

**Council of Europe engagement
in supporting freedom of expression and media
freedom in the Western Balkans**

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PRESENTATION

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For a number of years, we are witnessing a regressing trend in the protection of freedom of expression and media freedom in a considerable part of Europe (SG's annual reports). The Western Balkans is one of the regions where our organisation observes a number of disconcerting trends such as undue political pressure leading to media censorship and self-censorship, longstanding impunity for crimes against journalists, generally unsafe climate for investigative journalists, a steep rise in the use of hate speech and other harmful expressions, including inflammatory remarks against journalists, and media resorting to sensationalism and unethical reporting.

In this context, there are a number of important judgments by the European Court of Human Rights pertaining to excessive interferences in media freedom, which originate in applications against the Western Balkans states. The cases range from removing journalists from the scene of demonstrations and other important events for the functioning of democratic societies, unjustified convictions of criminal defamation against journalists, difficulties in obtaining access to information held by public authorities, etc.

All these, and many other concerns, mentioned in the Secretary General's annual reports and articulated in more detail by the reports of the Commissioner for Human Rights, are also reflected in the number of alerts on our Platform for the protection of journalism and safety of journalists. The data shows that the Western Balkan states rank in the first half of the list of states with regard to which alerts have been made. The listings refer to the entire period of the Platform's existence, that is from 2015 until today. The situation is even worse when those results are calculated as a rate per million population, Montenegro ranking first, the Former Yugoslav Republic of Macedonia third, Bosnia and Herzegovina fourth, Albania seventh and Serbia tenth on the list (data from the DIO draft evaluation report).

However, it is true that in the past decade considerable efforts have been made to strengthen these states' respective legislative frameworks governing freedom of expression and media freedom, in line with the Council of Europe standards. Our organisation has for decades been developing a common European framework of standards in the area of media and internet freedom, and in this context continuously supports the efforts of the national authorities in the Western Balkans to align their legislation with our standards.

As shown by our consultations with the stakeholders, our standards are also used to support the work of civil society organisations in the region, which use them as "reference points" to assess the state of freedom of expression and advocate for improvements.

Also European and international organisations routinely refer to CoE standards to substantiate their demands for improvements. The national stakeholders in the Western Balkans highlight the extensive use of CoE work by the EU in the context of accession negotiations and other partnership arrangements.

Nevertheless, we will need to strengthen our direct engagement – primarily through our cooperation activities – to reverse the negative trends that have implications not only for the state of freedom of expression, but for the state of democracy in general in the Western Balkans. We need to create a safer and more favourable environment for the work of the journalists, therefore one of the priorities in the next cooperation cycle will be a focus on the safety of journalists. Such action is badly needed, as shown also by our 2017 study "Journalists under pressure: unwarranted interference, fear and self-censorship in Europe". Regional distribution and experiences of unwarranted interference showed that 26% of journalists working in South-East European countries experienced physical assault, 47% experienced threats of force, 31% of respondents were threatened by the police, a staggering 75% of respondents reported having experienced psychological violence, and 59% were victims of cyberbullying. Even though more than 40% of respondents became, due to these interferences, even more committed not to engage in self-censorship, there were also non-negligible instances of self-censorship by withholding information, framing content in a more acceptable manner and toning down sensitive and critical stories.

All this impinges on the journalists' capacity to perform their public watchdog role, and concerted multidimensional efforts will be needed to ameliorate the situation.