



Addressing hate speech in the media: the role of regulatory authorities and the judiciary

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What is – can – should be the role of Press Councils?

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Addressing hate speech in the media

What are – can – should be the tasks of a Press Council?

In the Netherlands (stated in the statutes):

- adjudicate complaints against violations of good journalistic practice
- make statements on its own initiative with regard to matters of general scope and/or principle interest
- contribute to the development of journalistic professional ethics and the public opinion thereof
- write down the meaning of its decisions in the Guidelines of the council

Adjudication of complaints

What is – can – should be the competence of the council?

In the Netherlands:

- complaints about *journalistic* conduct
- concerning *all* journalists, in relation to publications in *all* media
 - this includes journalistic conduct on social media (Twitter and Facebook)

However:

Since November 2013 the council withholds its opinion in complaints addressed to media/journalists who basically do not co-operate with the council, unless the case is of a higher, general importance.

- this excludes expressions of citizens on social media

However:

The editorial office is responsible for publishing letters *and responses received on the website of the medium involved*. (Guidelines, paragraph D)

Adjudication of complaints

Who is – can – should be the complainant?

In the Netherlands:

- those who are to be considered as directly involved, i.e. someone who is mentioned or addressed in the publication
 - if a collective interest is at stake: institutions that defend such collective interest by (statutory) goals and taking actions
 - this excludes individuals who feel harmed by general hate speech towards (minority) groups
 - this includes organizations such as
 - the Association of Sinti and Roma ([RvdJ 2018/10](#) – not upheld)
 - COC Netherlands (advocating the rights of LGBT's) – ([RvdJ 2012/10](#) – upheld)
 - Partnership of Moroccan Dutch ([RvdJ 2010/45](#) – not upheld and [RvdJ 2009/12](#) – upheld)
 - Participation Body of Chinese ([RvdJ 2007/32](#) – partly upheld)
- and Anti-discrimination agencies

Development of professional ethics and public opinion

What are – can – should be the means to do so?

In the Netherlands:

- through information, participation in debates and interviews and all other means that are appropriate for this purpose
 - blog chairman about 'Mores'
 - on regular basis, appr. two blogs per month
 - on website, social media (Twitter) and in/on Villamedia (magazine/site for journalists)
 - on 'Nine Eleven' 2017 the Council co-organized – together with the Netherlands Union of Journalists and the Association of Editors-in-Chief – the public debate 'Terror, fear and media'
 - participating at several meetings, such as
 - keynote at conference on media literacy
 - lecture at regional library on fact checking and fake news

Write down the meaning of decisions in Guidelines/codes

What is – can – should be stated?

In the Netherlands – under General/preface:

- Media play an important role in the democratic process in society.
- Proper journalism can only be performed in *full freedom* and *independently*.
- This important role comes with *obligations* and *responsibilities*.
- Journalism is at the same time *transparent* about its approach and choices.
- *Self-regulation* is the most effective way to take this responsibility.
- The NPC is the expression and instrument of that self-regulation.
- The journalistic principles have power in every medium and on every platform.

Write down the meaning of decisions in Guidelines/codes

What is – can – should be stated?

A few general principles:

- Journalists report truthfully, verifiably and as completely as possible. They avoid one-sided and tendentious reporting. (paragraph A)
- Journalists must hear those who are disqualified as a result of a publication, even if their role is marginal. (paragraph B)
- In their publications, journalists must make a clear distinction between facts, allegations and opinions. (paragraph C)

Some more specific principles:

- Journalists take into account the particular vulnerability of certain groups, such as minors and people with intellectual disabilities. (paragraph A)
- Publications only state the ethnic origins, nationality, race, religion and sexual inclination of groups and persons if deemed required for a proper comprehension of the facts and circumstances that are reported on. (paragraph C)
- Columnists and cartoonists are free to express their opinions on events and persons. Stylistic tools such as exaggeration and deliberate one-sidedness are permitted. (paragraph C)



Dilemmas, challenges and opportunities

What is – can – should be done?

In the Netherlands:

- The distribution of fake news or disinformation makes it more necessary for journalism to distinguish itself better in professionalism.
- At the annual meeting of the Council of June 6th 2018 the chairman announced a study into concrete possibilities to strengthen the Council, also in view of the new journalistic dilemmas raised by technological innovation, such as artificial intelligence.
- The outcome of this study is expected later this year.

On international level:

- Collaborate – exchanging views and information – within the Alliance of Independent Press Councils of Europe (AIPCE) and other working groups/partnerships.



Netherlands Press Council

Thank you for the attention!

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