

**Commission on Security & Cooperation in Europe:
U.S. Helsinki Commission**

“Human Rights at Home: Media, Politics, and Safety of Journalists”

Committee Members Present:

**Representative Steve Cohen (D-TN)
Representative Marc Veasey (D-TX);
Senator Sheldon Whitehouse (D-RI);
Representative Sheila Jackson Lee (D-TX)**

Committee Staff Present:

**Alex T. Johnson, Chief of Staff, Commission for Security and Cooperation in
Europe**

Witnesses:

**Christiane Amanpour, Chief International Anchor, CNN-PBS and Goodwill
Ambassador for Freedom of Expression and Journalist Safety, UNESCO;
David Kaye, Special Rapporteur on the Promotion and Protection of the
Right to Freedom of Opinion and Expression, United Nations and Clinical
Professor of Law, University of California-Irvine;
Courtney C. Radsch, Advocacy Director, Committee to Protect Journalists**

**The Hearing Was Held From 11:01 a.m. To 12:05 p.m. via Videoconference,
Representative Steve Cohen (D-TN), Commissioner, Commission for Security
and Cooperation in Europe, presiding**

Date: Thursday, July 23, 2020

COHEN: (In progress) – safety of journalists. The first thing I'd like to say is we are all in Congress.

And I think the sphere of government and the people of the beloved community in mourning for the loss of the great Congressman John Lewis. We've celebrated his life this week in Congress in several different instances. Last night, about a four-hour special order. John Lewis cared about fairness, and justice, and openness, and transparency. He would have supported this hearing, and supported the reporting of human rights around the globe, and the free opportunity for journalists to do their job and let the people know what events are occurring, and if they're intimidated or threatened that that should be something that's of importance to the Helsinki Commission and to all good people throughout the world. So we mourn John Lewis. And I know you join me with that.

I'd like to thank Chairman Hastings for his leadership on the Helsinki Commission. And given my work on the Judiciary Committee, where I'm chair of the Constitution, Civil Rights, and Civil Liberties Subcommittee, giving me the opportunity to chair this particular House press freedom – this hearing. I'm also a member of the House Press Freedom Caucus. And this is a timely U.S. Helsinki Commission hearing.

I'll keep the record open for 48 hours for additional statements for the record, for members of the Commission who may wish to submit statements. Before my further remarks, I yield the floor to Helsinki Commission Chief of Staff Alex Johnson to share the modalities for this hearing.

JOHNSON: Thank you, Mr. Chair.

COHEN: You're welcome.

JOHNSON: Thank you for joining us for today's virtual hearing of the Commission on Security and Cooperation in Europe, also known as the U.S. Helsinki Commission. This hearing is being conducted in compliance with House Resolution 965, which provides for official remote proceedings during the COVID-19 pandemic. This hearing is being convened remotely to protect the health and ensure the safety of our witnesses, members, staff, and the public. This hearing is being broadcast live on our website at www.CSCE.org, and on our YouTube channel at www.youtube.com/HelsinkiCommission.

Before we begin, I would like to review a few housekeeping items for our members and witnesses. Members and witnesses are asked to keep themselves muted when not actively engaging in the discussion to limit background noise. Members and witnesses are responsible for unmuting themselves when they seek recognition or when they are recognized by the chair. Please remember that there's often a short delay when muting or unmuting your microphone. Members and witnesses should allow sufficient time before speaking.

Members and witnesses must keep their cameras on at all times during the hearing. If you need to step away for any reason, please make sure to leave your camera on. Finally, the

chair may declare a recess at any time to address technical difficulties with these remote proceedings. The hearing chair will now proceed with his opening statement, to be followed by opening statements from all witnesses. Commissioners and guest members may then offer statements or ask questions in the following general discussion with the witnesses.

I yield back to the chair.

COHEN: Thank you, Mr. Johnson.

Freedom of the press is not only enshrined in the U.S. Constitution, but a founding commitment to the international organizations that the United States has led to shape like the OSCE and the United Nations. The Helsinki Commission is mandated to monitor compliance with human rights and democracy commitments across 57 nation region of the OSCE, including the United States itself. As a country and a Congress, we should hold the United States to the highest standard for compliance with international press freedom commitments.

According to the U.S. Press Freedom Tracker, there have been over 500 reported attacks on the press since the beginning of the Black Lives Matter protests May 26. Most of these incidents against the press have been at the hands of authorities using excessive and indiscriminate force and disregarding press identification. A man from my own district, a photographer named Max Gersh, with The Commercial Appeal, our daily paper, was shoved by police with batons while covering protests in Louisville, Kentucky.

Meanwhile, at the U.S. Agency for Global Media, Trump appointee Michael Pack has purged the leadership of the organization, firing heads of four critical networks, including Radio Free Europe, Radio Liberty and the Radio Free Asia, and replacing the bipartisan boards that govern and advise those networks with political appointees of the Trump administration. Now Mr. Pack has threatened to let visas expire for the foreign journalists working for USAGM in the United States, putting these journalists at works in their countries of origin, where they risk potentially severe repercussions upon return.

President Trump has called Voice of America foreign propaganda and its journalism “disgusting,” which is sadly unsurprising given his ongoing barrage against journalists in our country. Despite the president’s rhetoric, Michael Pack must ensure that USAGM is free from political interference in order to fulfill its mandate, providing credible, unbiased information to audiences around the world. I look forward to hearing from our witnesses on these issues, and more. There’s much to discuss. And it’s unfortunate there’s much to discuss. Things that we used to talk about in places like the former Soviet sphere and in other countries, that the president might have given obscene names for apply in America now. So we need to have this be discussed and we need to look at our own house.

First, we’d like to hear from Christiane Amanpour. A woman who needs no introduction, Ms. Amanpour is CNN’s chief international anchor, and anchor of the network’s flagship global affairs program, “Amanpour.” I guess that the – what is it – eponymous, or whatever it is, name – which also airs on PBS. In addition to her award-winning journalism, Ms. Amanpour is UNESCO’s goodwill ambassador for freedom of expression and journalist safety. And we’ll

introduce our other witnesses before they testify. I like to introduce the witnesses before their testimony and not as one group. So with that, I recognize Ms. Amanpour for your comments.

AMANPOUR: (Off mic.) Over my career as chief international correspondent and anchor for CNN, and also now PBS, I've covered almost every foreign war that the United States has conducted since 1990, and in I have interviewed countless world leaders. And I can tell you firsthand that press freedom matters. I also know that a great America requires a great, robust, fair, and independent press. I have seen the difference between truth and lies and what it means. It means the difference between democracy and dictatorship.

And this matters to the people of the United States and, of course, the people of the world that the United States seeks to influence and shape. It matters to the human rights defenders who hold corrupt actors accountable. My colleagues and I take the First Amendment to the Constitution seriously. And for myself, as an international working for an American organization, I am deeply grateful for the strong legal press protections that it offers. I've seen with my own eyes how U.S. diplomacy has historically played a vital role in ensuring the right to free expression and ensuring that it is protected around the world.

And yet, in its own backyard, the United States has seen some troubling press freedom developments. CPJ is investigating attacks by federal forces against journalists in Portland right now. And most recently, of course, in May, police in Minneapolis, Minnesota arrested several of my colleagues at CNN, including the correspondent Omar Jimenez and his crew while they were live on air. They were covering the demonstrations following the killing of George Floyd. And they were arrested, despite offering their credentials, despite offering to comply with police. And there was no reason given.

The U.S. Press Freedom Tracker is currently investigating nearly 500 reports of violations against journalists covering demonstrations across the country. That includes at least 114 cases of physical attacks, 106 cases of rubber bullets being used against journalists, 69 tear gassings, 69 instances of equipment or newsroom damage, 68 arrests, and 33 pepper sprayings, as of July 16th. Sixty percent of those physical attacks were by police, in many cases despite the fact that journalists were clearly identified as members of the press. I confess, that from here in London I really did not know for a moment what country I was watching this happening in. The Committee to Protect Journalists has called the attacks clear First Amendment violations, which undermine the United States' ability to advocate for press freedom around the world.

And the political climate matters. On a regular basis the president and his administration denigrate the work of journalism, undermine critical coverage, by labeling it fake news. As I warned just after the 2016 election, while accepting a CPJ award, these attacks are part of a well-worn, even global, strategy to delegitimize independent reporting and to inoculate any leader from criticism and accountability. Now, the president-elect, then, admitted, reportedly, to Lesley Stahl of CBS, saying his attacks with the press were intended to demean and discredit reporters so that the public will not believe negative stories about him.

So where has that left us? Well, in the midst of this global pandemic, conspiracies, distrust of science, facts, and the evidence have had deadly consequences. The polarized

political climate has also forced elements of the media in the United States into political corners. And this undermines trust and the ability of the press to inform the public. Additionally, there's a lack of standards and consistency across media outlets and social media platforms because not all operators are held to the same rules. Too many media outlets are, in fact, fronts for lies and propaganda, reminiscent of state-sponsored news around the world.

Now, the Committee to Protect Journalists found that at the close of 2019 the number of imprisoned journalists around the world remained at high records. At least 30 of the 248 jailed journalists were held on false news charges. I cannot tell you how many world leaders use the words "fake news" to justify their crackdowns. If it's a good enough bludgeon for the president of the United States, it's more than good enough for us, they reason. Governments around the world continue to pursue false news statutes, now with the protective cloak of combatting the coronavirus pandemic.

Americans as well as people and leaders around the world must know that America will not tolerate this, and that America's democratic legitimacy depends on that. I urge you, therefore, to listen closely to civil society organizations that are monitoring and tracking violations in the United States and providing clear policy recommendations. Congress must also ensure that the U.S. continues to set an example to the world. And the best way to do that, of course, is to protect its robust landscape of independent media and ensure that journalists can cover the news freely and safely.

And finally, to quote *Invictus*, which is the favorite poem of your late and great colleague Congressman Lewis, our "heads are bloodied, but unbowed." We will keep up this struggle because we believe that only the strongest, fairest, safest press can properly underpin democracy. Thank you, and I welcome your questions.

COHEN: Thank you very much for your testimony and for quoting Mr. Lewis.

Our next witness will be Mr. David Kaye. He's the United Nations special rapporteur on the promotion and protection to the right to freedom of opinion and expression, and he's done that since 2014. Mr. Kaye is also a political professor of law at the University of California, Irvine, and author of a book published last year, "Speech Police: The Global Struggle to Govern the Internet." We recognize Mr. Kaye.

KAYE: Thank you. Chairman, Congressman Cohen, members of the Commission, thank you very much for the honor of testifying before you today. My written testimony addresses the questions posed in this hearing through the lens of the United States' treaty obligations. In particular, Article 19 of the International Covenant on Civil and Political Rights guarantees everyone's right to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, and through any media. It is widely understood to me that journalists must be given the highest degree of protection necessary to cover public demonstrations. And it is a right not only owed to journalists and their outlets, but to all members of the public who depend on a free press for access to information.

With that, please permit me to summarize my written testimony concerning the three topics of this hearing. First, you raise the issue of protection of journalists during public protests. My co-panelists are highlighting the reality of attacks on journalists during the Black Lives Matter protests. My assessment of law enforcement behavior and the U.S. human rights obligations leads me to conclude that law enforcement at the federal, state, and local levels have repeatedly interfered with the rights of the press. And I would urge the Commission to consider three aspects of that interference.

First, law enforcement has a human rights obligation to avoid use of force against journalists and to protect journalists from third-party violence. Second, public officials – especially those holding high office – must enforce these protections and condemn attacks against journalists, and promote the role played by the press. And third, the militarization of policing is deeply negative for freedom of expression and encourages law enforcement to see protesters and journalists as belligerents, highlighting the need for demilitarization.

Second, you have asked about the recent steps taken at the U.S. Agency for Global Media. It is difficult to see these firings that you mentioned, Congressman Cohen, as anything other than an attempt to undermine the independence of these agencies and to bring them under political influence. The assault on the Open Technology Fund, or OTF, in particular risks transforming it into a politicized agency promoting closed-source technologies that would undermine the ability of the United States to promote internet freedom globally. I fully share the concerns reflected in a letter from civil society and urge the Commission to support the calls therein, especially to honor the 2019 and 2020 fiscal year funding for OTF and require an open, transparency, fact-based, and competitive process for the awarding of OTF funds. Otherwise, the historic U.S. role as a supporter of online freedom of expression will be difficult to maintain.

Third, you asked about the impact of COVID-19 on journalism. The pandemic is having an extraordinary impact worldwide. And I would briefly raise two points that the Commission may wish to consider as it promotes freedom of expression. First, threats to the media have continued during the pandemic, including intimidation of and attacks on journalists, restrictions of space for reporting, lack of access for foreign reporters, and arbitrary detention. Governments must refrain from these attacks and release all journalists detained. And second, governments may be tempted to treat disinformation around the pandemic with harsh measures, given the harm the so-called “infodemic” can have on public health. Penalties, however, tend to have a chilling effect and they’re often subject to abuse. The United States can play an important role encouraging the avoidance of disinformation and lies.

I will conclude with the following: It is really quite encouraging that this commission is addressing human rights not merely as a question of how others behave. Indeed, the United States can and should do two things at once: Apply human rights domestically and promote human rights as a part of U.S. foreign policy. My written testimony highlights what that approach might look like. Here, I would simply urge the institutional point, that the U.S. return to the institutions of global human rights, such as the Human Rights Council, and as part of that reconsider its historic resistance to global monitoring of U.S. human rights behavior. Such moves would signal to all countries, Democratic and authoritarian, friendly and hostile, that the

United States will return to global leadership and no longer approach human rights as a double standard.

Thank you very much for your consideration. I look forward to answering any questions that you might have.

COHEN: Thank you very much, Mr. Kaye.

And before I recognize our next witness, we're going to go out of order and recognize one of my favorite senators – and I don't have 50 of them. They're much less than 50. He's one of the – in the single digits – Senator Sheldon Whitehouse, who's joined us. Senator Whitehouse, are you out there? Maybe I've been given wrong information.

Mr. Johnson, can you confirm or deny that Mr. Whitehouse is available?

JOHNSON: Mr. Whitehouse is indeed available and can join at any point, I guess, following the next witness.

COHEN: In my enthusiasm to recognize one of my favorite senators, I jumped the gun. So now we will hear from Dr. Courtney Radsch – R-A-D-S-C-H. How do you pronounce that?

RADSCH: It's pronounced Radsch. Thank you so much.

COHEN: Thank you, doctor. You're advocacy director at the Committee to Protect Journalists, chief spokesperson on global press freedom for the Committee to Protect Journalists, is also a researcher, author, and veteran journalist herself. Thank you for being with us today, and I recognize you for your opening remarks.

RADSCH: Thank you, Mr. Chair and members of the Commission, for hosting this important hearing, and for inviting the Committee to Protect Journalists to testify. As I said, my name is Courtney Radsch, and I serve as CPJ's director of advocacy and communications and have been a journalist myself. At CPJ, we recognize that the United States has a unique historical and legal commitment to protecting a free and independent press at home and abroad. But the hundreds of attacks by law enforcement against journalists covering anti-police brutality protests, the politicized shakeup at the U.S. Agency for Global Media, and the persistent denigration and verbal assaults by journalists – on journalists by President Trump and other elected leaders, have created perilous conditions for the media at home and with ramifications for journalists around the world.

Covering civil unrest is already a challenge for journalists. And when coupled with the COVID-19 pandemic, journalists are presented with an extraordinarily risky situation in trying to protect both their health and their safety. Attacks on journalists covering nationwide demonstrations against police brutality are unprecedented, particularly in light of the fact that law enforcement officers, with an obligation to uphold the First Amendment, appear to have been responsible for a majority of the attacks on journalists. The nonpartisan U.S. Press Freedom Tracker, founded by CPJ and Freedom of the Press Foundation, is researching more

than 500 reported aggressions against journalists covering these demonstrations, some of which appear to have been racially motivated.

The scale of violence is unparalleled. There have been reports of 68 arrests of journalists, compared to a total of 58 since 2017 when we founded the tracker. The tracker is investigating 114 physical assaults on media covering the protests – more than all physical assaults reported the previous three years. Law enforcement was responsible for most of the 106 reported incidents of projectiles being shot at journalists. CPJ is also disturbed by reports that federal law enforcement agents who are not clearly identified with badges or names attacked journalists. The lack of identifying information prevents officers from being held responsible. And these shocking statistics are indicative of an increased militarization of the police, a concern we raised previously with Congress in 2017.

CPJ's report on the Trump administration and press freedom, released in April, found that the administration has regularly attacked the role of an independent press, stepped up prosecution of news sources, interfered in the business of media owners, and empowered foreign leaders to restrict their own media. Other issues, identified as press freedom threats, started under the previous administration, but they have worsened under the current one. These includes curbing routine disclosures of information, aggressively prosecuting leakers of classified information, and using surveillance programs that deter government sources from speaking to journalists.

Meanwhile, the shakeup at the U.S. Agency for Global Media, following the confirmation of its new CEO, and reports that the agency will review the pieces of journalists working for Voice of America also raise deep concerns. And we urge you to hold a hearing on this matter and make sure that the statutory independence of these outlets is ensured in practice. These outlets are one of the few alternatives to state-controlled media that are available in local languages. And technologies supported by the Open Technology Fund have helped journalists and their sources stay safe, while helping residents of closed environments gain access to reporting that otherwise would be blocked.

Journalists working for USAGM often face repression in country. And if they lose their visas, repatriated journalists could face retribution for their critical reporting. Finally, because of the administration's refusal to be transparent about the murder of Jamal Khashoggi, CPJ is currently leading a lawsuit to force the release of documents on whether the U.S. intelligence community was aware of threats to Khashoggi's life prior to his murder.

Despite its less-than-stellar press freedom record at home, however, the world still looks to the U.S. for leadership. And given that the current administration has not been a forceful advocate for press freedom, the burden falls on Congress. Hearings like this one are really helpful to illuminate important issues, but more must be done. CPJ has urged officials at all levels of government to provide data about the recent incidents of anti-press violence, to investigate any reported attacks, and to hold perpetrators to account. We have submitted copies of these letters for the record. More broadly, we urge all public officials to make clear the crucial role that journalists and independent media play in helping to ensure that democracy survives.

Thank you again, and I welcome your questions.

COHEN: And now I'd like to recognize Senator Whitehouse. Well, thank you, again, Ms. Radsch.

Senator Whitehouse, you're recognized.

WHITEHOUSE: Sorry. I've got a call that just came in. I'm going to have to yield back.

COHEN: Well, thank you. We understand that. And with that, I'd like to recognize Ms. Amanpour, and see if you have any additional comments.

AMANPOUR: Very, very sadly, it was exactly 28 years ago today that my colleague Margaret Moth was shot through the face in Bosnia as we were covering the siege of Sarajevo. And shortly thereafter, our colleague from ABC News producer was shot and killed. And that began the modern-day assault – deliberate assault on the press around the world. The press has become deliberately targeted. We are no longer just caught in the crossfire. We are deliberately targeted around the world. And I really hope not in the United States, but clearly some of this testimony is showing that this is happening also in the United States. And I can't emphasize enough how precious a robust, and strong, and free, and fair, and independent, and safe press is to the very existence and continuation of the greatest democracy in the world, yours, and naturally to democracies around the world.

So I do believe this is not just a plea for indulgence from a certain element of the working forces. We believe that we play a strong role in civil society, and that those of us who are committed to putting our bodies on the line, frankly, to find the truth, to find the evidence, and to bring it back to all Americans who cannot, obviously, get up and go around the world. We are their eyes and their ears. And therefore, I think it's incumbent upon, you know, all those actors who can to protect this profession, and to stand up for this right, which is a fundamental part of the American Constitution, and American values, that I certainly grew up respecting when I was living abroad, and before I came to practice in the United States for a U.S. company.

COHEN: Thank you for your statement. I'd like to ask a question of all the panel, but I will start with you, Ms. Amanpour. The United States has historically been known as a leader in all of these issues, as far as transparency, and freedom of the press, and openness. It goes back to Chet Huntley and David Brinkley, and Leslie Cockburn, and other great journalists. How is the United States viewed around the world now after some of these actions that the United States, attacks on journalists, and these actions it's taken with the new leadership at the – at the USAGM?

AMANPOUR: Well, look, the picture isn't pretty from around the world. On the other hand, of course, Congressman, there are many dictators, authoritarians, and non-democrats who are quite happy to see this happening in the United States, of all places, because then they draw their own fake legitimacy from that. and that is a big problem. The chilling effect – beyond the

actual attack on American journalism – the chilling effect, as Cortney and David have pointed out, on journalists around the world. And I can attest from covering countries you might not even imagine that their initial democratic – emerging democracies were essentially, you know, driven by journalists on the frontlines in countries around the world. It was journalists who were able to push the cause of democracy in some of the most unlikely corners around the world to the forefront.

And when you see journalism as a – as a profession now increasingly under attack, as you know, according to the CPJ figures, that the cause – the leading cause of death against journalists around the world is deliberate targeting. We are not just caught in the crossfire. We don't just die of natural causes. But it is deliberate targeting that kills journalists. But it's all in the aim and in the name of silencing the messenger. And we just must be able to stand up for that. And, yes, the view from around the world is, sadly, not encouraging right now.

COHEN: Well, that's, I think, an understatement. But thank you very much, Ms. Amanpour. Do either one of the other panelists want to comment on that, the United States' role in the world when it tries to go and espouse democratic values with the present conditions in the United States, from this administration and with the USAGM? Ms. Radsch, you have a comment.

RADSCH: Yes. I'd be happy to report – you know, to respond to that, because part of what the Committee to Protect Journalists is to try to protect journalists around the world. And we have historically relied on the United States to help with that. Now, granted, it doesn't have a perfect record, but it has typically stood up for these fundamental values. But what we have seen over the past few years, as Christiane rereferred to in her testimony, is that this false news rhetoric, this fake news rhetoric, has reverberated around the world, and have real impact and consequences for the freedom of journalists.

We see a significant increase in the number of journalists who are imprisoned around the world on false news charges. We see that leaders of all political stripes are using the United States and its anti-press rhetoric and perception as an excuse and a cover for their own repression, from Hungary, to Poland, to Russia, and Egypt, China even. And this is really problematic because it provides these leaders with a tool. And then, of course, we see the lack of U.S. leadership in standing up on behalf of journalists who are imprisoned around the world or who are under threat, including, for example, Maria Ressa, a Filipino American journalist who is facing serious charges in the Philippines. And yet, we've seen relatively little from the U.S. president or the high levels of the administration, which we would expect to see.

And we see this also now with COVID-19, providing a very convenient guise to, again, pass restrictive legislation that essentially criminalizes journalism or equates reporting critical or facts that don't comport with the official version with fake news. And we see journalists being imprisoned. You know, we launched a big campaign to try to release all journalists imprisoned for their work around the world. Because of COVID, it could lead to a death sentence. And we've already seen now two journalists die in jail, including one in pre-trial detention. Where is the United States on amplifying this call and using its diplomatic pressure to help release these

journalists? So we're really seeing the reverberations of the lack of U.S. leadership, and on all of these issues.

COHEN: Thank you very much. And, Mr. Kaye, do you have a comment?

KAYE: Sure. Thank you, Congressman Cohen. And I would just start by saying I fully share what Christiane and Courtney have just said. In my view, as U.N. special rapporteur, that is as somebody who's monitoring these issues around the world, it is exactly as described. The United States has simply lost its voice in tackling the false information laws that have really spread like wildfire over the last several years. But I did want to make maybe two quick points. One is that this does back several years. So even before the Trump administration, there was an increase in pressure on journalists in the United States. There was an increase in leak investigation, an increase in prosecutions under the Espionage Act, which does not permit for a public interest exception and is, frankly, serves as a chilling effect, particularly on reports and their sources in areas of the most urgent concern, such as intelligence and national security.

And then the second point I would say is that interestingly I think people around the world, journalists, governments, civil society, are really quite disappointed in not having the U.S. voice supporting them as it did in the past. So even when there were problems, even some that might have been on the margins with respect to U.S. practice against journalists, at the same time the U.S. was an active promoter of journalism around the world and an active promoter not just for journalists, per se, but, as Christine really eloquently put it, a defender of the audience's right to get that information. This isn't a plea for journalists to be protected simply to protect their physical safety. It's a plea for their safety so that they can do the job of supporting democracy and access to information.

I think that the United States leaving the Human Rights Council was a real suggestion that the United States is beyond reproach on these issues. And my real hope is that over time the United States will return to that, will return to both protecting journalists at home but also bringing back its voice to all of these different debates internationally. And I'm pleased that the Helsinki Commission is in a position to help do that.

COHEN: Thank you, Mr. Kaye. Do you have a comment, or anybody else, about the actions with Mr. Pack's appointment, and the firings that he's undertaken? Have they been noticed and are they concerning?

KAYE: Those are noticed. And I'll say briefly, and I'm sure my co-panelists may want to say something here as well, first, with respect to the firings of the heads – the shakeup, as Courtney put it, around the media outlets – so, Voice of America, Radio Free Europe, and so forth – those are problems because they suggest that those outlets, which have a deserved reputation worldwide for independence, will now be subject to political framing to political constraint. That is a problem for the outlets. But the denial of visas in particular for those reporters, and the possibility that some of these reporters will be forced to go back to their homes, where they could be subject not just to prosecution but to real violence, I think is matter of extreme urgency for Congress to take up. It's not just about independence. It's about the actual safety of journalists who have been reporting for these outlets around the world.

And related to that, as I mentioned in my testimony, is the open technology fund, which has been a critical supporter for internet freedom around the world. And I think that the actions that we're seeing have this double effect of both interfering with the U.S. role on press freedom and interfering with the U.S. role on internet freedom worldwide.

RADSCH: May I add to that?

COHEN: Please.

RADSCH: So many of the cases that the Committee to Protect Journalists reports on around the world have been cases of USAGM-related journalists – so, Radio Free Europe, you know, Radio Free Asia, Voice of America – who come under threat because they are on the front lines. Let's recall that Radio Free Asia was the first outlet to report on the massive crackdown on Uighurs in China, and the internment there. That is a fundamentally important story. These journalists are risking their lives to help bring Americans and the world news from very challenging countries.

Some of them have had to flee into exile. It's very difficult for journalists to continue working in journalism in exile, especially in their native language. These USAGM properties and outlets provide an opportunity for these journalists to continue working in journalism and providing information to closed countries that otherwise would not have access to independent or non-state media. And related to that is the technology that the Open Technology Fund has created or supported, not just for internet freedom but for helping those journalists communicate securely and safely, for helping the people in those countries, through circumvention technology. To gain access to independent media.

We are very, very concerned about the discussion around rescinding or reviewing those visas. No one wants to talk on the record about it, because they're also fearing for their jobs. So it's very hard to document this. But let me tell you, we have heard from many journalists about the fears for them and their colleagues, and the independence and importance that these – that these outlets have around the world in those countries was not built in a day. Trust takes a lifetime to build and can be rescinded in a moment. And that is the real danger here with the politicization of the agency, and the potential for a lack of editorial independence.

COHEN: Ms. Amanpour, do you have a comment on the actions of Mr. Pack and what it's done to our standing around the world, and the threat to journalists?

AMANPOUR: Well, just to amplify what my colleagues have already said. Just to take a quick step backwards, you know, Voice of America, just like the BBC World Service Radio, these are – this is a way to amplify American soft power. It's a way to show the world objective, factual journalism. It's a way to really, you know, be able to bring stories, as they've outlined, to the world that they would never get in their own backyards, from their own government. So I think it's almost like shooting yourself in the foot to damage the trust and credibility of these organizations.

And I said in my statement that journalists around the world, including obviously in the United States but if you look around the world, are being pushed into political corners. And this is one of the most dangerous effects – snowballing effects in terms of getting any truth and facts. And as you know, Congressman, without truth, facts, and a knowledgeable electorate or population, you can't govern either. You know, it's all chaotic. So I think, you know, politicizing or otherwise tampering with, you know, something like VOA, et cetera, has a long-term cascading dangerous and deleterious effect.

COHEN: Thank you. And I understand you have to leave us. Is that accurate?

AMANPOUR: Well, Congressman, I have to get ready for that eponymous show, which is going to be starting in a couple of hours. (Laughs.) So I very much appreciate you asking me here. And thank you so much for hosting this very important committee and these hearings.

COHEN: Thank you very much. I appreciate your testimony and your willingness to appear.

And I'd like to – there's two other members. I think Mr. Veasey's with us, who's a member of the Commission. And if Mr. Veasey would like to make remarks, I'd recognize him at this point.

Thank you, Ms. Amanpour.

VEASEY: There we go. I think I'm unmuted now. Can you hear me, Steve?

COHEN: Yes. Yes.

VEASEY: There we go. OK, great. Great. Well, no, thank you very much. I appreciate this. I think that this is a great hearing for us to have, particularly because of some of the human rights situations that the press are facing right here in the United States. I think it's very timely. And I just really wanted to thank the committee for us taking up this and really talking about it. I wanted to just ask for all the witnesses, and anyone can jump in, can you describe for our audience and for the record what the relationship should be between police and reporters during protests? We saw the situation in Minneapolis, where we had a CNN reporter that was arrested. You know, and that was, like, very disturbing. Even after he revealed himself, it was – you know, the police wanted to continue to press forward.

Do you think that there's maybe something from a preliminary standpoint before protests start where police and journalists should brief one another? Now, I know that that's not necessarily – that can't always necessarily be helpful, because there are some things that arise where the press may have to immediately go out there, and they can't let the local police chief of whomever is in charge know that, hey, we're going to be in town and we, you know, may have a cameraman in the middle of all of this, because some of these things happen sporadically. But is there any sort of lessons that can be learned from how to prevent situations like that from happening? I mean, those are the sorts of things that we see in third-world countries. And we don't want to see a continuation of that in the United States.

RADSCH: I'm happy to respond, Representative. Thank you for that question. I don't know that a briefing between law enforcement and journalists is necessarily the right approach. It may be in some cases. But I think what we have been advocated for, including in the letters that we have written to all of the governors, and the Governor's Association, and several mayoral offices, is the police and law enforcement receive training on the rights of journalists – and, frankly, of everyone – on their free expression and free association rights, and how to maintain the ability of journalists to do their very important public service, while doing – while law enforcement does theirs.

I think that we don't have the sufficient training there, and that – and also that the lack of accountability mechanisms, including investigations into these attacks, also sends a signal that, you know, they don't have to care too much because no one's going to be held responsible. Similarly, as I raised in my testimony, the majority of these attacks appear to have been perpetrated by law enforcement. And there are many cases where we have – they have been caught on live television or on video, and it is very clear that those journalists were identified as journalists. They were carrying heavy equipment, they had press vests on. And they have, nonetheless, been targeted.

So, you know, in some cases I don't think this is an issue about, you know, being in the wrong place at the wrong time. We saw from the very beginning that Omar Jimenez from CNN was very cooperative with the police, was trying to understand what they wanted, and was arrested, nonetheless. So I think we need to be realistic about what the problem is and make sure that we are requesting that police departments investigate these incidents, that they maintain and provide transparent data about incidents in which law enforcement is involved in attacks on reporters or members of the media, and that they commit to thoroughly investigating these.

And of course, as we mentioned, you know, the link with the militarization of the police, the types of uniforms and tactics that they're using, not to mention the surveillance apparatus that they have rolled out at many of these protests, pose serious civil rights threats and threats to the ability of journalists to do their jobs. We need to remember, you know, this is not Afghanistan. This is not the Arab Spring. This is the United States of America.

VEASEY: Yeah. I was wondering if you or Professor Kaye felt that perhaps – you know, just the same way how we ask for police to take courses in bias training to make sure that they're not, you know, implementing racial discrimination on arrests or stops, or what have you, do you – after seeing what happened in Minneapolis, do you think that it would be good for police departments around the country to just sort of refresh their rank and file our First Amendment and the freedom of press in this country?

KAYE: Yeah. I'll jump in on this and start by saying that I agree with everything that Courtney said. Representative Veasey, I really appreciate these questions.

I think that – I mean, the first thing I would say is, yes, we need – we need training. It's training that is not only for local police officers, not just for local police departments. You know, what we're seeing in Portland, for example, involves federal security officials. And we've

seen this at the National Guard level as well. So I think what really is needed is very specific training that talks about what is the proper way to manage protests – because many of these problems that we’re talking about are also about violence against peaceful protesters as well.

But when it comes to the press, there needs to be not only that kind of individual training, the kind that you’re describing, but it also needs to be a change in the tone from the most senior officials of the United States government. I do think, and I think in their opening statements Courtney and Christiane really emphasized this point, that there is a relationship between the rhetoric – the kind of anti-press enemy of the people kind of rhetoric from the White House, and the feeling of impunity for attacks on journalists. So I think that overall you need training and you need a change of tone among those in the positions of real responsibility.

And then the other point that I would make is, and this is a commission point as well, is that to the extent that the United States is increasingly seen as undertaking the same kinds of tactics against the press as we’ve seen, you know, since last fall in Hong Kong, as we’ve seen just over the last several weeks in Belarus, as we’ve seen in places like Egypt, where there’s real strong pressure, attacks, and even detention of journalists – it really does undermine the U.S.’s ability, the American ability, to promote freedom of expression and to promote journalist protection worldwide. These things are all very much connected. And it’s about training. It’s about tone. It’s about subjecting ourselves to the lens of human rights. Not just First Amendment, but human rights obligations, which is the vocabulary that people around the world are using.

VEASEY: Yeah. Absolutely. I think that’s so key. I know that before the late Robert Mugabe was deposed as long-time, you know, president dictator of Zimbabwe, he had said that he thought that a lot of the rhetoric that he was hearing in the United States in 2016, that it would make the world have more empathy for people like him. And that’s scary to think about, that people could – you know, because people do see us as the example. And if we’re not setting a good example for the rest of the world, it just basically lets these strongmen around the world think that what they’re doing is OK.

Mr. Chairman, I yield back. Thank you very much.

COHEN: Thank you, Mr. Veasey.

Is Ms. Jackson Lee with us?

JACKSON LEE: Yes. I’m with you. Can you hear me?

COHEN: I can hear you. And you’re recognized if you’d like to make a statement.

JACKSON LEE: Yes. Yes, I would, very quickly. Let me – I’m in the middle of a markup, as are many of us. Let me quickly thank the witnesses. I’m sorry that Christiane Amanpour had to leave. I’d like to listen to the answer.

Let me be very clear that from the moment of the Revolutionary War and before, press have been instrumental in raising up and forcing and providing the infrastructure for Democracy and the Constitution. We have a moral obligation to stand as a beacon of light for press, from the heinous dismembering of the Washington Post reporter in the Saudi embassy in Turkey, to the scenes on America's streets during the protest movements, when Black Lives Matter were not the provocateurs. It was people who believed that their story should not be told.

I would ask the remaining witnesses: What do we lose when the moral high ground is not carried forth by a nation who has, as its First Amendment, the freedom of press? What do we lose in the world as Americans, as the United States, as the world loses in places where the lights have been turned out on the media, where an emergent movement – such as when President Obama spoke on the Arab Spring – what does the world lose, what do we lose in terms of democracy, in terms of issues dealing with women's rights, and, of course, race relations here? George Floyd was a seismic change in this world. The question is, of course, was his story able to be told by any other way but the social media and media that told the story over and over again? So I'd be interested in the response from the two witnesses. Thank you.

RADSCH: Sure. I'm happy to start.

I mean, at the very fundamental level, what's lost when the U.S. does not lead and it does not have that moral authority is I think the, frankly, world order, which is under threat and which is in the process of deteriorating. We're seeing around the world that populist leaders are rising. And part of their playbook of authoritarianism is to attack the press, and specifically to attack individual journalists who are doing the critical investigative reporting. We're seeing also the health implications that crackdown on reporters have. We've seen around the world that COVID-19 is a public health crisis that is fundamentally part of the response has to be informational. The public relies on the media for most of what it knows about COVID-19 and how to keep themselves safe and respond.

And yet, we have seen that around the world leaders and governments have put on incredibly severe restrictions on the press, have attacked the press, have imprisoned members of the press, have passed laws where it becomes illegal to report any unofficial statistics. And this has wide repercussions. And one of the reasons that they feel free to do this is because they will face no repercussions in their diplomatic relationship with the United States, and because they hear and feel no pressure from our leaders here. And I think that has an incredibly detrimental effect on press freedom around the world.

And similarly, you referred to, you know, gender and race, these stories depend, again, on journalists to help tell them and reach a wider audience. In a way that social media can be helpful for helping those voices get out individually, but journalists help contextualize those. And, you know, we saw, for example, with #MeToo, with the sexual abuse scandal against USA Gymnastics, with so many issues around the world, the Panama Papers, massive worldwide corruption, that it was because journalists were doggedly reporting on that, that then we can see some sort of resolution come with, in some cases, an actual financial benefit.

These are all fundamentally in the public interest. So when the U.S. leadership declines, it means that we are going to see, I would say, a rise in corruption around the world, a rise in human rights abuses around the world, and a real threat to the viability of independent journalism.

COHEN: Thank you very much. Ms. Lee, are you still with us, Ms. Jackson Lee?

JACKSON LEE: Yes, I am. Is the other witness going to answer?

COHEN: Professor Kaye?

KAYE: Thank you. Thank you, Congressman. And thank you, Representative Jackson Lee, for your question.

I would add just a couple of points to Courtney's excellent response. The first is, I'm very glad that you mentioned both women journalists and also Black journalists, because I think one of the things that we've seen over the last several weeks of protests, but also something I know that Courtney and I have seen around the world, is that those who are otherwise disadvantaged or particularly vulnerable, particularly women journalists, particularly minority journalists, are subject to even extra attack than we might otherwise see.

And so I think that's an important part of this, that oftentimes journalists are very specifically targeted not only for their reporting, but for their identity, or their gender, or where they're coming from. And that's something that, to the extent that the United States is seen as attacking journalists on those grounds, that is also very much a harm for the U.S. ability to promote press freedom worldwide.

The other point that I would make is that, you know, we often in the United States talk about these issues from the perspective of the First Amendment. And that's entirely appropriate, because the First Amendment is such a fabric of American democracy. (Off mic) – conversation is really driven – (off mic) – rights obligations. And the United States is a party to the central treaty of human rights, the International Covenant on Civil and Political Rights. And we really need to be able to participate in the global conversation about press freedom by acknowledging our own human rights obligations and acknowledging where we come short.

And in many of the issues that have been raised today, I think we are very clearly falling short. We need to subject ourselves – as the United States, as the U.S. government – to the oversight, the oversight of the international community, just as we expect every other country to do. And I think that could have, over the long term, very positive effect on our ability to promote press freedom around the world.

COHEN: Thank you, Professor Kaye. I have breaking news. Never had the chance to do that. Breaking news. Michael Cohen has been released from prison. A judge has ordered him released from prison. He's no relation to me, by the way, but it is nice to see – because he's in essence a press person, wanting to write a book and being put in jail in solitary confinement

because he wants to write a book. What is happening in this country? 1984, 2020, which year is it? It's strange, hard to fathom.

Representative Jackson Lee, are you still with us? No, she's not. She's on the other – she's on the hearing that I'm also on. I just want you to know, I appreciate each of you being here, and I pay diligent attention, at the same time keeping an ear to my Judiciary hearing where I have to participate and try to vote. And I've been watching AOC do a great program on women and the attacks she's been on. So it's not been an easy threesome. But you all have done a great job.

Professor Kaye, you had said something in your testimony about the militarization of police. Did you mean by that police using old military equipment and coming dressed up in all this outfit and having military equipment? Or did you mean the Department of Human Services and other agencies of the United States government coming in in fatigues? Which one is the militarization of police? Is it part one and part two? Or which were you referring to?

KAYE: Yeah. Thank you for that question, and to allow me to clarify. When I talk about militarization, and I think this is true for others as well, we're talking about both of those things. I mean, on the one hand we've seen local police forces using, acquiring all of those kinds of tools that you're making reference to – tools that are – that are really the kinds of tools that we're used to seeing on the field of battle in urban warzones around the world, and that the U.S. military has in fact used. And so that's one level of the militarization. And the other part of that – of militarization is, indeed, as an instance of that what we've seen in Portland over the last several days, which is really a seemingly military presence, and a presence that does not identify itself to protesters or to journalists, with actions that look like – frankly, like kidnappings.

So when we're talking, or when I'm talking about militarization, I'm thinking about both of the things that you mentioned, and the overall approach that considers protesters and journalists as belligerents, rather than individuals who are exercising their constitutional rights to protest and to report on those protests.

RADSCH: May I also clarify about the militarization aspect that we mentioned as well during the testimony?

COHEN: Yes, you may, and thank you.

RADSCH: When we talk about militarization I think there are three specific things. And this is based on, in addition, of course, to our regular reporting. We led an unprecedented international press freedom mission to the United States to investigate what was happening on the ground here. And we went to several different states. And what we found are three things: One, that the militarization of the police is fueled by retired war material and equipment from Afghanistan and Iraq being given to local police departments. Second, the training and tactics that those police departments receive in how to deal with civil unrest, which is informed by military tactics. And three, that many, you know, people who become law enforcement officials are retired military. So those are three, like, pretty specific things that we're referring to with militarization of the police.

I would maybe slightly disaggregate from the militarization of policing in terms of using the military for policing, which I think is something we're seeing in recent years. And we're certainly concerned about that. And throughout all of this, you know, with – the military does not wear necessarily identifiable information or name tags, as law enforcement does. And so that's another aspect, where, you know, even here in Washington, D.C., where I'm based, when I went down to the protests, seeing that there were people – you know, there were law enforcement there who are not identified, hearing from journalists who were unable to identify who those law enforcement officials, which agency they belong to. We're investigating reports of that in Portland as well. That's another factor now, that issue.

COHEN: Thank you, thank you. We appreciate your commentary and your mentioning Washington, which is where we are. It was really awful to see the troops come through and clear out Lafayette Park for the opportunity for the president to touch a Bible. It was rare circumstances. But we saw it all happen.

Mr. Veasey, you still with us? I think you are. I think I can see you. I don't think Senator Whitehouse came back. But if there's no other questions and no other commentary, I want to thank each of our witnesses for appearing. We will share this with the other members of the Commission, the testimony. We'll share it with others. Mr. Johnson will see to it – as you probably know staff is really in charge of everything – and they will see to it that it's done. We thank you for your testimony. And that will conclude the hearing. Thank you very much.

RADSCH: Thank you.

COHEN: You're welcome.

[Whereupon, at 12:05 p.m., the hearing ended.]