

### How are war correspondents protected?

What has been done to protect reporters that work in the most dangerous places on earth to provide an essential service to the public? Very little, arguably. The myth that wearing a vest and helmet with the word 'PRESS' written on it makes a reporter immune to harm has to be debunked for everyone.

War correspondents are "protected" by the Geneva Conventions of 1949 and their additional protocols. Now, what does this loose term of 'protection' entail? Under Articles 79.2 and 51.3 of Protocol I, journalists enjoy the protection afforded by international humanitarian law, provided that they do not take a direct part in the hostilities. So much is common sense. It's extremely unprofessional, to say the least, and foolhardy for a war correspondent to make an aggressive move toward any warring party.

According to the Commentary of Article 51.3, "direct participation in the hostilities" means "acts of war, which by their nature or purpose are likely to cause actual harm to the personnel and equipment of the enemy armed forces." The words "actual harm" make an important distinction, the willful neglect of which, as we will see, is the basis of many arguments for harming war correspondents. Even if a journalist engages in propagand-



▶ Palestine TV correspondent Salman Al-Bashir (R) removes his protective flak jacket and helmet during his reporting from Nasser Hospital in the southern Gaza Strip on November 2, 2023, after learning of colleague's death live on-air.  
● PALESTINE TV/AP

da — which, by the way, is not a crime and not something that can be ascertained unilaterally — it cannot be considered di-

rect participation. "It is only when a journalist takes a direct part in the hostilities that he loses his immunity and becomes

a legitimate target," the French Attorney Alexandre Balguy-Gallois writes. Under the law, journalists of all kinds are

civilians. Civilians do enjoy target immunity at the very least, meaning they cannot be directly attacked unless they take a direct part in hostilities. So, directly targeting journalists "constitutes a grave breach of the Geneva Conventions (of 1949) and Additional Protocol 1". Moreover, intentionally directing an attack against a civilian, including journalists and media personnel, "amounts to a war crime under the Rome Statute of the International Criminal Court".

The only difference between 'war correspondents' and other journalists and civilians is that if captured, they enjoy a prisoner-of-war status, "provided that they have received authorization from the armed forces which they accompany, who shall provide them for that purpose with an identity card". This narrows the scope of protections to include only certain journalists; others are just considered civilians. Having a prisoner-of-war status means that they must be released at the end of the hostilities, may mail a 'capture card' to their family from detention, and the detaining power must inform the state of which the correspondent is a citizen, and the International Committee of the Red Cross (ICRC) of the detention, according to New Strait Times. You will find that this does not account to much if you get detained for the unforeseeable future, but it's at least something.

### Israel's targeting of journalists in Gaza

Now, this wouldn't be a discussion if journalists were not directly targeted in war zones ever, but astute readers would probably guess that this is not the case. The warring parties understandably deny that such attacks were deliberate, but many facts falsify those denials. The bombing of the Serbian state radio and television building in Belgrade by North Atlantic Treaty Organization (NATO) forces in 1999, and the United States targeting of Al Jazeera offices in Kabul in 2001, and in Baghdad in 2003, were previous examples of direct attacks on the media. (As an aside, see if you can find a common perpetrator.)

The unfortunate events that inspired the writing of this piece were the unprecedented killings of 109 journalists (at the time of writing) in the Gaza Strip during the recent Israeli airstrikes and ground assaults that commenced in response to Hamas's surprise attack on October 7, 2023. While there's a substantial case to be made about Israel's use of AI, dumb bombs, and inhumane tactics of denying access to water, food, fuel, and electricity to maximize civilian casualties in Gaza, there's another case to be made about why this war has had the highest death toll of media workers in any recent conflict, and it's not even over yet.

First, the facts and figures.

The Committee to Protect Journalists (CPJ) — an American independent non-profit, non-governmental organization — has accused the Israeli military of targeting journalists and their families in Gaza. The New York-based CPJ said at least 68 journalists and other media workers had been killed in Gaza, Israel, and southern Lebanon since October 7, and the subsequent Israeli assault, the Guardian reported. By December 21, 2023, 61 of the journalists killed were Palestinian and three Lebanese. In addition, four Israeli journalists were among the people killed by Hamas in the October attack.

"More journalists have been killed in the first 10 weeks of the Israel-Gaza war than have ever been killed in a single country over an entire year," it said. For that matter, the number of media workers killed by Israel in approximately three months exceeds the total count of journalists (69) killed throughout the entire six-year span of World War II, according to the Freedom Forum. Let's see how the Israeli army pulled off this terrible feat.

Earlier this month, an Al Jazeera cameraman, Samir Abudaqa, was wounded in a drone strike and trapped in a UN school. When people attempted to rescue Abudaqa and take him for treatment, they too were shot. He died of his injuries several hours later.

"In at least one case, a journalist was killed while clearly wearing press insignia in a location where no fighting was taking place. In at least two other cases, journalists reported receiving threats from Israeli officials and Israel Defense Forces officers before their family members were killed," according to the CPJ. The non-profit also said there was a "pattern of journalists in Gaza reporting receiving threats, and subsequently, their family members being killed." It said the 90-year-old father of the Al Jazeera journalist Anas al-Sharif was killed by an Israeli airstrike on his home after multiple threats were made to his son. "The journalist told Al Jazeera that he had received multiple phone calls from officers in the Israeli army instructing him to cease coverage and leave northern Gaza. Additionally, he received voice notes on WhatsApp disclosing his location," it said.

another. Since 7 October, the Palestinian territory has been subjected to a veritable eradication of journalism," it said. The Paris-based NGO said December 22 that it has filed a second complaint with the International Criminal Court (ICC) on seven Palestinian journalists killed in Gaza from October 22 to December 15, according to Anadolu Agency. The "RSF has reasonable grounds to believe that the journalists named in this complaint were the victims of attacks amounting to war crimes," it said. The non-profit added the "journalists may have been deliberately targeted as journalists," which is why it is describing these deaths as "intentional homicides of civilians." Its first war crimes complaint since October 7 was filed with the ICC on October 31, and concerned the deaths of seven other journalists. Human Rights Watch and other groups found that an IDF attack that killed Re-

ist and the eldest son of Wael Dahdouh, the face of Al Jazeera's 24-hour coverage of this war. Witnesses told the AFP news agency that two rockets were fired at a car carrying the reporters — one hit the front of the vehicle and the other hit Hamza Dahdouh, who was sitting next to the driver.

"Last year, we had the killing of Shireen Abu Akleh, the Al Jazeera journalist who was a US citizen, and again we've really seen no accountability. She was killed in

ally the ones that the public looks up to in order to hold powerful figures and organizations accountable, are now calling for accountability for the arguably established pattern of the Israeli army threatening and then killing their colleagues, or worse, their family members.

Israel is picking off our sources of information on what is happening in Gaza, and why? As we've established in length, it's not because they pose any harm to its army. It's not because they report mislead-



▶ Al-Jazeera correspondent Wael Dahdouh (C) mourns his wife, son, daughter, and grandson, killed in an Israeli airstrike on Nuisserat refugee camp on October 26, 2023. Dahdouh's eldest son, a photojournalist, was also killed in an Israeli air strike on January 7, 2024.  
● ALI MAHMOUD/AP

Reporters Without Borders (RSF) has warned that "journalism is in the process of being eradicated in the Gaza Strip as a result of Israel's refusal to heed calls to protect media personnel". "Reporters there have no safe refuge and no way of leaving. They are being killed one after

others journalists Issam Abdallah and injured six others in southern Lebanon was probably a deliberate assault by the IDF on civilians.

Al Jazeera has accused Israel of the targeted killing of two of its journalists in Gaza, one of whom was a photojournal-

what seems to have been a targeted attack because she was shot in the neck between her helmet and her press jacket," Jodie Ginsberg, the CPJ president, maintained.

Ginsberg's use of the word "accountability" was perfect. Journalists, who are usu-



▶ The photo shows the funeral ceremony held for Palestinian journalists Saeed al-Taweel and Mohammad Sobh, who were killed in Israeli airstrikes while filming the targeting of a residential building by Israeli warplanes in Rimal district, in Gaza on October 10, 2023.  
● ASHRAF AMRA/ANADOLU

ing or false information. It's not because the IDF is exclusively targeting Hamas and those journalists were simply at the wrong place at the wrong time. In fact, if you look at the pattern of threats to their lives, you can claim that it's because they were at the right place at the right time.

Israel is killing journalists because they are making dangerous pieces of information about the horrendous state of the streets of Gaza available for the world. It can be argued that for Israel, removing journalists has a higher value than eradicating Hamas, which admittedly seems unlikely in the coming months. With the chess piece of independent journalists on the board, Israel can't ideally go for any other piece except for Hamas lest it risks international backlash; but with journalists gone, the truth is whatever Israel says it is. The transparency that these journalists are promoting by doing their jobs will make it hard for Israel to escape responsibility for its actions. No warring party in modern history has killed so many journalists over such a short time because no warring party in modern history had so much to hide and to lose in public opinion.