

## **Global Conference for Media Freedom: London 2019**

**London, 10-11 July 2019**

**Presentation Thomas Schneider, Chair of CDMSI**

### **Journalists' safety is a matter of public concern because of their important watchdog function.**

In this era of overabundance of information at just a few clicks, it is of crucial importance to have access to reliable, fact-checked sources capable of responding to the informational (and other) needs of all societal groups.

Journalists help individuals form and express their opinions, they monitor governmental action and inaction and perform the role of public watchdog in a democratic society. Accordingly, media freedom is a core element of democracy.

Their commitment to providing accurate and reliable information in accordance with the standards of the profession enjoys the highest protection under the international standards of freedom of expression (Article 10 of the ECHR).

However, without safeguards for the safety of journalists there can be no free, independent and pluralist media.

### **Today, journalists' safety is compromised more than ever as a result of their watchdog role.**

Journalists face major risks and threats as a result of their work, especially investigating and exposing the misuse of power, corruption, fraud, human rights violations, criminal activities or terrorism, etc.

Both governments and powerful private actors under their scrutiny all too often respond to critical reporting with attempts to silence the critics.

Journalists thus face political attacks on their credibility, surveillance, civil and criminal lawsuits, arbitrary arrest and detention, intimidations and harassment, physical attacks, and in the most extreme cases torture, disappearances and killings.

In 2017 we conducted a study "Journalists under Pressure". in which two-thirds of 940 respondents reported that a wide range of interferences had affected them psychologically. No surprise, given that, for example, one third reported having experienced at least one physical assault during preceding three years.

That said, the new media environment which allows for direct interaction between journalists and their audience has also turned journalists into ready targets not only for organised smear campaigns but also for any displeased citizen. An increasing number of them are exposed to cyberbullying and trolling. In the 2017 study, more than 50% of the journalists reported having experienced cyberbullying, with 10% claiming that they had experienced it ten times or more in the preceding three years.

### **This is wholly unacceptable. In response, CoE has devised a comprehensive strategy of measures countering this alarming phenomenon.**

Our Organisation provides for the protection of media freedom and journalists' rights through a number of instruments based on the European Convention on Human Rights. Some of them have already been presented, others are to follow. I wish to focus on the role of standard setting.

Standard setting instruments such as conventions, recommendations, declarations or guidelines are adopted by the CoE's decision making body - the Committee of Ministers composed of 47 foreign ministers or their Strasbourg-based deputies.

**More specifically, the organisation's work on freedom of expression is guided by the Steering Committee on Media and Information Society.**

The Steering Committee comprises delegates from the 47 states with expertise in the field, and is assisted by a Secretariat within the Council of Europe's Information Society Department. The Committee prepares policy making instruments, but also facilitates the exchange of information among States and other relevant stakeholders, and provides a venue for critical reflection on matters such as journalists' protection, an issue high on the organisation's agenda.

Over decades, a number of standards have been developed that aim to protect journalists and create an enabling environment for the pursuit of their activities.

**2016 saw the adoption of Recommendation CM/Rec(2016)4 on the protection of journalism and safety of journalists and other media actors.**

This is a comprehensive instrument with a broad scope of protection not only for journalists, but also for other media players such as for example political bloggers or whistleblowers.

While recommendations are in principle soft-law instruments, this one is, in substance, largely an exception. It incorporates a number of rules and principles from the case law of the European Court of Human Rights that are legally binding for the member states.

The recommendation can thus be seen as a detailed catalogue of states' obligations to prevent physical harms and threats, as well as to reinforce and promote a favourable environment for freedom of expression.

Guidelines extend to the areas of prevention, protection, prosecution, education and awareness raising. Specifically, member states must put in place comprehensive legislative frameworks for the protection of the physical and moral integrity of journalists. Furthermore, appropriate criminal law provisions must be adopted to deter crimes against journalists, and all such crimes must be effectively investigated to prevent impunity.

**The Recommendation, however, will require more vigorous efforts for effective implementation.**

As the violent rhetoric and attacks against journalists intensify, we observe a continued failure of some authorities to swiftly and decisively condemn such actions. This passive stance, in its turn, creates a vicious cycle as it condones further hostility and violence against journalists.

To this end, the Steering Committee has, for its part, adopted an Implementation Strategy for the Recommendation, in which context it is about to launch an Implementation Guide to assist member states in the implementation of priority topics from the areas of protection and prosecution of crimes against journalists.

The implementation guide establishes indicators against which the implementation of the Recommendation can be measured, provides a commentary of the relevant guidelines, identifies

good practices from some member states, and offers practical suggestions for the implementation.

However, the urgency of the situation must be matched by full engagement of States at all levels of national governments - political, legislative, judicial, law enforcement and educational, taking account of the specific national contexts and needs.

**It is of utmost importance that States develop national plans of action on the safety of journalists, premised on recognition that violence against journalists and other media actors constitutes an attack on democracy.**

Such action plans should set comprehensive and effective programmes of activity that will prioritise according to most urgent needs. Action plans should be implemented under strong political and operational leadership and inter-agency coordination, with genuine civil society partnership (journalists' associations/trade unions) from the planning onwards.

In conclusion, we are currently planning a Conference of ministers responsible for media and information society to be held next year in Cyprus, where we will be discussing emerging challenges for freedom of expression such as the shift in the media environment towards social media distribution and challenges of AI-powered systems.

However, we will dedicate an important part of discussions to the continuous - and persistent - challenge of how to ensure a safe environment for journalists. To this end, we hope to reach a resolution that national action plans to be elaborated without delay.