

**Committee of Experts on protection of journalism
and safety of journalists
(MSI-JO)**



**MSI-JO(2015)03
24 March 2015**

**3rd meeting, 19-20 March 2015
(Strasbourg, Palais de l'Europe, Room 14)**

Meeting report

1. Opening, agenda, election

The Committee of Experts on protection of journalism and safety of journalists (MSI-JO) met in Strasbourg on 19 and 20 March 2015. The meeting was opened by Françoise Tulkens, Chair of the MSI-JO. She took note of the latest changes in the composition of the Committee, namely the withdrawal of the member representing France, Jérôme Bouvier, on the ground that he had joined the staff of the private office of the Minister for Culture and Communication. France would suggest a new representative.

The Chair wished to add an item to the agenda: the election of the Chair and Vice-Chair of the Committee, in accordance with Resolution CM/Res(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.

The Committee adopted the agenda (Appendix II).

The Committee went on to re-elect the Chair and Vice-Chair by unanimous decision of the members present.

2. Information by the Secretariat

Matjaz Gruden, Director, Directorate of Policy Planning, outlined developments in the implementation of the project "Digital platform for the protection of journalists".

Silvia Grundmann, Head of the Media and Internet Division, reported on the Council of Europe's activities in areas relevant to the work of the MSI-JO.

3. Main purpose of the meeting

The main purpose of the 3rd meeting of the MSI-JO was to further develop the working document MSI-JO (2014)09rev2, prepared by the Rapporteur Tarlach McGonagle (see Appendix II), taking due account of the comments made by the CDMSI and those made by MSI-JO members, according to a timetable and methods determined by the Chair in consultation with the Vice-Chair and the Rapporteur.

The Committee of Experts adopted decisions on the structure and language of the document: the “principles” would provide a framework for interpreting the guidelines and would appear as an appendix so as to avoid making the main body of the text unduly long, while still providing as much detail as possible.

The structure would therefore be as follows: 1) Preamble, 2) Operative provisions 3) Recommendations [practical] (or guidelines), 4) Appendices (principles; compilation of instruments and relevant international case law; compilation of good practice).

The MSI-JO discussed the working document in depth, one paragraph at a time.

The committee noted and took due account of the written comments submitted in two stages by the Russian Federation, in the absence of the member representing that country.

4. Decisions on timeframes and follow-up

The Secretariat suggested three options, one of which was adopted on consulting all the members after the meeting: the fourth and last meeting of the MSI-JO will be held in Strasbourg on 17 and 18 September 2015.

The MSI-JO decided that the rapporteur Tarlach McGonagle would prepare a preliminary version of the draft recommendation. The Secretariat would send the preliminary draft to the MSI-JO at the end of April 2015, allowing it two or three weeks to submit any major comments. The draft would then be forwarded to the CDMSI before the next plenary meeting (16 to 19 June 2015), for discussion. The Chair or the Rapporteur of the MSI-JO would be invited to the plenary of the CDMSI to present the draft recommendation. Those members of the MSI-JO who are also members of the CDMSI, together with the secretariat, would attend this presentation.

5. Information from the observers

The MSI-JO took note of the information provided by Suzanne Vanderzande representing the EU observer, who outlined the projects conducted by the EU in areas relevant to the Committee’s work.

Appendix I: List of participants

Appendix II: Annotated agenda

Appendix I: List of participants 3rd meeting, 19-20 March 2015

Committee of experts on protection of journalism and safety of journalists (MSI-JO)

Comité d'experts sur la protection du journalisme et la sécurité des journalistes (MSI-JO)

COMMITTEE MEMBERS**MEMBRES DU COMITE****MEMBER STATES REPRESENTATIVES****REPRESENTANTS DES ETATS MEMBRES****Bulgaria**

Ms Hristina Dobрева
Senior Expert, Information Technology and e-Governance Directorate
Ministry of Transport, Information Technology and Communications

Bulgaria

Mme Hristina Dobрева
Expert, Direction des technologies de l'information et de l'e-gouvernance
Ministère des transports, des technologies de l'information et de la communication

France

Mr Jérôme Bouvier
(Apologized) replacement TBC

France

M. Jérôme Bouvier
(Excusé) remplacement prévu

Georgia

Ms Irine Bartaia
Director, Department of International Law
Ministry of Foreign Affairs

Géorgie

Mme Irine Bartaia
Directrice, Service du Droit International
Ministère des Affaires Etrangères

Italy

Ms Elda Brogi
Scientific Coordinator Centre for Media Pluralism and Media Freedom
Robert Schuman Centre for Advanced Studies
European University Institute

Italie

Mme Elda Brogi
Coordinatrice scientifique, Centre pour la pluralité des médias et la liberté des médias,
Centre Robert Schuman d'études supérieures
Institut universitaire européen

Ireland

Dr Tarlach McGonagle (Rapporteur)
Institute for Information Law (IViR)
University of Amsterdam

Irlande

Dr Tarlach McGonagle (Rapporteur)
Institut du droit de l'Information (IViR)
Université d'Amsterdam

The Netherlands

Mr Nol Reijnders
Senior Adviser
Department for Media, Literature, Libraries
Ministry of Education, Culture and Science

Pays-Bas

M. Nol Reijnders
Conseiller, Service des médias, de la littérature et des bibliothèques
Ministère de l'éducation, de la culture et des sciences

Norway

Mr Trond Idaas (Vice-Chair)
Special advisor for the Norwegian Union of Journalists on safety and trauma
(Apologised)

Norvège

M. Trond Idaas (vice-Président)
Conseiller spécial pour l'Union norvégienne des journalistes sur la sécurité et les traumatismes
(Excusé)

Poland

Ms Małgorzata Pek (Gender equality Rapporteur)
Director of Legal Department
National Broadcasting Council of Poland

Pologne

Mme Małgorzata Pek (Rapporteuse égalité hommes-femmes)
Directrice du service juridique
Conseil national de radiodiffusion de Pologne

Russian Federation

Mr Arseny Nedyak
Deputy Director
Department of State Policy in the field of Mass Media
Ministry of Communications and Mass Media
(Apologised)

Serbia

Ms Gordana Predić
State Secretary
Ministry of Culture and Information

“The former Yugoslav Republic of Macedonia”

Ms Vesna Poposka
Head of International Public Relations Department
Government of the Republic

INDEPENDENT EXPERTS**Mr William Horsley**

Media Freedom Representative
Association of European Journalists (AEJ)

Ms Françoise Tulkens (Chair)

Former Judge, Former Vice-President of the European Court of Human Rights

Fédération de Russie

M. Arseny Nedyak
Directeur adjoint, Service des politiques nationales dans le domaine des médias de masse, Ministère de la communication et des médias de masse
(Excusé)

Serbie

Mme Gordana Predić
Secrétaire d'Etat
Ministère de la culture et de l'information

«Ex-République yougoslave de Macédoine»

Mme Vesna Poposka
Chef du service des relations publiques internat.
Gouvernement de la République

EXPERTS INDÉPENDANTS**M. William Horsley**

Représentant pour la liberté des médias
Association des journalistes européens (AEJ)

Mme Françoise Tulkens (Présidente)

Ancienne Juge, ancienne vice-Présidente de la Cour Européenne des Droits de l'Homme

OBSERVERS**European Union - Agency for Fundamental Rights (FRA)**

Mr Mario.OETHEIMER (Apologised)

European Commission

Mr Maciej Tomaszewski, DG-CONNECT
(Unit G1 on Converging Media & Content)
(Apologised)

Represented by: Ms Suzanne Vanderzande

OSCE

Mr Juan Barata
Principal Adviser to the Representative on Freedom of the Media (Apologised)

UNESCO

Mr Guy Berger, Director, Division of Freedom of Expression and Media Development
Represented by: Mr Ming Kuok Lim (apologised)

Reporters without borders

Mr Paul Coppin (apologised)

OBSERVATEURS**Union Européenne – Agence des droits fondamentaux (FRA)**

Mr Mario.OETHEIMER (Excusé)

Commission Européenne

M. Maciej Tomaszewski, DG-Connect
(Unité G1 sur la convergence des médias)
(Excusé)

Représenté par : Mme Suzanne Vanderzande

OSCE

M. Juan Barata
Conseiller principal, Bureau de la Représentante de l'OSCE pour la liberté des médias (Excusé)

UNESCO

M. Guy Berger, Directeur, Division pour la liberté d'expression et le développement des médias
Représenté par : M. Ming Kuok Lim (excusé)

Reporters sans frontières

M. Paul COPPIN (excusé)

Council of Europe SECRETARIAT

Ms Onur Andreotti
Administrator, Media and Internet Division
Information Society Department
Secretary of the MSI JO

Ms Silvia Grundmann
Head of Media and Internet Division
Information Society Department
Secretary of the CDMSI

Ana Gascon Marcen
Administrator, Media and Internet Division
Information Society Department

Mr Matthias Kloth
Cooperation with International Institutions and
Civil Society
Secretary of the CDDH-CORP

Ms Sarah Gregg
Assistant, Media and Internet Division
Information Society Department

Ms Maria Cristina Bibbo
Trainee, Media and Internet Governance Division
Information Society Department

INTERPRETERS

Angela BREWER
Monique PALMIER

SECRETARIAT du Conseil de l'Europe

*Mme Onur Andreotti
Administratrice, Division Médias et Internet
Service de la Société de l'Information
Secrétaire du MSI JO*

*Mme Silvia Grundmann
Chef de la Division Médias et Internet
Service de la Société de l'Information
Secrétaire du CDMSI*

*Mme Ana Gascon Marcen
Administratrice, Division Médias et Internet
Service de la Société de l'Information*

*Mr Matthias Kloth
Coopération avec les institutions internationales
et la société civile
Secrétaire du CDDH CORP*

*Mme Sarah Gregg
Assistante, Division Médias et Internet
Service de la Société de l'Information*

*Mme Maria Cristina Bibbo
Stagiaire, Division Médias et Internet
Service de la Société de l'Information*

INTERPRETES

Angela BREWER
Monique PALMIER

Appendix II: Annotated agenda

**3rd meeting, Strasbourg, 19-20 March 2015 (9:30-17:30)
Palais de l'Europe, Room 14**

1. Opening of the meeting

The Chair will open the meeting.

2. Adoption of the agenda

3. Information by the Secretariat

The MSI-JO will be informed about the Seminar and inter-regional dialogue on the protection of journalists (3rd November 2014), on the meeting of the CDMSI (18-21 November 2014) and any other developments of relevance for their work.

4. Working document

Presentation of the DRAFT FOR DISCUSSION, Recommendation CM/Rec ...of the Committee of Ministers to member states on the protection of journalism and safety of journalists and other media actors (Dr Tarlach McGonagle, Rapporteur) and related discussion to arrive at an advanced draft (MSI-JO(2014)09rev2).



MSI-JO(2014)09rev2
_en Draft_for_discus

5. Cooperation with other organisations (EU, UN, OSCE)

The representatives of the organisations will be invited to inform the Committee on their activities of relevance for the work of MSI-JO.

6. Dates of next meetings

7. Any other business

The MSI-JO will be invited to consider any other business not dealt with above.

Reference documents

Report MSI-JO second meeting (Strasbourg, 6-7 October 2014)



MSI-JO(2014)08E
Report 2nd meeting(t

Terms of reference

Resolution [CM/Res\(2011\)24](#) on intergovernmental committees and subordinate bodies, their terms of reference and working methods

- Declaration of the Committee of Ministers on the protection of journalism and safety of journalists and other media actors adopted on 30 April 2014 [Decl\(30.04.2014\)](#)

[Link](#) to the official text of the European Convention on Human Rights in different languages

[CM Guidelines](#) on eradicating impunity for serious human rights violations

[Declaration](#) by the Committee of Ministers on the protection and promotion of investigative journalism, adopted 26 September 2007

- [Recommendation No. R\(2007\)7](#) of the Committee of Ministers to member states on the right to journalists not to disclose their sources of information

[Recommendation 1950\(2011\)](#) on Protection of journalists' sources

[Recommendation CM/Rec \(2011\)7](#) of the Committee of Ministers to member states on a new notion of media

[Resolution 1636\(2008\)](#) on Indicators for media in a democracy

[Resolution 1535\(2007\)](#) on Threats to the lives and freedom of expression of journalists

[Resolution 1438\(2005\)](#) on Freedom of the press and the working conditions of journalists in conflict zones

[Recommendation 1706\(2005\)](#) on Media and terrorism

[Recommendation No R\(96\)4](#) on the protection of journalists in situations of conflict and tension

CM [Declaration](#) on the protection of journalists in situations of conflict and tension

[MCM\(2013\)012](#): The principles which can be drawn from the case-law of the European Court of Human Rights relating to the protection and safety of journalists and journalism, report by Philip Leach

[Resolution n° 3](#) Ministerial Conference

[CDMSI\(2012\)Misc11Rev2](#): Study on Defamation

["Speaking of terror"](#): A survey of the effects of counter-terrorism legislation on freedom of the media in Europe by David Banisar (Contains, in the appendix, Guidelines of the Committee of Ministers of the Council of Europe on protection freedom of expression and information in times of crisis, adopted on 26 September 2007 and Declaration on freedom of expression and information in the media in the context of the fight against terrorism)

Seminar and Inter-regional Dialogue on the protection of journalists, Strasbourg, 3 November 2014 website: <http://www.coe.int/en/web/freedom-expression/seminar-inter-regional-dialogue>

REPORT Seminar and Inter-regional Dialogue on the protection of journalists, Strasbourg, 3 November 2014

Selection of documents from other organisations

[UN plan of action](#) on the safety of journalists and the issue of impunity

[Resolution](#) on the Safety of Journalists – United Nations Human Rights Council, 21st session

[OSCE Safety of Journalists guidebook](#)

Violence and Harassment against Women in the News Media: A Global Picture Study by the International Women's Media Foundation and International News Safety Institute
<http://www.iwmf.org/intimidation-threats-and-abuse/>

[International News Safety Institute](#): Journalism Safety: Threats to media workers and measures to protect them

Safety of journalists and the issue of impunity: revised draft resolution, United Nations General Assembly, 68th session ([A/C.3/68/L.40/Rev.1](#)) (see also [A/RES/68/163](#))

The safety of journalists: Report of the United Nations High Commissioner for Human Rights, United Nations General Assembly, Human Rights Council, 24th session ([A/HRC/24/23](#))

EU Guidelines on Freedom of Expression online-offline



EU_Council adopts
the Guidelines on Fre

- ORGANISATION OF AMERICAN STATES : Answers to the key questions of the outline document



OAS
Answerstoquestions.

T.McGonagle & F.J. Cabrera Blázquez (eds.), with the collaboration of D. Voorhoof), Freedom of Expression, the Media and Journalists: Case-law of the European Court of Human Rights, [IRIS Themes – Vol III](#), Strasbourg: European Audiovisual Observatory, 2013

T.McGonagle & S. Nikoltchev (eds.), Freedom of Expression and the Media: Standard-setting by the Council of Europe's Committee of Ministers, [IRIS Themes - Vol I](#), Strasbourg: European Audiovisual Observatory, 2011

Dart Center's Global Safety Principles and Practices, February 2015
<http://dartcenter.org/content/global-safety-principles-and-practices>