

The Nature and Framework of the Situation of Journalists and their Discrimination Under International Law

طبيعة وإطار وضع الصحفيين وتمييزهم من خلال القانون الدولي

¹Abul Firdaus Bayinat Basha Al Bajali

أبو الفردوس بينات باشا البجالي

مؤخرة. أستاذ قسم علوم القرآن والتفسير كلية العلوم الإسلامية الجامعة الإسلامية العالمية للدراسات الشرعية والإنسانية

Abstract

This study dealt with the issue of journalists in the following demands

-The concept of journalists and their classifications.

-Distinguishing journalists from other media professionals.

This research deals with the press, its freedoms and controls, and the links of the press: their nature, origins, protection and impact on societal, human and cultural development, and their legal rules. Because they have occupied a large and important space in the most prominent fields of contemporary life, especially open-source social media, and they have covered most aspects of human, natural and cosmic activity; It was worth studying all their aspects to clarify the position of Sharia and the law on them and their rulings on them. There is no doubt about the necessity and necessity of submitting them to their controls to ensure optimal benefit from them, as they are among the services that are indispensable in our contemporary time. Whereas the media and the press are of such vitality and importance; I did in this subject as required by the requirements of the study. This study was based on the extrapolation of the issues in which the opinions of scholars varied according to the multiplicity of factors related to the edge, according to an applied analytical methodology.

ملخص البحث

تناولت هذه الدراسة موضوع الصحفيين في المطالب الآتية:

- مفهوم الصحفيين وتصنيفاتهم

- تمييز الصحفيين عن غيرهم من الإعلاميين

ولقد تعرض هذا البحث للصحافة وحرّياتها وضوابطها، وروابط الصحافة: ماهيتها وأصولها وحمائيتها وأثرها في التنمية المجتمعية والبشرية والثقافية، وقواعدها القانونية.

لأنه قد أخذنا حيناً كبيراً ومهماً في أبرز ميادين الحياة المعاصرة خصوصاً الإعلام الاجتماعي المفتوح المصادر، وطالاً معظم جوانب النشاط الإنساني والطبيعي والكوني؛ فكان جديراً أن ندرس كل جوانبها لبيان موقف الشريعة والقانون منهما وأحكامهما فيهما؛ ولا جدال في وجوب وضرورة خضوعهما لضوابطهما لضمان استفادة مثلى منهما باعتبارهما من الخدمات التي لا غنى عنها في زمننا المعاصر. ولما كان الإعلام والصحافة بهذه الحيوية والأهمية؛ قمت في هذا الموضوع وفق ما اقتضته متطلبات الدراسة. ولقد قامت هذه الدراسة على استقراء المسائل التي تعددت آراء العلماء فيها تبعاً لتعدد العوامل المتعلقة بالحقافة وذلك وفق منهجية تطبيقية تحليلية.

The concept of journalists and their classifications

Journalism is a language: the word journalism in the language goes back to the root newspapers, and it is called the press of Fateh al-Sad or the press of breaking it, and the newspaper is the book, and its plural is newspapers and sheets.

As for the definition of journalism idiomatically: the profession or work that is based on collecting and analyzing different opinions and news, working to verify their credibility and then presenting them to people for perusal and knowledge of what is going on in the world through them.

The Office of the United Nations High Commissioner for Human Rights has defined it as a profession shared by a wide range of actors, including professional and full-time writers, editors, correspondents and analysts, as well as bloggers

¹Ass. Professor, Department of Quranic Sciences and Interpretation, College of Islamic Sciences, International Islamic University for Sharia and Humanitarian Studies, Email: abulfaradeesatnet@yahoo.com, abulfaradees11@gmail.com

and others who engage in forms of self-publishing in print, on the Internet, or in other venues such as radio or TV via satellite or via the Internet.

The press includes many areas of news coverage and expression of opinion in various branches of knowledge, and is often related to events, changes and processes on the local or regional arena in terms of political, social, cultural, scientific, sports, artistic, and others. It was called at the beginning of its entry into the world. Al-Arabi at the beginning of the nineteenth century called "Al-Waqa'i" in reference to the "Egyptian Gazette," which was founded by Sheikh Rifa'a Al-Tahtawi, and named "Gazette" after a coin whose price was an imitation of Europeans, and Sheikh Najib Al-Haddad is the first to use the word press in its current meaning in the Arab world He is the one who established the newspaper "Lisan Al Arab" in 1894 AD in the Egyptian city of Alexandria.

The jurisprudential concept and the conventional concept of the journalist
The position of journalists within the framework of international law cannot be understood apart from their field of work, which is primarily related to freedom of expression and opinion, which is one of the basic elements of human rights. Referring to the many different classifications that have been placed on human rights, there is a large space, of which is directly focused on freedom of opinion and expression, and the most important ones who benefit from it are, of course, journalists.

By taking the traditional division of human rights through their subject matter, which classified them into civil and political rights (first generation rights), economic, social and cultural rights (second generation rights), and collective and individual rights (third generation rights), we find that freedom of expression and opinion are among the most important human rights. guaranteed. If the right is directly related to the profession of journalists, it can be said that the interest in this category is not a denial of guaranteeing the basic rights associated with their profession, which is freedom of opinion and expression.

The following research answers the question posed here: Who is a journalist in the eyes of international law, and how can he be distinguished from others? It is the subject of the first topic of this chapter, then the concern of international law is addressed to the situation of journalists through international charters, declarations and agreements.

The profession of journalism is among the oldest professions practiced by man since ancient times, and international interest in it has developed through interest in the media and those in charge of it, who are the category of journalists. But the question that arises regarding the definition of the category of journalists in the eyes of international law and how interest in this category has developed through international law in times of peace and war, and this is what will be explained next:

The legal concept and the customary concept of the journalist

There is no unified opinion about defining the concept of the journalist among the media, law and politics, and even most local legislation did not establish a fixed definition of the journalist; Rather, it went directly to defining the rights, duties and responsibilities of journalists.

The difference between jurisprudence and legal scholars about the meaning of the journalist is a result of the difference over the meaning of the press and journalists, and this difference was reflected in the scope of international law in general and international humanitarian law in particular, and the proximity of this category to the battlefields, which calls for introducing them.

With regard to the linguistic definition of the word journalist, in the Oxford Dictionary, the word "press" is used in the sense of press, and it includes the journalist and the newspaper at the same time, and everything that is related, of course, to printing and dissemination of news and information.

This definition does not distinguish between the journalist and the press, although the legal definition of the word press is "every publication issued in one name periodically on organized or unorganized dates when the periodicity requirement is fulfilled." It is every periodical publication issued under one name and expresses the idea by writing, saying or image and issued periodically.

The legal concept of the journalist

The legal and constitutional jurists were divided in defining the journalist into two directions:

First - the narrow trend:

The definition of the journalist is based on this view based on the media tool, which is newspapers of all kinds and types, whether they are daily, weekly or any of the characteristics of the periodical, as well as books, magazines and all publications, meaning that this trend links the concept of the journalist to the written press only. The written media, which is the newspaper, is the person who writes for a newspaper.

Secondly, the extended trend:

Those who hold this trend believe that the journalist is not limited to the person who practices the profession of written journalism; Rather, it includes the profession of all media, whether written or audio-visual, and this includes theatre, cinema and other various media.

However, the two previous opinions were criticized in their definition of the journalist, as the first opinion confuses newspapers and other publications, such as books that can be issued by parties that are not professional in the profession of journalism.

As for the expanded opinion of the concept of the journalist, it is also criticized by its expansion in the introduction of a sect that has nothing to do with the profession of journalism. for the journalist.

Customary concept of the journalist

clear H. From the definition of a journalist in international law, it does not differ from the definitions in some national legislation. The French media law issued in 1985 in Article 761 defines a journalist as “the mainly professional and regular in his profession within one or more daily or temporary publications.” or within one or several media agencies, and this activity is his main source of income. In order for the journalist to be distinguished from others, he must hold the journalist's card, which is issued and delivered by the legally mandated body, whether it is a governmental body, a union body, or an official international organization with a legal personality.

Temporary workers in the journalistic and media field acquire the status of journalists, as is the case for collaborators who cooperate with a media organization almost continuously, despite the fact that the criteria mentioned are not available to them, which is “continuity”, and most legislation recognizes them as a journalist, and their examples are the group of photographers who They work for their own account or for media organizations when necessary, as well as other technicians whose activities and experiences contribute to the production, visibility and reach of the journalistic work.

International law has followed the example of domestic legislation, as it includes the rules of protection for all journalists, including temporary workers who work in various media, written, audio and visual. With reference to the United Nations draft prepared on the recommendation of the General Assembly for submission to the Conference of Governmental Experts and then to the Diplomatic Conference, which emphasized the development of international humanitarian law in the period between 1974-1977, the journalist defined in Article 2 of it, and stipulated that the term journalist refers to all Writer, reporter, detective, investigator, photographer and their technical assistants working in newspapers, radio and television, who naturally carry out this activity as original work. Thus, given this definition, the concept of a journalist includes correspondents of various newspapers, correspondents of news agencies, radio and television, and all workers in this large media sector, whether the media is in the written, audio or visual press.

Although most countries avoid defining the definition of a journalist in their media legislation and leave the matter to the regulations and regulations of the Journalists Syndicate or professional and social gatherings interested in the affairs of journalists, which in turn threaten the definition of a journalist in line with their view and give him their membership card, there are those who address the definition of a journalist in their texts. The legal regulation of the media profession, as is the case in some legislations, such as the Egyptian media law, which linked the definition of a journalist to the practice of his profession with one of the media outlets, and he takes that as his profession and profession.

Thus, the international convention concept of the journalist derives its basis from the nature of the task exercised by the journalist in conveying the news and putting people in the picture of events in all honesty and sincerity, regardless of the media he uses.

As for the press itself, it is the profession or craft that is based on collecting and analyzing news, verifying its credibility, and presenting it to the public in a written, audio or visual form. local.

Distinguishing journalists from other media professionals

The journalist is associated with a set of media concepts in general, which makes it difficult to distinguish him many times from other media professionals on the one hand, and on the other hand, the profession of journalism is linked to concepts related to the right to information and mass communication, which requires reference to some concepts related to the profession of journalism.

Distinguishing the journalist from others with the press ID card

International humanitarian law has established guarantees that journalists can benefit from under the identity card, as the Third Geneva Convention in its paragraphs on the protection of journalists - for example - grants privileges to professional journalists who work in journalism, regardless of their availability or non-availability of the national professional press card, As well as for the benefit of those who are in the judgment of professional journalists. Given the importance of the press ID card, we will devote a comprehensive study to it as follows:

Press ID card:

A journalist is a person who, by virtue of legislation, regulations, regulations, or actual practice, is considered a worker in the field of journalism, and in order to have the advantage of facilitating his work and ensuring his protection, he must be in possession of a card issued by local authorities or international press organizations, as stated in the draft United Nations Convention Concerning the establishment of a special committee to address the problem of protecting journalists (Article 2/a).

According to what was stated in the draft United Nations Convention on the Establishment of a Special Committee to Address the Problem of Protecting Journalists (Article 5/2), a clear and specific statement must be written on the back of the card stating that the holder undertakes to act through his mission in a manner consistent with the highest standards of professional integrity, and not to He shall not interfere in the internal affairs of the countries to which he is traveling, and shall not participate in any political or military activity, or in any work that may involve a direct or indirect contribution to the hostilities in which he is performing his dangerous mission.

This is considered a guarantee for the journalist and an embodiment of his impartial professional work, which supports every opinion calling for the extension of legal protection for journalists at an international level. In addition, since the competent authorities are responsible for reporting the names of journalists holding press cards to an international professional committee established under the Convention, journalists can thus prove that they are on an official mission with this card.

In addition, every journalist must carry on his arm a ribbon with a distinctive emblem (P) in a large size and black on a golden disc, and that the emblem be visible from afar, according to the draft of the United Nations Convention for the Establishment of a Special Committee to Address the Problem of Protecting Journalists (Article: 91).

It was the proposal of the drafters of the United Nations Convention on the establishment of a special committee To address the problem of protecting journalists, an international professional committee is established to try to solve the problem of badges and their accreditation systems. Although the committee was not given the authority to take any decision, because the national authorities are supposed to issue or register the card, it would have been tasked with setting the conditions for issuing, renewing or withdrawing the card according to (paragraph 2 of Article 4 of the draft), and the committee would have kept a record of the names of journalists who They hold this card according to (Paragraph 7 of Article 5).

Article 81 of the First Geneva Convention of 1929 stipulates: “Persons who accompany the armed forces without being directly affiliated with them, such as correspondents, press informants, contractors or contractors who fall into the hands of hostile parties, and these parties consider that they are in possession of a permit from the military authorities. of the armed forces they were accompanying.

By extrapolating this text, it becomes clear that journalists are part of a group of people who are not clearly or clearly defined, who accompany the armed forces without belonging to them, and they must be treated as prisoners of war when they fall into the hands of the other party, and at the same time they maintain their status as civilians provided To hold a permit issued by the military authorities of their country.

Although the possession of an identity card issued by the competent authorities was a condition of the legal status of a prisoner of war under the 1929 Convention, legislators relaxed this requirement in 1949, given that the holder of the card could lose it during World War II.

After the adoption of the four Geneva Conventions of 1949, the Third Convention on the Treatment of Prisoners of War resumed the same provision that exists with regard to journalists, in Article 4, paragraph (a) clause (4) that “persons who accompany the armed forces without actually being part of them are like civilians.” Those in military aircraft crews, war correspondents, supply contractors, and members of work units or services concerned with the welfare of the military, provided that they have a permit from the armed forces they accompany”.

Thus, this agreement is consistent with the previous texts, considering that journalists and war correspondents are considered among the categories that can accompany the army without being part of it, and that the journalists to be protected are the journalists accredited to the army authorities who follow it and who hold a card and permit indicating that.

Also, the identity card introduced by the Third Convention of 1949 included a presumption in favor of the war correspondent working in newspapers, news agencies, and audio-visual media stations, and granted him a role and rights similar to the role and rights of a soldier.

Then Article 79/3 of the first protocol of 1977 stipulates that “it is not possible to obtain the identity card in the form attached to the second annex to this protocol. and testify to his quality as a journalist.

The press identity card, if it is handed over to all journalists and not only to the field war correspondents, but it did not create the protected civil status of the journalist holding the card; Rather, it is a simple evidence of the holder's right to protection, so Article 79 used the formula "permissibility". However, the possibility of carrying the identity card is an additional guarantee of protection, especially when the journalist is in the hands of hostile parties, and for the authenticity of the identity card and its legal value when it is issued by the resistance and liberation movements; Article 1/4 of Protocol I states that the national liberation movement is considered armed conflict and therefore Protocol I of the Convention applies to it.

However, the text of this paragraph remained characterized by a degree of loose flexibility, and hence the fear expressed from the beginning by many countries, whether in Western Europe or elsewhere, where they considered that the fourth paragraph of Article I may open the door to separatist movements or resistance movements It is violent to the existing social system, in order to give its actions the description of (a national liberation war) and thus achieve some legal and political gains.

But it was pointed out that the national liberation movement can issue the identity card if it adheres to the mechanism of accession stipulated in Article 96/3 of Protocol I, and therefore it may benefit from the same rights and obligations as one of the High Contracting Parties to the conventions and Protocol I. This paragraph requires that the war be against a contracting party, which means that the declaration provided for in the said paragraph does not produce its effect, unless the state against which the war is waged is itself a party to the Protocol, and therefore to the Conventions, and the effect of such a declaration is that The provisions of the Conventions and the Protocol shall become applicable in that armed conflict and equally binding on all parties to the conflict.

Article 79/3 of the Second Protocol of 1977 stipulates that journalists may obtain an identity card according to the form attached to Annex II. and testify to his capacity as a journalist.

This text expressly speaks of the identity card that the competent authorities may give to the journalist in order to attest to his capacity and his job if he encounters trouble during the value of his work. It also stipulated that the government of the state in which the journalist is a national or in which he resides, or in which the media institution in which he works is located, must give them this card in order to provide them with necessary protection, which reflects the place of the media within the framework of international humanitarian law and investigates in the conditions of war a known media.

The position of the journalist in international media legislation

The debate about journalists and the debate about the media are very much overlapping; As the journalist's profession is now more than ever based on the necessity that the media has become a human right, and it is not possible to study the situation of journalists in international law independent of the right to information.

wa Media is defined as “the process of publishing and presenting correct information, clear facts, truthful news, accurate topics, specific facts, logical ideas and preponderant opinions to the masses, with their sources mentioned in the service of the public interest.” While others define it as: “Providing people with correct news, sound information and firm facts that help them form a correct opinion on a fact or a problem, so that this opinion objectively expresses the mentality, tendencies and tendencies of the masses.” Others define it as “a human activity that aims to communicate with and influence others through specific means of communication.” On this basis, the following pillars of the media can be identified:

- The raw material (news, topic, idea...etc).
- The human element (active and passive), because the media is a human activity that aims to influence and be affected, and this element is based on the journalist as the most important means of communication on the one hand, and freedom as a general asset in exercising the rights considered legal on the other hand, which calls for considering the work The journalist guaranteed under legal texts, through which the journalist exercises his media activity freely in order to gain access to news sources.

At the international level, the United Nations General Assembly, in its first session (in resolution 59D-1 of January 14, 1946), declared that media freedom is a fundamental human right, and it is the standard by which all freedoms to which the United Nations devotes its efforts are measured. The United Nations also held a conference on media freedom in the Swiss city of Geneva from March 23 to April 21, 1948, in which three draft international agreements were prepared on: the collection and dissemination of international news, the recognition of the right of international correction and freedom of information, and added a special article Freedom of opinion is included in the Universal Declaration of Human Rights and a number of resolutions and recommendations.

Media freedom includes the right to broadcast, receive and search for information without regard to territorial borders and without government interference. This freedom includes an essential factor in any serious effort to promote world peace and its progress. Not to be misused, and one of its basic rules is the moral obligation to investigate the facts without exposure and to publish information without malicious intent.

In order for the press to enjoy its freedom, as stipulated, it must not be censored, especially prior censorship over the publishing process, because this censorship violates the freedom of the press, and what newspapers publish becomes subject to the opinion of the representative of the local government and the de facto authorities.

From the foregoing we note that the interest of international law and custom in the journalist is mostly related to the interest in the right to freedom of expression, the right to communicate, and freedom of the press as natural human rights stipulated in most constitutions of civilized countries, and they are concepts related to the media in the following detail:

1. Freedom of opinion and expression:

Freedom of opinion and expression means the right of a journalist to express his opinion through all means of intellectual communication, through which he can speak, write, print and publish whatever he wants, but he is asked about the abuse of this right in the cases specified by local law. The Declaration of the Rights of Man and of the French Citizen issued in 1789 contained this freedom in Article 11, which included that freedom of intellectual communication is one of the most precious individual rights, and Article 19 of the Universal Declaration of Human Rights guarantees every person the right to freedom of opinion and expression, including Freedom to hold any opinion and to seek, receive and broadcast news by any means possible or available.

2. Right to contact:

Communication is defined as: the means through which all signals, meanings, and data that are between people can be transmitted, according to Charles Wright's definition. and place, and these symbols are represented in facial expressions, gestures, signs, printing, telegraph, telephone, and all the means that shorten time and place to deliver news or information.

The right to communicate also means the right to freedom of opinion and expression, and it expands to include freedom to tell others, freedom to know, the ability to debate and dialogue and ease of participation. The concept of the right to contact is related to the journalist's work because it includes his right to protect his privacy and to benefit from private or open information resources, freedom of movement and movement, and the right to conceal the profession's secret. In response, correction and correction.

The Arab Committee for the Study of Media and Communication Issues in the Arab World defined "the right to communicate" to mean "the right to benefit and the right to participate for all individuals, groups and organizations, regardless of their social, economic or cultural level, regardless of gender, language, religion or geographical location in Utilizing the means of communication and information resources in a balanced manner, and achieving the greatest level of public participation in the communicative process, so that the role of individuals and different social groups is not limited to merely receiving media, but extends to shifting to positive participation in planning and implementation as well. The recognition of the right to communication and the widening of its acceptance is usually accompanied by a problem between the political authority and society. The former tries to restrict it while society aspires to expand it to the maximum. The issue is often related to the structure of the state, the nature of the system, and the dimensions of freedom and democracy that are practiced and allowed in society.

3. Freedom of the press:

It is a branch of freedom of opinion and a branch of it, and it is one of the basic freedoms that the nature of the democratic system necessitates, and it is a pillar of every democratic system of government. In essence, this system is based on the principle of sovereignty for the people It is the only source of authority, and it no longer means the right to publish newspapers, magazines and publications; Rather, it also means the citizen's right to the plurality and diversity of media and the freedom to choose among them.

Conclusion

The current study reached a number of results, which are:

- 1) This study is a step to contribute to the achievement of Sharia standards in the field of media and journalism, which those in charge of it benefit from in controlling their message.
- 1) A statement of the concept of media and journalism, its tools and means, its functions, types and problems.
- 2) Explanation of the role of the media and the press in the most important fields of life, and the extent of its impact on shaping the Muslim personality.
- 3) Explanation of media and press images and their legal rulings and controls.

- 4) The rapid development of the mass media in terms of quantity, quality and influence is supposed to increase the interest of the international legislator in the situation of journalists in all aspects surrounding their work in order to work on legalizing them and defining their duties and rights.
- 5) The reality of media and journalistic work in many countries of the world emphasizes the need to exert more efforts and perform more work in order to ensure freedom of media and journalistic work, protect workers in this service sector and improve their working conditions, especially in areas of armed conflict and countries where repressive regimes prevail.

Margins:

Omar, Ahmed Mukhtar, Dictionary of Contemporary Arabic Language, p. 272. Al-Razi, Zain al-Din, Mukhtar al-Sahah, p. 173.

Kanaan, Ali, The Press, Its Concept and Types, Al-Moataz for Publishing and Distribution, 2013, p. 5.

Promotion and protection of all civil, political, economic, social and cultural rights, including the right to development, Annual Report of the United Nations High Commissioner for Human Rights and Reports of the Office of the High Commissioner and the Secretary-General, Human Rights Council, Twenty-seventh Session, 23 July 2014, p. 5.

Rafa'a bin Badawi bin Ali Al-Tahtawi, (1216 - 1290 AH = 1801 - 1873 AD), his lineage is related to Hussein bin Ali bin Abi Talib, an Egyptian scientist, one of the pillars of Egypt's scientific renaissance in the modern era. He was born in the city of Tahta, Sohag Governorate, in Upper Egypt. He went to Cairo in 1223 AH and studied at Al-Azhar. The Egyptian government sent him as an imam to pray and preach with a delegation of young men it sent to Europe to receive modern sciences. He studied French and educated geography and history. When he returned to Egypt, he assumed the presidency of translation at the medical school, and established the newspaper "Al-Waqa'i al-Masryah", and he authored and translated many books from French, including "Countries of Pride in the Strange Customs of the Early and Late Ones", "Useful Metals" by Ferrard, "Principles of Geometry" and "The Guide" Al-Ameen in the Education of Girls and Boys" and "The End of Briefing" in the Biography of the Prophet, "Anwar Tawfiq Al-Jalil" in the History of Egypt, "Arabization of French Civil Law", "History of the Ancient Egyptians", "The Beginning of the Ancients", "Geography of Miltabroun" and Geography of the Levant" a letter in 53 papers, "Healing definitions of the geographical murid" and "Redemption of Al-Abriz" about his trip to France. Omar Toson said: He is the founder and overseer of the Al-Alsun school, and one of the pillars of the Arab scientific renaissance, but rather its imam in Egypt. He died in Cairo. And Ahmed Ahmed Badawi's book "Rifa'a Tahtawi Bey". Al-Zarkali, Khair Al-Din, Al-Alam, Dar Al-Ilm for Millions, fifteenth edition, May 2002 AD, 3/29-30.

Najeeb bin Suleiman Al-Haddad (1283 - 1316 AH = 1867 - 1899 AD) is a writer, journalist, and poet. He is the nephew of Sheikh Ibrahim Al-Yazji. He was born in Beirut, and educated there and Alexandria. He was among the writers of "Al-Ahram" newspaper and "Anis Al-Jalis" magazine, and he published with others the daily "Lisan Al-Arab" newspaper, then a weekly newspaper in Cairo. He returned to Alexandria and died there. He has books: "The Souvenir of Boyhood", "The Novel of Salah al-Din al-Ayyubi", "Martyrs of Love" and "Hamdan". Al-Zarkali, Al-Alam, previous reference, 8/12.

Kanaan, Ali, The Press, Its Concept and Types, pp. 6-7.

The division of human rights into levels was presented in an article by Karl Vasak, Legal Adviser to UNESCO and a prominent researcher in the field of human rights, published in November 1977 in the UNESCO Courier magazine.

-Karel Vasak, "Human Rights: A Thirty-Year Struggle: the Sustained Efforts to give Force of law to the Universal Declaration of Human Rights", UNESCO Courier 30:11, Paris: United Nations Educational, Scientific, and Cultural Organization, November 1977.

Al-Assaf, Bassem Khalaf, Protecting Journalists during Armed Conflicts, first edition, Zahran Publishing and Distribution House, 2014, p. 45.

Ibid., p. 49, 48.

Ibrahim, injured, the situation of journalists under international law, Master's thesis, Faculty of Law, University of Algiers, 2011. p. 4.

Hind, Hassan Mohamed, The Legal System for Freedom of Expression (Press and Publishing), Dar al-Kutub al-Qanuniyyah, El-Mahalla El-Kobra, Egypt, 2005.

Al-Muslimi, Ibrahim Abdullah, Regional Media (theoretical and field study), Dar Al-Arabi for Publishing and Distribution, Cairo, 1st Edition, pp. 19-20.

Article 6 of Law 76 of 1970 defines a journalist as "a person who, in a basic and organized manner, exercises the mission of journalism in a daily or periodical newspaper, and receives a fixed wage for that, provided that he does not pursue another profession".

They are called PIGISTES.

Al-Assaf, Bassem Khalaf, Protecting Journalists during Armed Conflict. Previous reference, p. 153.

Hans- petet GASSER "La protection des missions dans les missions professionnelles perilleuses" R.I.c.R Genève, n739,1983. P. 9.

Al-Assaf, Protecting Journalists during Armed Conflicts, previous reference, p. 154.

Al-Muslimi, Ibrahim Abdullah, Media Legislation, Arab Thought House, Cairo, 2004. Pg. 159.

This is what is stipulated in Article (4/2) of the draft United Nations Convention on the Establishment of a Special Committee to Address the Problem of Protecting Journalists.

- Al-Muslimi, Ibrahim Abdullah, Media Legislation, previous reference, p.
Imam, Ibrahim, Media and Communication with the Masses, The Anglo Library, Cairo, first edition, 1969, p. 12.
Al-Assaf, previous reference, p. 139.
Al-Muslimi, Ibrahim Abdullah, Media Legislation, previous reference, p. 63.
Muhammad, Alaa Fathi Abdel Rahman, the protection of the International for journalists during international armed conflicts in international humanitarian law
And Islamic Jurisprudence, Dar Al-Fikr Al-Jami'i, first edition, 2010, p. 155.
Al-Assaf, Protecting Journalists during Armed Conflicts, previous reference, p. 140.
Al-Muslimi, Ibrahim Abdullah, Media Legislation, previous reference, p. 66.
Al-Amayreh, Khaled Muhammad, and Al-Hashlamoun, Nayef Diab, Press and Media - Theory and Practice, Dar Al-Watan Publications, Palestine, first edition, 1991, p. 30.
Ebeid, Atef Adly, Communication and Public Opinion - Theoretical Foundations and Arab Contributions, Arab Thought House, Cairo, 1993, p. 12.
Al-Assaf, Protecting Journalists during Armed Conflicts, op.cit., pp. 106-107.
Adly, Obaid Atef, Media Theories and Public Opinion, Dar Al-Fikr Al-Arabi, Cairo, 2002. p. 88.
Al-Assaf, previous reference, p. 107.
Alexandre Balji Gallo, Protecting Journalists and the Media in Times of Armed Conflict, Selections from the International Red Cross magazine, International Committee of the Red Cross, 2004, p. 247
Alaa Fathi Abdel Rahman Muhammad, previous reference, p. 255.
Dr.. Omar Saadallah, Media and International Humanitarian Law, Algerian Journal of Legal, Economic and Political Sciences, No. 4, 2007, p. 14.
Qadri, Abdel Aziz, Human Rights in International Law and International Relations Contents and International and International Relations Contents and Mechanisms, Homa House, p. 26.
Al-Amayreh, Khaled Muhammad, and Al-Hashlamoun, Nayef Diab, the press and media - theory and practice, Dar Al-Watan Publications - Palestine, first edition, 1991. p. 30.
Safar, Mahmoud Muhammad, Media Position, Tihama Press, Saudi Arabia, 1982, p. 21.
Thebian, Sami, Daily Press and Media (Subject, Technology and Implementation) Modern Media in Theory and Practice - A Theoretical and Practical Introduction to Media Science, Dar Al Masirah for Printing and Publishing, Beirut, Edition 2, 1987 AD, p. 35.
Shaaban, Muhammad Atallah, Media Freedom in International Law, Cairo, Alexandria Book Center, 2006.
Nahla, Morris, Al-Hurriyat, Al-Tibbi Human Rights Publications, Beirut, Lebanon, 1999 edition, p. 263
Alwan, Abdel Karim, The Mediator in Public International Law (Human Rights) First Edition, Second Edition 2004, Dar Al-Thaqafa Library for Publishing and Distribution, Jordan, pg. 60.
Daoud, Mahmoud El-Sayed, International Protection for Journalists in International Law and Islamic Jurisprudence, Egyptian Journal of International Law, No. 59, 2003, p. 409.
Chabou, Wassila, The International Legal System for the Use of the Media, Annals of the University of Algiers, No. 19, Part One, December 2010, p. 136.
Alwan, Abdel Karim, previous reference, pg. 60.
Al-Muslimi, Ibrahim Abdullah, Media Legislation, p. 212.
Bassiouni, Mahmoud Sharif, Human Rights, House of Science for Millions, 1988, p. 374.
Odeh, Mahmoud, Communication Methods and Social Change, Dar Al-Nahda Al-Arabiya, Beirut, 1988, p. 39.
Odeh, ibid., p. 39.
Muhammad, Alaa Fathi Abdel Rahman, previous reference, p. 94.
Born the Midwife, Idris, Article: The Right to Information and the Right to Communication, Al-Hiwar Al-Madden website, No. 570, 21/8/2003.
The Arab Committee for the Study of Media and Communication Issues in the Arab World, Towards a Project New Arab System for Media and Communication
Final Report, Tunis, Arab Educational, Cultural and Scientific Organization, 1985, p. 79.
The Arab Committee for Media and Communication Issues, Draft Final Report, previous reference, p. 81.
Hind, Hassan Mohamed, The Legal System for Freedom of Expression (Press and Publishing), Dar al-Kutub al-Qanuniyya, Egypt, 2005, p. 77.
Al-Assaf, previous reference, p. 57.

Resources and References:

- [1]. Omar, Ahmed Mukhtar, Dictionary of Contemporary Arabic Language, p. 272. Al-Razi, Zain al-Din, Mukhtar al-Sahah, p. 173.
- [2]. Kanaan, Ali, The Press, Its Concept and Types, Al-Moataz for Publishing and Distribution, 2013, p. 5.
- [3]. Kanaan, Ali, The Press, Its Concept and Types, pp. 6-7.
- [4]. The division of human rights into levels was presented in an article by Karl Vasak, Legal Adviser to UNESCO and a prominent researcher in the field of human rights, published in November 1977 in the UNESCO Courier magazine.

- [5]. Al-Assaf, Bassem Khalaf, *Protecting Journalists during Armed Conflicts*, first edition, Zahran Publishing and Distribution House, 2014, p. 45.
- [6]. Ibrahim, injured, the situation of journalists under international law, Master's thesis, Faculty of Law, University of Algiers, 2011. p. 4.
- [7]. Hind, Hassan Mohamed, *The Legal System for Freedom of Expression (Press and Publishing)*, Dar al-Kutub al-Qanuniyyah, El-Mahalla El-Kobra, Egypt, 2005.
- [8]. Al-Muslimi, Ibrahim Abdullah, *Regional Media (theoretical and field study)*, Dar Al-Arabi for Publishing and Distribution, Cairo, 1st Edition, pp. 19-20.
- [9]. Al-Muslimi, Ibrahim Abdullah, *Media Legislation*, Arab Thought House, Cairo, 2004. Pg. 159.
- [10]. Imam, Ibrahim, *Media and Communication with the Masses*, The Anglo Library, Cairo, first edition, 1969, p. 12.
- [11]. Muhammad, Alaa Fathi Abdel Rahman, *International Protection for Journalists during International Armed Conflicts in International Humanitarian Law and Islamic Jurisprudence*, Dar Al-Fikr Al-Jami'i, First Edition, 2010, p. 155.
- [12]. Al-Amayreh, Khaled Muhammad, and Al-Hashlamoun, Nayef Diab, *Press and Media - Theory and Practice*, Dar Al-Watan Publications, Palestine, first edition, 1991, p. 30.
- [13]. Ebeid, Atef Adly, *Communication and Public Opinion - Theoretical Foundations and Arab Contributions*, Arab Thought House, Cairo, 1993, p. 12.
- [14]. Adly, Obaid Atef, *Media Theories and Public Opinion*, Dar Al-Fikr Al-Arabi, Cairo, 2002. p. 88.
- [15]. Al-Assaf, previous reference, p. 107.
- [16]. Alexandre Balji Gallo, *Protecting Journalists and the Media in Times of Armed Conflict*, Selections from the International Red Cross magazine, International Committee of the Red Cross, 2004, p. 247
- [17]. Alaa Fathi Abdel Rahman Muhammad, previous reference, p. 255.
- [18]. Dr.. Omar Saadallah, *Media and International Humanitarian Law*, Algerian Journal of Legal, Economic and Political Sciences, No. 4, 2007, p. 14.
- [19]. Qadri, Abdulaziz, *Human Rights in International Law and International Relations Contents and States J and International Relations, Contents and Mechanisms*, Homa House, p. 26.
- [20]. Al-Amayreh, Khaled Muhammad, and Al-Hashlamoun, Nayef Diab, *the press and media - theory and practice*, Dar Al-Watan Publications - Palestine, first edition, 1991. p. 30.
- [21]. Safar, Mahmoud Muhammad, *Media Position*, Tihama Press, Saudi Arabia, 1982, p. 21.
- [22]. Shaaban, Muhammad Atallah, *Media Freedom in International Law*, Cairo, Alexandria Book Center, 2006.
- [23]. Nahla, Morris, *Al-Hurriyat, Al-Tibbi Human Rights Publications*, Beirut, Lebanon, 1999 edition, p. 263
- [24]. Alwan, Abdel Karim, *The Mediator in Public International Law (Human Rights) First Edition, Second Edition 2004*, Dar Al-Thaqafa Library for Publishing and Distribution, Jordan, pg. 60.
- [25]. Daoud, Mahmoud El-Sayed, *International Protection for Journalists in International Law and Islamic Jurisprudence*, Egyptian Journal of International Law, No. 59, 2003, p. 409.
- [26]. Chabou, Wassila, *The International Legal System for the Use of the Media*, Annals of the University of Algiers, No. 19, Part One, December 2010, p. 136.
- [27]. Alwan, Abdel Karim, previous reference, pg. 60.
- [28]. Al-Muslimi, Ibrahim Abdullah, *Media Legislation*, p. 212.
- [29]. Bassiouni, Mahmoud Sharif, *Human Rights*, House of Science for Millions, 1988, p. 374.
- [30]. Odeh, Mahmoud, *Communication Methods and Social Change*, Dar Al-Nahda Al-Arabiya, Beirut, 1988, p. 39.
- [31]. Odeh, *ibid.*, p. 39.
- [32]. Muhammad, Alaa Fathi Abdel Rahman, previous reference, p. 94.
- [33]. Hind, Hassan Mohamed, *The Legal System for Freedom of Expression (Press and Publishing)*, Dar al-Kutub al-Qanuniyya, Egypt, 2005, p. 77.