

HUMAN RIGHTS,
DEMOCRACY
AND THE RULE OF LAW

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

DROITS DE L'HOMME,
DÉMOCRATIE
ET ÉTAT DE DROIT

South East Europe Media Conference “The New Frontline: Working Together to Foster Media Freedom”

Promoting Media Freedom: Focus on Western Balkans

Presentation

17-18 September 2020

Patrick Penninckx

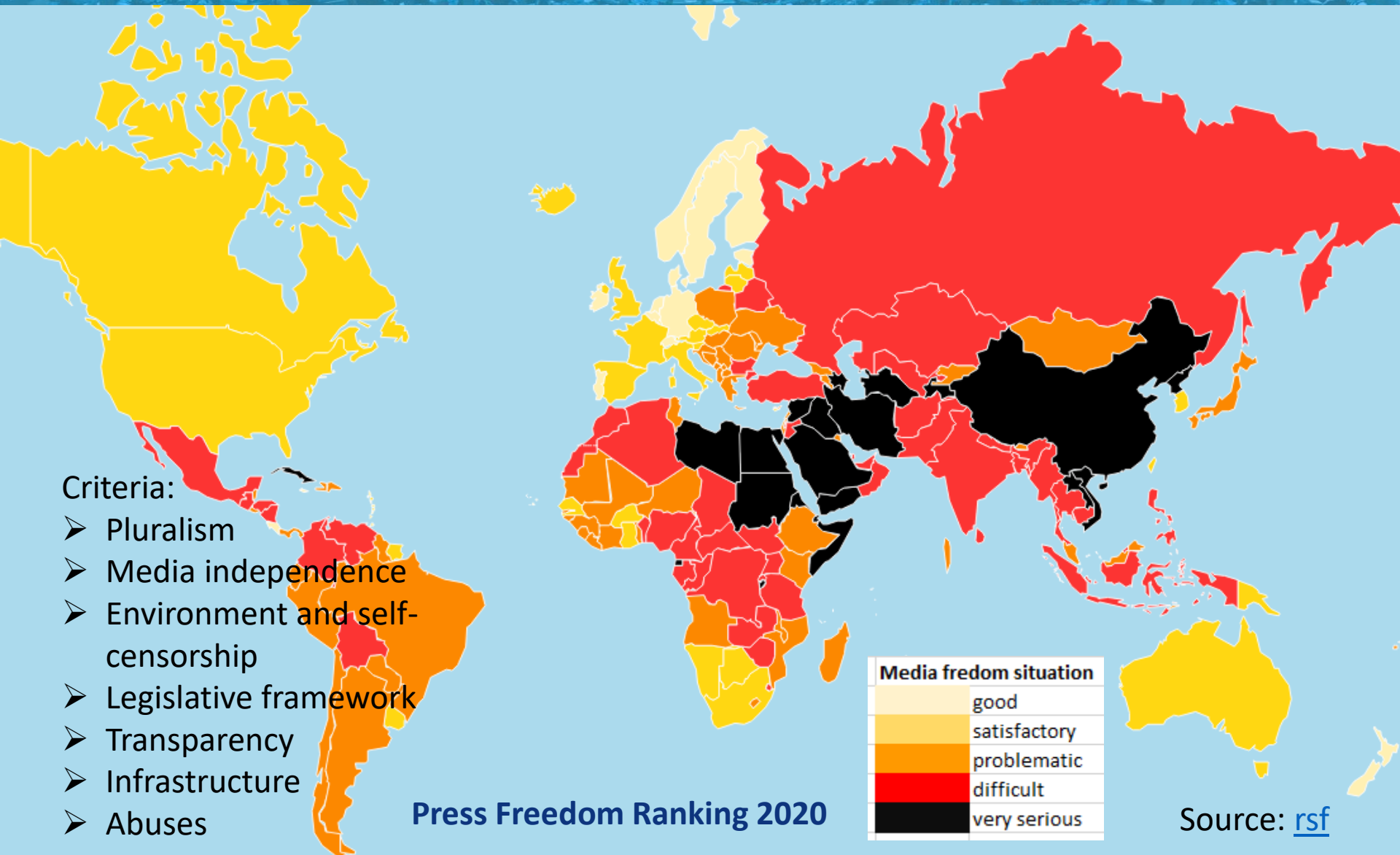
Head of the Information Society Department

PRESENTATION TOPICS:

- 1. Trends in media freedom globally and in Europe**
- 2. Overview of Western Balkans**
- 3. Council of Europe responses**
- 4. Cooperation programmes in the region**
- 5. Areas of cooperation
OSCE – Council of Europe**



Press freedom in the world



Free press is under pressure

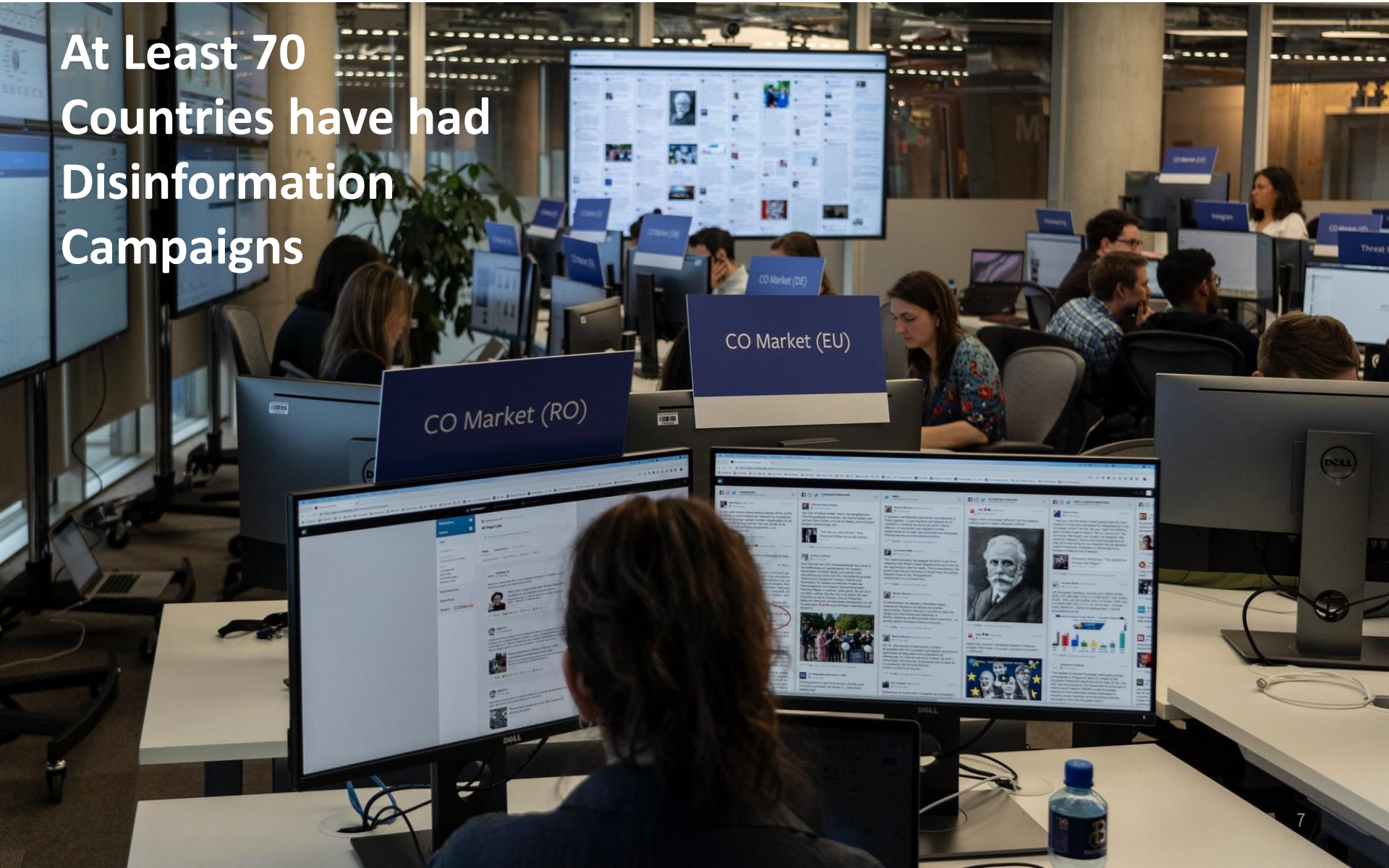


Extremism is on the rise



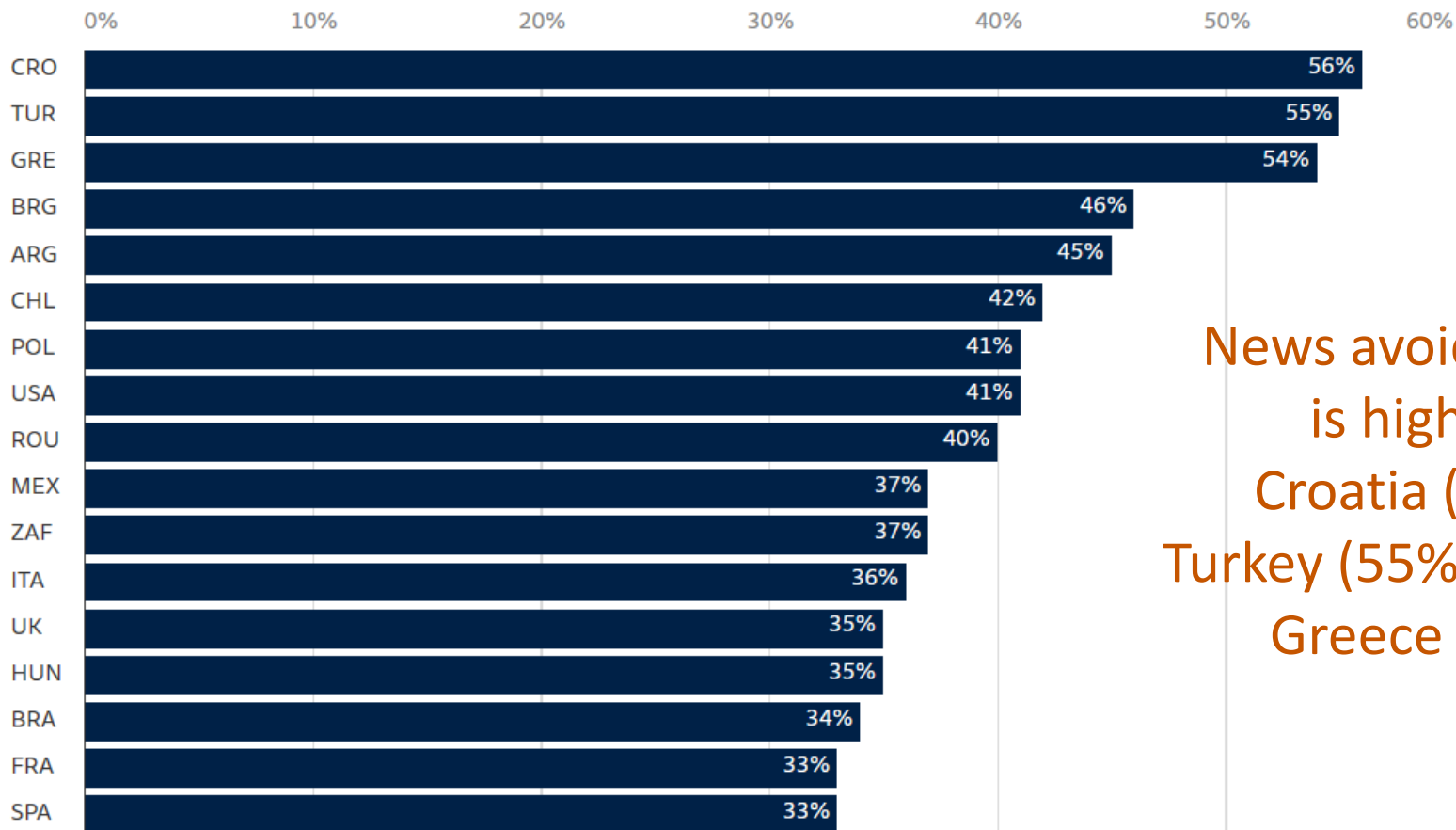


At Least 70
Countries have had
Disinformation
Campaigns



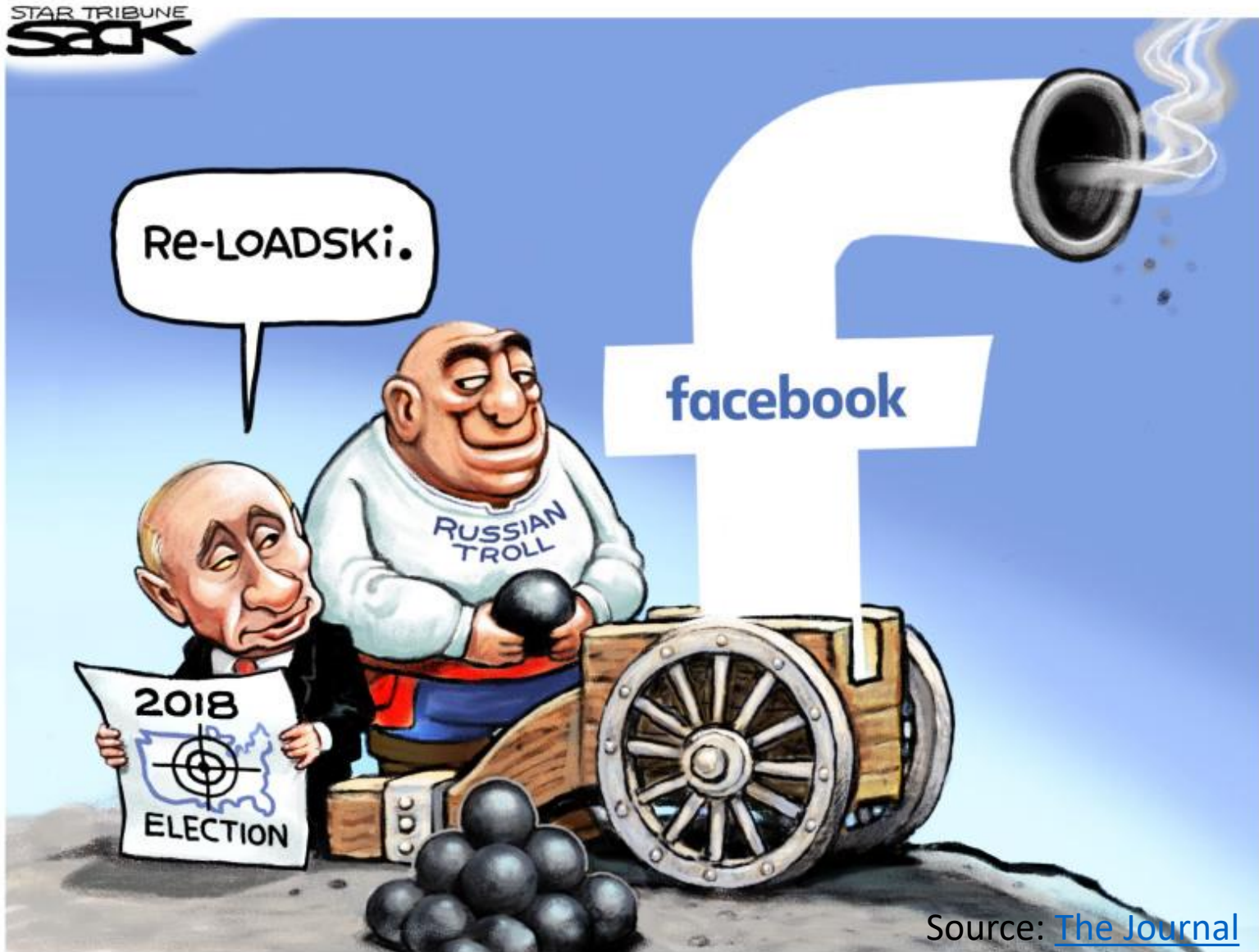
PROPORTION THAT OFTEN OR SOMETIMES ACTIVELY AVOIDS THE NEWS

All markets



News avoidance
is highest in
Croatia (56%),
Turkey (55%), and
Greece (54%)

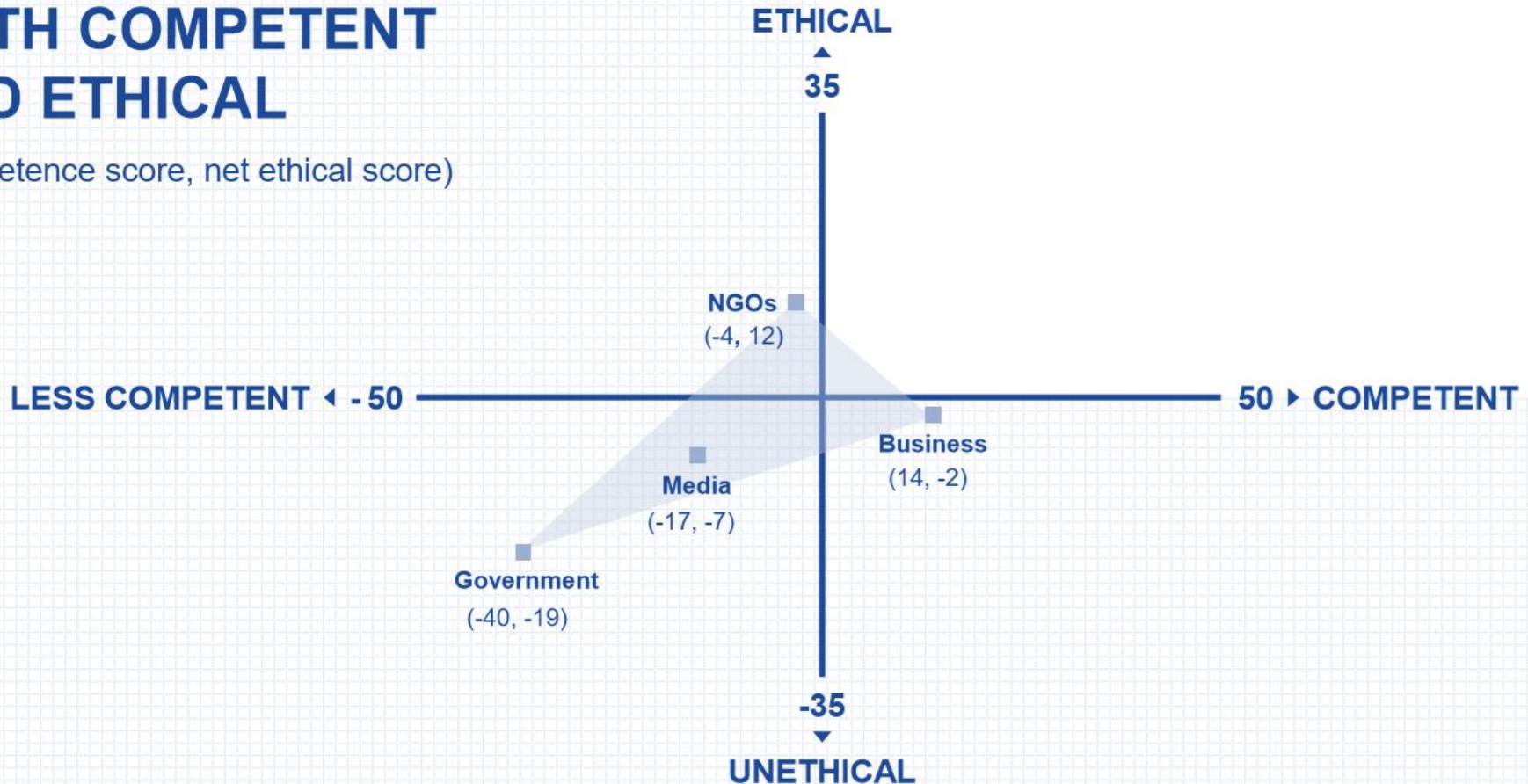
Disinformation rigs elections



Source: [The Journal](#)

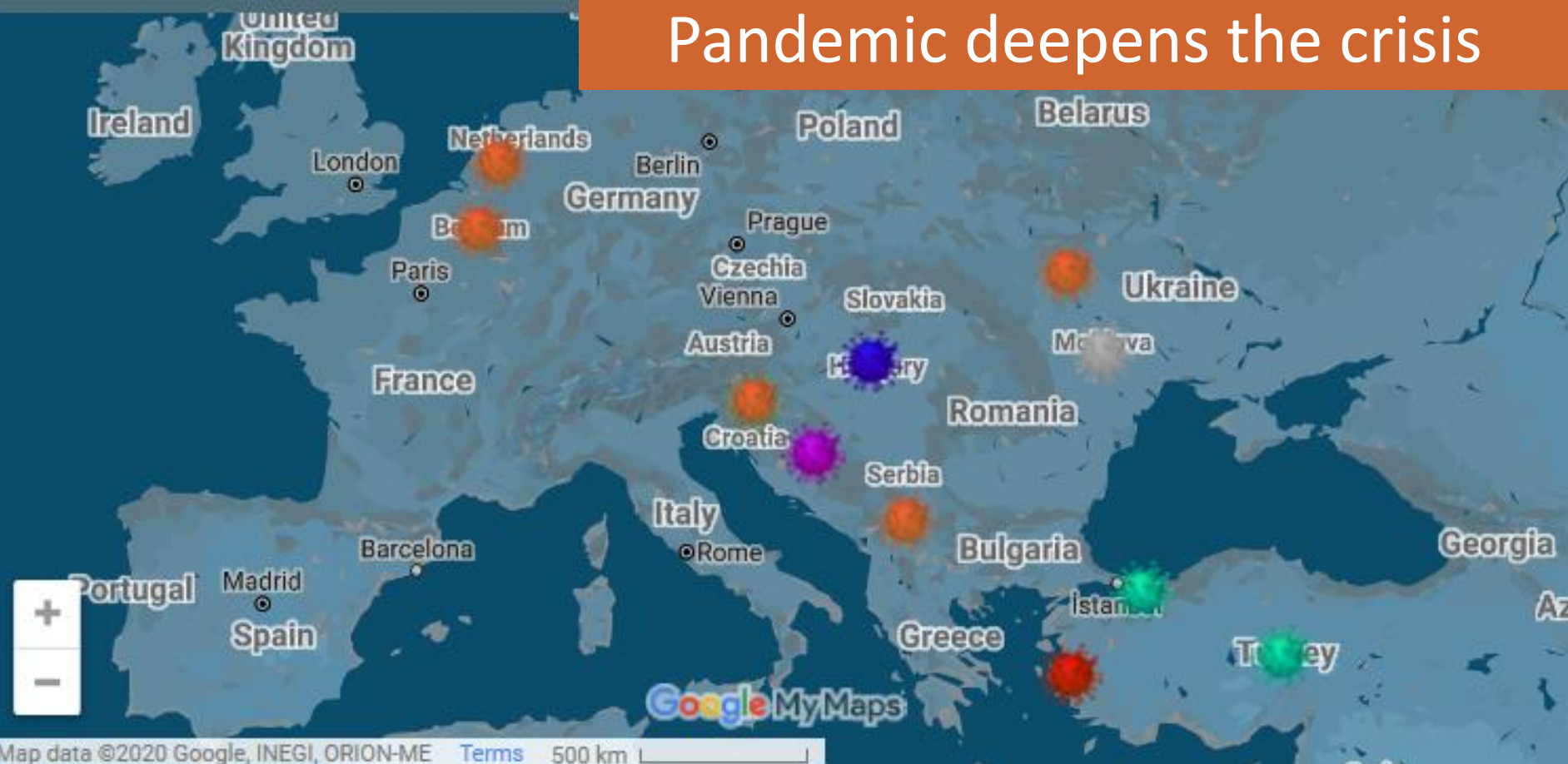
NO INSTITUTION SEEN AS BOTH COMPETENT AND ETHICAL

(Competence score, net ethical score)





Pandemic deepens the crisis



Detention or arrest



Social media restrictions



Legislation change to restrict media freedom



Journalists not being allowed to report



Surveillance



Disinformation/fake news



**Attacks on journalists/
cartoonists**



Other attack

Fake news proliferate

THE US CREATED
THE VIRUS

DISINFORMATION

CORONAVIRUS IS A TOOL
TO INTRODUCE TYRANNY

DISINFORMATION

SCHENGEN HAS
COLLAPSED

DISINFORMATION

CORONAVIRUS IS
THE CHERNOBYL
OF THE EU

DISINFORMATION

THE VIRUS IS NOT
DANGEROUS

DISINFORMATION



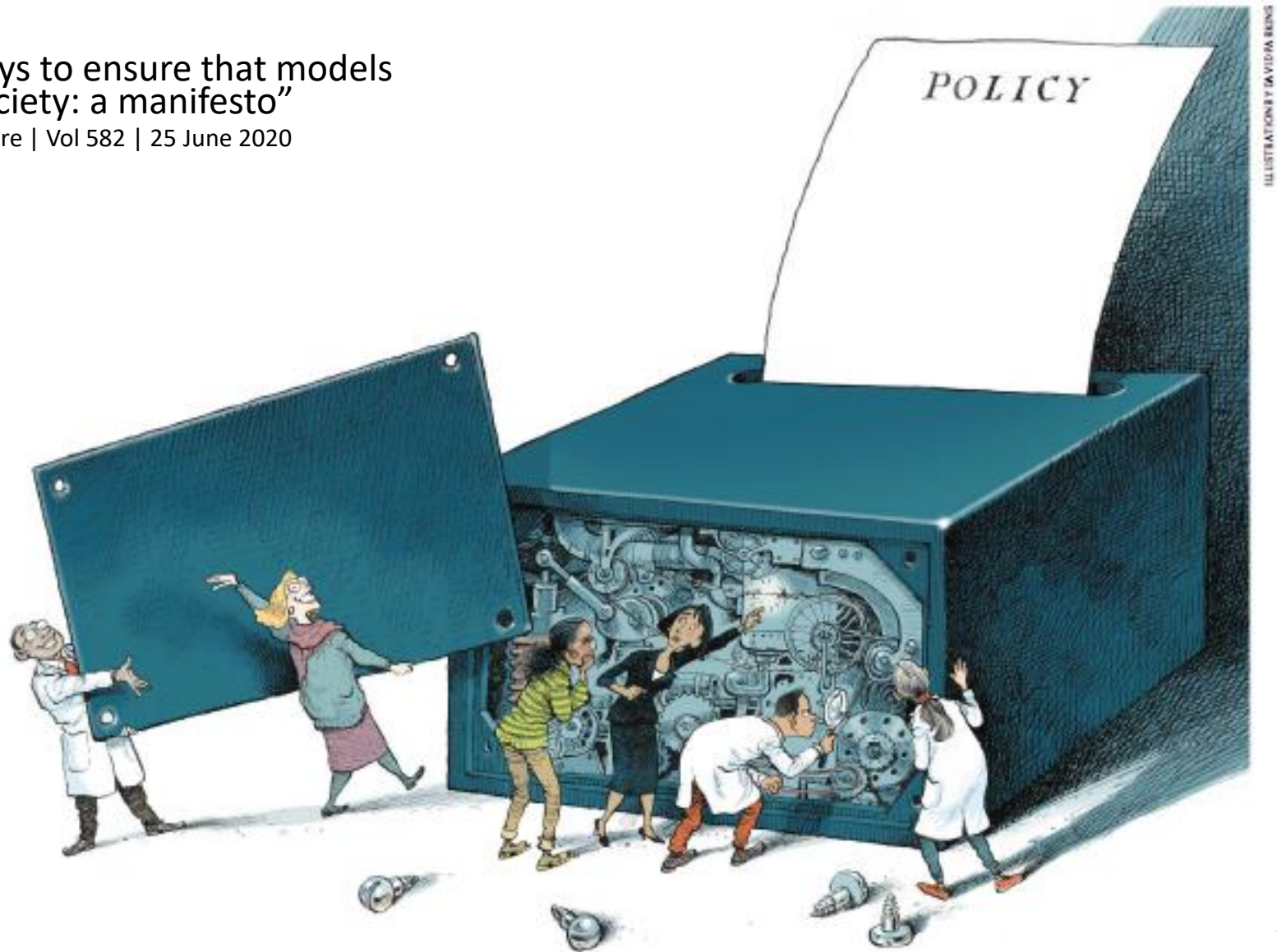


Facebook and Twitter take down Donald Trump's video claiming children immune to COVID-19

Source: [NIE](#)

“Five ways to ensure that models serve society: a manifesto”






Source: Nature | Vol 582 | 25 June 2020



Press freedom in Europe

Source: rsf

Press Freedom Ranking 2020

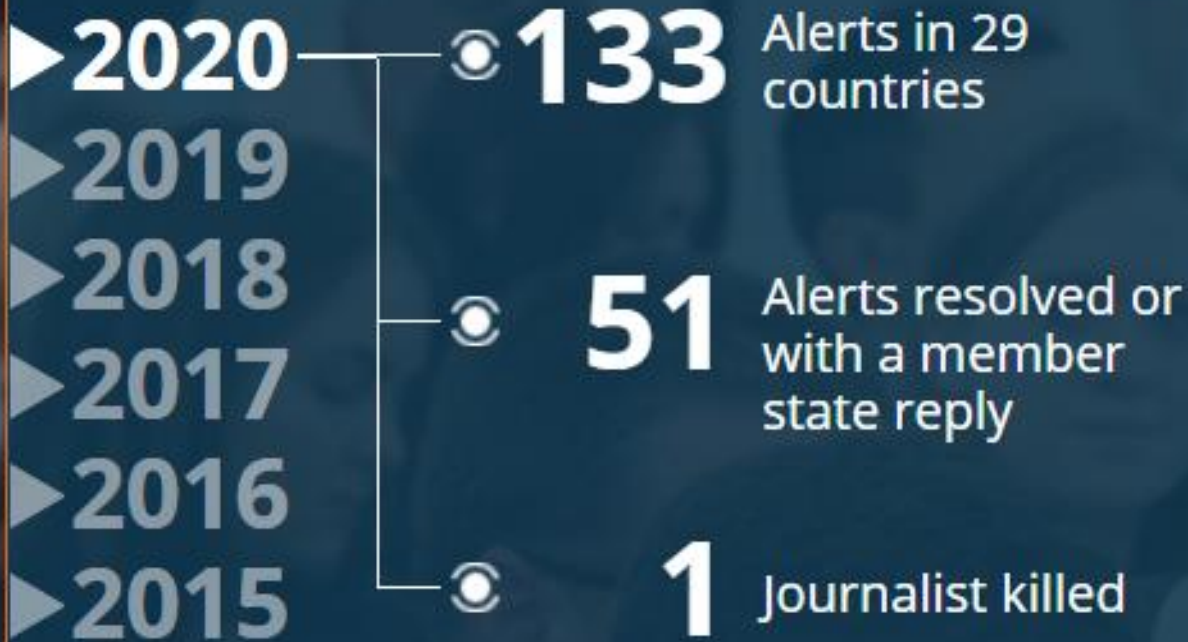
Press freedom situation	
	good
	satisfactory
	problematic
	difficult
	very serious

Criteria:

- Pluralism
- Media independence
- Environment and self-censorship
- Legislative framework
- Transparency
- Infrastructure
- Abuses



Media freedom is challenged



CURRENTLY

115

journalists in detention

22

cases of impunity for murder

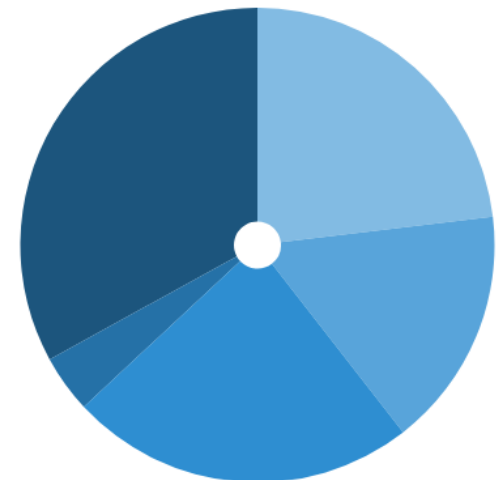
Platform to promote the protection of journalism and safety of journalists

🕒 Figures since April 2015 (Platform launch date)

Journalists are being attacked

- Attacks on physical safety and integrity of journalists (182 alerts)
- Detention and imprisonment of journalists (129 alerts)
- Harassment and intimidation of journalists (186 alerts)
- Impunity (31 alerts)
- Other acts having chilling effects on media freedom (260 alerts)

Platform to promote the protection of journalism and safety of journalists



Press freedom in Western Balkans

Press Freedom Ranking 2020

Source: [rsf](#)

Press freedom situation

good
satisfactory
problematic
difficult
very serious

Criteria:

- Pluralism
- Media independence
- Environment and self-censorship
- Legislative framework
- Transparency
- Infrastructure
- Abuses

Press freedom in Western Balkans

The intensity of
abuses and
violence



Global score of abuses and
violence against journalists
and media: the higher –
the worse (max - 86, N. Korea)



Positive figure indicates deterioration
and negative figure indicate
improvement over the last year



✓	Countries & regions	Abuse score	Underlying situation score	Global score	Diff. score 2019
154	Turkey	68.30	45.46	50.02	-2.79
105	Montenegro	0	33.83	33.83	1.09
93	Serbia	0	31.62	31.62	0.44
92	North Macedonia	0	31.28	31.28	-0.38
84	Albania	19.46	30.01	30.25	0.41
70	Kosovo	0	29.33	29.33	-0.35
59	Croatia	0	28.51	28.51	-0.52
58	Bosnia-Herzegovina	0	28.51	28.51	-0.51

Press freedom situation	
	good
	satisfactory
	problematic
	difficult
	very serious

Media freedom is challenged

Western Balkan countries have an issue with media freedom

- **“Misuse of power, corruption, discrimination, criminal activity or human rights violations have come to light as a direct result of the work of investigative journalists and other media actors. Making the facts known to the public is essential for redressing such situations and holding to account those responsible.**
- **The freedom of the media and the free and unhindered exercise of journalism are essential in a democratic society**, in particular for informing the public, for the free formation and expression of opinions and ideas, and for scrutinizing the activities of public authorities.”

Interview with Patrick Penninckx, Head of the Information Society Department of the Council of Europe, April 2019 Sarajevo, Bosnia and Herzegovina.

Source: [exital](https://www.exital.org/)

**Coronavirus
used to
promote
anti-EU
narrative in
Balkans**



Disinformation sharpens tensions



Disinformation sharpened tensions between Serbia and Montenegro,
following the adoption of the Law on Freedom of religion of Montenegro.

Source: [euvdisinfo](https://euvdisinfo.eu)



- More than 200 journalists and media workers of the Public Broadcasting Service of Vojvodina, Radio-Television of Vojvodina (RTV) will be made redundant on September 1.
- This is a direct consequence of the Republic of Serbia's budget rebalance, which leaves this institution short of more than RSD 200 million.
- The cut will directly affect programs in languages of ethnic minority groups.

Source: Letter from the Independent Journalists' Association of Vojvodina (IJAV), 21 August 2020

Recommendation CM/Rec(2018)1 on media pluralism and transparency of media ownership

Public service media have – and need to retain – their special status also because they cater to and for the widest range of societal groups, including cultural, linguistic, ethnic, religious, sexual and other minorities, thus reflecting political pluralism and fostering awareness of diverse opinions.

This year's election in Serbia was the most controversial in the last 20 years, a new report finds

- ✓ Numerous irregularities, which greatly influenced the electoral outcome, were documented.
- ✓ **Serious media imbalance, pressure on voters, blurring of lines between state and party activities and misuse of public resources.**
- ✓ In-office campaigning, and most probably a manipulation of official statistics on the COVID-19 pandemic for political gains.
- ✓ Lack of trust in the electoral process, as well as an unrepresentative parliament.

Source: [European Western Balkans](#)





Jansa is eroding press freedom in Slovenia, IPI warns

- ✓ Jansa has launched “vitriolic attacks on reporters on Twitter”.
- ✓ A wider increase in digital harassment from online trolls and contributing to an increasingly hostile climate for watchdog journalism.
- ✓ The government has sought to portray mainstream media outlets as heirs of the Yugoslav-era communist security services.
- ✓ The government plans to amend public service media legislation, which some experts see as an attempt to rein in state media.

Source: [Balkan Insight](#)

Traditional threats to media freedom and independence persist among the Western Balkans

- High rate of hate speech, often coming from politicians and addressing precisely the media,
- Political influence over media regulatory authorities,
- Lack of transparency of media ownership
- Poor quality of investigative journalism
- Weak mechanisms to support media associations
- Targeted attacks on online media
- Partial and inconsistent implementation of the legislative framework which, in addition, is not always aligned to the European standards.

Interview with Patrick Penninckx, Head of the Information Society Department of the Council of Europe, April 2019 Sarajevo, Bosnia and Herzegovina.

Source: [europeanwesternbalkans](https://www.europeanwesternbalkans.com/)



OUR OBJECTIVE

Assist and cooperate with member States to change their policy, legislation and **practice** to effectively protect and promote freedom of expression, media freedom and data protection, in line with Council of Europe standards

TRIANGULAR

Methodology

Projects

Programmes

ASSISTANCE

STANDARDS

Recommendations

Conventions

Surveys

Mechanisms

MONITORING





Monitoring

Annual Report by the Secretary General

Freedom of expression chapter

- ✓ Legal guarantees for freedom of expression
- ✓ Safety of journalists and other media actors
- ✓ Media independence
- ✓ Media pluralism and diversity
- ✓ Freedom of expression on the internet

Protecting journalists



Standards

- ✓ Recommendation on **safety of journalists** and other media actors
- ✓ **Guidelines to states** on how to protect journalists

Awareness raising

- ✓ European survey of **"Journalists under pressure"**
- ✓ **Qualitative study of journalists' experiences and responses**
"Mission to inform: journalists at risk speak out" (forthcoming)

Promoting media pluralism

Standards

- Recommendation on **media pluralism and transparency of media ownership**
- Recommendation on the **roles and responsibilities of internet intermediaries**



Awareness raising

- “Media Pluralism – How can we deliver?”, International Conference, Strasbourg, 2019

Sustaining quality journalism



Standards

- ✓ Declaration on the **financial sustainability** of quality journalism in the digital age
- ✓ Draft Recommendation on promoting a **favorable environment** for quality journalism in the digital age

Awareness raising

- ✓ “(Last) call for quality journalism?”
International conference, Ljubljana, 28-29 November 2019
- ✓ Study on supporting quality journalism through **media and information literacy**

Tackling disinformation



Awareness raising

- Study “Information Disorder”

Standards

- ✓ Convention on **Access to Official Documents**
- ✓ Recommendation on promoting a **favorable environment** for quality journalism in the digital age
- ✓ Recommendation on the roles and responsibilities of **internet intermediaries**
- ✓ Recommendation on the human rights impacts of **algorithmic systems**

Addressing hate speech



Standards

- ✓ Recommendation on “hate speech”
- ✓ Recommendation on the media and the promotion of a culture of tolerance
- ✓ Recommendation on blasphemy, religious insults and hate speech against persons on grounds of their religion

Awareness raising

- “Addressing hate speech in the media: the role of regulatory authorities and the judiciary”, Regional conference, Zagreb 2018



Standards

- ✓ Recommendation with regard to **network neutrality**
- ✓ Recommendation on **Internet freedom**
- ✓ Recommendation on the **roles and responsibilities of internet intermediaries**

Awareness raising

- ✓ Study “**Liability and jurisdictional issues in online defamation cases**”

Cooperation

- ✓ **Partnership with Digital Companies**
 - 22 companies and associations

Ministerial conference Artificial Intelligence Intelligent Politics Challenges and opportunities for media and democracy

10-11 June 2021, Cyprus

Awareness raising

Key topics

- ✓ Implications of AI-driven tools in the media for freedom of expression
- ✓ Taking action to protect journalists and other media actors
- ✓ Media literacy for all – supporting marginalised groups through community media
- ✓ Media freedom, regulation and trust - a systemic approach to information disorder
- ✓ Covid-19 impact on freedom of expression



JUFREX

Freedom of Expression and
Freedom of the Media in
South-East Europe

HORIZONTAL FACILITY
FOR THE WESTERN
BALKANS AND TURKEY
2019-2022

Freedom of Expression and Freedom of the Media in South-East Europe

The project is part of the “Horizontal Facility for the Western Balkans and Turkey 2019-2022” - a joint initiative of the European Union and the Council of Europe

Objective: promote freedom of expression and freedom of the media in line with European standards, with special focus on protection of journalists.

Beneficiaries:

- Legal professionals
- Media Regulatory Authorities
- Media Actors

New online courses

PROTECTION & SAFETY OF JOURNALISTS

HELP

Human Rights Education for Legal Professionals

FREEDOM OF EXPRESSION

HELP

Human Rights Education for Legal Professionals

Translations and adaptations in local languages are ongoing and will be ready by the end of 2020 to be used in training of judges, prosecutors, police officers and students (law and journalism).

Awareness raising on importance of European standards in the field of freedom of expression and freedom of the media, in particular:

- Internet/freedom of expression online
- Information disorder (fake news)
- Gender and media
- Hate speech
- Artificial intelligence
- Data protection



Thanks for your
attention !



See also: Facebook Page
Information Society Group

Thematic resources

www.coe.int/freedomofexpression

www.coe.int/dataprotection

www.coe.int/cybercrime

www.coe.int/AI

