base with contacts, you are now sufficiently armed to make a rational response to an attack.

#### ◆ **Prior observations:**

- Not all situations will require a response and sometimes **the lack of a reaction can be more apt**. Facing court proceedings, the Russian cartoonist Denis Lopatin had to leave his country. Given the secrecy needed to go into exile, he requested that his case not be immediately publicized.



Bonil  
(Ecuador)

*"I found it really important to keep several journalist and cartoonist organizations frequently informed about my situation when things began deteriorating(...) Their assessment was to take appropriate measures and that it was time to do something."*

(Pedro X. Molina, Nicaragua, August 2019)

## QUE RÉPONDRE ?




"What to answer?"

Côté  
(Canada)

[Zunar](#) (Malaysia) explained that winning the Cartooning for Peace award led to him being banned from traveling outside his country because of the attention he gained from receiving the prize from Kofi Annan. The irony was that this prohibition shone a light on his situation and confirmed the government's actions to the world.

In Turkey, the legal entanglements against the cartoonist [Musa Kart](#) lasted over two years from the initial accusation to his imprisonment in 2019.

Similarly, the newspaper *El Heraldo de Mexico* is still fighting a lawsuit brought by a Mexican foundation for a cartoon by [Alarcón](#) which was published on June, 8 2017.

- **Public opinion** can be an influential ally when in trouble and experience has shown that **reputation is a powerful deterrent**. Building your reputation through exhibitions and entering international award contests does not need to wait until you are faced with a problem. And once you are in a delicate situation, participation in public conferences and international events can help spread the word about your situation. Organizations such as CFP and its partners will help you and may also draw up support petitions or carry out press and online campaigns in collaboration with the network's cartoonists. Do not hesitate in contacting them about this; 
- The response to certain attacks will **not always have an immediate effect**. Court proceedings, for example, can often take years. So, patience is a virtue!

### ◆ The Action Plan

The establishment of a thought-out **action plan**, with due consideration of the circumstances and available resources, can assist in responding to an attack.

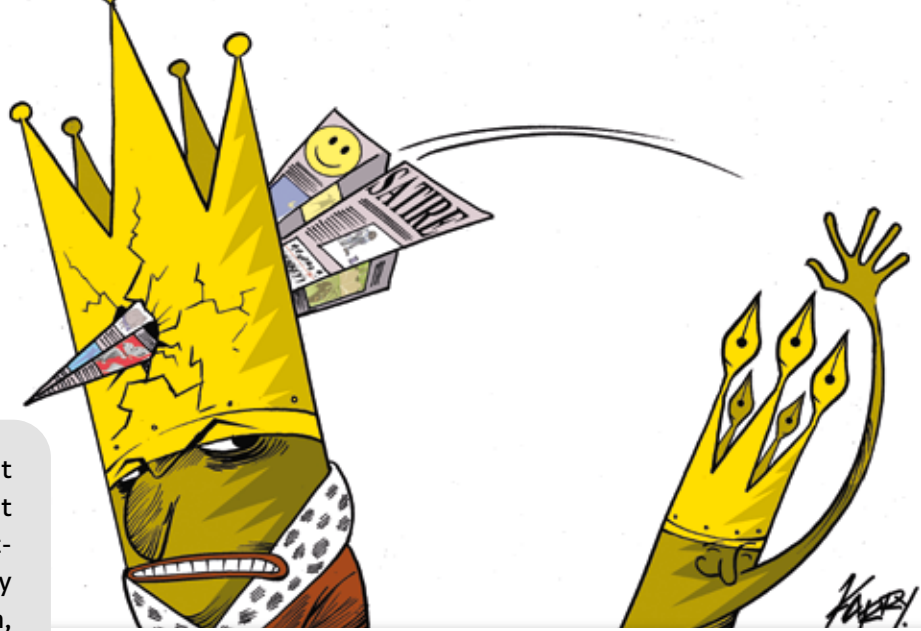
CRNI defines such an action plan as a **"step-by-step guideline that all individuals and organizations that wish to help you can follow to get you out of trouble."**

#### EXAMPLES OF ACTIONS:

- Formulate a communication plan or information campaign;
- Report your situation to a human rights organization;
- Press charges;
- Apply for legal assistance;
- Prepare a request for emergency relocation, etc.



Karry  
(Peru)



**For example:** a cartoonist we were supporting first thought that the diplomatic route was the best way to respond to a conviction, since this could help him avoid prison. However, once he was imprisoned, his family and partner organizations began a media campaign to raise public awareness of his plight thereby placing pressure on the government.

If you think it useful to have someone in the loop from the beginning of the action plan's preparation, it is best to use a limited number of contacts and choose one person to be your **lead partner**. This will reduce the chances of a cacophony of information and ensure the action's effectiveness. Your intuition and prior research will allow to choose but experience has shown that, in the majority of cases, a close family member, lawyer or organization specialized in human rights or assisting political cartoonists, journalists or artists can be the best advisers and help you centralize information or spread it.

We agree with the suggestion by CRNI of formulating the action plan through **an analysis of available resources** and the nature of their usefulness. For this, rely on the prevention analysis and list of partners likely to offer assistance which you have prepared beforehand.

The action plan depends on many factors, such as the type of danger, circumstances and environment. It may require adaptation over time if your situation changes. Therefore, it must have a degree of **flexibility**.



## Summary

- ▶ Step 1: analyze the attack and risk (see work sheets in appendices)
- ▶ Step 2: prepare an information pack (see example of form in appendices)
- ▶ Step 3: make contact with your network (see Section 1 for setting up a list of contacts and the appendices for a sample list)
- ▶ Step 4: adopt an action plan

## For further information

- Front Line Defenders, *Workbook on Security: Practical Steps for Human Rights Defenders at Risk*, [www.frontlinedefenders.org/en/resource-publication/workbook-security-practical-steps-human-rights-defenders-risk](http://www.frontlinedefenders.org/en/resource-publication/workbook-security-practical-steps-human-rights-defenders-risk)

## ■ TYPES OF ATTACKS AND EXAMPLES OF ACTION PLANS

Each situation is unique and should be properly analyzed to find a specific response. However, experience has shown that there are common denominators in both the threat type and the relevant response. The following is a non-exhaustive list of tips and suggestions inspired by the cases of cartoonists.

### ◆ Oral or Written

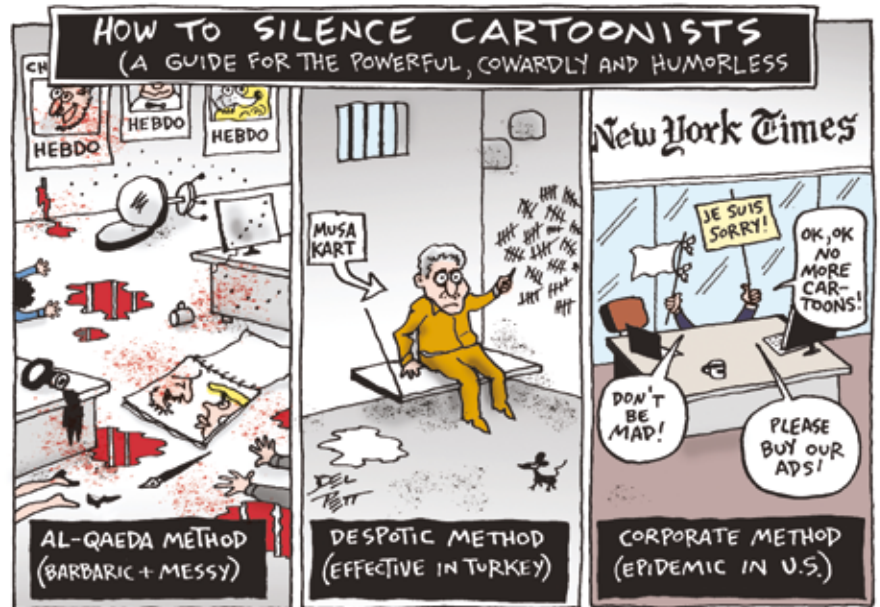
#### Attacks on the Cartoon and its Artist

As cartoons are increasingly published online, their artists have become more exposed to direct personal attacks. The attacks come from individuals or groups who condemn the artist or the publication because they genuinely feel offended, do not understand the message, want to stoke controversy or want to hurt another person.

They sometimes call on the newspaper's readers or the online community to follow their lead. The comments can be trivial, consisting of a demand for a public apology, but they can also incite hatred against the cartoonist and have personal and professional consequences for the artists (reputation, stress from psychological violence, physical assaults and more).

In certain cases, such as those of Osama Hajjaj and Gábor Pápai, it culminates in lawsuits against the cartoonist or their newspaper. In the case of Espé (France), the artist's psychological distress was exacerbated by the retraction of the newspaper that had published his cartoon. For Xavier Gorce (France), he decided to resign from the paper after it issued an apology <sup>47</sup>.

Trolling has also become a major recurring, if not systematic, phenomenon, as shown by the case of Mahmoud Abbas <sup>48</sup>.



Joel Pett  
(U.S.A)

*"Hatespeech and hatemail is often used as a political tool. I have also had the honor of experiencing this when rightwing extremists in my country tried to silence me by slandering my work, up to the point that they tried to get me fired with the newspaper I work for. This, of course, didn't work. The accusations*

*they made were purely falsified - but the thing with lies on the internet is that they often stick regardless of the truth. This is called Brandolini's Law: it takes more effort to refute a lie than to create it. Damage is done even if a lie is refuted."*

(Lectrr, Belgium, July 2022)

On the right:  
Kichka (Israel)

*"Do not engage with abusive trolls. Keep your humor and be civilized as much as possible, when you respond (if you must) to comments."* (Pedro X. Molina, Nicaragua, August 2019)



In August 2011, the Syrian cartoonist and artist **Ali Ferzat** was attacked by armed, masked men who broke his two hands as a warning. They told him it was to stop him from drawing cartoons dishonoring the leaders of the Bashar al-Assad regime.



The daily experience of cartoonists and the educational actions of Cartooning for Peace point to one piece of simple advice: **refocus the discussion on the cartoon**. By explaining your intention or describing the cartoon, the bitterness of the reaction can be softened and turned away from you. Many opinions of cartoonists converge on the idea that an immediate reaction by you can be just as harmful since the author of the comment can then continue the harassment. The lack of response has also proven to be the correct path to take in many cases. According to our analysis, online controversies last between 48 and 72 hours before fizzling out. If the situation worsens or if, among the messages, there are threats or incitements to hatred, you should take more specific measures like pressing charges.

"Insecurity / Impunity"  
Darío (Mexico)



We also believe that the moral support shown through public messages from colleagues, the employer or support organizations is important because it can break the sense of isolation felt by the cartoonist. Talk to them about your situation. For psychological support, see the "Stress and Trauma" section.

#### ◆ Oral or Written Threats

Once a cartoon has been published, it can lead to some vitriolic reactions and insults but also threats against you or your family. The threats might be from members of the public or even representatives of the political, economic or religious establishment. Threats made over social networks, the phone, by mail and especially death threats should never be underestimated, even if they seem trivial or all bluster. Try not to let fear take hold of you, instead **assess the risk**.

**In a country that abides by the rule of law,** and especially where there are several avenues open to you, the response could be going to

► the authorities or a lawyer (e.g. press charges) as shown in the case of the French cartoonist Alex. <sup>50</sup> **If the rule of law does not exist in your country**, we and RSF advise you go to an organization that defends the freedom of the press or human rights and create a support network. <sup>51</sup> An immediate assessment of your environment should let you understand the risks involved and act accordingly.

#### ◆ **Physical Threats, Intimidation and Assaults**

These types of action can come from an individual or the State. They pose a high-level threat and risk to your person. They can come in numerous forms.

As physicality is involved, the consequences are more difficult to analyze and it is best to follow the **same advice as that for oral and written threats**: avoid direct confrontation and use the available legal resources (e.g. press charges).

In the RSF *Safety Guide for Journalists* which is aimed at reporters in high-risk zones, the organization also offers useful advice to **female journalists** <sup>52</sup>.

Likewise, do not try minimize the **psychological impact** of these types of attacks and speak to someone about what has happened (see below).

#### ◆ **Surveillance**

Surveillance can be seen as a type of harassment. It reveals a desire to intimidate or harm, but also one to obtain information. In its Workbook on Security, <sup>53</sup> Front Line Defenders has listed various forms of surveillance. The different forms require **different responses**. Essentially, you should keep an eye out for surveillance, ask yourself why you would be watched and come up with a response to being under surveillance: warnings, change of routine, relocation, etc. Like Front Line Defenders, we recommend not to confront any person you think is keeping tabs on you and not to show you have noticed the surveillance (especially in the street). [Section 1](#) of this guidebook has referred to online surveillance.

#### ◆ **Deprivation of Liberty**

Imprisonment, even if temporary, can be a form of physical intimidation, harassment or desire to silence you. However, the particular and troubling issue is that it is done by the State. It can, in certain cases, be a pretext to further human indignities such as torture. In this type of situation, **your preparatory work will prove useful** because it will allow you to know what rights you have and have already identified someone to represent you and assist you.



Rayma  
(Venezuela)

In the event of imprisonment, the action plan could be to bring **legal proceedings**, appeal to **diplomatic channels** or to **organizations** that defend human rights or freedom of the press so they can act as a go-between with the authorities or stoke up public opinion through **media campaigns**. Different actions can complement each other but require coordination between the actors and the prior designation of a single person to take point, as mentioned earlier. In the event of deprivation of liberty orchestrated by organizations such as mafias, terrorist groups, the use of police assistance will be the main response.



**Jamon Y Queso** was released from prison after a collective effort of a collective of organizations. 🔍

### ◆ **Legal Proceedings**

The threat of legal action or the actual initiation of a lawsuit has become the go-to tool of those who want to intimidate and censor. Whether it is an action brought by an individual or the government, the nature of the legal proceedings **varies** (libel, participation in a terrorist organization, sedition or any other violation of the law) **as do the resulting consequences** (damages, injunctions or imprisonment). These direct consequences are often supplemented by **indirect ramifications** that cause, among other things, the loss of reputation and psychological trauma. There is also the use of SLAPP suits, or Strategic Lawsuits Against Public Participation. These are where a plaintiff files several lawsuits against another aimed at intimidating them or silencing them from criticizing the plaintiff. If legal proceedings are brought against you, your response will also be legal. Both a lawyer and a human rights or press freedom advocacy group will be huge support. Some court cases could have a political undercurrent, so support campaigns could be used to supplement your legal defense 🔍.

We have referred to the cases of Musa Kart and *Charlie Hebdo* but we can also add Fahmi Reza, Osama and Emad Hajjaj, Ahmed Kishore, Zunar, Rachita Taneja and many others. All have benefited from the services of a lawyer who oriented them through the long and painstaking procedures involved (see the "Supporting Cartoonists" webpage). **Media Defense**, a U.K. organization, has made this type of assistance work its primary mission and, for example, has assisted Zunar.

We should not forget either the need to be up-to-date with administrative or tax obligations as such oversight can be used to your detriment.

Top:

Victor Ndula  
(Kenya)

Bottom:

Firoozeh (Iran)



*"My advise to fellow cartoonists: if you live in a country with decent law enforcement - USE IT. Filing a complaint is not only opening a case towards the people that mean you harm it's also sending out a sign that some kinds of behaviour towards a cartoonist cannot pass. Drawing cartoons is also drawing lines." (Lectrr, Belgium, July 2022)*

The U.K.-based organization, [Media Defence](#) (see directory in the appendices) has prioritized this type of assistance and offers advice, legal assistance and financial aid to cover legal fees. CFP frequently collaborates with Media Defence and can contact them for you. Media Defence is also part of the Legal Network of Journalists at Risk, which includes var-

ious partners such as [CPJ](#) and [Thomson Reuters](#). That increases your chances of receiving support.

With the support of the GMDF (UNESCO), [CRNI](#) has also formed a network of legal practitioners and academics from around the world, who will be able to advise you. For more information, visit [cartoonistsrights.org/legal](http://cartoonistsrights.org/legal)



Bénédicte  
(Switzerland)

Following the controversy unleashed by *The New York Times*' publication of the cartoon by [António](#) (Portugal) and the apology issued on April 28 2019, the newspaper decided to cease publication of cartoons from the editorial cartoon syndicate CartoonArts International with which the paper had long collaborated. A little later, the newspaper announced that it would no longer publish editorial cartoons in its international edition from July 1, 2019.

Under different circumstances, [Gado](#) (Kenya) and [Ted Rall](#) (U.S.A.) have sued their employers for unlawful termination <sup>56</sup>. As of 2022, these two cases are still awaiting judgment.

#### ◆ Dismissal

Besides dismissal for budgetary reasons, many cases have appeared where the cartoonist has been **censored by being fired**. In various cases, a cartoon, approved for publication by an editor-in-chief, has received a backlash that leads to the paper disowning its employee and firing them or terminating the collaboration with a freelance illustrator. With the advent of the Internet and social networks, this phenomenon has been on the rise. It has been the case with Dieter Hanitsch in Germany, Rob Rogers in the United States and Avi Katz in Israel (please visit the Cartooning for Peace webpage, "Support to cartoonists" section). Depending on the particular case, a dismissal can leave open a **legal response** but it is still essential to **know beforehand your rights and obligations**. The support of **professional unions** can be of great assistance to you. We recommend looking for information from the **IFJ and its regional branches** or, for those in the **United States** for example, from the **cartoonist syndicates**.

Achou,  
aka Adjim  
Danggar  
(Chad)



### ◆ **Booby Traps, Abductions, Bombings and Ambushes**

The killings at *Charlie Hebdo* represent a prime example of a physical attack against a publication. Yet, other types of attacks targeting illustrators or newspapers had already taken place. This sort of attack, which is commonly assumed to affect only journalists in war zones, can happen to anyone. Due to the unpredictability of the situation, it requires instinct rather than the preparation of a plan. As journalism has evolved and attacks increase against publications, it is important to anticipate it and respond accordingly, especially in cases of political instability. As previously mentioned, some organizations offer particular training to prepare for such an eventuality and, in its *Safety Guide for Journalists*, RSF has also formulated relevant recommendations.



## Summary

- ▶ No two situations are alike but there are some constants
- ▶ The plan you develop must be personal, but do ask for advice and guidance
- ▶ Your preparation will help you reduce your vulnerability and fear and will lay the groundwork for you to respond as best as possible to an attack

## For further information

- Coalition against Online Violence, which CFP is a member, [www.iwmf.org/coalition-against-online-violence](http://www.iwmf.org/coalition-against-online-violence)
- Freemuse, *Digital*, [freemuse.org/issues-in-focus/digital](http://freemuse.org/issues-in-focus/digital)
- PEN America, *Online Harassment Field Manual*, [onlineharassmentfieldmanual.pen.org](http://onlineharassmentfieldmanual.pen.org)
- IFJ, *Fighting Online Harassment*, [samsn.ifj.org/wp-content/uploads/2017/03/ByteBack\\_CombatingOnlineHarassment.pdf](http://samsn.ifj.org/wp-content/uploads/2017/03/ByteBack_CombatingOnlineHarassment.pdf)
- IFJ, *Workers' Rights*, [www.ifj.org/what/workers-rights.html](http://www.ifj.org/what/workers-rights.html)
- IWMMF, *International Women's Media Foundation*, [www.iwmf.org/resources](http://www.iwmf.org/resources)
- RSF, *Safety Guide for Journalists*, 2017, p.63-66, [rsf.org/sites/default/files/safety\\_guide\\_2017.pdf](http://rsf.org/sites/default/files/safety_guide_2017.pdf)

In addition to the manuals used to prepare this guidebook, we recommend looking into the CPJ website. It has plenty of information and other links: [cpj.org/reports/2012/04/journalist-security-guide.php](http://cpj.org/reports/2012/04/journalist-security-guide.php). You will find links to many other organizations and extra handbooks.

## EMERGENCY, SHORT TERM OR LONG-TERM RELOCATION

### ◆ A Word of Warning

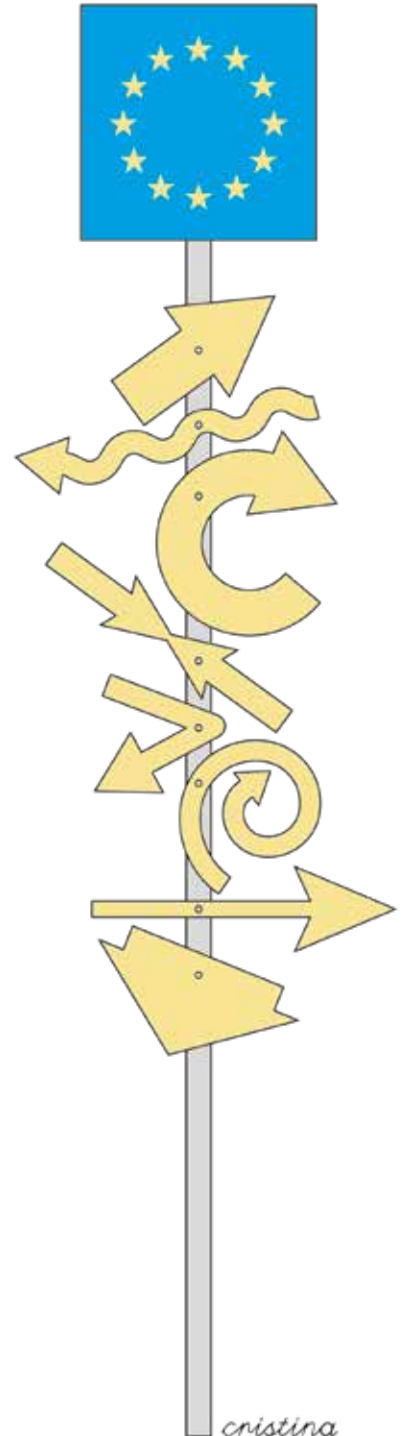
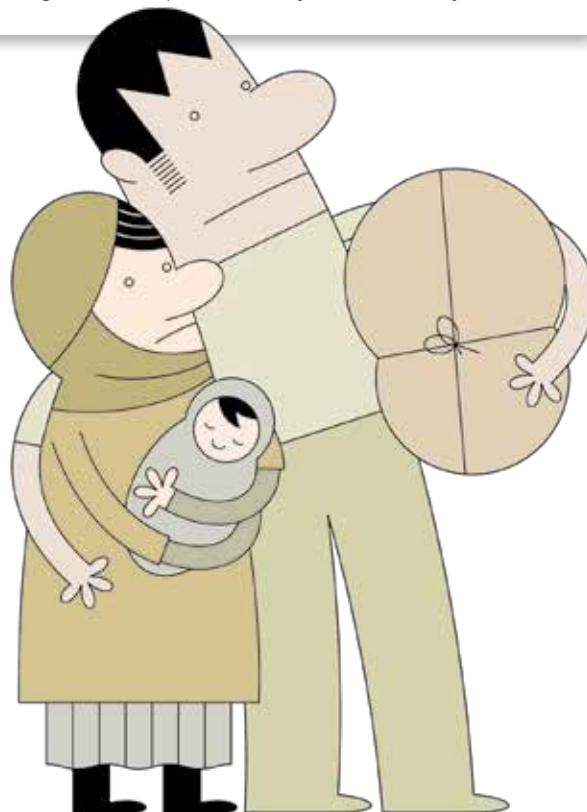
You may have to consider relocation as a response strategy for a danger you are faced with. Fleeing the danger or trouble is tempting and is sometimes the only recourse open. However, experience has shown that relocation, even if temporary, is **far from easy**. We recommend that you only use this option **as a last resort**. The consequences and difficulties can be numerous regardless whether the relocation is within your own country or in another.

For example, forcing you into exile could be the **strategic objective of your detractors**. Certain governments use this strategy to silence any form of opposition or criticism. Furthermore, just as in legal proceedings, fleeing may be seen as an **admission of guilt**. A hasty departure **without official documents** can also simply prove **illegal** and only increase the dangers you face.

**Finding asylum**, even temporarily in a host country, is **difficult**, in terms of **bureaucratic procedures** and its **personal toll**. In the majority of cases, you will be required to clearly **justify** the reason for your departure because you will be regarded with suspicion. To gain a legal status allowing you to stay, you will have to undergo cumbersome procedures that are often drawn out **without any guarantee on the result**.

Moreover, the public may not view refugees or migrants as favorably as you would expect and the welcome could surprise or even disappoint you. It also requires **adapting to a new culture, language** and, in particular, **supporting your needs and those of your family**. Being granted asylum does not unfortunately open every door and some editorial cartoonists whom CFP have assisted in their cases today have difficulty in finding employment as a cartoonist. However, if you are granted a political asylum status, you hold

Cristina  
(Portugal)







"Welcome"  
Bado  
(Canada)

the same rights as any other citizen in that country. Nevertheless, as noted by some specialist organizations, being granted asylum is different to other options like gaining residency (see below) and some cartoonists have chosen to take the residency route to extricate themselves from the situation at home or let some pressure dissipate.

Lastly, you will have to prepare yourself as much as possible for how being uprooted will affect your mental health.

To ensure you **make an informed decision, ICORN** emphasizes the need to **assess in detail your situation** and **the consequences of the decision**. Among the factors to analyze are:

- the level of persecution;
- the level of security;
- the documents required (passport/ID/visa/work documents such as certificates, etc.);
- the financial resources at hand and required;
- the possibility of returning to your country;
- the family and friend situation; and
- the sacrifice made in leaving.

The analysis of these factors will enable you to answer another question that will decide **1) whether or not you leave** and **2) the type of relocation required:**

**"do I only need a bit of R&R or does my situation require a lengthy departure?"**

◆ **Once the Decision Taken**

If leaving turns out to be necessary, it is important to **look into it in detail**, ask for the **opinion of professionals** and of colleagues or associates who have been forced into exile. Getting the advice of a lawyer can also be very useful (see section on legal aid). Visit the websites of the organizations listed in the [appendices](#) to find out the **options** open to you, the **criteria** and **methods**, and contact them if necessary. **CFP** will also be available to guide you or answer any questions you may have.

➤ Indeed, there are **different options** and a **myriad of factors** involved, including your home, selected destination and professional status, which will determine the option chosen.

If available, the choice of **destination** is an important factor and you should consider which country would be most likely to accept you, taking into account your status, nationality or practical considerations (e.g. language of the host country which could expedite procedures and exchanges). Later on, we will look at other criteria that will influence the choice of destination.

The available options also require contacting different types of actors. Remember, organizations are limited to their **mandate** and they do not all offer the same relocation options or even the same support services (e.g., they might help with getting a visa or they might not). **Furthermore**, your **professional status** will be an aspect that determines the organization to contact. Being a **human rights defender**, for example, opens up more relocation options than being an artist, journalist or academic. And whether you are a journalist or an artist, you will be entitled to one or the other type of residency.

The main options are:

### Short- or long-term residencies for cartoonists, journalists, artists and academics

These residencies, **which can be for variable periods**, can let you continue your work in a foreign country. They can be found directly or facilitated through organizations such as **ICORN**, the **ARC** network or **APF**.

You can contact those organizations directly or through other cartoonist support bodies like **CFP** and **CRNI**, with which they work closely. In France, the **Agency of Artists in Exile** or **La maison des journalistes** have already brought their support respectively to many artists and journalists.

### Relocations set up by human rights organizations and networks

Recourse is also available among organizations that will support a temporary **to long-term** relocation via host institutes in partnering countries. **We recommend** the **ARC** network of which **CFP** is a member, the **ICORN** network and the **Artist Protection Fund**, the **Protect Defenders** alliance supported by the European Union. You can contact them directly or through cartoonist support organizations like **CFP** and **CRNI**.

Tjeerd Royaards  
(The Netherlands)



### Eaten Fish

The Iranian cartoonist and political activist Ali Dorani (Eaten Fish) gained worldwide recognition for his cartoons during his four years in an Australian immigration center on Manus Island. Dorani adopted the pen name “Eaten Fish” after his boat sank in the Indian Ocean during an attempt to seek asylum in Australia. Dorani was saved but placed in a detention center for asylum seekers, first on Christmas Island then on Manus Island. He now lives in Norway. His experience depicts the difficulties in seeking a safe place to live. We recommend reading articles about his experiences. 🔍



### The Dublin Regulation <sup>58</sup>

This E.U. law sets out what country in the E.U. should process an asylum application. It may be useful to know. According to the French Office on the Protection of Refugees and Stateless Peoples (OFPRA), an asylum application can only be examined by a single European country (this law applies to all E.U. countries as well as Norway, Switzerland and Liechtenstein). There are several criteria considered when deciding which country is responsible for the asylum application:

- if the asylum seeker chooses it, the responsible country will be the one where a family member already resides as a refugee or asylum seeker (family reunification)
- The country issued a residency permit or visa, which is still valid, to the asylum seeker.

The country into which the asylum seeker illegally crossed the border (the responsibility of this country ends 12 months after the irregular border crossing).

- If no country can be designated as responsible for the asylum application based on the above criteria, the first country where the asylum seeker submitted the application must examine it.

### Requesting asylum

This option, separate from the above two, is far more complicated and requires going through **diplomatic channels**.

If this option proves necessary, we and **Freemuse** advise visiting **foreign diplomatic mission** in your country to find out about immediate emergency visas and/or temporary shelter. You will find their contact details on their respective websites and, depending on the case, online forms. However, making direct contact with a representative is more useful <sup>59</sup>. If the time ever comes, contacts you have established in advance may turn out to be an advantage.

If the choice is open to you, it is absolutely crucial you check whether the **country** in which you envision seeking asylum is **a signatory to the United Nations Convention Relating to the Status of Refugees**. <sup>60</sup>

Asylum procedures vary from one country to another and can change over time. So, you should keep yourself up to date on the matter. To this end, the UN Refugee Agency provides updates on asylum rules and has offices in many countries.

At the end of this section you will find a list of manuals and procedures with regard to seeking asylum, which should give you an overview of what is involved. The **appendices** contain the details of other organizations.



### ► Emergency financial aid

In addition to support for short- to medium-term relocation, some organizations offer emergency funding to help relocate journalists, artists and human right defenders. Organisations such as **RSF**, **IMS**, **APF** offer supplemental aid. The majority of emergency financial aid is earmarked primarily for **temporary relocations**. Such temporary assistance be useful when the situation is urgent or was unforeseeable thereby not allowing you to apply for long-term relocation or residency, since these latter options can entail long processes (sometimes a six-month waiting period). Organizations that offer guidance in relocation or residency processes also sometimes offer aid for emergency temporary relocation.

Below are some recommendations and observations that will help you make some of the choices required:

Relocation requests have multiplied in recent years following the Syrian Civil War, the Taliban's retaking of Afghanistan in 2021 and Russia's invasion of Ukraine in 2022. CFP and its partners have helped many cartoonists, among whom are [Khaliq Alizada](#) and [Hossien Rezaie](#), who have been living in Europe since 2021.

- The procedures for **obtaining residency or relocation** can sometimes **be long**. In any case, you will be required to complete **a detailed assistance application**. This file, which will be made at the time you go to an organization, will form the basis of your request. Moreover, it should be remembered that some residencies are available all year round while others are only available following a public solicitation of applications which are usually infrequent and on an annual basis. You will need to anticipate and organize your application based on the submission schedule. If you find the processes difficult, ask for assistance from the particular organization. If the situation requires quick action, make a

request for emergency assistance that will act as bridging support for the long-term residency or relocation.

- Make sure your **identity documents are up to date**. For example, a visa application often requires that your passport will not expire within at least the next 6 months;
- If necessary, find out whether the conditions proposed by the organizations also apply to **your family** (some only assist the applicant and not their family). Reflect on what you are leaving behind (a family, possessions, etc.);

Remember that once your departure is guaranteed, the journey is far from over. The process for obtaining a legal status and providing for yourself and close ones will then begin. The host organization will provide assistance in relocations but it will still require a large investment of time and effort on your part. In the case of political asylum, temporary support will be provided by the host country but will end after a certain period.



Vilma  
Vargas  
(Ecuador)

#### In case of emergency

The purpose of this guide is to help you prepare yourself at best to prevent or to respond to threats, but despite all your efforts to preparation, you could need emergency assistance.

To do this, we invite you to take note of contact information of organizations likely to bring you emergency assistance as soon as possible. Please refer to the directory in appendices (page 61). Consulting the organizations' websites will be of great importance usefulness.

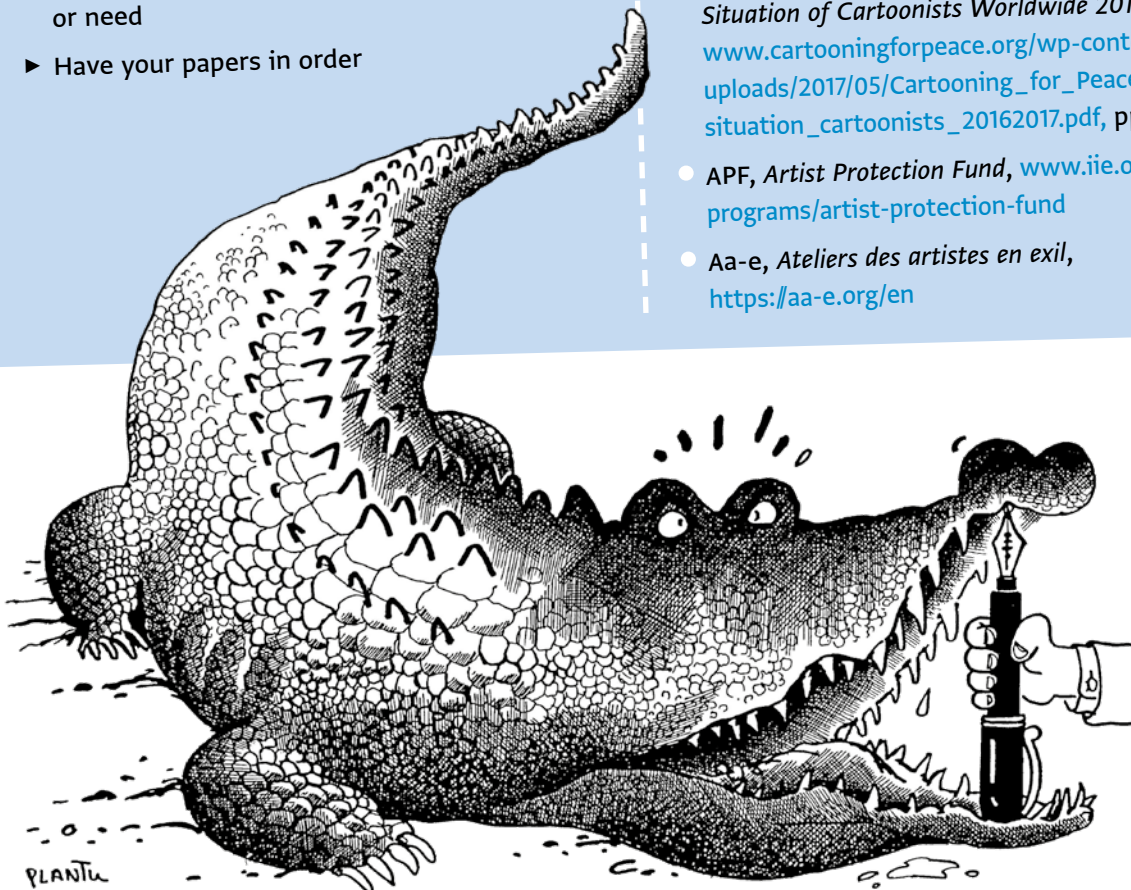


## Summary

- ▶ Consider well the need and consequences of leaving before entering into this process. Ask for advice from those close to you or specialist organizations. Check out all intermediate options. Leaving your country should only be a last resort
- ▶ There are several options, each defined by duration and method
- ▶ The organizations that could help you might offer several options. We recommend to contact those listed above and in the appendices
- ▶ Emergency financial aid can support you as you apply for long-term relocation or residence
- ▶ Analyze beforehand the options open to you by asking yourself practical questions
- ▶ Find out as much as possible in advance about how to apply for political asylum in a particular country if this is what you want or need
- ▶ Have your papers in order

## For further information

- UNHCR, *Where we work*, [www.unhcr.org/where-we-work.html](http://www.unhcr.org/where-we-work.html)
- Freemuse, section research, *The state of artistic freedom*, 2021, [freemuse.org/media/ck5fvaze/the-state-of-artistic-freedom-2021.pdf](http://freemuse.org/media/ck5fvaze/the-state-of-artistic-freedom-2021.pdf)
- RSF, *Support for Exiled Journalists*, [rsf.org/en/support-exile-journalists](http://rsf.org/en/support-exile-journalists)
- Protect Defenders, *Emergency Relocation Grant*, [www.protectdefenders.eu/en/index.html](http://www.protectdefenders.eu/en/index.html)
- ICORN, *Residency Application Guide*, [www.icorn.org/icorn-application-guide-writers-and-artists](http://www.icorn.org/icorn-application-guide-writers-and-artists)
- ARC, *Find Help*, [artistsatriskconnection.org/search?query=&occupation=&location=&service=&demographic=&emergency=&offset=0](http://artistsatriskconnection.org/search?query=&occupation=&location=&service=&demographic=&emergency=&offset=0)
- CPJ, *Post-Incident Assistance, emergency response*, [cpj.org/emergency-response/post-incident-assistance.php#emergency-relocation.php](http://cpj.org/emergency-response/post-incident-assistance.php#emergency-relocation.php)
- CFP, “the cartoonists in exile in France” in *Cartooning for Peace’s Report on the Situation of Cartoonists Worldwide 2016-2017*, [www.cartooningforpeace.org/wp-content/uploads/2017/05/Cartooning\\_for\\_Peace\\_report\\_situation\\_cartoonists\\_20162017.pdf](http://www.cartooningforpeace.org/wp-content/uploads/2017/05/Cartooning_for_Peace_report_situation_cartoonists_20162017.pdf), pp. 26-28
- APF, *Artist Protection Fund*, [www.iie.org/programs/artist-protection-fund](http://www.iie.org/programs/artist-protection-fund)
- Aa-e, *Ateliers des artistes en exil*, <https://aa-e.org/en>



Plantu  
(France)



U. Fink

Uri Fink  
(Israel)

## ■ STRESS AND TRAUMA

Although it is never easy talking about it or recognizing it, the psychological impact of a mental or physical attack should not be ignored. From threats and harassment to the trauma of physical violence or exile, all these can have repercussions on your short-, medium- and long-term behavior even without you realizing it. The uncertainty of legal proceedings, which sometimes take years to conclude, can cause exhaustion and stress that will not manifest how you might expect.

It can affect your life and your loved ones, sometimes years later, as well as your ability to reason and decide when most needed, such as when you must decide on your response strategy to a danger.

It is important to take care of yourself and listen to those around you because it could end up being a trivial event that triggers the stress or anxiety. If this is the case, it is essential you open up about it quickly and not let yourself fall into a spiral of anguish, fear or anger. It is possible to establish a routine to help manage the stress (a hobby for example) and, in some cases, talking to a specialist could be an enormous benefit.

If you do not know any specialists, many aid organizations, including some in the [appendices](#), can recommend one.



## Summary

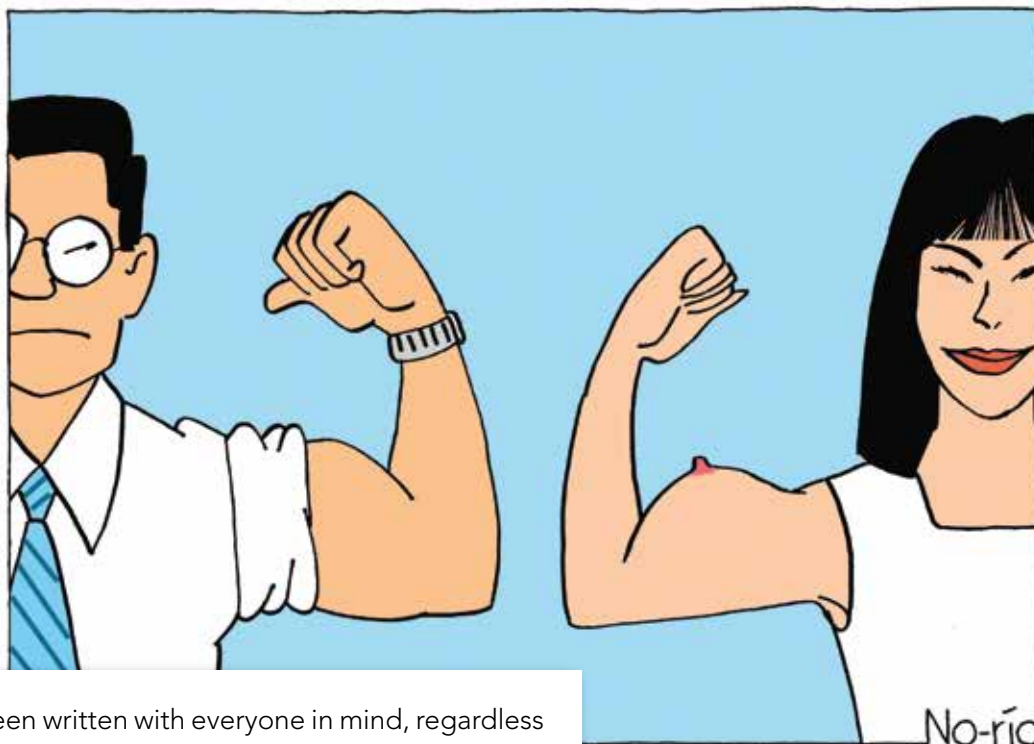
- ▶ Do not minimize the psychological effects of attacks
- ▶ Mind yourself, listen to others and, most importantly, talk about it! You are not alone

## For further information

- Front Line Defenders, *Wellbeing and stress management*, [www.Frontlinedefenders.org/en/resources-wellbeing-stress-management](http://www.Frontlinedefenders.org/en/resources-wellbeing-stress-management)
- IWMF, [www.iwmf.org/self-care-and-trauma](http://www.iwmf.org/self-care-and-trauma)
- RSF, *Safety Guide for Journalists*, op. cit., p. 95

# For Our Female Colleagues

No-Rio  
(Japan)



This guidebook has been written with everyone in mind, regardless of gender. However, the situation for female cartoonists across the world entails extra risks and complications. Associations defending human rights and freedom of expression provide handbooks specifically for female journalists. Some books are also addressed to all people involved in the media who, through their artwork, actions and words, have a role to play in preventing discrimination.

The **IFJ** has numerous relevant guidebooks, some of which we have listed opposite.

In the appendices, you can also find associations that offer support to female journalists.

IFJ, *Gender equality*,  
[www.ifj.org/what/gender-equality.html](http://www.ifj.org/what/gender-equality.html)  
IWMF, *Webinars and Training*,  
[www.iwmf.org/webinars](http://www.iwmf.org/webinars)  
IWMF, *HEFAT training*,  
[www.iwmf.org/programs/hefat-training](http://www.iwmf.org/programs/hefat-training)  
COE, *Gender equality and media*,  
[www.coe.int/en/web/freedom-expression/gender-and-media](http://www.coe.int/en/web/freedom-expression/gender-and-media)



# Conclusion

Cartoonists can be the victims of attacks which depend on a slew of factors yet are all unique in their own way. However, this guidebook may have shown you that an attack you have undergone has some similarities with one a colleague has suffered and that a pertinent response can be found through the vast range of bodies and organizations.

Likewise, this guidebook has attempted to show that reducing risks comes partly from **anticipation** and partly from the **collective reaction** to an attack.

**This idea of collectivity** is crucial. You have perhaps noted throughout this work that, while each person is the master of their own destiny, a person cannot act alone against a threat or danger. Solidarity is what drives us to make a difference.

Collectivity also relates to the notion of a network, one like Cartooning for Peace has built around its members and partners and which elicits four pieces of advice:

- **Do not hesitate to talk with colleagues or specialist organizations**, they could have a possible solution. We will try to enable such interactions through gatherings of cartoonists.
- **Share this guidebook** with your colleagues. It will be available on the Cartooning for Peace website;
- Do not shy away from **contacting us about threats or attacks** directed against you or a colleague;
- Finally, **send us your comments and recommendations** about this guidebook so we can update it frequently.



The representatives of the "Cartooning in Africa" delegation ask for the release of Musa Kart during the World Press Freedom Day 2019 at the African Union headquarters.



© penangstateartgallery

**And above all, we salute your courage! Keep commenting, informing, denouncing and above all, making us laugh!**

To wrap up and to remind ourselves how wonderful the fight can be, let's remember **Zunar** who after suffering oppression from the Malaysian government for many years, opened an exhibition of his works in his home country in May 2019.

# Abstract

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## **SECTION 1: RISK PREVENTION**

### **PREREQUISITE: KNOWING YOUR ENVIRONMENT**

- ◆ Your work could lead to risks;
- ◆ Your environment can be a source of threats but also provide you with useful resources;
- ◆ One means to prevent or reduce risk is to learn about that environment, its specific features, the forces involved and whether they present support or threats;
- ◆ By doing so, you can be better informed, better positioned to identify certain threats and set up ways of responding to those threats. You will also increase your capacities and reduce your vulnerabilities;
- ◆ Your environment contains many different dimensions and its analysis can help prevent risks;
- ◆ By questioning yourself and conducting force field analysis and stakeholder analysis, you can gain much greater knowledge about your environment which will, in turn, reduce your vulnerabilities. In short, anticipate the risks to better prevent them.

### **PREVENTIVE MEASURES**

- ◆ Along with analyzing your environment, taking proactive measures can help reduce your vulnerability;
- ◆ Some examples are being cybersecure, checking workplace security, and performing administrative tasks and security training.

## **SECTION 2: WHEN COMES THE TIME TO REACT**

### **REACTING TO THE DANGER - KEY STEPS AND ACTION PLAN**

- ◆ Step 1: analyze the attack and risk (see [work sheets](#) in appendices);
- ◆ Step 2: prepare an information pack (see [example of form](#) in appendices);
- ◆ Step 3: make contact with your network (see [Section 1](#) for setting up a list of contacts and the [appendices](#) for a sample list);
- ◆ Step 4: adopt an action plan.

## TYPES OF ATTACKS AND EXAMPLES OF ACTION PLANS

- ◆ No two situations are alike but there are some constants;
- ◆ The plan you develop must be personal, but do ask for advice and guidance;
- ◆ Your preparation will help you reduce your vulnerability and fear and will lay the groundwork for you to respond as best as possible to an attack.

## EMERGENCY, SHORT TERM OR LONG-TERM RELOCATION

- ◆ Consider well the need and consequences of leaving before entering into this process. Ask for advice from those close to you or specialist organizations. Check out all intermediate options. Leaving your country should only be a last resort;
- ◆ There are several options, each defined by duration and method;
- ◆ The organizations that could help you might offer several options. We recommend to contact those listed above and in the [appendices](#);
- ◆ Emergency financial aid can support you as you apply for long-term relocation or residence;
- ◆ Analyze beforehand the options open to you by asking yourself practical questions;
- ◆ Find out as much as possible in advance about how to apply for political asylum in a particular country if this is what you want or need;
- ◆ Have your papers in order.

## STRESS AND TRAUMA

- ◆ Do not minimize the psychological effects of attacks;
- ◆ Mind yourself, listen to others and, most importantly, talk about it! You are not alone.

# Appendices

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# Useful contacts

## CARTOONIST ASSOCIATIONS

### CARTOONING FOR PEACE (FRANCE)

**Region:** worldwide

**Purview:** advocacy, emergency aid, advice, networking

**Website:** [www.cartooningforpeace.org](http://www.cartooningforpeace.org)

**Telephone:** + 33 (0)1 4023 2403

**Email:** [contact@cartooningforpeace.org](mailto:contact@cartooningforpeace.org)

### FREEDOM CARTOONISTS FOUNDATION (SWITZERLAND)

**Region:** worldwide

The Freedom Cartoonists Foundation supports professional editorial cartooning as an essential part of civic debate.

The Foundation pursues its mission through two main activities: the biennial International Cartoonist Award, accompanied by a cartoon exhibition, and the Support Fund for threatened editorial cartoonists.

**Website:** <https://freedomcartoonists.com>

**Contact form:** <https://freedomcartoonists.com/contact-us>

### CARTOONIST RIGHTS NETWORK INTERNATIONAL (CRNI - USA)

**Region:** worldwide

Cartoonists Rights Network International is an organization that defends creative freedom and the human rights of threatened cartoonists.

**Purview:** advocacy, emergency aid, advice, networking

**Website:** [cartoonistsrights.org](http://cartoonistsrights.org)

**Email:** [director@cartoonistsrights.org](mailto:director@cartoonistsrights.org)

Thanks to the UNESCO/GMDF, CRNI has set up the "Cartoonists' Legal Advisory Network", a pool of legal experts ready to provide reliable, quick guidance to press cartoonists who are at risk of being arrested, sued, harassed by the police or courts.

**Website:** <https://cartoonistsrights.org/legal>

**Email:** [legal@cartoonistsrights.org](mailto:legal@cartoonistsrights.org)

### CARTOON MOVEMENT (NETHERLANDS)

**Region:** worldwide

Cartoon Movement is a global platform where editorial cartoonists and cartoon journalists can collaborate. This organization is part of the Video Journalism Movement (VJ Movement) which promotes video journalism and freedom of the press.

**Purview:** cartoonist network, advocacy, cartoon marketing

**Website:** [www.cartoonmovement.com](http://www.cartoonmovement.com)

**Email:** [cartoons@cartoonmovement.com](mailto:cartoons@cartoonmovement.com)

### FRANCE-CARTOONS (FRANCE)

**Region:** worldwide

France-Cartoons seeks to establish exchanges among its members and other political cartoonists around the world in order to promote and foster, through humor, good will and friendship among all people. The association is open to all professionals or newcomers to the world of art (editorial, illustration, humor, cartoons, etc.). Primarily in French.

**Purview:** cartoonist network, solidarity, promotion

**Website:** [www.france-cartoons.com](http://www.france-cartoons.com)

### THE ASSOCIATION OF AMERICAN EDITORIAL CARTOONISTS (AAEC - UNITED STATES)

**Region:** North America

A professional organization committed to the promotion and defense of editorial cartoonists and press freedom, which are essential to freedom in the United States and across the world.

**Purview:** networking, promotion

**Website:**

[www.editorialcartoonists.com](http://www.editorialcartoonists.com)

**Email:** [EditorialCartoonists@gmail.com](mailto:EditorialCartoonists@gmail.com)

### INTERNATIONAL ORGANIZATIONS

These organizations defend fundamental rights and the freedom of expression. They have branches across many countries and can provide your work with visibility, advocate on your behalf and offer support. They are often under the aegis of a human rights body and can give practical assistance. Moreover, they also issue resolutions and publish handbooks among other activities. Keeping up to date on their actions can prove useful.

### UN HUMAN RIGHTS COMMITTEE

**Region:** worldwide

A body of experts that defends freedom of expression. They gather complaints from civil society organizations, governments and other parties about violations of journal-

► istic and media freedom, which are relayed through a special rapporteur.  
**Website:** [www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIIndex.aspx](http://www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIIndex.aspx)

### **COUNCIL OF EUROPE (FRANCE)**

**Region: member states:**

**[www.coe.int/en/web/portal/47-members-states](http://www.coe.int/en/web/portal/47-members-states)**

The Council of Europe's primary mission is to strengthen democratic values, human rights and the rule of law among all its member states. Among its powers, the freedom of ex-pressure and information. Among other things, the Council of Europe hosts a platform to strengthen the protection of journalism and the safety of journalists.

**Website:** [www.coe.int/en](http://www.coe.int/en)

**Platform:**

[www.coe.int/en/web/media-freedom](http://www.coe.int/en/web/media-freedom)

### **ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE (OSCE) - REPRESENTATIVE FOR FREEDOM OF THE MEDIA (AUSTRIA)**

**Region: member states:**

**[www.osce.org/participating-states](http://www.osce.org/participating-states)**

The OSCE Representative for Freedom of the Media monitors violations of freedom of expression and media freedom and gives early warnings of such violations. The representative promotes respect for commitments relating to media freedom. This includes efforts to ensure the safety of journalists and other media actors, press freedom, media pluralism, decriminalization of defamation, and fighting hate speech while preserving freedom of expression. The representative also offers expert opinions on media regulation and legislation.

**Website:** [www.osce.org](http://www.osce.org)

**Email:** [pm-fom@osce.org](mailto:pm-fom@osce.org)

### **UNESCO (FRANCE)**

**Region: worldwide**

UNESCO is the UN body with a specific mandate to promote the "free flow of ideas by word and image." It plays a primary role in promoting journalist safety through awareness campaigns, the development of capacities and a

series of actions, such as the UN Plan of Action on the safety of journalists and the issue of impunity.

**Website:** [en.unesco.org/themes/fostering-freedom-expression](http://en.unesco.org/themes/fostering-freedom-expression)

### **EUROPEAN UNION (EUROPE)**

**Region: Europe**

The European Union (EU) is a voluntary association of European States, in the economic and political fields, in order to maintain peace in Europe and promote economic and social progress. The European Union is taking hold of freedom of expression or artistic freedom or the defence of human rights in the world through its various institutions. Among the interesting tools, the Directorate-General for Development Cooperation (DG DEVCO) established a platform to assist human rights defenders, Protect Defenders (see below).

**Website:**

[europa.eu/european-union/index\\_en](http://europa.eu/european-union/index_en)

## **ORGANIZATIONS IN DEFENSE OF HUMAN RIGHTS**

These non-governmental organizations have a diverse range of actions and often have a worldwide presence. They are involved in the promotion of human rights and protection of defenders without distinction and through various methods.

### **AGIR ENSEMBLE POUR LES DROITS DE L'HOMME (AEDH - FRANCE)**

**Region: worldwide**

AEDH supports concrete activity for the defense and promotion of Human Rights. To do so, it relies on local associations and groups to which it lends financial and technical assistance.

**Purview: emergency aid for relocation or legal assistance, advocacy**

**Website:** [agir-ensemble-droits-humains.org/en/\\_\\_trashed-2](http://agir-ensemble-droits-humains.org/en/__trashed-2)

**Email:** [agir-ensemble@aedh.org](mailto:agir-ensemble@aedh.org)

**Telephone:** +33 (0)4 3737 1011

### **AMNESTY INTERNATIONAL (UNITED KINGDOM)**

**Region: worldwide**

Amnesty International is a global movement that campaigns for a world where human rights are enjoyed by all.

**Purview: advocacy**

**Website:** [www.amnesty.org](http://www.amnesty.org)

**Regional email addresses:**

[www.amnesty.org/en/about-us/contact](http://www.amnesty.org/en/about-us/contact)

### **ARTICLE 19 (UNITED KINGDOM)**

**Region: present in about twenty countries (see [www.article19.org/where-we-work](http://www.article19.org/where-we-work))**

An association in defense of journalists and human rights defenders. It also provides legal and professional training.

**Purview: advocacy, training**

**Website:** [www.article19.org](http://www.article19.org)

**Contact:** [info@article19.org](mailto:info@article19.org)

### **INTERNATIONAL COMMITTEE OF THE RED CROSS - ASSISTANCE TO JOURNALISTS (ICRC - SWITZERLAND)**

**Region: worldwide**

The ICRC has established a hotline to report journalists who have disappeared, been captured, arrested or imprisoned. It can be used by the journalist's family, publication or international, national press association, or unrelated regional or international press associations (<https://shop.icrc.org/catalogsearch/result/?q=hotline>)

**Purview: assistance in cases of danger**

**Website:** [www.icrc.org/en/publication/0394-hotline-assistance-journalists-dangerous-assignments](http://www.icrc.org/en/publication/0394-hotline-assistance-journalists-dangerous-assignments)

**Hotline:** +41 79 217 32 85

**Email:** [press.gva@icrc.org](mailto:press.gva@icrc.org)

## INTERNATIONAL FREEDOM OF EXPRESSION EXCHANGE (IFEX – CANADA)

**Region:** worldwide

A global network that condemns violations of freedom of expression and attacks against journalists, authors and other defenders of that freedom.

**Purview:** advice, financial or technical support, advocacy

**Website:** ifex.org

**Email:** ifex.org/contact

**Tel:** +1 416 515 9622

## INTERNATIONAL FEDERATION FOR HUMAN RIGHTS (FIDH – FRANCE)

**Region:** worldwide

An international NGO specializing in defending and promoting human rights and improving physical and digital security. It has regional bureaus in Pretoria and Tunis, along with joint offices (FIDH and member organizations) in Guinea-Conakry, Côte d'Ivoire and Mali.

**Purview:** legal, medical and psychological aid, humanitarian aid, emergency relocation, support fund, advocacy

**Website:** www.fidh.org/en

**Telephone:** + 33 143552078

+33 143555505

**For emergency aid:**

**Online form (English, French, Spanish)**

**or send to:** C1@fidh.org

**Form download:** www.fidh.org/en/

issues/human-rights-defenders/financial-support/grant-application-for-human-rights-defenders-at-risk

## FREEDOM HOUSE (USA)

**Region:** worldwide

Freedom House analyzes the challenges faced by media as well as online freedom in annual reports: Freedom of the Press and Freedom on the Net. It supports the emergence of alternative media in countries where traditional media is limited and journalists are in peril.

**Purview:** advocacy

**Website:** freedomhouse.org/our-work

**Email:** info@freedomhouse.org

## FRONT LINE DEFENDERS (IRELAND)

**Region:** worldwide

The specific goal of Front Line Defenders is to protect human rights defenders who are in danger.

**Purview:** support grant, advocacy, development in security capacity, including digital security.

**Website:** www.frontlinedefenders.org/en

**To apply for financial aid:**

www.frontlinedefenders.org/en/

programme/protection-grants

**Emergency contact (Arabic, English,**

**French, Russian, Spanish):** www.front

linedefenders.org/emergency-contact

**Telephone:** +353-1-210-0489

**Appendix 17 of its Workbook on**

**Security Practical Steps for Human**

**Rights Defenders at Risk also**

**contains a list of organizations:**

www.frontlinedefenders.org/fr/

resource-publication/workbook-

security-practical-steps-human-rights-

defenders-risk

## HUMAN RIGHTS WATCH (USA)

**Region:** worldwide

Human Rights Watch is the amalgamation of several regional structures. It investigates rights abuses committed across the world and performs targeted advocacy campaigns.

**Purview:** advocacy

**Website:** www.hrw.org

**Contact details for offices:**

www.hrw.org/contact-us

## INDEX ON CENSORSHIP (UNITED KINGDOM)

**Region:** worldwide

Index on Censorship is a nonprofit that campaigns for and defends free expression worldwide. It publishes work by censored writers and artists, promotes debate, and monitors threats to free speech.

**Purview:** advocacy

**Website:** www.indexoncensorship.org

## WORLD ORGANISATION AGAINST TORTURE (OMCT – SWITZERLAND)

**Region:** worldwide

The World Organisation Against Torture (OMCT) works for, with and through an international coalition of over 200 non-governmental organizations, called the SOS-Torture Network. It fights against torture, summary executions, forced disappearances, arbitrary detention and all other cruel, inhuman or degrading treatment. The OMCT also has a holistic support and protection system for human rights defenders which operates with the Observatory for the Protection of Human Rights Defenders and Protect Defenders EU.

**Purview:** advocacy, financial support

**To apply for a financial grant:** complete the application form that is available in English, French and Spanish

**Telephone:** +41 22 809 49 39

**Email:** grants@omct.org

## JOURNALIST AND PRESS SUPPORT ORGANIZATIONS

While these organizations can offer diverse assistance, they focus their attention on protecting journalism and the press.

## COALITION AGAINST ONLINE VIOLENCE

**Region:** worldwide

This is a collection of global organizations working to find better solutions for women journalists facing online abuse, harassment and other forms of digital attack. The Coalition is funded by Craig Newmark Philanthropies and founded by the International Women's Media Foundation. CFP is a member of this coalition.

**Purview:** advocacy

**Website:**

onlineviolenceresponsehub.org/about-the-coalition-against-online-violence

## ► COMMITTEE TO PROTECT JOURNALISTS (CPJ – USA)

**Region:** worldwide

This NGO promotes press freedom and defends the right of journalists to perform their work without fear of reprisals. It also reports on violations committed. It can offer emergency assistance ([cpj.org/emergency-response/what-we-do.php](http://cpj.org/emergency-response/what-we-do.php)) as well as useful advice ([cpj.org/emergency-response/resource-center.php](http://cpj.org/emergency-response/resource-center.php)) on physical, digital and psychological security. Such information is contained in guidebooks prepared by the CPJ and other organizations defending freedom of the press.

**Purview:** *advocacy, financial aid (Gene Roberts emergency fund), advice*

**Email:** [report\\_violation@cpj.org](mailto:report_violation@cpj.org)

**Regional email addresses:**

[cpj.org/emergency-response/how-to-get-help.php](http://cpj.org/emergency-response/how-to-get-help.php)

## EUROPEAN FEDERATION OF JOURNALISTS (EFJ – BELGIUM)

**Region:** Europe

The European Federation of Journalists (EFJ) is the largest journalist organization in Europe. It is an affiliation of professional unions and associations, and works with different partners, like RSF, in the defense of journalist rights.

**Purview:** *union, advocacy*

**Website:** [europeanjournalists.org](http://europeanjournalists.org)

**Telephone:** +32 2 235 22 00

**Email:** [efj@ifj.org](mailto:efj@ifj.org)

## INTERNATIONAL FEDERATION OF JOURNALISTS (IFJ – BELGIUM)

**Region:** worldwide

The IFJ is the largest journalist organization in the world. It represents media professionals from 187 unions and associations in over 140 countries ([www.ifj.org/who/members.html](http://www.ifj.org/who/members.html)). The IFJ supports journalists and their trade unions in asserting their union and professional rights. It has created an international security fund that provides humanitarian aid to journalists in need. The federation

also provides an international press card ([www.ifj.org/press-card.html](http://www.ifj.org/press-card.html)).

**Purview:** *advocacy, emergency fund, union*

**Website:** [www.ifj.org](http://www.ifj.org)

**Telephone:** +32 (0)2 235 22 00

**Email:** [ifj@ifj.org](mailto:ifj@ifj.org)

## INTERNATIONAL MEDIA SUPPORT (IMS – DENMARK)

**Region:** worldwide

IMS is the biggest media development organization in the Nordic region. It works in more than 30 countries across four continents promoting press freedom, good journalism and safety for journalists.

**Purview:** *advocacy, support funds*

**Website:** [www.mediasupport.org](http://www.mediasupport.org)

**Email:** [info@mediasupport.org](mailto:info@mediasupport.org)

## INTERNATIONAL WOMEN'S MEDIA FOUNDATION (USA)

**Region:** worldwide

The IWMF works to unleash the power of female journalists to transform the global news media.

**Purview:** *medical and psychological aid, temporary relocation, work security.*

**Website:** [www.iwmf.org](http://www.iwmf.org)

To apply for a support grant, create an account and answer a preliminary questionnaire: [www.iwmf.org/programs/emergency-fund](http://www.iwmf.org/programs/emergency-fund) or: [iwmf.submittable.com/submit/37c7eafa-8de1-493c-bbb6-29592ea8be13/emergency-fund-intake-form](http://iwmf.submittable.com/submit/37c7eafa-8de1-493c-bbb6-29592ea8be13/emergency-fund-intake-form)

## REPORTERS WITHOUT BORDERS (RSF – FRANCE)

**Region:** worldwide

This organization promotes and defends freedom of expression and information, while providing support to journalists.

**Purview:** *legal aid, medical aid, support in case of exile, training, financial support (case-by-case basis)*

**Website:** [rsf.org/en](http://rsf.org/en)

**Email:** [assistance@rsf.org](mailto:assistance@rsf.org) and [assistance2@rsf.org](mailto:assistance2@rsf.org)

**Telephone:** +33 144 836 056

## ARTIST DEFENSE ORGANIZATIONS

The following organizations have made the defense of artistic freedom their mission. The services they offer can be varied and, in some cases, similar to the organizations listed above.

### ARTISTIC FREEDOM INITIATIVE (USA)

**Region:** worldwide

This organization assists a growing network of talented, engaged, dynamic artists from around the world. Artistic Freedom Initiative provides legal representation and relocation to the United States for artists.

**Purview:** *artist network, legal aid, advice*

**Website:**

[www.artisticfreedominitiative.org](http://www.artisticfreedominitiative.org)

To apply for protection:

[www.artisticfreedominitiative.org/apply-for-protection](http://www.artisticfreedominitiative.org/apply-for-protection)

### ARTISTS AT RISK CONNECTION (ARC – USA)

**Region:** worldwide

Artists at Risk Connection (ARC), a project of PEN America, safeguards the right to artistic freedom of expression and ensures that artists and cultural professionals everywhere can live and work without fear. ARC's goal is to address the needs of artists at risk and the organizations that serve them by assisting persecuted artists by connecting them to our growing global network of resources; facilitating cooperation among human rights and art organizations; and amplifying the stories and work of at-risk artists as well as raising visibility of the field of artistic freedom.

**Purview:** *organization network, advocacy, support*

**Website:** [artistsatriskconnection.org](http://artistsatriskconnection.org)

**Email:** [arc@pen.org](mailto:arc@pen.org)

For a list of member

organizations of the ARC network:

[artistsatriskconnection.org/search](http://artistsatriskconnection.org/search)

To request assistance:

[artistsatriskconnection.org/contact](http://artistsatriskconnection.org/contact)



## ARTISTS AT RISK (AR - FINLAND)

### Region: Europe

Perpetuum Mobile (PM) launched Artists at Risk (AR) as a platform and network that could support artists in times of need. AR maps the field of persecuted visual art practitioners, facilitating their safe passage from their countries of origin, hosting them at "AR-Residencies" and curating related projects.

**Purview: advocacy, organization of safe havens**

Website: [artistsatrisk.org/?lang=en](https://artistsatrisk.org/?lang=en)

To apply for support: [artistsatrisk.org/apply/?lang=en](https://artistsatrisk.org/apply/?lang=en)

## ARTIST PROTECTION FUND

### (APF - USA)

### Region: Worldwide

The Artist Protection Fund (APF) is an initiative of the Institute of International Education, sponsored by the Mellon Foundation. The APF makes fellowship grants to threatened artists from any field of practice, and places them at host institutions in safe countries where they can continue their work and plan for their futures.

**Purview: relocation assistance, financial support**

Website: [www.iie.org/programs/artist-protection-fund](https://www.iie.org/programs/artist-protection-fund)

Email: [APF@iie.org](mailto:APF@iie.org)

## ATELIER DES ARTISTES EN EXIL

### (AA-E - FRANCE)

### Region: worldwide

The Atelier des Artistes en Exil (aa-e) identifies exiled artists of all origins and disciplines, to support them according to their situation and needs, to offer them work space and to put them in contact with professionals (French and European networks), in order to provide them with the necessary means to rebuild their lives and practice.

**Purview: artist network, legal aid, advice.**

Website: <https://aa-e.org/fr>

Email: [contact@aa-e.org](mailto:contact@aa-e.org)

Tel: +33 (1) 5341 65 96

## FREEMUSE (DENMARK)

### Region: worldwide

Freemuse is an independent international organization advocating for and defending freedom of artistic expression. It monitors and documents violations of artistic freedom, exposes laws and policies that enable and sustain these violations, and leverages evidence-based advocacy for systemic structural changes at international, regional and national levels. It works with partners, artists and activists.

**Purview: advocacy**

Website: [freemuse.org](https://freemuse.org)

Email: [freemuse@freemuse.org](mailto:freemuse@freemuse.org)

## PEN INTERNATIONAL (UK)

### Region: worldwide

This network at the intersection of literature and human rights seeks to protect freedom of expression. There are over 140 PEN centers in over 100 countries. Its main office is in New York. The website and its tools are primarily in English.

**Purview: advocacy, financial support**

Website: [pen-international.org](https://pen-international.org)

To apply, as an artist at risk, for emergency funding: [penemergencyfund.com/en/aim](https://penemergencyfund.com/en/aim)

## RELOCATION AND REFUGE ASSISTANCE ORGANIZATIONS

Some organizations listed above offer relocation assistance but the two mentioned below make this their primary mission. ICORN collaborates with a number of organizations listed above.

## INTERNATIONAL CITIES OF REFUGE NETWORK (ICORN - NORWAY)

**Region: More than 70 cities in Europe, United States, Canada and Latin America:**

[www.icorn.org/icorn-cities-refuge](https://www.icorn.org/icorn-cities-refuge)

This independent organization of cities and regions offers refuge to writers and artists confronted by threats or persecution because of their work. ICORN works with PEN International and other artist and human rights organizations, such as RSF, Scholars at Risk, Frontline Defenders, CPJ, CRNI, Freemuse, Article 19, On the Move, etc.

**Purview: relocation assistance**

Website: [www.icorn.org/](https://www.icorn.org/)

To apply for an ICORN residency, fill in and send the application form to [application@icorn.org](mailto:application@icorn.org): [www.icorn.org/application-guide-writers-and-artists-risk](https://www.icorn.org/application-guide-writers-and-artists-risk)

## UNHCR

### Region: worldwide

The UNHCR, the United Nations Refugee Agency, is an international organization dedicated to saving lives and protecting the rights of refugees and constructing a better future for refugees, displaced communities and stateless people.

**Purview: advocacy, coordination and humanitarian assistance**

Website: [www.unhcr.org](https://www.unhcr.org)

## ► LEGAL AID

Legal aid or assistance can probably be found in your country. However, there are some organizations that can answer any inquiries you may have. You should also ask for the opinions of colleagues.

### AVOCATS SANS FRONTIÈRES (FRANCE AND BELGIUM)

**Region: worldwide**

Avocats Sans Frontières France has the goals of effective implementation of human rights, the reinforcement of the rule of law and the judiciary system. It also promotes the right to a fair trial and competent defense.

**Purview: advocacy, advice**

**Websites:** [www.avocatsansfrontieres-france.org/en](http://www.avocatsansfrontieres-france.org/en) and [www.asf.be](http://www.asf.be)

**Telephone:** +33 (0)5 3431 1783 (Fr) and +32 (0)2 223 36 54 (Bel)

### MEDIA DEFENCE (UK)

**Region: worldwide**

Media Defence is an international NGO providing legal help to (citizen) journalists and independent media who are under threat for their reporting. Media Defence advances legal standards on freedom of expression and freedom of the press. Their assistance will be in the form of funding legal defence and providing technical legal support to the lawyers. They can also help identify a lawyer where necessary.

**Purview: legal technical support, legal financial support, advice**

**Website:**

[www.mediadefence.org](http://www.mediadefence.org)

**Email:** [info@mediadefence.org](mailto:info@mediadefence.org)

**Telephone:** + 44 (0) 207 406 7450

### LEGAL NETWORK OF JOURNALISTS AT RISK (LNJAR):

**Region: worldwide**

The Legal Network for Journalists at Risk (LNJAR) provides journalists and independent media outlets around the world with critical legal support to protect their continued reporting on issues of vital public interest.

LNJAR is an initiative comprising key member organisations and a steering committee composed of the Thomson Reuters Foundation, the Committee to Protect Journalists (CPJ), and Media Defence. It provides support to individual journalists and media outlets from the beginning to the end of their legal cases. It also produces practical legal tools that can help journalists navigate the ongoing complexities arising from weaponised legal measures introduced against them.

**Activities: coordination of legal support, financial legal support, strategic advice**

**Website:** [www.medialegalhelp.org](http://www.medialegalhelp.org)

**Email:** [help@medialegalhelp.org](mailto:help@medialegalhelp.org)

### REGIONAL LEGAL INSTITUTIONS

#### Africa

*The African Commission on Human and Peoples' Rights and the African Court on Human and Peoples' Rights.*

**Website:** [www.achpr.org/aboutus](http://www.achpr.org/aboutus)

**Email:** [au-banjul@africa-union.org](mailto:au-banjul@africa-union.org)

**Telephone:** +220 441 05 05-6

#### Latin America

*Inter-American Commission on Human Rights (IACHR):* The IACHR is the main independent body of the Organization of American States with the mission to promote and protect human rights in the Latin American region. It comprises seven commissioners who act independently and not as a state representative.

**Website:** [www.oas.org/en/iachr](http://www.oas.org/en/iachr)

**Email:** [cidhoea@oas.org](mailto:cidhoea@oas.org)

**Tel:** +1 (202) 370 9000

*Inter-American Court of Human Rights:* The Inter-American Court of Human Rights is the independent judicial body that interprets and enforces the American Convention on Human Rights. The court exercises its functions in accordance with that convention and its by-laws.

**Website:** [www.corteidh.or.cr/index.cfm?lang=en](http://www.corteidh.or.cr/index.cfm?lang=en)

#### Europe

*The European Court of Human Rights:* This European court was created in 1959 and has international jurisdiction. It rules on individual or state petitions that allege a breach of the civil and political rights set out in the European Convention of Human Rights.

**Website:** [www.echr.coe.int/Pages/home.aspx?p=home](http://www.echr.coe.int/Pages/home.aspx?p=home)

**Telephone:** +33 (0)3 8841 20 18

## EMERGENCY FINANCIAL SUPPORT

As you may have noted, some of the organizations listed above offer emergency grants. The organisation to be contacted will differ depending on the nature of your need. Therefore, we suggest you contact CFP and they will refer your case to the relevant organisation.

# Contact Form

**Any information you give will not be published. The answers provided are a prerequisite to determining the assistance we may provide, subject to the verification and assessment processes that follow.**

Please answer all questions below.

**Note:** combines different forms developed by CFP and partner organizations.

## ■ IDENTIFICATION

Full name:

.....  
.....

Current address (city and country):

.....  
.....

Date of birth:

.....

If not currently in your home country, specify since when and current immigration status:

.....

Gender:  male  female

Family situation (single, married, children):

.....

.....  
.....

Nationality:

.....

Telephone:

Citizenship (if more than one, please list):

.....  
.....  
.....

Email:

.....

Official address:

.....  
.....

Suggested means of communication (for security reasons):

.....  
.....  
.....

## ■ LANGUAGES

Mother tongue:

.....  
.....

Other languages spoken:

.....  
.....

**PROFESSION**

What type of media do you work for (national press, private, freelance, online, etc.)?

.....

In what city?

.....

Who is your current employer?

.....

Briefly describe your work:

.....

.....

.....

Please provide links to work:

.....

.....

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.....

**ATTACK**

Clear, precise description of the threat or attack suffered (anonymous phone calls, fatwa, death threats, physical threats, court actions, etc.):

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.....

Date of occurrence:

.....

Place of occurrence:

.....

Source of the attack (if known):

.....

.....

Reason given or your idea of the reason for the attack (especially if a court action - crime against the State / insult of government official, public order offense, sedition):

.....

.....

.....

.....

Incriminated cartoon(s) in good quality and their publication date, with context of their publication:

.....

.....

.....

.....

Have family members or close friends been threatened or attacked? If yes, who, when and how?

.....

.....

.....

What is your assessment of the risk?

.....

.....

What actions have you taken in response to the attack (requested police protection, humanitarian aid, etc.)? What was the result of the actions?

.....

.....

.....

.....

■ PREPARATION OF ASSISTANCE

What is your current situation? For example, can you return to your home country? What types of travel/residence restrictions have been imposed on you? If you return to your home country, will you or your family members face detention or danger?

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.....  
.....  
.....  
.....  
.....

List the local and international organizations that you are a member of:

.....  
.....  
.....  
.....

List the organizations in your region/country that defend journalists, freedom of expression, cartoonists or artists:

.....  
.....  
.....  
.....  
.....

Have you already received aid or been in contact with other bodies regarding aid?

.....  
.....  
.....

(If relevant) have you contacted foreign diplomatic missions or organizations regarding refuge. If yes, list them below along with any additional remarks. We will be able to work more effectively on your case if we know what other groups are involved.

.....  
.....

.....  
.....  
.....

List of people you have informed about your situation or whom we can contact for further information:

.....  
.....  
.....  
.....  
.....

Person to contact if unable to contact you directly:

.....  
.....  
.....

What type of assistance are you applying for?

.....  
.....  
.....

Other useful documentation (proof, testimony, original artwork, screen captures, photos in the case of physical threats, press reviews and articles):

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.....  
.....  
.....

Additional comments:

.....  
.....  
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.....

# Work Sheets

**Note:** These work sheets are based on models developed by Front Line Defenders.

## **WORK SHEET 1:** **RISK, VULNERABILITY AND CAPACITY ANALYSIS**

Make a list of every risk you are exposed to and take into account your vulnerabilities for each one, and the capacities you have or could reasonably acquire to increase your means of protection.

Risks	Vulnerabilities	Current Capacities	Acquirable Capacities
Legal proceedings for a cartoon of a high-level politician (may be a threat of such proceedings or already initiated)	<ul style="list-style-type: none"> <li>• Rule of law is shaky and the risk could be high that this occurs</li> <li>• I have no way to pay for a lawyer</li> </ul>	<ul style="list-style-type: none"> <li>• I know my rights as an editorial cartoonist</li> <li>• I know an organization that can offer legal services;</li> <li>• I belong to a network of editorial cartoonists</li> </ul>	<ul style="list-style-type: none"> <li>• A lawyer</li> <li>• Diplomatic support</li> </ul>
Death threat	<ul style="list-style-type: none"> <li>• Everyone knows my home address</li> </ul>	<ul style="list-style-type: none"> <li>• The police take this type of threat very seriously and are likely to offer protection</li> <li>• I am very well known in the country</li> </ul>	<ul style="list-style-type: none"> <li>• Legal recourse open to me that could make certain people think again</li> </ul>

This exercise can be extended via a second one which groups the different types of risks. It can show you that the majority of vulnerabilities are common to various risks. We will see later how this applies to real cases.

Group of Risks	Risks	Vulnerabilities	Current Capacities	Acquirable Capacities
Group 1	Abduction	Live alone		
	Assault	Travel alone	Own vehicle	Change routes and times of travel
Group 2	Arrest	Lack of legal knowledge	Lawyer friend	Knowledge of my rights
	Libel	Detractor's ability to prejudice me through his networks	My reputation	Public opinion considers my actions are in good faith

**WORK SHEET 2:**  
**QUESTIONING MY ENVIRONMENT**

To determine the threats and resources of my environment, I ask myself these questions.

What is the cultural environment in which I've grown up and what are its taboos?

.....  
.....  
.....  
.....

What is the institutional, socio-political and economic environment in which I live? Is there a source of protection or source of the threat?

.....  
.....  
.....  
.....

What is the legal environment like? Which rules are a source of risk or which can reduce my vulnerability?

.....  
.....  
.....  
.....

What is the professional environment like? What is the status of my profession, my rights and obligations as an editorial cartoonist?

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.....  
.....  
.....

Etc. (add extra relevant questions)

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**WORK SHEET 3:**  
**QUESTIONING MY OVERALL FEELINGS**

Can I carry out my work securely? Yes/no

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.....  
.....  
.....

Why?

.....  
.....  
.....  
.....

What makes me feel secure?

.....  
.....  
.....  
.....

Or insecure?

.....  
.....  
.....  
.....

## **WORK SHEET 4:** **MY CONTACTS**

Who are useful contacts?

### Personal relationships:

**Name** .....

.....

Contact details .....

.....

Resources .....

.....

**Name** .....

.....

Contact details .....

.....

Resources .....

.....

### Work relationships:

**Name** .....

.....

Contact details .....

.....

Resources .....

.....

**Name** .....

.....

Contact details .....

.....

Resources .....

.....

**Name** .....

.....

Contact details .....

.....

Resources .....

.....

### National, regional or international organizations:

**Name** .....

.....

Contact details .....

.....

Resources .....

.....

**Name** .....

.....

Contact details .....

.....

Resources .....

.....

### Others:

**Name** .....

.....

Contact details .....

.....

Resources .....

.....

**Name** .....

.....

Contact details .....

.....

Resources .....

.....

(add as many lines as necessary)

## WORK SHEET 5: ASSESSMENT OF THE IMPACT/PROBABILITY OF THREATS AND ATTACKS

A risk assessment involves creating a matrix of threats and attacks.

IMPACT					
Very high	Bombing				
High			Death threat		
Medium					
Low				Insult on social media	
Very low					
	Very low	Low	Medium	High	Very high
	PROBABILITY				

The higher the probability and impact (darker shaded cells), the more necessary it is to establish preventive measures to reduce the probability of an attack occurring or have an action plan ready to reduce the impact of the attack.

**Example:** The receipt of a death threat tends to occur less than an insult on social media; however, its impact is far greater. We can reasonably consider, while remaining vigilant, an online insult will not necessarily require any measures (the absence of a reaction is normally the best plan of action). This is in contrast to a death threat, especially in a country where the rule of law has broken down.

**WORK SHEET 6:**  
**EXAMPLES OF QUESTIONS TO ASK YOURSELF IN CASE OF A THREAT**

What are the exact facts relating to the threat?

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.....  
.....

Has there been a pattern of threats over time?

.....  
.....  
.....

What is the goal of the threat?

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.....  
.....

What is the origin of the threat?

.....  
.....  
.....

What likelihood is there that it would be carried out?

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.....  
.....

What is the risk involved?

.....  
.....  
.....

What would be its effect on me, my family, etc.?

.....  
.....  
.....

Considering my vulnerabilities and capacities, should I take steps against it? If so, what steps?

.....  
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.....

**WORK SHEET 7:**  
**EXAMPLES OF QUESTIONS TO ASK YOURSELF IN CASE OF AN ATTACK**

What type of attack was it?

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.....  
.....

How would I assess the attacks level of intensity?

.....  
.....  
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What resources do I have at my disposal?

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.....

Who are the people I should contact first? Personal, professional, organizational support groups (see already established list of contacts/networks)

.....  
.....  
.....  
.....

Does this attack require a response? If yes, what is my action/emergency plan (see below)?

.....  
.....  
.....  
.....

# International texts and mechanisms governing freedom of expression

## ABSTRACT

This fact sheet aims to provide cartoonists and lawyers defending cartoonists with a brief overview of the international and Inter-American standards applicable to freedom of expression. For this purpose, the key international and regional human rights law instruments and the decisions of the bodies and authorities entrusted with their interpretation are detailed<sup>1</sup>.

## I. INTRODUCTION

Jonathan Greenberg, in *The Cambridge Introduction to Satire*, manages to summarise the diverse satirical writings of outré Restoration-era poets, the author Salmon Rushdie and *New York Times* food critic Pete Wells as all sharing one key attribute: "...none of the writing is merely a work of aggression or transgression. They all shape their judgments into an artistic form and blend attack with entertainment<sup>2</sup>."

Such combination of attack, art and entertainment – most often for the purposes of lampooning and criticising cultural mores, political norms and public figures – is the best way to conceptualise press cartoonists in order to examine their treatment under law.

Cartoons and cartoonists face many legal challenges including among other things:

- Defamation
- Lack of data protection
- Accusation of Sedition and Cybercrimes
- Hate speech and harassment
- Being hostages of fake news/ misinformation
- Copyright issues

There is, however, little case law which deals with protection of cartoonists directly – at least in the international legal sphere.

<sup>1</sup> Of course, any defence of cartoons or cartoonists should not ignore broader freedom of expression laws, precedents and arguments – particularly in relation to the protection of journalistic and artistic speech and expression. A full examination of these wider issues is beyond the scope of this fact sheet, however.

<sup>2</sup> J. Greenberg, *The Cambridge Introduction to Satire* (Cambridge, 2019), p.7

## II. INTERNATIONAL LAW

### 1. HUMAN RIGHTS LAW INSTRUMENTS

#### (i) Universal Declaration of Human Rights ("UDHR")

Article 19 UDHR holds that:

*"Everyone has the 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."*

This is a general right and different categories and methods of expression, such as satire, are not mentioned explicitly. The UDHR is not in itself a legally-binding treaty and no mechanism for its direct legal enforcement exists, either at international or national level. However the UDHR is widely regarded as forming part of customary international law<sup>3</sup>.

#### (ii) International Covenant on Civil and Political Rights ("ICCPR")

Article 19(1) ICCPR holds that:

*"everyone shall have the right to hold opinions without interference".* Article 19(2) ICCPR holds that *"everyone shall have the right to freedom of expression."* This includes freedom of expression *"in the form of art"*, but again satire is not explicitly mentioned.

Article 19(3) allows for some limitations on the right to freedom of expression.

States may restrict the right in manners *"as are provided by law and are necessary: (a) for respect of the rights or reputations of others; (b) for the protection of national security or of public order (ordre public) or of public health or morals."*

The ICCPR is a legally-binding international treaty. Although there is no international court which enforces ICCPR rights per se, the Human Rights Committee (the **"Committee"**) is the body responsible for monitoring the implementation of the ICCPR by member states and deciding individual complaints<sup>4</sup>.

#### a) Interpretation by the Committee

The Committee is entitled to make General Comments about issues within its remit<sup>5</sup>.

#### ◆ General Comment on Freedom of opinion and expression

General Comment No. 34 (12 September 2011) covers freedom of opinion and expression under Article 19 ICCPR<sup>6</sup>. The Committee has given its unequivocal support for the importance of freedom of opinion (to which member states may not submit reservations)<sup>7</sup> and freedom of expression (all forms and means of dissemination of which are protected)<sup>8</sup>. **Satire is not mentioned separately as a topic.**

The Committee has held that *"all public figures, including those exercising the highest political authority such as heads of state and government, are legitimately subject to criticism and political opposition"*<sup>9</sup>. Where for example a satirical cartoon is aimed at public and political figures it should be deserving of protection under the ICCPR.

#### ◆ Conflicts

It is also possible for such expression to come into conflict with the rights and reputation of others or public morals. Such rights of others could involve the right to freedom of thought, conscience or religion under Article 18(1) ICCPR or the prohibition of reli-

<sup>3</sup> United Nations Human Rights, Office of the High Commissioner, «Digital Record of the UDHR» (accessible at: [www.ohchr.org/EN/NEWSEVENTS/Pages/DigitalrecordoftheUDHR.aspx](http://www.ohchr.org/EN/NEWSEVENTS/Pages/DigitalrecordoftheUDHR.aspx), accessed June 2020).

<sup>4</sup> Office of the United Nations High Commissioner for Human Rights, Introduction to the Committee (accessible at: [www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIntro.aspx](http://www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIntro.aspx)).

<sup>5</sup> *Ibid.*

<sup>6</sup> Human Rights Committee, General comment No. 34, CCPR/C/GC/34, 12 September 2011 (accessible at: [www2.ohchr.org/english/bodies/hrc/docs/gc34.pdf](http://www2.ohchr.org/english/bodies/hrc/docs/gc34.pdf)).

<sup>7</sup> *Ibid* at 9.

<sup>8</sup> *Ibid* at 9.

<sup>9</sup> *Ibid* at 38.

gious hatred in Article 20(2) ICCPR. It is worth noting (especially in light of the attack on satirical magazine *Charlie Hebdo*) that the Committee does not regard it as permissible for restrictions on freedom of expression to be used to prevent or punish criticism of religious leaders or commentary on religious doctrine and tenets of faith<sup>10</sup>.

### (iii) Statements by UN Special Rapporteurs

The mandate of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression (the “**Special Rapporteur**”) was established in 1993<sup>11</sup>.

The Special Rapporteur has dealt with the cartoonists’ freedom of expression as one of the protected artistic forms in her report on artistic freedom of expression<sup>12</sup>.

Further there are reports which have highlighted that views which are offensive or disturbing to a majority are capable of protection<sup>13</sup> – this is particularly relevant where cartoons have been prohibited on the grounds of public morals.

The Special Rapporteur has also emphasised that criminal laws “*may not be used to protect abstract or subjective notions or concepts, such as the State, national symbols, national identity, cultures, schools of thought, religions, ideologies or political doctrines*”<sup>14</sup>. As cartoons frequently target such abstract or subjective notions or concepts, this statement supports the idea that their content can be a protected category or medium of freedom of expression under the UDHR and ICCPR.

When it comes to restrictions of the freedom of expression the Special Rapporteur puts emphasis on the requirements of legality, legitimacy and necessity and proportionality of the restricting law at issue.<sup>15</sup>

## III. AMERICAN CONVENTION ON HUMAN RIGHTS (“ACHR”)

### 1. ARTICLE 13(1) ACHR: SCOPE

The right to freedom of thought and expression is enshrined in Article 13(1) of ACHR:

*“Everyone has the right to freedom of thought and expression.”*

### 2. ARTICLE 13(2) ACHR: LIMITATIONS

Article 13(2) provides that the exercise of the right to freedom of thought and expression shall not be subject to prior censorship. However, liability may be

subsequently imposed by law to the extent necessary to ensure (a) respect for the rights or reputations of others; or (b) the protection of national security, public order, or public health or morals.

### 3. INTERPRETATION AND ENFORCEMENT

The interpretation and enforcement of the ACHR is entrusted to the Inter-American Court of Human Rights (the “**Inter-American Court**”) and the Inter-American Commission (the “**Inter-American Commission**”) on Human Rights.

<sup>10</sup> Ibid at 49; The conflict between freedom of expression and the practice of religion is a particular area of concern for the United Nations. The Rabat Plan of Action (A/HRC/22/17/Add.4, 11 January 2013) concludes that notwithstanding the importance of freedom of religion and the prohibition of discrimination under Article 20 ICCPR, a high threshold is still required for criminal restrictions on freedom of expression (at 29).

<sup>11</sup> Commission on Human Rights, resolution 1993/45 (1993) (accessible at: [digitallibrary.un.org/record/168468](https://digitallibrary.un.org/record/168468), p. 154).

<sup>12</sup> Report of the Special Rapporteur (A/HRC/44/49/Add.2, 24 July 2020) (accessible at [www.ohchr.org/en/special-procedures/sr-freedom-of-opinion-and-expression/annual-thematic-reports](https://www.ohchr.org/en/special-procedures/sr-freedom-of-opinion-and-expression/annual-thematic-reports)).

<sup>13</sup> Report of the Special Rapporteur (E/CN.4/1995/32, 14 December 1994) at 55 (accessible at: [www.ohchr.org/en/special-procedures/sr-freedom-of-opinion-and-expression/annual-thematic-reports](https://www.ohchr.org/en/special-procedures/sr-freedom-of-opinion-and-expression/annual-thematic-reports)).

<sup>14</sup> Report of the Special Rapporteur (A/HRC/14/23, 20 April 2010) at 84 (accessible at: [www.ohchr.org/en/special-procedures/sr-freedom-of-opinion-and-expression/annual-thematic-reports](https://www.ohchr.org/en/special-procedures/sr-freedom-of-opinion-and-expression/annual-thematic-reports)).

<sup>15</sup> See for example Report of the Special Rapporteur (A/HRC/44/49/Add.2, 24 July 2020, pp. 9ff.) (accessible at [www.ohchr.org/en/special-procedures/sr-freedom-of-opinion-and-expression/annual-thematic-reports](https://www.ohchr.org/en/special-procedures/sr-freedom-of-opinion-and-expression/annual-thematic-reports)).



There is no jurisprudence which explicitly deals with the issue of satire. The Inter-American Court and the Inter-American Commission have however held that the right to freedom of thought and expression is broadly construed.<sup>16</sup> Importantly, the following forms and content of expression which may be relevant to satirical expression (including press cartoons) are protected:

- Artistic and symbolic expression, in all forms<sup>17</sup>;
- Speech which is offensive, shocking, unsettling, unpleasant or disturbing (both to the State or a segment of the population)<sup>18</sup>; and
- Political speech and expression related to matters of public interest – public figures are expected to tolerate a higher degree of criticism than ordinary citizens<sup>19</sup>.

The Office of the Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights, in response to the Charlie Hebdo attack, has also stated the following: “As affirmed by international human rights bodies, satirical expression, as forms of speech that may be shocking or unsettling to any sector of the population, are protected by the right to freedom of expression<sup>20</sup>.” It has also called on the Ecuadorian authorities to refrain from stigmatizing an online satirist where such stigmatization led to concerns over the satirist’s physical safety<sup>21</sup>.

#### 4. CASE LAW

There is little case law which deals with protection of cartoonists directly by regional mechanisms. However, there have been cases within domestic courts in the region.

##### (i) *Rendon v Julio Ceasar Gonzalez Quinceno (pen name Matador) (Colombia)*

The Colombian caricaturist known as Matador published a cartoon concerning lawyer Natalia Bedoya. It showed a woman in a bathing suit accompanied by former president Álvaro Uribe, insinuating a relationship between them.

The cartoon was published after a Colombian MP denounced that Bedoya had contracts with the Government of Valle del Cauca and two ministries for an approximate value of 30 million pesos per month.

Natalia Bedoya filed an injunction against Matador, claiming the violation of the rights to good name, freedom of conscience and freedom of choice, in addition to considering it offensive.

On 22 June 2021, a civil judge in Bogotá denied her ‘tutela’ and stated that the creativity and ingenuity of the caricaturist should not be limited by those who do not share his opinion.

Bedoya appealed the decision. A second judge denied the appeal and confirmed the decision of the first instance in August 2021.

<sup>16</sup> Office of the Special Rapporteur for Freedom of Expression, Inter-American Commission on Human Rights, «Inter-American Legal Framework regarding the Right to Freedom of Expression», 30 December 2009, 5 (accessible at: [www.oas.org/en/iachr/expression/docs/publications/INTER-AMERICAN%20LEGAL%20FRAMEWORK%20OF%20THE%20RIGHT%20TO%20FREEDOM%20OF%20EXPRESSION%20FINAL%20PORTADA.pdf](http://www.oas.org/en/iachr/expression/docs/publications/INTER-AMERICAN%20LEGAL%20FRAMEWORK%20OF%20THE%20RIGHT%20TO%20FREEDOM%20OF%20EXPRESSION%20FINAL%20PORTADA.pdf)).

<sup>17</sup> *Ibid* at 26.

<sup>18</sup> *Ibid* at 31. See also I/A Court H. R., Case of Herrera-Ulloa v. Costa Rica. Preliminary Objections, Merits, Reparations and Costs, Judgment of July 2, 2004. Series C No. 107. para. 113 (accessible at: [www.corteidh.or.cr/docs/casos/articulos/seriec\\_107\\_ing.pdf](http://www.corteidh.or.cr/docs/casos/articulos/seriec_107_ing.pdf)).

<sup>19</sup> *Ibid* at 35.

<sup>20</sup> Office of the Special Rapporteur for Freedom of Expression, Inter-American Commission on Human Rights, Press Release R 2/15 (accessible at: [www.oas.org/en/iachr/expression/showarticle.asp?artID=972&IID=1](http://www.oas.org/en/iachr/expression/showarticle.asp?artID=972&IID=1)).

<sup>21</sup> Office of the Special Rapporteur for Freedom of Expression, Inter-American Commission on Human Rights, Press Release R 17/15 (accessible at: [www.oas.org/en/iachr/expression/showarticle.asp?artID=979&IID=1](http://www.oas.org/en/iachr/expression/showarticle.asp?artID=979&IID=1)).

## (ii) Renato Aroeira (Brazil)

In 2020, authorities in Brazil opened a criminal investigation into Renato Aroeira, a Brazilian cartoonist, for his illustration of President Bolsonaro transforming a medical red cross into a swastika. According to the authorities the illustration violated the National Security Law, which criminalises slander and defamation of the president and other heads of state<sup>22</sup>. According to the authorities, the investigation was warranted as the cartoon and its dissemination on social media had exceeded the limits of freedom of expression and negatively impacted the image of the President<sup>23</sup>.

In 2021, the criminal case against Renato Aroeira was dismissed by the court. According to the Federal Public Ministry, the action was considered “incoherent” as well as limiting the right to freedom of expression<sup>24</sup>.

## 5. PRACTICALITIES

Individuals do not have direct recourse to the Inter-American Court; they must first submit their petition to the Commission and go through the procedure for cases before the Commission<sup>25</sup>.

For further information on filing a petition look at the following resources:

- Inter-American Commission on Human Rights – ‘Present a Petition’: [www.oas.org/en/iachr/jsForm/?File=/en/iachr/mandate/petitions.asp](http://www.oas.org/en/iachr/jsForm/?File=/en/iachr/mandate/petitions.asp)
- Inter-American Commission on Human Rights – ‘Relevant information regarding petitions under

study before The Inter-American Commission on Human Rights’: [www.oas.org/en/iachr/mandate/docs/MedidasTramitacionPeticones-en.pdf](http://www.oas.org/en/iachr/mandate/docs/MedidasTramitacionPeticones-en.pdf)

- Inter-American Commission on Human Rights – ‘Individual Petition System Portal’: [www.oas.org/en/IACHR/jsForm/?File=/en/iachr/portal/default.asp](http://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/portal/default.asp)

## 6. FURTHER READING

- United Nations Human Rights, Office of the High Commissioner, “Freedom of Opinion and Expression – Issues in Focus” (accessible at: [www.ohchr.org/EN/Issues/FreedomOpinion/Pages/Issues.aspx](http://www.ohchr.org/EN/Issues/FreedomOpinion/Pages/Issues.aspx))
- The Immanent Frame, “Satire and policing the boundary of free expression” (accessible at: [tif.ssrc.org/2016/04/25/satire-and-policing-the-boundary-of-free-expression](http://tif.ssrc.org/2016/04/25/satire-and-policing-the-boundary-of-free-expression))
- Paul Sturges, Limits to Freedom of Expression? Considerations Arising From the Danish Cartoons Affair, *IFLA Journal* 32 (2006) 181-188 (accessible at: [www.ifla.org/files/assets/faife/publications/sturges/cartoons.pdf](http://www.ifla.org/files/assets/faife/publications/sturges/cartoons.pdf))
- Kwanghyuk Yoo, When Does Cultural Satire Cross the Line in the Global Human Rights Regime?: The Charlie Hebdo Controversy and its Implication for Creating a New Paradigm to Assess the Bounds of Freedom of Expression, 42 *Brook. J. Int’l L.* 761 (2018) (accessible at: [brooklynworks.brooklaw.edu/bjil/vol42/iss2/4](http://brooklynworks.brooklaw.edu/bjil/vol42/iss2/4))

22 CPJ, *Brazilian Minister of Justice calls for criminal investigations of 2 journalists, cartoonists*, (16 July 2020), available at: [cpj.org/2020/07/brazilian-minister-of-justice-calls-for-criminal-investigations-of-2-journalists-cartoonist](http://cpj.org/2020/07/brazilian-minister-of-justice-calls-for-criminal-investigations-of-2-journalists-cartoonist)

23 *Ibid.*

24 ODIA, *Process that accused Aroeira and Rocardo Noblat of violating the National Security Law is filed*, (19 March 2021), available at: [odia.ig.com.br/brasil/2021/03/6108705-processo-que-acusava-aroeira-e-ricardo-noblat-de-infringir-lei-de-seguranca-nacional-e-arquivado.html](http://odia.ig.com.br/brasil/2021/03/6108705-processo-que-acusava-aroeira-e-ricardo-noblat-de-infringir-lei-de-seguranca-nacional-e-arquivado.html)

25 OAS, *Petition and Case System – Informational brochure*, (2010), available at: [www.oas.org/en/iachr/docs/pdf/howto.pdf](http://www.oas.org/en/iachr/docs/pdf/howto.pdf)

## IV. AFRICAN CHARTER ON HUMAN AND PEOPLES' RIGHTS ("AFRICAN CHARTER")

### 1. ARTICLE 9 OF THE AFRICAN CHARTER

Freedom of speech and information in Africa is protected by Article 9 of the African Charter. In particular, Article 9(2) of the African Charter provides that: "Every individual shall have the right to express and disseminate his opinions within the law<sup>26</sup>." Notably, the right must be exercised "within the law". This is a different wording from the other instruments examined, which all provide that the right to free expression may be exercised freely subject to certain lawful requirements. There is no requirement within the text of the African Charter for restrictions on the right to free expression to be necessary for set purposes such as protecting the rights or reputation of others or on the grounds of public morals. However, the African Commission on Human and Peoples' Rights (the "**African Commission**") has held in its Declaration of Principles on Freedom of Expression in Africa that "any restrictions on freedom of expression shall be provided by law, serve a legitimate interest and be necessary and proportionate in a democratic society<sup>27</sup>."

### 2. CASE LAW

There is little case law which deals with protection of cartoonists directly by regional mechanisms. However, there have been cases within domestic courts in the region.

#### (iii) *Zuma v Zapiro* (South Africa)

In 2008, President Jacob Zuma sued in defamation cartoonist Jonathan Shapiro, known by the pen-name Zapiro along with *Sunday Times* publisher Avusa Media and editor Mondli Makhanya, for Zapiro's cartoon "Lady Justice," which depicts Zuma set to rape Lady Justice.

The cartoon was intended to represent President's Zuma's abuse of the justice system. It also recalled the numerous sex scandals President Zuma was involved in, including a 2006 trial for rape in which he was acquitted. President Zuma's case was that the image was unlawfully defamatory and harmed his dignity<sup>28</sup>. Zapiro's defence to the claim was that the cartoon was fair comment on the public conduct of President Zuma and the alliance leaders; it was therefore neither unlawfully defamatory nor did it harm his dignity<sup>29</sup>.

President Zuma withdrew the defamation claim before the case went to trial stating that he wanted to avoid setting a legal precedent that may limit freedom of expression.

26 African Charter, Article 9, available at: [www.achpr.org/legalinstruments/detail?id=49#:~:text=of%20these%20freedoms.,ARTICLE%209,his%20opinions%20within%20the%20law](http://www.achpr.org/legalinstruments/detail?id=49#:~:text=of%20these%20freedoms.,ARTICLE%209,his%20opinions%20within%20the%20law).

27 Declaration of Principles on Freedom of Expression in Africa, African Commission on Human and Peoples' Rights, 32nd Session, 17 – 23 October, 2002: Banjul, The Gambia, at para II.

28 CBLDF, *South African President Drops Defamation Suit Against Cartoonist*, (8 November 2012), available at: [cblfd.org/2012/11/south-african-president-drops-defamation-suit-against-cartoonist](http://cblfd.org/2012/11/south-african-president-drops-defamation-suit-against-cartoonist). See also, Inform, *South Africa: Zuma v Zapiro and the rape of the justice system – Dario Milo*, (8 November 2012), available at: [inform.org/2012/11/08/south-africa-zuma-v-zapiro-and-the-rape-of-the-justice-system-dario-milo](http://inform.org/2012/11/08/south-africa-zuma-v-zapiro-and-the-rape-of-the-justice-system-dario-milo)

29 Inform, *South Africa: Zuma v Zapiro and the rape of the justice system – Dario Milo*, (8 November 2012), available at: [inform.org/2012/11/08/south-africa-zuma-v-zapiro-and-the-rape-of-the-justice-system-dario-milo](http://inform.org/2012/11/08/south-africa-zuma-v-zapiro-and-the-rape-of-the-justice-system-dario-milo)

### 3. INTERPRETATION AND ENFORCEMENT

#### (i) Regional Mechanisms

##### a) African Commission

The African Commission is a quasi-judicial body and has three main functions<sup>30</sup>:

- The protection of human and peoples' rights.
- The promotion of human rights
- The interpretation of the African Charter

Communications to the African Commission can, inter alia, be registered by individuals in relation to violations of the African Charter by its state parties<sup>31</sup>. The state parties encompass all states on the African continent/all member states of the African Union except Morocco<sup>32</sup>.

The recommendations of the African Commission are non-binding<sup>33</sup>.

##### b) African Court

Pursuant to Article 34(6) of the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and

Peoples' Rights the African Court only has competence to receive cases from individuals and NGOs with observers' status before the African Commission if the State Party has made a declaration accepting the court's jurisdiction in this respect. Currently eight state parties have made such a declaration: Burkina Faso, Malawi, Mali, Ghana, Tunisia, Gambia, Niger, Guinea Bissau<sup>34</sup>.

Besides the filing of applications individuals and NGOs may request to act as *amicus curiae* as well<sup>35</sup>.

The judgments and decisions of the African Court are legally binding.

The African Court has ruled on freedom of expression in several cases concerning<sup>36</sup>; the intimidation and assassination of journalists<sup>37</sup>; criminal defamation<sup>38</sup>; the Rwandan Genocide<sup>39</sup>. The protection afforded to cartoons has not been examined directly in the African Court's jurisprudence to date.

The Special Rapporteur on Freedom of Expression and Access to Information in Africa has emphasised the need for any restrictions on freedom of expression to be prescribed by law, serve a legitimate aim and be necessary and proportionate to achieve that

30 For more information see Media Defence, Litigating at the African Commission on Human and Peoples' Rights, available at: [www.mediadefence.org/ereader/publications/advanced-modules-on-digital-rights-and-freedom-of-expression-online/module-6-litigating-digital-rights-cases-in-africa/litigating-at-the-african-commission-on-human-and-peoples-rights](http://www.mediadefence.org/ereader/publications/advanced-modules-on-digital-rights-and-freedom-of-expression-online/module-6-litigating-digital-rights-cases-in-africa/litigating-at-the-african-commission-on-human-and-peoples-rights)

31 For the procedure see African Commission on Human and Peoples' Rights, Communications Procedure (accessible at: [www.achpr.org/procedure](http://www.achpr.org/procedure)).

32 African Commission on Human and Peoples' Rights, Ratification Table (accessible at: [www.achpr.org/ratificationtable?id=49](http://www.achpr.org/ratificationtable?id=49)).

33 See African Commission on Human and Peoples' Rights, Impact of the African Charter on domestic human rights in Africa, available at: [www.achpr.org/iotacodhria](http://www.achpr.org/iotacodhria)

34 African Court on Human and Peoples' Rights, Declarations (accessible at: [www.african-court.org/wpafc/declarations](http://www.african-court.org/wpafc/declarations)).

35 African Court on Human and Peoples' Rights, Practice Directions (accessible at: [www.african-court.org/wpafc/wp-content/uploads/2020/06/Practice-Directions-to-Guide-Potential-Litigants-En.pdf](http://www.african-court.org/wpafc/wp-content/uploads/2020/06/Practice-Directions-to-Guide-Potential-Litigants-En.pdf)).

36 A useful summary of the following cases is available on the UNESCO website: [en.unesco.org/sites/default/files/african\\_courts\\_decisions\\_final\\_eng\\_1.pdf](http://en.unesco.org/sites/default/files/african_courts_decisions_final_eng_1.pdf).

37 *Abdoulaye Nikiema, Ernest Zongo, Blaise Ilboudo & Burkinabe Human and Peoples' Rights Movement v Burkina Faso* (App. No. 013/2011, 28 March 2014) (accessible at: [www.african-court.org/en/images/Cases/Judgment/Nobert%20Zongo%20Judgment-%20English.pdf](http://www.african-court.org/en/images/Cases/Judgment/Nobert%20Zongo%20Judgment-%20English.pdf)).

38 *Lohe Issa Konate v. Burkina Faso* (App. No. 004/2013, 5 December 2014) (accessible at: [www.african-court.org/en/images/Cases/Judgment/Judgment%20Appl.004-2013%20Lohe%20Issa%20Konate%20v%20Burkina%20Faso%20-English.pdf](http://www.african-court.org/en/images/Cases/Judgment/Judgment%20Appl.004-2013%20Lohe%20Issa%20Konate%20v%20Burkina%20Faso%20-English.pdf)).

39 *Ingabire Victoire Umuhoza v. Republic of Rwanda* (App. No. 003/2014, 24 November 2017) (accessible at: [www.african-court.org/en/images/Cases/Judgment/003-2014-Ingabire%20Victoire%20Umuhoza%20V%20Rwanda%20-%20Judgement%2024%20November%202017.pdf](http://www.african-court.org/en/images/Cases/Judgment/003-2014-Ingabire%20Victoire%20Umuhoza%20V%20Rwanda%20-%20Judgement%2024%20November%202017.pdf)).

aim in a democratic society<sup>40</sup>. Such legitimate aims may be the protection of the reputation or rights of others or the protection of public morals<sup>41</sup>. Although cartoons are not explicitly mentioned, the draft report provides that: “States shall not prohibit or impose civil or criminal sanctions in respect of speech that merely lacks tolerance, civility and respect for the rights of others or that offends, shocks or disturbs<sup>42</sup>.”

## (ii) Sub-regional mechanisms

### a) The East African Court of Justice (EACJ)

The East African Court of Justice is a sub-regional court that is mandated to resolve disputes involving the East African Community and its member states. The EACJ was established by the Treaty for the Establishment of the East African Community and tasked with interpreting and enforcing it. It serves the East African Community (EAC) and has a First Instance Division as well as an Appellant Division.

The East African Community is compiled of the following Partner States: Democratic Republic of the Congo, Republic of Burundi, Republic of Kenya, Republic of Rwanda, Republic of South Sudan, United Republic of Tanzania and Republic of Uganda<sup>43</sup>.

### b) Economic Community of West African States Court of Justice (ECOWAS Court)

The ECOWAS Community Court of Justice (ECOWAS Court) is the judicial body of the Economic Community of West African States (ECOWAS). The mandate of the ECOWAS Court includes ensuring the obser-

vance of law, as well as the of the principles of equity in the interpretation and application of the provisions of the Revised Treaty. The mandate also covers all other subsidiary legal instruments adopted by ECOWAS.

The ECOWAS Member States are: Benin, Burkina Faso, Cape Verde, Cote d’Ivoire, The Gambia, Ghana, Guinea, Guinea Bissau, Liberia, Mali, Niger, Nigeria, Sierra Leone, Senegal and Togo<sup>44</sup>.

The ECOWAS Court has ruled on freedom of expression in cases concerning<sup>45</sup> the intimidation and assassination of journalists<sup>46</sup>; and libel, sedition and false news<sup>47</sup>.

## 4. PRACTICALITIES

### (i) African Commission

For information on the communications procedure see African Commission on Human and Peoples’ Rights, Communications Procedure: [www.achpr.org/procedure](http://www.achpr.org/procedure).

### (ii) African Court

Information detailing the procedure to file a case at the African Court can be found at:

- African Court – ‘How to File a Case’: [www.african-court.org/wpafc/how-to-file-a-case](http://www.african-court.org/wpafc/how-to-file-a-case)
- Practice Directions, accessible at: [www.african-court.org/wpafc/wp-content/uploads/2020/06/Practice-Directions-to-Guide-Potential-Litigants-En.pdf](http://www.african-court.org/wpafc/wp-content/uploads/2020/06/Practice-Directions-to-Guide-Potential-Litigants-En.pdf)

40 Declaration of Principles on Freedom of Expression and Access to Information in Africa, «Draft issued by the Special Rapporteur on Freedom of Expression and Access to Information in Africa», 30 April 2019, 10 (accessible at: Human Rights Watch, Submission by Human Rights Watch to Public Call for Input on the Draft Declaration of Principles on Freedom of Expression and Access to Information, [www.hrw.org/news/2020/04/21/submission-human-rights-watch-public-call-input-draft-declaration-principles](http://www.hrw.org/news/2020/04/21/submission-human-rights-watch-public-call-input-draft-declaration-principles)).

41 *Ibid* at 11.

42 *Ibid* at 51.

43 East African Community, EAC Partner States, available at: [www.eac.int/eac-partner-states](http://www.eac.int/eac-partner-states)

44 See Community Court of Justice, ECOWAS Member States, available at: [www.courtecowas.org/ecowas-member-states](http://www.courtecowas.org/ecowas-member-states)

45 A useful summary of the following cases is available on the UNESCO website: [en.unesco.org/sites/default/files/african\\_courts\\_decisions\\_final\\_eng\\_1.pdf](http://en.unesco.org/sites/default/files/african_courts_decisions_final_eng_1.pdf)

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- Application form at: [www.african-court.org/wpafc/forms-for-parties-2](http://www.african-court.org/wpafc/forms-for-parties-2).

### (iii) EACJ

Information detailing the procedure to file a case at the EACJ can be found at:

- EACJ – ‘Court Manual: A Practical Guide to the Law and Practice of the East African Court of Justice’: [www.eacj.org/?page\\_id=9116](http://www.eacj.org/?page_id=9116)
- EACJ – ‘Rules of Procedure 2019’: [www.eacj.org/?page\\_id=5722](http://www.eacj.org/?page_id=5722)

### (iv) ECOWAS Court

Information on the procedure to file an application at the ECOWAS Court see:

- ECOWAS Court – ‘Rules of Procedure’: [www.courtecowas.org/wp-content/uploads/2018/11/Rules\\_of\\_Procedure\\_2002\\_ENG.pdf](http://www.courtecowas.org/wp-content/uploads/2018/11/Rules_of_Procedure_2002_ENG.pdf).
- ECOWAS Court - Practice Directions (2012): [www.courtecowas.org/wp-content/uploads/2018/11/Instructions\\_Chief-Registrar\\_Practice\\_Directions\\_ENG.pdf](http://www.courtecowas.org/wp-content/uploads/2018/11/Instructions_Chief-Registrar_Practice_Directions_ENG.pdf)

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## V. EUROPEAN CONVENTION ON HUMAN RIGHTS (“ECHR”)

### 1. ARTICLE 10(1) ECHR: SCOPE

The right to freedom of expression and information is enshrined in Article 10 of the ECHR. Article 10(1) sets out the scope of the right: “Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and impart information and ideas without interference from public authority<sup>48</sup>.”

Article 10(1) does not distinguish between different types of expression, and satire is not explicitly mentioned. The European Court of Human Rights (“ECtHR”) has however developed an extensive case law on the categories and methods of expression protected. Satire has been identified as protected expression – this is identified in detail below.

### 2. ARTICLE 10(2) ECHR: LIMITATIONS

Article 10(2) limits the right to freedom of expression. It may be “subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society” imposed for one of several reasons, including “the protection of health or morals” or “the protection of the reputation or rights of others”.

Accordingly, the right to satirical expression cannot be regarded as unlimited. The ECtHR, in assessing whether such restrictions are necessary in a democratic society (the so-called ‘proportionality’ test, i.e. “was the aim proportional to the means used to reach that aim?”)<sup>49</sup> has given member states a wide margin of appreciation to limit freedom of expres-

<sup>48</sup> European Convention on Human Rights, Article 10, available at: [www.echr.coe.int/documents/convention\\_eng.pdf](http://www.echr.coe.int/documents/convention_eng.pdf)

<sup>49</sup> Dominika Bychawska-Siniarska, «Protecting the Right to Freedom of Expression Under The European Convention on Human Rights: A Handbook for Legal Practitioners» (Council of Europe, July 2017), p.44.

sion for the protection of morals, particularly in cases involving artistic expression<sup>50</sup>.

Article 10(1) often conflicts with the right to respect for private and family life under Article 8(1) of the ECHR. Although this is most commonly the case in matters of journalistic expression, and the ECtHR will effectively conduct a “balancing” test between the two rights on the facts<sup>51</sup>, it may be relevant where satirical expression has been restricted or criminalised for the protection of the reputation or rights of others.

### 3. CASE LAW

The ECtHR has considered cases concerning satire and freedom of expression.

#### (i) *Handyside v The United Kingdom* (no. 5493/72, 7 December 1976)

The starting point when considering the issues around restrictions imposed on controversial expression should be the ECtHR’s *Handyside* decision<sup>52</sup>.

The case involved a challenge by a man convicted under British obscenity laws of possessing and distributing a ‘radical’ educational book for adolescents (*The Little Red Schoolbook*). The book dealt with topics such as sex and illicit drug use and was in wide circulation in continental Europe. The ECtHR ultimately found that there was no violation of Article 10(1). In assessing the proportionality and necessity of the restriction on freedom of expression, it found that morals differ across each member state and that the British authorities consequently enjoyed a wide margin of appreciation to interpret and apply the domestic obscenity laws<sup>53</sup>.

However the ECtHR noted that such margin of appreciation is not unlimited and gave its unequivocal support for the principal of freedom of expres-

sion: “Freedom of expression constitutes one of the essential foundations of such a society, one of the basic conditions for its progress and for the development of every man... it is applicable not only to ‘information’ or ‘ideas’ that are favourably received or regarded as inoffensive or as a matter of indifference, but also to those that offend, shock or disturb the State or any sector of the population. Such are the demands of that pluralism, tolerance and broad-mindedness without which there is no ‘democratic society’<sup>54</sup>.”

It is clear that even expression which “offends, shocks or disturbs” is subject to protection under Article 10(1) and any restriction thereof must still be proportionate to the aim pursued so as to be necessary in a democratic society.

*Vereinigung Bildender Künstler v Austria* (no. 68354/01, 25 January 2007)

The case involved an injunction granted against the display of a satirical artwork following legal action by a politician from the right-wing Austrian Freedom Party (FPÖ). The artwork, which attracted substantial public attention, depicted FPÖ politicians and other public figures (including Mother Theresa) in various sexual acts and positions.

The ECtHR balanced the personal and reputational interests of the FPÖ politician with the artistic and satirical nature of the work. It found that the injunction, which was unlimited in both time and space, to be disproportionate to the aims pursued (the protection of the reputation and rights of others) and was therefore not necessary in a democratic society<sup>55</sup>.

It gave its support to the *Handyside* principal and emphasised the importance of satirical works: “... satire is a form of artistic expression and social commentary and, by its inherent features of exag-

50 *Ibid.* at p.58. See also *Müller and Others v. Switzerland* (no. 10737/84, 24 May 1988).

51 See, for instance, *Von Hannover v Germany* (no. 59320/00, 24 June 2004) where the ECtHR (at 76) considers that «the decisive factor in balancing the protection of private life against freedom of expression should like in the contribution that the published [works] make to a debate of general interest.»

52 *Handyside v The United Kingdom* (no. 5493/72, 7 December 1976) (accessible at: [hudoc.echr.coe.int/fre#%22fulltext%22:%22Handyside%22,%22documentcollectionid%22:%22GRANDCHAMBER%22,%22CHAMBER%22,%22itemid%22:%22001-57499%22](https://hudoc.echr.coe.int/fre#%22fulltext%22:%22Handyside%22,%22documentcollectionid%22:%22GRANDCHAMBER%22,%22CHAMBER%22,%22itemid%22:%22001-57499%22))).

53 *Ibid* at 48.

54 *Ibid* at 49.

55 *Vereinigung Bildender Künstler v Austria*, supra n.2 at 38 (accessible at: [hudoc.echr.coe.int/fre#%22itemid%22:%22001-79213%22](https://hudoc.echr.coe.int/fre#%22itemid%22:%22001-79213%22))).

geration and distortion of reality, naturally aims to provoke and agitate. Accordingly, any interference with an artist's right to such expression must be examined with particular care<sup>56</sup>."

In considering that the artwork was not intended to depict the politician's private life but rather his public standing, it noted that "in this capacity [a politician] has to display a wider tolerance in respect of criticism<sup>57</sup>." The Court has held on several occasions that political expression and the criticism of politicians is deserving of a particularly high level of protection under Article 10(1)<sup>58</sup>. Satirical artwork which is political in nature should therefore be considered to enjoy greater protection than artwork which is merely gratuitous or shocking for artistic purposes alone<sup>59</sup>.

In the case *Alves da Silva v Portugal* the ECtHR emphasised that satirical statements can play a very important role in the free discussion of matters of general interest, without which there can be no democratic society<sup>60</sup>.

#### 4. PRACTICALITIES

For further information on how to file an application at the ECtHR see: [www.echr.coe.int/Pages/home.aspx?p=applicants/forms&c](http://www.echr.coe.int/Pages/home.aspx?p=applicants/forms&c)

#### 5. FURTHER READING

- United Nations Human Rights, Office of the High Commissioner, "Freedom of Opinion and Expression – Issues in Focus" (accessible at: [www.ohchr.org/EN/Issues/FreedomOpinion/Pages/Issues.aspx](http://www.ohchr.org/EN/Issues/FreedomOpinion/Pages/Issues.aspx))
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<sup>56</sup> *Vereinigung Bildender Künstler v Austria*, supra n.2 (accessible at: [hudoc.echr.coe.int/fre#{%22itemid%22:\[%22001-79213%22\]}](http://hudoc.echr.coe.int/fre#{%22itemid%22:[%22001-79213%22]})); the ECtHR states in *Kuliś and Różycki v Poland* (accessible at: [hudoc.echr.coe.int/fre#{%22itemid%22:\[%22001-94644%22\]}](http://hudoc.echr.coe.int/fre#{%22itemid%22:[%22001-94644%22]})), at 39, that the press must have the possibility to recourse to a degree of exaggeration or even provocation.

<sup>57</sup> *Vereinigung Bildender Künstler v Austria*, supra n.2 at 34 (accessible at: [hudoc.echr.coe.int/fre#{%22itemid%22:\[%22001-79213%22\]}](http://hudoc.echr.coe.int/fre#{%22itemid%22:[%22001-79213%22]})).

<sup>58</sup> See for instance *Lingens v Austria* (no. 9815/82, 8 July 1986) at 42 (accessible at: [hudoc.echr.coe.int/fre#{%22itemid%22:\[%22001-57523%22\]}%7D](http://hudoc.echr.coe.int/fre#{%22itemid%22:[%22001-57523%22]}%7D)): "Freedom of political debate is at the very core of the concept of a democratic society... The limits of acceptable criticism are accordingly wider as regards a politician as such than as regards a private individual", and although protection of reputation extends to politicians, "the requirements of such protection have to weighed in relation to the interests of open discussion of political issues."

<sup>59</sup> *Müller and Others v. Switzerland* (no. 10737/84, 24 May 1988). The ECtHR emphasised the wide margin of appreciation that states enjoy as regards the protection of morals, and this justified the confiscation of artwork depicting sexual intercourse between men and animals.







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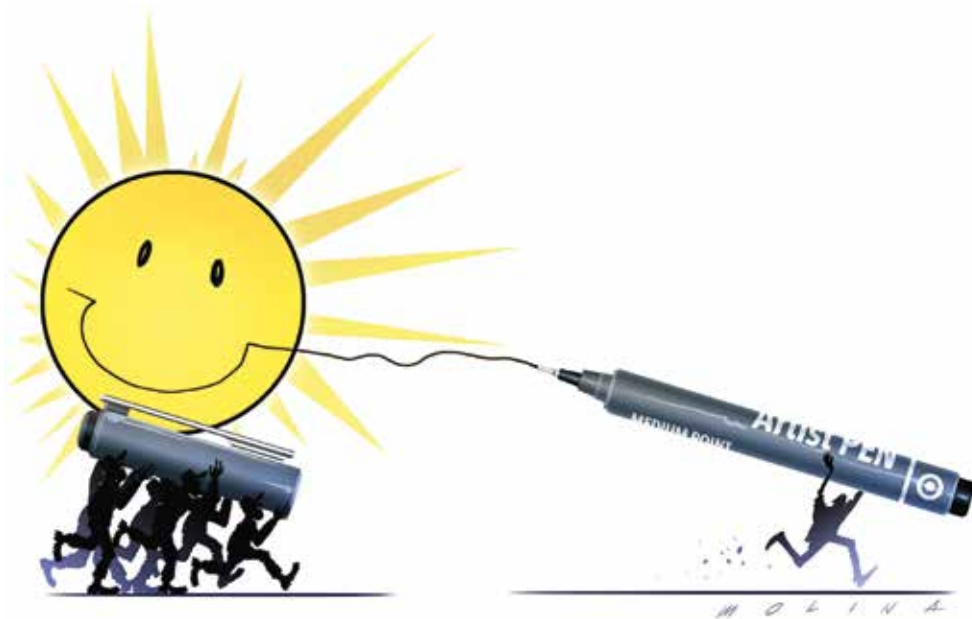


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