Remarks of David McCraw
Launch of the High Level Panel of Legal Experts on Media Freedom Report on Providing Safe Refuge to Journalists at Risk
23 November 2020

Earlier this month, on a Tuesday night, I received a call from my friend David Rohde. In October of 2008, David and his colleague Tahir Ludin, an Afghan journalist, were kidnapped while on assignment for The Times. I was in charge of The Times's response to the kidnapping over the next seven months, until Tahir and David escaped in June of 2009. David was calling me to report that Haji Najibullah, the Taliban commander accused of masterminding the kidnapping, had been arrested by U.S. officials and was being brought to New York to face charges after 12 years. It was gratifying to see the arrest.

But it was also a reminder of several things relevant to the Panel's report: the risks that both local and international journalists face, the "atmosphere of fear" (par. 46 and 47) that becomes a form of censorship in many countries, the inability or unwillingness of local authorities to meaningful implement and preserve the rule of law.

Reporters Without Borders counted 57 journalists being held by non-state actors in 2019. All of that is a reminder why the steps outlined in the report to facilitate rapid departures for journalists at risk are so important. Whether the threat is from non-state actors or from the state itself, a retreat to a safe country is often the only practical recourse to protect threatened journalists.

There is no question that international news organizations with Western reporters do not face the same level of risk as local journalists, especially local journalists who are free-lancers with none of the support of a press organization. But like many international press organizations, The Times depends on local journalists and local staff and local freelancers to help us tell our stories to the world. They are often the invisible but indispensable connection between what happens on the ground and what is heard by policy makers in Washington, London, Ottawa, and throughout the world.

I have been involved at regular intervals in emergency relocations of local employees or freelance contributors to The Times. There are things that organizations like The Times can often do in these situations: provide new opportunities elsewhere, finance travel, assist in immigration procedures, help families. But the one thing we cannot do is grant immigration status to those who are fleeing. The Panel's report is a stark reminder of the legal obstacles that are faced by journalists in need of a safe harbor. To read the case studies is to be struck by how unadorned and obvious the need is and how complicated and Byzantine and ultimately frustrating the process of reaching safety in another country is. The report's recommendations offer hope that it does not need to be that way forever.

While the report is focused on concrete steps that policy-makers can take, I applaud its efforts to raise awareness, to make these problems real, to make these people real, for the decision-makers who are empowered to make the system work better for journalists at risk. The story of a journalist like Khadija Ismayilova from Azerbaijan is a reminder how often authorities do not attack the reporting – why call attention to it? – but instead run smear campaigns aimed at debasing the individual as a human being.

It is also important to remind policy-makers not to be fooled by what may seem like small numbers of cases that may be involved in a given country. A journalist here and a journalist there while others go about their business. But these campaigns against a free and independent press are rarely about just silencing one journalist. They are usually about silencing one journalist to send a message to others not to take risks, not to pursue the truth, not to challenge authority.

Perhaps the most disturbing number in the report is the number 17 – as in 17%. As set out in par. 226, CPJ found that only 17% of journalists in exile continued to engage in journalism. So even when journalists have found safety their oppressors have won. They have silenced voices. The report is right that we must first find ways to give journalists safe harbors elsewhere. But the next objective must be to set the conditions that will also give them their voices back.