Survey on Valuable Practices for priority areas of implementation of Recommendation CM/Rec(2016)4

A questionnaire was sent by the Secretariat of the Media and Internet division of the Council of Europe to Journalists, journalist associations and civil society inviting them to identify the topics/areas of Recommendation CM/Rec(2016)4 on the “Protection of Journalism and Safety of Journalists” that should be given priority implementation at a first stage. The Secretariat received eleven responses and has identified the risks/measures to avert or remedy risks which have been rated as deserving the most urgent attention (please see the average results obtained in the attached document). These areas are broadly concentrated, but are not entirely limited to, the Protection and the Prosecution pillars. Taking into account both the results of the questionnaire, as well as the priorities set by various bodies/departments of the Council of Europe which work in the area of Safety of Journalists and the Protection of Journalism, the implementation strategy of Recommendation CM/Rec(2016)4 will focus as a first step on the selected areas of the protection pillar outlined below.

The current implementation strategy of CM/Rec(2016)4 which is in the course of being finalised, provides as the next steps to be taken to request NGOs and journalist associations active in the area of safety of journalists, on the one hand, and member States of the Council of Europe on the other hand, to identify Valuable practices in the areas which have been identified as deserving priority implementation at a first stage. **NGOs, journalists and journalist associations** active in the area of safety of journalists *are therefore kindly requested to indicate in the Valuable practices column the examples which you deem to be valuable practices for the given Measure to avert/remedy the risk. Each example should be accompanied by a description of the features that explain why it functions well and should be regarded as a valuable practice*. Please send your input to FreedomofExpression@coe.int by 30 April 2018.

These valuable practices will then be used in an implementation/Technical guide to the Recommendation which will, in addition: explain and provide context to the priority areas for implementation of the recommendation; establish indicators against which progress in the implementation of the Recommendation can be assessed; flesh out questions to the authorities on the implementation of the Recommendation; offer suggestions for implementation. The full Implementation Strategy will be made public at a later stage.

**II. Pillar on Protection through Law Enforcement Machinery and Redress Mechanisms**

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| **Specific risks** | **Measures to avert/remedy risks** | **Valuable practices on the measures to avert/remedy the risks -** *Each example should be accompanied by a description of the features that explain why it functions well and should be regarded as a valuable practice.* |
| *Threats to life or physical/psychological integrity of journalists, whistle-blowers and other media actors* | Voluntary evacuation to a safe place |  |
| Police protection  |  |
| Early-warning and rapid-response mechanisms such as hotlines or online platforms |  |
| Promotion of safety protocols vis-à-vis media organizations |  |
| *Threats of violence* | Injunctive and precautionary forms of interim protection  |  |
| *Frivolous, malicious or vexatious use of law to intimidate and silence journalists and other media actors.* | Legislative and/or other measures to prevent the abuse of the judicial process |  |
| *Legislation and sanctions are applied in a discriminatory or arbitrary fashion against journalists and other media actors.* | Review and elimination of overbroad definitions in defamation, anti-terrorism, national security, public order, hate speech, blasphemy and memory laws. Key terms and concepts are defined with sufficient precision to avoid abuse. |  |
| Restraint in applying such laws and sanctions. |  |
| Adequate procedural safeguards and effective remedies are provided for against abuse of these laws |  |
| *Hostility and undermining of journalists by public authorities* | State officials and public figures refrain from using threats and publicly condemn all instances of threats and violence against journalists and other media actors.  |  |
| State officials and public figures refrain from coercing journalists into abandoning professional standards and disseminating propaganda. |  |
| *State authorities who are responsible for implementing obligations concerning the protection of journalists and other media actors are not aware of their obligations.* | Judges, prosecutors, LEAs (…) are trained on their obligations under international human rights and humanitarian law and of the important role played by journalists and other media actors in a democratic society and of gender-specific issues. |  |
| *Law enforcement authorities (LEAs) hinder the work of journalists and other media actors, in particular, during public demonstrations and other events.* | Press or union cards, relevant accreditation and journalistic insignia should be accepted by State authorities as journalistic credentials. Where it is not possible to produce professional documentation, every possible effort is made by State authorities to ascertain their status. |  |