

International Law Approach to the Balancing Role of the Media in Violation of Human Rights during crisis

¹Jamshid Arasteh*, ²Aghil Mohammadi, ³Sowgand Arasteh

¹(Author)

Master of International Law, Department of public and international Law, Faculty of Law and Political Science, Shiraz University, Shiraz, Iran

Faculty member of Eram Institute of Higher Education, Faculty of Graphic Design, Shiraz, Iran

²(Corresponding author)

Assistant professor,

Department of public and international law,

School of law and political sciences, Shiraz University, Shiraz, Iran

³ *Undergraduate student of Global Law and Transnational Legal Studies, Department*

of Law, Faculty of Law, Turin University, Turin, Italy

Abstract:- In the circumstances of disorder and crisis, human rights are violated more. The Covid-19 pandemic has been one of the most critical and bitter situations in history, when governments imposed many restrictions to fight coronavirus and faced various violations of human rights. Taking actions such as social distancing, traffic limitations and self-quarantine led to reduced access to some rights like free flow of information. In this conditions, the presence of a balancing tool protects people's rights. It is the media that in addition to human rights institutions, can help people access their basic rights based on the principle of media social responsibility. Media play a supportive role in human rights as can decline the breach of human rights law as a community watch and act as a bridge between citizens, governments, and international institutions. Without being asked, in the crises and emergence, the mission of the Media is changing due to a possibility of violating the obligations of governments. The descriptive-analytic approach of the current study is based on the assumption that how the media can be another pillar of human rights organizations during crises. This research showed that media warrant the right to health by freedom of speech approach through free distribution of information and impartiality. However, undeveloped countries's law system such as Iran also does not have binding rules that can be used during pandemics. In the current study, the media tried to communicate the reality and truth in most parts of reports; however, it is not acceptable that they acted independently of governments.

Keywords: *balinformation, human rights; media responcibility; breach of law; COVID-19*

Introduction

In crises and abnormal conditions, human rights are violated more often. The COVID-19 pandemic was one of the widespread global crises that affected the international commitments of governments in terms of human rights. One of these commitments is the right to health. Although governments took action in this regard, including quarantine, social distancing, traffic limitations, free access to information, and COVID-19 mortality statistics to protect public health, some governments violated fundamental human rights such as information access by inefficiency in these commitments. Naturally, any censure and deficiency in people's access to information are considered a violation of human rights in regulations of international law. Although, at the same time, some countries limited and cut off patients' access to basic goods such as medicine, which is also a clear violation of the first generation of human rights.

Balancing information is an efficient amplements to diminution human rights violations.in this regard, the Media, as one of the tools for communicating human rights values, plays an essential role in globalizing them. Thus, media are responsible for creating an environment for people to access beliefs and conceptions, follow values, doing behaviors and actions consistent with fundamental human rights. In this regard, by considering any phenomenon, including the right to the mental and physical health of people during the COVID-19 pandemic, improving and promoting it is one of the responsibilities of the media. Because media are considered practical tools and institutions in society, their activity domain helps to promote the cultural and social level of confronting and controlling factors affecting people's mental and physical health. Therefore, media are an effective tool with the ability to monitor events and communicate direct relationships with public opinions, which develop norms of human rights at different social, cultural, and health levels through distributing cases of violation of human rights in terms of the right to health.

Moreover, media responsibility for the COVID-19 pandemic is such vital that they can help control it through three routes: awareness: providing helpful information about COVID-19 based on human rights approaches and their supportive mechanisms; values and beliefs: promoting human rights culture for controlling COVID-19 pandemic through developing world health values and believes for promoting the right to health; action: encourage to defend human rights based on controlling COVID-19 pandemic and preventing abuse through making mechanisms for social responsibility of media.

Therefore, achieving the right to free access to information for achieving the right to health during crisis and emergency conditions is very important. It is necessary to examine this media use by analyzing news and information published by media because media can limit obstacles to achieving appropriate health and medical statistics and information quickly and decrease news and information censure by governments through promoting media literacy and the ability to analyze data. Studies conducted on human rights and media responsibility show that attention to the right to free access to information and media literacy is significant from human rights views. Various articles and books have been published in this regard(James, Ramos & Rodgers, 2005). Thus, the necessity to study obstacles to the right to information access and violation of human rights, such as the right to health in the news published by media, becomes more critical.

Article 19 of human rights states that anyone has the right to state their belief without fear and with all communication tools. Thus, news should be reported as impartial. In this case, the media violates human rights less, and the ground for achieving human rights is prepared automatically by impartiality in transferring messages and information. The current study based on “balinformation theory”¹, aims to balance the society by providing fair and effective information according to the capacity of the audience, and aims to examine the role of media, governments and international law institutions in diminution violation of human rights with emphasis on free access to information and news with impartiality, responsibility, and a media literacy approach. This text try to shows the power of media as an impressive and operational passage of public communications in crisis; reveals the media function to rendered a human face to government and And in this way, they are more exposed to people and respond to people's content faster; and believes that more monitoring by the media on public affaires deprives them of the possibility of presenting false and fake news during crisis, and examine the role of media in people's awareness by balancing information to ensures that with the implementation of human rights no one is above the law.

Research literature

One of the significant challenges in the human rights responsibility of governments during crisis is responding to people's expectations and demands. In crisis situations, nothing is normal and the behavior model of governance must be different; according to Argenti(2013), it violates the stakeholder's expectancies and brings adverse outcomes. This is where the communication system can play its mediating role. Like any social phenomenon, the presence of communication and social theories can be a way forward. Situational Crisis Communication Theory contemplates that institutions must protect their stakeholders before turning towards fixing their reputation

¹ BIT

(Coombs,2021). the COVID-19 pandemic based on the principle of media's shared collaboration is protecting human rights duties, especially during emergency conditions.

The Image Repair Theory² as a theoretical framing, lends itself well to the fast-moving environment of media when crisis such as COVID-19 pandemic retort tactics should be put in place. Henceforth, this blueprint be of service to be aware of the way in which government and institutions reply to crisis. Total overcoming this disease and at least controlling it seems impossible without the help of media and the attention of governments to their responsibility for the rights of their citizens and collaboration of people in observing health protocols.

It should be mentioned that the outcomes of crises such as COVID-19 are one of the concerns of governments and nations during crisis. Therefore, government entities and service organizations should take more than one response method as differing response schemas build differing result. In crisis, communication also becomes critical and as a result a communication method should be adopted that dealing with the vary range of tolerance of people. Law enforcement is difficult or sometimes impossible in times of crisis, and what the government should do is flexibility. McGuire et al.,(2020) emphasis that larg flexibility and situational control need to respond effectively to such condition. Managing the psychological state of society and on the other hand maintaining national authority outside the borders is a serious and complex mission that governments are responsible for in times of crisis. Hereon, an attentive organized crisis communication would be a dominant part in reduce and eliminate effects of abnormal conditions like Covid-19 pandemic, as Malecki(2021) said; reducing fear and anxiety, increasing people's adherence to government strategies, and improving the effectiveness of medical interventions. However, sanctions, political and inhumane interventions of some countries in not allowing pharmaceutical companies to send medicine and medical equipment to Iran should not be easily ignored. The United States of America announced that humanitarian goods especially medicine and medical equipment has exempted Iran from its sanctions; a claim which, of course, were not included and accepted by Iran and International human rights institutions(Montazeran and Mousazadeh,2021). United Nation Special Rapporteur, Alena Douhan reported the impact of sanctions on the enjoyment of human rights and supply of medicine in Iran. She "underlined that the complex set of unilateral sanctions against Iran, coupled with secondary sanctions against third-parties, overcompliance and zero-risking policies by businesses and financial institutions, exacerbate existing humanitarian and economic challenges and negatively affect the lives of the people, in particular the most vulnerable".³

In this sense, a carefully planned crisis communication can play a critical role in the effects of a crises such as the COVID-19 pandemic over time by reducing fear and anxiety, increasing peoples' adherence to government strategies, and improving the effectiveness of medical interventions (Malecki et al., 2021; Glik, 2007). Furthermore, adopting a clear manner of communicating is critical in initiating direct relationships and helping individuals interpret complex data and information during crisis situations (McGuire et al., 2020). In this sense, the media plays a crucial role in disseminating information about a crisis, highlighting key incidences and holding decision-makers accountable for their actions (Hargis and Watt, 2010). During cataclysm, the media served as a portal of communication between the government, health institutions and the general public. International and internal human rights regulations in the form of health protocols and governing regulations during abnormal circumstances made the shared responsibility of governments and media to protect people against this virus. Thus, we tried to examine the shared responsibilities of governments and media for people from human rights view and their responsibility for protecting people against this disease, especially preventing and curing, and managing obstacles and limitations in collaboration principle.

Responsibility of States for Internationally Wrongful Acts

International responsibility is a mechanism and establishment for regularity of relations between members of the international community. In fact, the responsibility between cosmopolitan is relevant when a wrongful act is

² IRT

³ <https://iran.un.org/en/183027-un-special-rapporteur-negative-impact-unilateral-coercive-measures-concludes-visit-iran>

committed by one of the members and until the current wrongful act or omission is proven. If not, the responsibility will not be realized. But the occurrence of violation must also be established according to international law. Although this institution is intended to compensate damages caused by international wrongful acts, but like other instruments, international law is derived from the consent and behavior of countries. In fact, international responsibility based on customary law, the opinions of jurists and international jurisprudence have been formed. If the government under the pretext of economic sanctions causing the embargo of medicine and medical equipment and the inability to send it by pharmaceutical companies, is this not a violation of the international responsibility and obligation of that government? Today, economic sanctions are the most appropriate tool for the implementation of foreign policies and, in addition, have a complete connection with public security and world economy (Razavi and Zainoddin, 2019). Accordingly, regardless of the economic consequences of these sanctions, the possibility of human rights violations caused by these measures is provided to the citizens of the target countries of these sanctions. Clause b, article 2 of 'Responsibility of States for Internationally Wrongful Acts' in *Elements of an internationally wrongful act of a State* notes (a) there is an internationally wrongful act of a State when conduct consisting of an action or omission ... (b) constitutes a breach of an international obligation of the State. Applying all-round economic sanctions, although leading to a war situation in relations between countries, it takes the situation away from the state of normal relations between countries. In other words, applying economic sanctions leads to a dual situation between the state of war and the normal state in relations between the sanctioning country and the sanctioned country in the field of comprehensive sanctions. Thus, we tried to examine the shared responsibilities of governments and media and their responsibility for protecting people against this disease, especially preventing and curing, and managing obstacles and limitations in collaboration principle from human rights view:

A. The Right to Life

Humans' right to life is their primary and fundamental right during the COVID-19 pandemic, and they do duties for public institutions. That is, public institutions should protect people's life. They should also take action to protect people from natural and immediate risks. According to international regulations and documents of human rights, anyone is considered a natural person; the right to life is considered a fundamental right for anyone, and regulations governing the society should protect the right to life. Thus, it is illegal to take a right to live from anyone.

B. The Right to Health

The right to health and mental and physical health, especially during crises, is one of the main characteristics of societies observing human rights. Thus, the right to health or immunity against disease through having access to good care is necessary for all members of society, and considered among the instances of fundamental human rights during crises. The importance of the right to health in the international human rights system and the responsibility for providing this right for citizens by governments can help promote health at society level and achieve development criteria. Governments should comply with international human rights regulations to increase their administrative capacities to exploit such rights. Various international documents state that governments are obligated to provide and warrant the right to life for their people (International Commitment for Civil and Political Law). Article 25 of the Universal Declaration of Human Rights is dedicated to the role of the government in supporting low-income people and families by providing health goods to prevent diseases such as COVID-19.

C. The Right to Information Access

Information access during abnormal situation is one of the keys to democracy. Allowing people to search and receive public documents as a crucial means for preventing various crises gives people a more comprehensive share in public life, increases governments' efficiency, and helps people use their fundamental human rights. The right to information access during the COVID-19 pandemic and considering the dangers of this disease for personal and family health is necessary for achieving the right to health. This right has been mentioned in article 19 of the Universal Declaration of Human Rights. That is, persons have the right to ask for information or documents, including information from public institutions, without the need to justify the nature of the application.

Based on available evidence and published statements in the media, the China administration did not give the required information and transparency during the initial stages of the COVID-19 epidemic.

D. The Right to Education

Education is a subject that should be free for all members of society, especially at the elementary level. Thus, elementary education has been made mandatory by most governments. Moreover, it has been emphasized that technical and professional education should be available to the public. However, equal opportunities for all members of society have been emphasized at higher education levels (Koopayeh; Koroush, Civil Law, SAKO Publications, 2019). The lack of face-to-face education during the COVID-19 pandemic has increased the importance of cyber and online education. Anyone needs tools and grounds such as smart phone and Internet access to exploit cyber education. Concerning the COVID-19 pandemic, all members of society have the right to have equal equipment.

E. Labor Law and Social Security Law

For example, among the first countries affected by COVID-19, Hong Kong showed that about 48% of low-income families can't buy the government-recommended equipment, including masks and disinfectant material. According to articles 22, 23, and 26 of the Universal Declaration of Human Rights and articles 1, 6, and 16 of International Commitment for Economic, Social, and Cultural Law, anyone has the right to have a good job and social security. Effective social security systems are powerful tools for securing income, preventing and decreasing poverty and inequality, and making social respect.

F. The Right to a Home, Water, and Health

Home is something more than a residence. It is where someone lives and affects all aspects of our life. The quality of the home can affect physical health. Non-standard homes can result in a lack of access to fresh water, asthma, and physical harm and are the leading cause of hospitalization for older adults. Costs of providing a good home, appropriate furniture and equipment, and low-income can affect health. Physical characteristics such as walking ability, low distance to public traffic, access to the green area, fresh water, and healthy food affect mental health during COVID-19 pandemic. Poverty, security, isolation, and other characteristics of society help more stress and worsening health during crisis.

The Role of Media in Supporting Human Rights during the COVID-19 Pandemic

Media is the first and most important source of information to the people when the crisis is intensifying. Modern social communication tools such as the Internet has changed the role of media from providing information for the audience. With the emergence of the Internet, media have found a two-way role that all people throughout the world can receive information and make information through media. Therefore, media become valuable tools for sharing information. In the technologic century, it can be said that media are no longer considered as simple technological tools because media in the current world can act beyond obstacles and governments and are considered an influential component in globalization. At first glance, it seems that media are a means for transferring information. However, media can act as a powerful tool to promote awareness of audience during the last few decades. If media act hierarchically in the process of informing people, In the process of its interpretation, we will witness a kind of class conflict. Timely notification can reduce rumors and the severity of the crisis. The first case of COVID-19 was discovered in Wuhan in December 2019, but Chinese news media did not officially acknowledge the seriousness of transmissibility until 20 January (Wicke and Bolognesi, 2020).

Not only is the government's control over the media imaginable, it is also conceivable for news to cross the control border of the media in order to reduce the stress caused by the severity of the crisis in the society. Authoritarian governments tend to exert strong control over access to crisis information through heavy-handed media management(Veil and Yang,2012). There is a fragile line between the control of information by governments and the disclosure of news by the media. The balance between information disclosure or control is a dilemma for managing crisis that may resulting in the sense of paralysis as a choice must be made among diametrically opposed options(Yipeng, Anfan and Aaron,2020).

Crises are always created based on weakness in planning or management. If we consider the cycle of life as a process and believe that social, political, cultural and economic affairs are cycles in this main cycle, predicting the future of these cycles based on past history and scientific records is not a difficult task. Even the prediction of a crisis such as COVID-19 pandemic should not have gone away from the minds of the world health organization in view of the deadly diseases that have been present in the past years, decades and centuries.

Crisis life cycle theory suggests that crises follow cycle or progress according to identifiable patterns. The pre-crisis stage is the first phase of the cycle characterized by uncertain disruption causes, the scope of impact, responsibility attribution, and intervention measures (Fink, 1986). Media institutions can accommodate different frames and moderate them by adjusting the prominence of a news article (Lee, 2007, 162).

Media behavior has a direct connection with the audience environment. The differentiation of media behavior is the passive response to changes in the external environment. (Yipeng, Anfan, Aaron, 2020). External agents outside the media realm are affected by their internal transitive factors. An external factors that has an important influence on the decision-making of the public sector is the change in epidemic severity (Vai et al., 2020).

Balinformation

In spite of the fact that the virtual space during the Coronavirus era transmitted a large amount of news and information to the audience, but they also made it possible to send false or incorrect information. Social medias the source of 88% of the misinformation (Newman, 2019). Creating and sending news does not always proceed with the correct and logical purpose. It is necessary to separate the true news from the false news. Fake, false, and incorrect news have influenced or preoccupied most of the opinions and news theories:

-Mis-information is information that is incorrect, and not created to causing harm.

-Dis-information is information that is false and deliberately created to harm.

-Mal-information is information that is true but created to inflict harm. (Wardle & Derakhshan, 2017, 20). Disinformation is affecting countries' responses to the global pandemic by undermining trust, amplifying fears, and sometimes leading to harmful behaviours. (OECD, 2020). Sample of false content on Covid-19 showed as much as 59% is based to a degree on true information that has been manipulated whereas 38% is entirely fabricated (Brennen et al., 2020). Of those three, dis-information is the more common term to refer to false and imposter content in the media territory.

It is time to invent a new term in the field of Media so that sufficient, correct and appropriate information can be sent to the audience. This term is “Bal-information” that is combined of “balancing” and “information”. Based on bal-information, news is sending to the audiences relative to cultural and geographical affiliations and also based on the level of knowledge and understanding. A research showed people “receiving media-literacy instruction had narrower assessments of how messages were targeted to people of different social class” (Hobbs & Frost, 2003, 348).

People's understanding of events is as different as the differences in the world. Human interest brings an individual's experiences and humanistic concern to the presentations of crises. It seems the presence of a catalyst to reduce the factors that lead to dis/mis-information, prevents the audience from falling into the trap of both. This catalyst is balancing news and information, which of course experts and news institutions are able to define it. Media literacy may defined generally as “the ability to access, analyz, evaluate and communicate messages in a wide variety of forms” (Aufderheide & Firestone, 1993).

Reviewing articles and international law commitments shows that humans face a broad range of regulations. However, most people are not aware of their human rights. In this regard, the responsibility of mass communication media is to develop human awareness regarding fundamental human rights in priod of abnormal condition.

The media effectively inform people about human rights and guarantee the demands of human rights, through informing and providing information, and educating media literacy (James et al., 2012). People can access the

judicial and quasi-judicial authorities of human rights for the realization of individual human rights through media awareness. The role of the media in informing the supervisory authorities of human rights violations during crises, is to provide international authorities with the possibility of quick and timely monitoring. Media programs revealing cases of human rights violations by governments and individuals are instrumental in documenting human rights reports.

One of the necessities of citizens' lives is the need for human rights and the need to promote them and institutionalize their values, which have eternal values for humanity, and the media can provide these necessities to inform citizens of their rights during abnormal situation. It is essentially important that we as a society are able not only to identify but also to facilitate the acquisition of those skills and abilities required by the population at large to use today's information and communication technologies effectively and safely(Livingstone,2004).

Thus, the media has a supporting role in informing about human rights issues (peace, security, non-violence, healthy environment, etc.) Therefore, the media must include each of these rights in their agenda. The possibility of reporting human rights violations has become much faster through the media, and in a fraction of a second, human rights violations can draw the attention of people throughout the world (Ray,2014). The media are the main intermediate between the government and the general public by reporting the demands of the people and their complaints about the situation of human rights. It provides governments with the opportunity to address the people's demands and remove the human rights obstacles. The media can play an essential role by reporting, analyzing, and interpreting human rights issues.

The media has a vital role in implementing human rights protection mechanisms and monitoring it. Since the media's main function is providing information, they can directly or indirectly monitor human rights during crises and provide the basis for guaranteeing these rights. Media' monitoring and support approaches to human rights have the following dimensions: - Disclosure of human rights violations, - Shaming governments that violate human rights, - Integrating public opinion regarding human rights issues

Media is the eyes and ears of society. According to the definition of the media, the media is the link between the people and the government (Fahim,2011). In democratic political systems, the media enables citizens to monitor the government's performance. Mass communication media is a tool for clarifying the performance of governments for their citizens. With the help of the media content about the events of the COVID-19 disease, citizens are informed about the performance of governments in controlling and preventing this disease.

Human rights violations during the crises can be reported to humans, governments, and international communities through the media and provide the ground for the community of nations to monitor the actions of governments and people who violate human rights. The media provide people with access to human rights monitoring authorities during the COVID-19 pandemic. Therefore, one of the most critical responsibilities of the media is the awareness of human rights monitoring authorities regarding human rights violations during the COVID-19 pandemic. The media is responsible for documenting human rights violations during crisis. With the advent of Internet technology, the functions of the media in the field of transferring and receiving information and informing public opinion have become more prominent. (Metzel, 1996)ⁱ

Today, human rights violations are reported by reporters and journalists, especially during the COVID-19 pandemic, and the violators cannot hide from the world community because the concept of human rights is a concept known to all the United Nations. The media's responsibility in reporting human rights violations by its reporters and journalists reveals the nature of human rights violators. The expression of human rights violations by mass media draws the world's attention to human rights violations. Based on the principle of freedom of speech, mass media have the right to search and receive information and analysis and present and publish information related to violations(Mahapatra,2012) Moreover, mass communication media, in addition to reporting cases of human rights violations by the governments during the COVID-19 pandemic, are responsible for monitoring the performance of human rights monitoring organizations and informing the public about the performance of these organizations and the nature of these monitoring organizations and their actions. Therefore, human rights monitoring organizations need documentation and reports from the mass media for the implementation of human

rights monitoring throughout the world. On the other hand, in expressing their decisions, they know that the media are monitoring them and their performance is evaluated by the media for all human beings⁴.

Media reports all the human rights violations during the COVID-19 pandemic were done by governments or individuals in different societies. Therefore, mass communication media are critical due to their responsibility in monitoring events and gathering news, directly observing the event, and the ability to directly communicate with the victims of human rights violations during crisis. Because mass communication media reports can be considered a document that can be considered by all regulatory authorities and provide the basis for the decisions and proceedings of the judicial authorities. This responsibility of the mass media shows the legal validity of the media's role in reporting human rights violations, and provide access to the facts of various subjects for all people in various societies. In other words, media access to human rights information and events is universal. On the other hand, governments are recognized as the first to guarantee human rights in their respective countries. In this context, the responsibility of mass communication media is significant due to direct communication with the victims of human rights violations, monitoring of events, and showing the face of the offending governments and shaming them (James et al, 2012).

In the current situation, the observance of human rights rules by the governments makes the image of the governments look good at the international level. Therefore, shaming governments that violate human rights can be used as an effective tool to improve the human rights situation of governments that violate human rights in dealing with human rights violations.ⁱⁱ The coverage of human rights violations by the mass media during the COVID-19 pandemic in different countries causes human rights organizations, especially International Amnesty, to be encouraged to focus on the situation presented in the mass media. If International Amnesty is dissatisfied with the state of human rights reported by the mass media in the states, the said states will be condemned by the League of Nations, and this issue will force the states to try to improve the violated situation (James, Ramos & Rodgers,2005).ⁱⁱⁱ Mass communication media provide a mutual dialogue between the government and citizens by quickly spreading the events and human rights violations during the COVID-19 pandemic. In this context, citizens have conveyed their demands to the government through the media, and must be accountable to them. Therefore, mass communication media, by reporting cases of human rights violations of governments, shaming governments while putting pressure on them, force governments to compensate for their mistakes by apologizing, dealing with violators, and compensating for damages⁵.^{iv} Another responsibility of mass communication media is to integrate public opinion. As mentioned before, informing people of the events is one of the responsibilities of the media. In the contemporary world, the role of public opinion as the conscience of the world community has become crucial. Public opinion is affected by all issues and has direct and indirect participation in all matters. Therefore, mass communication media play an essential role in shaping the public opinion of citizens, and the intellectual policy of citizens is directed by the media (Sorensen,2009).

One of the results of monitoring human rights is awareness and informing the public about human rights violations. Informing and raising awareness causes public opinion to react. The reaction of public opinion is an essential factor in drawing the attention of the international community to human rights deficiencies and addressing them⁶.^v While describing and evaluating cases of human rights violations during the COVID-19 pandemic, mass media can provide solutions for making decisions. Moreover, mass communication media can support human rights activists such as journalists and provide a working environment for journalists. According to the opinion of the United Nations High Commissioner for Human Rights, in order to prevent human rights violations, strengthening of national institutions, monitoring, implementation, integrated and coordinated development of policies is necessary, and integrating public opinion through mass communication media can play an essential role in this field (Vakil,2010).

⁴ <http://www.amnesty.org/en/latest/news/04/2016/turkey-illegal-massreturns-of-syrian-refugees-expose-fatal-flaws-in-eu-turkey-deal/> seen at 2016/4/1

⁵ <http://edition.cnn.com/30/10/2013/world/meast/iraq-prison-abuse-scandal-fast-facts/> seen at 2016/4/4

⁶ <http://edition.cnn.com/30/10/2013/world/meast/iraq-prison-abuse-scandal-fast-facts/> seen at 2016/4/4

By promoting public opinion about human rights violations, public opinions want to stop possible violations and deal with the violators of human rights during the COVID-19 pandemic through governments and international communities. Therefore, integrating public opinion can pressure governments and the world community to violating human rights. This is the pressure that the mass communication media creates by integrating public opinion, and governments respond to it due to the risk to their image (Herzberg & Steinberg,2012).

The Role of Media in Developing Human Rights

One of the dimensions of the development of human rights during the COVID-19 pandemic is the development of rules and norms that have been formed through the will of the legislator and the active subordinates of rights. In international law, it is the responsibility of governments and international organizations to establish rules and norms for the abnormal circumstances. Another dimension of the development of human rights during crisis is the social development of human rights. This means the penetration of these values in different parts of society. Social development should be seen as education of information and knowledge. Therefore, to build a culture of human rights, it is necessary to promote knowledge, and skills, and shape functions and methods to achieve fundamental human rights⁷^{vi} In the development of human rights during the COVID-19 pandemic, promoting the concepts of human rights through educating and training society and providing the necessary contexts to promote the concepts and penetration of human rights values in different parts of human society is necessary(Joyner,2007).

Due to lack of credit, mass communication media do not have the power to make human rights regulations during the crises. However, they can draw the attention of the international community through media reports on various human rights issues in the development and making of human rights regulations for the COVID-19 pandemic. By expressing human rights violations, the media integrates public opinion, draws the attention of governments and the international community to human rights issues, and calls the international community to standardize to eliminate deficiencies and shortcomings (Ray,2014).^{vii} This act of the media provides the basis for developing human rights. The presence of the media alongside people, governments, and the international community lays the foundation for ruling human rights norms and leads to the development of human rights.

The media can contribute to the development of human rights by reporting human rights events, strengthening public participation, globalizing the human rights activities of non-governmental organizations of human rights, and highlighting the government's role in human rights activities (Nwanko,2011).^{viii} Therefore, the media indirectly affects the development process of human rights for the the COVID-19 pandemic.

Today, in addition to governments, education is also done through private institutions. Human rights education emphasizes the link between knowledge and action (Amir Arjmand,2008).^{ix} Therefore, education should not be limited only to classical education because the scope of education is broad. Education has undergone tremendous progress and transformation since the information and communication age. Observing, respecting, guaranteeing, and protecting human rights requires the necessity of teaching different aspects of human rights. In the current world, the mass communication media, in the role of a university, are responsible for educating the public because the audience of the media is a large part of society. In the current world, mass communication media are responsible for children's early socialization and adults' long-term socialization. According to functionalists' theory, the media's most important responsibility is cultural transmission. The media represent the society in which a person lives. They help a person identify with society and reduce the feeling of lack of belonging by providing instances of such a society (Sorin & James W,2004).

Aspects of Education Role of Media in Human Rights

It is essential to pay attention to the functions of the media in developing and promoting human rights. Therefore, the function of the media in human rights can be examined from two dimensions: 1- the role of the media in the development of human rights and 2- the position of the media in international law. Media as information highways and communication tools effective on public opinion play an important role in the economy, culture, and society. Since the media are the best means of education and promotion in developing human rights concepts, they have a

⁷ <http://www.peacebuildinginitiative.org/indexa7ff.html?pagId=1847> seen at2016/9/20

crucial role in building social and cultural thinking by forming public opinion and civilization (Mostafaye, Hakimzadeh & Mostafaye, 2013). They have provided information for their audience and have become like a university (Motamednejad, 2008).^x In the current world, the mission of the media is to provide and transmit information. The media is a tool that has the power to choose various global topics and events, and it is the media that decides what news to present. The media can bring political topics into the news by refining and framing the issues (Teweldebirhan, 2011).^{xi} Education is an expression of awareness of public opinion and is known as an educational workshop whose audience is the global community. Therefore, public opinion is formed by the awareness and reacts to it and causes the behavior of players, legislators, and political decision-makers to change regarding human rights issues. Moreover, in human rights education, the media engages its audience with issues that benefit society (Navakhti Moghadam, 2018).^{xii}

With technological advancements, media have become capable of reaching large audiences and diverse populations. Because the Internet and multimedia tools have created a new perspective. By raising the awareness of people in society in terms of human rights, the media provide them with solutions to defend people against human rights violations and strengthen human rights. Moreover, the media is effective in modulating negative minds (Ansari, 2009).

Violating Human Rights by Media during the COVID-19 Pandemic

Along with the positive role of the media in guaranteeing and developing human rights, we must accept that the media can be used as a tool to violate human rights by governments, violate fundamental human freedoms, act as a negative factor in the violation of human rights, create obstacles for human rights activists, and mislead public opinion by reporting false reports. With the development of technology, illegal content can be published more freely and faster. Therefore, it cannot be ignored that if the media is not controlled, it can become a dangerous tool for violating human rights (Nwanko, 2011).^{xiii} The media can violate children's, women's rights, racial and ethnic minorities, and political groups by providing content in various fields (Haplin, 2013).^{xiv} Moreover, hateful propaganda and the promotion of hatred through the media can encourage and incite international crimes, in which case the media, directly and indirectly, participates in the commission of these crimes (Mock, 2012).^{xv}

Moreover, the media's presentation of false and untrue information, which is the basis of many social problems and inadequacies and dangers, misleads public opinion and harms the lives of human beings. Therefore, in connection with preventive measures in the media content that violates human rights, international organizations have prepared software to prevent the publication of creative cases of human rights rules in cyberspace (Hasht & Newfeld, 2013, 224).^{xvi} In connection with this software, some governments have prepared a legal draft against the publication of hateful content to prohibit Internet service providers from including specific contents on the Internet.^{xvii} Therefore, according to the above discussions, contrary to the rumors that may be heard about the violation of human rights, the media should not be considered as the actors of human rights violations. Instead, it is only necessary to pay attention to the behavior against human rights by the media if the governments and the governing bodies of a country ignore human rights and use the media as a political tool to advance their anti-human policies.

Conclusions

At the international level, the member countries of the World Health Organization, which are 194 countries, have tried to develop a general framework to deal with epidemic diseases by compiling international health regulations, in this regard, the member countries are required to prepare and equip the enforcement tools and requirements for these regulations. However, with an overview of the COVID-19 pandemic, it was clearly visible that most of the developing countries, due to the lack of access to the equipment to deal with the progress of the pandemic in the control of movements at the national and international level, are unable to monitor and identify the spread of disease and in the shortest possible time this disease was transferred to most countries of the world.

The biggest problem in preventing and controlling epidemic diseases in Iran is the lack of a single organization for monitoring and controlling epidemic diseases. During the epidemic period, many irregularities were observed in the implementation of health protocols in the country, and the decision-making power was extremely weak in

implementing the protocols. In other words, every action that the organization and institution took to help citizens for disease control was not based on an organized program made by an independent decision-making authority. Moreover, most of the measures were sectional and partial, so public opinion perceived that there was no will on the part of the relevant institutions to control the disease. Closing some trades and businesses and imposing travel restrictions without specifying the details was an instance because, despite the travel restrictions, we saw heavy traffic of citizens in the north and south axes of the country.

The mechanism of the media in supporting human rights during the COVID-19 pandemic is by reporting the real news about the corona condition in the countries while expressing the activities of the governments in controlling and preventing this disease, the misuse of the critical situation of the Corona by the governments is limited. It also reports the violation of fundamental human rights and informs the international community about the human rights condition in the countries. This action provides the basis for applying the supervision of the international community at the international, regional and national levels. Moreover, due to the information function, the media can be recognized as a unique tool in the education of human rights during the COVID-19 pandemic and provide the basis for the development of human rights. In this regard, in the case study of the news published by IRNA, Reuters, and Al Jazeera news agencies, what is clear from the content of the messages is that these media have tried to report the critical situation of Corona virus in all parts of the world based on the information and news received and inform the public. In this context, some published news has criticized the performance of some countries and international communities during the COVID-19 pandemic, and others have only limited themselves to reporting the events. According to the Mass Media Declaration the operative section invoke access for journalists to news sources, and freedom to report, while calling for a "wider of The operative sections of the Declaration invoke access for journalists to news sources, and freedom to report, while calling for a "wider and better balanced dissemination of information.⁸

Like other undeveloped countries, the crisis framing practices, mass media in Iran has also acted as an information gatekeeper. Governance endeavor and pacification actions were frequently used to dilute the avoirdupois of the severity crisis. This research claims that the media coverage of Covid-19 pandemic is negatively associated with the social proximity of media to Iran.

This study proof that in undeveloped countries context, mass media as a part of people daily life, play a vital role in promulgating untimely warning about feasible outbreaks of mortal diseases such a COVID-19. Media volume and the illustriousness of information are essential for premature observation of the disclosure of next communal pandemic in the undeveloped territories. Free news reporting in this countries can impart critical data about real life. This text faced with some limitation such as broad sundry news.

References:

- [1] Ansari, Baqer., (2009), *Human Rights Education* (Tehran: Majd Scientific and Cultural Forum, 2009), 34.
- [2] Ardesir Amir Arjamand, 'Human Rights Education', *Journal of Legal Research* 25, 26 (2008): 166.
- [3] Christopher Joyner, *International Law in the 21st Century*, translated by Abbas Kodkhodaei and Amir Saed Vakil (Tehran: Mizan Publishing House, 2007), 20.
- [4] Fahim , Mohammad Taqi., (2011), *Disclosure and trust building, the mission of the media in the fight against economic corruption*, No. 237 (Tehran: Amin Jamia), 10.
- [5] Fink S. Crisis Management: Planning for the Inevitable. New York: AMACOM, 1986.
- [6] Glik, D. C. (2007). Risk communication for public health emergencies. *Annual Review of Public Health*, 28, 33-54.
- [7] Hasht, Marik Eric., and Newfeld , Rodni., (2013), *Internet and children's rights in the international arena, in Human Rights and the Internet*, translated by Seyed Qasim Zamani and Mahnaz Bahramlou (Tehran: Khorsandi Publications, 2013), 244.

<https://en.unesco.org/about-us/legal-affairs/declaration-fundamental-principles-concerning-contribution- mass-media> ⁸

- [8] Hasht, Marik Eric., and Newfeld, Rodni., (2013), *Internet and children's rights in the international arena, in Human Rights and the Internet*, translated by Seyed Qasim Zamani and Mahnaz Bahramlou (Tehran: Khorsandi Publications, 2013), 222, 223.
- [9] Halpin, E. F., (2013), *Perspectives of Human Rights on the Internet, in Human Rights and the Internet*, translated by Seyed Ghasem Zamani and Mahnaz Behramlou (Tehran: Khorsandi Publications, 2013), 25.
- [10] Hargis, M., & Watt, J. D. (2010). Organizational perception management: A framework to overcome crisis events. *Organization Development Journal*, 28(1), 73.
- [11] Herzberg, 'Anne and M Steinberg Gerald, is there role for social media in monitoring and enforcement?', *Israel Law Review* 45, no. 3 (2012): 451.
- [12] Hobbs, R., & Frost, R. (2003). Measuring the acquisition of literacy skills. *New Jersey Journal of Communication, Reading Research Quarterly* Vol. 38, No. 3 July/August/September 2003, International Reading Association (pp. 330–355)
- [13] Koopayeh, Koorosh., (2018), *Citizen Rights*, Tehran: SACO Publication

Metzel, J.(1996), 'Information technology and human rights', *Humanrights Quarterly* 18: 2.

Mahpatra, Nibedita., (2012), 'Role of education in promotion and protection of human rights', *Odisha Review* 19, no. 2 (2012): 33. Montazeran, J. and Mousazadeh, R., 'Violation of human rights in drug restrictions caused by Washington's sanctions against Iran; How it is represented in the American media', International media research paper, vol 6, issue 7, spring-summer,(2021):1-27.

Mock, Karen.,(2012), *Hate on the Internet, in Human Rights and the Internet*, translated by Seyed Qasim Zamani and Mahnaz Behramlou (Tehran: Khorsandi Publications, 2012), 216.

Mock, Karen.,(2012), *Hate on the Internet, in Human Rights and the Internet*, translated by Seyed Qasim Zamani and Mahnaz Behramlou (Tehran: Khorsandi Publications, 2012), 216.

Montazeran, Javid., Mousazadeh, Reza., (1400), The role of Human Rights in Drug Restrictions Caused by Washington's Sanctions Against Iran; How it is Represented in the American Media, International Media Research Paper, vol.6, no.7, pp: 1-27.

Mostafaye, Fardin., Hakimzadeh, Peyman. And Mostafaye, Mohsen., (2013), 'The role of mass media in expanding human rights discourse', *International Research Journal of Applied and Basic Sciences* 4, no. 11 (2013): 3022.

Navakhti Moghadam. Amir., (2018) 'The functional role of mass media in the development of human rights and the establishment of sustainable peace', *Human Rights* 4, no. 1 (2018): 36.

Newman, N. et al. (2019), Reuters Institute Digital News Report –2019, <http://www.digitalnewsreport.org>.

Nwanko, Victoria Chioma., (2011) 'The role of media in promoting of human rights: an analysis of the BBC documentary, chocolate the bitter truth' (Master Thesis, School of Global Studies, University Of Gothenburg, 2011).

OECD (2020), Transparency, communication and trust: The role of public communication in responding to the wave of disinformation about the new coronavirus, https://read.oecd-ilibrary.org/view/?ref=135_135220-cvba4lq3ru&title=Transparency-communication-and-trust-The-role-of-public-communication-in-responding-to-the-wave-of-disinformation-about-the-new-coronavirus.

Ray, G. N. (2014), 'Role of media in protection of human rights', <http://presscouncil.nic.in/OldWebsite/speechpdf> (accessed July 18).

Razavi, M.H., Zainoddini. F., (2019), 'Legal examination of the compatibility of economic countermeasures with human rights standards: access to food and medicine'. The journal of human rights, vol14, no.1, spring-summer 2019, issue 27, pp. 1-17.

Repnikova M. Media politics in China improvising power under authoritarianism. Cambridge: Cambridge University Press, 2017.

Ron, James, Howard, Ramos and Kathleen Rodgers, 'Transnational human rights politics: human rights reporting, 1986-2000', *International Studies Quarterly* 49, no. 3 (2005): 576.

Shelton, Dinhal., (2013), *Regional protection of human rights* (Oxford University Press, 2008), 18; The international covenant on civil and political rights.

Universal declaration of human rights. Universal Declaration of Islamic Human Rights, 1993 Vienna Declaration.

Vai B, Cazzetta S, Ghiglino D, et al. Risk Perception and Media in Shaping Protective Behaviors: Insights From the Early Phase of COVID-19 Italian Outbreak. *Front. Psycho.* 2020;11. 10.3389/fpsyg.2020.563426

Veil SR, Yang A. Media manipulation in the Sanlu milk contamination crisis. *Public Relat. Rev.* 2012; 38(5): 935–937.

Victoria Chioma Nwanko, 'The role of media in promoting of humanrights: an analysis of the bbc documentary, chocolate the bitter truth' (Master Thesis, School of Global Studies, University Of Gotheberg, 2011).

Wardle C., Derakshan H. (2017), Information Disorder: Towards an interdisciplinary framework for research and policy making, Council of Europe report, DGI(2017)09.

Wicke P, Bolognesi MM. Framing COVID-19: How we conceptualize and discuss the pandemic on Twitter. *PLoS One.* 2020;15(9).

Yipeng, Xi., Anfan, Chen., Aaron, Ng., (2020), Conditional transparency: Differentiated news framings of COVID-19 severity in the pre-crisis stage in China.

<http://www.amnesty.org/en/latest/news/2016/04/turkey-illegal-massreturns-of-syrian-refugees-expose-fatal-flaws-in-eu-turkey-deal> /seen at 1/4/2016

<http://www.edition.cnn.com/2013/10/30/world/meast/iraq-prison-abuse-scandal-fast-facts> /seen at 4/4/2016

<https://www.icj-cij.org/public/files/case-related/175/175-20181003-ORD-01-00-EN.pdf>

<https://www.iran.un.org/en/183027-un-special-rapporteur-negative-impact-unilateral-coercive-measures-concludes-visit-iran>

<http://www.peacebuildinginitiative.org/indexa7ff.html?pageId=1847> /seen at 20/9/2016

<https://www.refworld.org/docid/47a7079e0.html>

https://www.tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/TBSearch.aspx?Lang=en&TreatyID=9&DocTypeID=11