

# Media and freedom of expression

## I. In brief

The Council of Europe is the only international organisation that has developed a comprehensive set of standards guaranteeing the right to freedom of expression and information. Thanks to these standards, which are constantly reviewed and expanded as necessary, its moral authority, know-how and extensive network of experts and partners, the Organisation is uniquely placed to provide assistance to member and non-member states to ensure the respect of this fundamental human right. The Council of Europe assistance work carries particular legitimacy because it is based on the European Convention on Human Rights, the case-law of the European Court of Human Rights and on the findings of the Organisation's monitoring mechanisms.

## II. Background

The right to freedom of expression and information is a fundamental human right enshrined in Article 10 of the European Convention on Human Rights. Its exercise is essential for guaranteeing human rights, democracy and the rule of law. Without free expression and free media, violations of human rights may remain hidden and genuine democracy is not possible.

Under its freedom of expression umbrella, the Council of Europe addresses scores of important issues such as:

- protection of journalists and their sources of information;
- media pluralism and diversity;
- media in times of crisis;
- public-service media;
- independence of broadcasting regulators;

- the Internet and free expression;
- professional and responsible journalism;
- freedom of expression and the respect of privacy and human dignity;
- access to public information;
- media coverage of elections;
- journalism education and training.

## III. Comparative advantages and added value

The Council of Europe standards concerning freedom of expression and information and freedom of the media include Article 10 of the European Convention on Human Rights, the relevant case-law of the European Court of Human Rights as well as numerous recommendations, declarations and guidelines. These standards – legally-binding or not – serve as benchmarks for state and non-state actors in member states of the Council of Europe as well as beyond its boundaries. Importantly, the Council of Europe standards are used by the European Union as part of its political (Copenhagen) criteria for accession. They also serve as a reference point for other actors such as the Organisation of Security and Co-operation in Europe and media watchdog organisations.

The Council of Europe standards are of real value when integrated into the law and practice of member states. Assistance and co-operation activities are the main tools for promoting the implementation of Council of Europe standards. These activities include legal expertise, training programmes, seminars, conferences and other events with the participation mainly of public officials, media professionals and civil society.

The assistance and co-operation activities address the needs identified by the Council of Europe monitoring mechanisms, in particular the European Court of Human Rights and

European Commission against Racism and Intolerance (ECRI) as well as the Commissioner for Human Rights and the Parliamentary Assembly and respond to the specific requests of member states. The aim of this co-operation is to bring the legislative framework on freedom of expression and information, its implementation as well as media professionalism in the target countries into line with the Organisation's standards.

More broadly, this work contributes to the strengthening of democracy. In particular, it helped several Council of Europe member states, such as Bulgaria and Romania, to fulfil the European Union political criteria for accession and to eventually join the Union. In addition to working closely with state authorities and legislators, to maximise the effectiveness of our work, we co-operate closely with the European Commission, European Union Delegations, the OSCE Representative on Freedom of the Media and OSCE field missions. Similarly, we co-operate closely with national and international media and journalists' professional organisations.

We maintain extensive contacts with many other international and national governmental and non-governmental organisations. Our partners appreciate the co-operation with the Council of Europe because of its unique and extensive expertise and its authority as a guardian of human rights.

We continuously review the priorities and the methodology of our work to ensure that it is always relevant and effective. Having regard to non-recently adopted instruments, work is expanding towards areas related to new and internet based media, public media governance, etc. We seek synergies and complementarities between our activities under the Council of Europe ordinary budget, joint European Union-Council of Europe programmes, voluntary contributions by member states and other initiatives such as election action plans. Our regular reports to donors and the meetings of

the steering committees of our projects help to assess the results achieved and to tailor future activities accordingly.

#### **IV. Geographic contextualisation**

The long and wide-ranging experience of the Council of Europe in promoting freedom of expression and information extends from the South Caucasus and Ukraine to South-Eastern Europe and Hungary. The Council of Europe expertise is also relevant and useful outside of the Organisation's geographic boundaries, as demonstrated by our assistance provided to neighbourhood countries.

Since 2000, we have implemented a large-scale multi-year programme covering all of South-Eastern Europe, about 25 regional and country-specific joint programmes with the European Union and many other smaller projects.

Thanks to joint European Union-Council of Europe support and Council of Europe action under other projects, target countries have ratified important conventions and have adopted and implemented key laws aimed at guaranteeing freedom and pluralism of the media. Our work helps keep media freedom on the European agenda. Its impact also includes reform of public-service broadcasters and journalism education; supporting networks of media professionals; capacity-building for governmental and non-governmental sectors and a lot more.

The impact of our work is confirmed by developments in the target countries, by the positive feedback from the beneficiaries and by independent reports. Our extensive work in South-Eastern Europe contributed to building democracy and co-operation in the region and, at the same time, bringing individual states closer to European Union membership. Some concrete examples are: in Moldova, substantial progress was made towards professional and independent performance of the public-service broadcaster and of the broadcasting regulatory body; in Azerbaijan, a first stage of reform of

journalism education at Baku Slavic University was successfully completed; in Ukraine, we contributed to the adoption and implementation of access to information and personal data protection laws and to the ratification of a relevant Council of Europe convention.

In order to achieve efficiency, maximum impact and sustainable results, we constantly look for links between our various projects and opportunities to build synergies with stakeholders. The best practices and the results achieved in one place are shared with others through bilateral and regional networking. Such exchanges have taken place, for example, regarding the reform of university journalism education and making broadcast regulatory bodies independent, effective and transparent. The Council of Europe also helped create a regional network of journalistic self-regulatory bodies. Currently, the network includes press councils from the South Caucasus, Moldova, the Russian Federation and Ukraine.

For more information:

[www.coe.int/freedom-expression](http://www.coe.int/freedom-expression)