

Information Documents

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Safety of journalists

Introduction: stepping up the Organisation's efforts to safeguard freedom of expression

As announced following the 129th Session of the Committee of Ministers in Helsinki¹ and the subsequent decisions of the Ministers' Deputies, the Committee of Ministers will be regularly informed of developments in the area of freedom of expression by reports based on Council of Europe work in this field, including the activity of the Platform for the protection of journalism and safety of journalists (the Platform). Given the significant impact of the healthcare crisis on freedom of expression, creating additional challenges, the first report of this kind focused on the impact of this crisis on freedom of expression and media freedom.²

The present report has a specific focus on the issue of the safety of journalists. Given the situation, this requires urgent attention in view of the fundamental rights at stake, notably linked to physical integrity, as well as the worrying trends observed (see below).

Together with the assessment of the situation on freedom of expression that will be included in the Secretary General's 2021 Annual Report on the state of human rights, democracy and the rule of law in Europe, the informal debates of the Committee of Ministers with partners of the Platform, which are organised in co-operation with the respective chairmanships of the Committee of Ministers, and the Council of Europe Conference of Ministers responsible for Media and Information Society which will take place in June 2021, these periodic reports are aimed at helping our Organisation to further increase its efforts on safeguarding freedom of expression, together with its member states.

Appendix I to this report presents a compilation of the alerts received by the Platform between 1 May and 31 December 2020, while Appendix II contains additional information about recent activities of the Council of Europe on freedom of expression more generally.

1. Safety of journalists – a precondition for freedom of expression and a priority for the Council of Europe

The safety of journalists is a crucial factor for freedom of expression.

The European Court of Human Rights (the Court) has on numerous occasions highlighted the essential role played by the press in ensuring the proper functioning of democracy,³ and stressed the fundamental role of freedom of expression in a democratic society, in particular where, through the press, it serves to impart information and ideas of general interest, which the public is entitled to receive.⁴ States are required to create a favourable environment for participation in public debate by all persons concerned, enabling them to express their opinions and ideas without fear: they must secure an "enabling environment" for journalism and free media and guarantee the safety of journalists.⁵

Therefore, any failure to secure a safe environment for journalists and other media actors needs to be effectively addressed by the Council of Europe and its member states and national authorities, in co-operation with all relevant stakeholders.

¹ [Decisions](#), "2. A shared responsibility for democratic security in Europe – a. Report by the Secretary General "Ready for future challenges – Reinforcing the Council of Europe", decision 3.

² [SG/Inf\(2020\)19](#).

³ See, amongst others, *Lingens v. Austria*, 8 July 1986, § 41, Series A no. 103 and *Fressoz and Roire v. France* [GC], no. 29183/95, § 45, Convention 1999-I.

⁴ See, for example, *mutatis mutandis*, *the Observer and Guardian v. the United Kingdom*, 26 November 1991, § 59, Series A no. 216; and *Informationsverein Lentia and Others v. Austria*, 24 November 1993, § 38, Series A no. 276.

⁵ *Dink v. Turkey*, nos. 2668/07, 6102/08, 30079/08, 7072/09 and 7124/09, § 137, 14 September 2010. *Özgür Gündem v. Turkey*, no. 23144/93, §§ 42-43, Convention 2000-III.

As detailed below, indicators show that the safety of journalists has been deteriorating over the past years. Journalists working on issues such as the abuse of power, corruption and other crimes and threats to the separation of powers and rule of law are increasingly facing threats, harassment, violence, abusive legislation and litigation, arbitrary detention and, in some cases, even torture and death.⁶ The impunity of perpetrators of such acts aggravates these phenomena, triggers self-censorship and has a chilling effect on freedom of expression of journalists and of the society as a whole.⁷

When joining the Council of Europe, member states undertake the obligation to fully implement the European Convention on Human Rights (the Convention) and to abide by the judgments of the Court. The safety of journalists must be guaranteed under several provisions of the Convention, beginning with Article 10 which guarantees the right to freedom of expression and information, but also by other provisions, guaranteeing: the right to life (Article 2) and the prohibition of ill treatment (Article 3), the right to liberty and security (Article 5), to a fair trial (Article 6), to respect for private and family life (Article 8), and the freedom of thought, conscience and religion (Article 9). The jurisprudence of the Court specifies member states' obligations in all aspects, including the positive obligation to protect the safety of journalists.⁸

The Committee of Ministers' Recommendation [CM/Rec\(2016\)4](#) *on the protection of journalism and safety of journalists and other media actors* and the appended Guidelines describes systematically the standards for the member states to follow.⁹

In addition, the Implementation Strategy¹⁰ to this recommendation, approved in 2018 by the Steering Committee on Media and Information Society contains priority actions for member states to take.

The Implementation Guide of 2020 "*How to protect Journalists and other Media Actors*"¹¹ elaborates, based on identified good practices, concrete suggestions to member states.

⁶ Recommendation CM/Rec(2016)4 starts with the words: "*It is alarming and unacceptable that journalists and other media actors in Europe are increasingly being threatened, harassed, subjected to surveillance, intimidated, arbitrarily deprived of their liberty, physically attacked, tortured and even killed because of their investigative work, opinions or reporting, particularly when their work focuses on the misuse of power, corruption, human rights violations, criminal activities, terrorism and fundamentalism*".

⁷ See notably the studies "[Journalists under pressure – Unwarranted interference, fear and self-censorship in Europe](#)" (Marilyn Clark and Anna Grech, 2017), based on a survey with 940 journalists from across Council of Europe member states; and "[A Mission to Inform – Journalists at Risk speak out](#)" (Marilyn Clark and William Horsley, 2020), based on interviews with a handful of journalists across Council of Europe member states who discussed in depth the forms of pressure they have been subjected to due to their work.

⁸ See notably the reports of the Research Division of the European Court of Human Rights' Registry, "[Articles 2, 3 and 10 – The safety of journalists](#)"; as well as "[Positive obligations on member states under Article 10 to protect journalists and prevent impunity](#)". See also the [caselaw guides](#) on the relevant articles of the Convention, published by the Registry.

⁹ The recommendation names the positive obligations member states have under the Convention. It calls on member states notably to prevent infringements on the safety of journalists by putting in place comprehensive legislative frameworks. It calls for the improved protection of journalists by law enforcement and mechanisms of redress for victims. It demands that such cases be prosecuted and asks member states to disseminate the Recommendation and to improve awareness-raising. The Recommendation mentions the principles anchored in the Convention and in the judgments and decisions of the Court.

¹⁰ The Implementation Strategy called for the identification of priority areas of implementation of CM Rec(2016)4 in co-operation with NGOs and journalists' associations. It called for the elaboration of an implementation guide.

¹¹ The Implementation Guide of 2020 describes best practices over 60 pages.

The Resolution of the Parliamentary Assembly of January 2020 “*Threats to media freedom and journalists’ security in Europe*”¹² calls on member states to review their legislation and to take national measures to protect journalists.

The obligations of member states in this field and best practices have been amply described in these and other reference documents. In order to move toward a more effective follow-up, this report makes concrete conclusions in chapter 6.

2. Safety of journalists – a longstanding issue for the Convention system

In 2019 and 2020 alone, the Court found 148 violations of the right to freedom of expression. Altogether, it delivered 925 judgments directly concerning Article 10 since its creation in 1959.

The Committee of Ministers supervises the execution of 91 cases in this field.¹³ While this figure does not allow us as such to measure the performance of each member state in the field of freedom of expression, the fact that some of these judgments date back to early 2000 shows that, despite the normative and advisory action of our Organisation, there may still be significant delays in the full implementation of judgments finding violations of freedom of expression.

Some of these cases relate specifically to the safety of journalists, for example to the state’s positive obligation to protect journalists and to investigate the link between journalists’ activity and a criminal act against them;¹⁴ to the failure of the state to investigate a serious intrusion into an investigative journalist’s private and family life, coupled with abusive charges brought against them and their subsequent pre-trial detention;¹⁵ to undue criminalisation of freedom of expression and arbitrary application of criminal legislation to limit freedom of expression and/or impose disproportional sanctions which dissuade or threaten journalists, or produce a “chilling effect”.¹⁶

3. Safety of journalists – a priority for several Council of Europe institutions

The findings of the Court and the difficulties in achieving speedy execution of judgments which relate to failures to secure the safety of journalists are unfortunately corroborated by the findings of other Council of Europe organs, institutions and mechanisms.

The Parliamentary Assembly condemned the silencing of critical voices including journalists, and the undue pressure exerted against them, highlighting the need to create an environment conducive to freedom of expression and freedom of the media.¹⁷ It also deplored the slow progress in investigating criminal acts against journalists,¹⁸ referring in particular to the assassination of journalists.¹⁹

¹² [Resolution 2317 \(2020\)](#).

¹³ 91 cases are pending execution in both standard and enhanced procedure (84 leading cases and 15 cases pending in “enhanced supervision”).

¹⁴ *Gongadze v. Ukraine* (No 34056/02).

¹⁵ *Khadija Ismayilova v. Azerbaijan* (Nos 65286/13 and 57270/14).

¹⁶ *Mahmudov and Agazade v. Azerbaijan* (No. 35877/04); *Dmitrievskiy v. Russia* (No. 42168/06); *Nedim Şener v. Turkey* (No. 38270/11); *Bayar and Gurbuz v. Turkey* (37569/06).

¹⁷ See [Resolution 2260 \(2019\)](#) and [Resolution 2347 \(2020\)](#). It further expressed serious concern about the lack of adequate protection of whistleblowers: see [Resolution 2300 \(2019\)](#) and [Recommendation 2162 \(2019\)](#) “Improving the protection of whistle-blowers all over Europe”.

¹⁸ See [Resolution 2293 \(2019\)](#) “Daphne Caruana Galizia’s assassination and the rule of law in Malta and beyond: ensuring that the whole truth emerges”.

¹⁹ See also the Commissioner for Human Rights’ [Welcome Address](#) at the Online Conference on Safety of Journalists, 14 October 2020; and her [Statement](#) on the occasion of the three-year anniversary of the murder of Daphne Caruana Galizia: “Truth and Justice for Daphne Caruana Galizia”, 16 October 2020.

As the COVID-19 crisis created new challenges in the field of freedom of expression and freedom of media, the Commissioner for Human Rights addressed this issue in a statement on 3 April 2020, stressing that several journalists were detained in reprisals for their reporting on COVID-19 and underlining that the situation induced by the pandemic and the unprecedented challenges it poses *“cannot (...) be an excuse to clamp down on the press and thus restrict people’s access to information”*.²⁰

As regards violent incidents during demonstrations, the Commissioner expressed her concern that *“violence against journalists, especially at the hands of state agents, is contrary to states’ duty to uphold press freedom and to protect the safety of journalists”*. State authorities had to *“effectively investigate all reported cases of attacks against journalists and punish the police officers responsible for such unacceptable behaviour”*... and *“give clear instructions to police officers to respect press freedom and allow journalists and media professionals to cover demonstrations safely”*.²¹

It is worth noting in this respect that the Venice Commission issued on 15 July 2020, together with the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Co-operation in Europe (OSCE), the third edition of the [Guidelines on freedom of peaceful assembly](#), which contain a chapter stressing the state’s duty to protect and facilitate the work of journalists and media personnel. The Guidelines particularly recommend that in principle, no media credentials should be required to cover an assembly. They underline the duty of law enforcement authorities to protect media professionals from violence emanating from third parties, as well as to refrain from interfering with the work of journalists, irrespective of whether they represent national or foreign media; this duty also protects media representatives’ freedom from arbitrary arrest or detention in connection with their coverage of an assembly. The right of media representatives to conduct their journalistic activities during an assembly should not be made dependent upon the condition of wearing special clothing or badges identifying them as journalists as long as their identity and profession is known to the police. As journalists are not participants in, but rather observers of an assembly, dispersal orders directed at assembly participants should not oblige journalists to leave the area, unless their individual safety is endangered or their continuing presence would significantly hinder security forces in the performance of their duties. In case of violence against media representatives, as in other instances of unlawful/disproportionate use of force by the security forces, a thorough and independent criminal investigation, if warranted, must be conducted.

GRECO too, recognising the key role journalists play in bringing wrongdoing and corruption to light, especially concerning persons occupying top executive functions, highlighted shortcomings in the policies and practices of law enforcement agencies of some member states, making specific recommendations contributing to address some of the reasons for impunity of crimes against journalists. GRECO recommendations relate to the impartiality and independence of investigations into crimes committed against journalists, improved regulation of conflicts of interest of police officers, assessment of risks of corruption-prone areas in the police, measures against the misuse of confidential information and measures favouring an official communication policy including as regards the victims and their families.²²

²⁰ [Statement](#) “Press freedom must not be undermined by measures to counter disinformation about COVID-19”.

²¹ [Statement](#) “Bulgaria must investigate police violence against journalists”, 3 September 2020.

²² This has been particularly noteworthy in GRECO’s Fifth Round Evaluation Report on Malta of 22 March 2019, as regards the investigation into the murder of Daphne Caruana Galizia, and GRECO’s Fifth Round Evaluation Report on Slovakia of 21 June 2019, in relation to the murder of Ján Kuciak.

4. The Platform for the protection of journalism and the safety of journalists

In 2020, 52 attacks on the physical safety of journalists were reported to the Platform for the protection of journalism and the safety of journalists, as well as 24 cases of detention and 70 cases of alleged harassment.

The 146 alerts published between 1 May and 31 December 2020 ([Appendix I](#) to this report), concerned the following allegations:

- 53 alerts (36.3%): harassment and intimidation,
- 44 alerts (30.1%): attacks on physical safety and integrity of journalists,
- 13 alerts (8.9%): detention and imprisonment,
- and 36 alerts (24.6%): other acts having a chilling effect on the freedom of expression of journalists.

Out of the 146 alerts, 50 (34.2%) are of level 1, covering the most severe threats to media freedom.

Since the beginning of the COVID-19 pandemic, the Platform has registered a sharp increase in the number of alerts. These alerts described mainly:

- Excessive or disproportionate policy responses or regulations against disinformation;
- Restrictions on access or on dissemination of information;
- Surveillance and privacy threats;
- Physical attacks and intimidation of journalists;
- Detention and criminal charges and/or civil claims against journalists for COVID-19 related dissemination of information.

While earlier in the year the alerts primarily concerned emergency legislation or policies to fight the spread of ‘fake news’, since May 2020 the alerts report actions of fining journalists or media outlets on alleged violations of confinement or social distancing requirements. Alerts also report that journalists were obstructed in their work whenever they were not perceived by authorities as ‘essential workers’ exempt from these requirements.

Since May 2020, the Platform alerts have also described a high level of obstruction to the reporting of public events, notably public rallies and demonstrations – police orders to leave the area or stop filming operations, assault by law-enforcement officers, arrest and custody, border-crossing bans and other forms of obstruction. The reported incidents often occurred despite reporters showing their professional ID.

There were also alleged obstructions to reporting emanating from private, non-state actors, such as participants in demonstrations. This type of violence revealed insufficient or inadequate policing measures to protect journalists and their equipment from being targeted.

Another group of alerts describes how individuals attempt to exploit legal remedies to silence critical reporting through “strategic” lawsuits (so-called “strategic lawsuits against public participation” – SLAPPs). Such threats can give rise to a severe chilling effect when civil lawsuits are combined with a strategic choice of forum, attracting cases to jurisdictions with restrictive laws on defamation, insult, blasphemy or “fake news”.

The alerts published on the Platform reflect concerns about alleged violations and provide an early opportunity for their address and resolution.

In this respect, it can be noted that the profile of cases concerning the protection of journalists which have been brought before the Court, the profile of judgments whose execution is still supervised by the Committee of Ministers and the situations which triggered a reaction from the Parliamentary Assembly of the Council of Europe, the Commissioner for Human Rights or other bodies of the Council of Europe, largely reflects the typology of cases presented to the Platform.

In principle, this should be an encouraging element, as an early reaction to Platform alerts should allow member states to deal with the issue raised in a timely manner and to prevent or remedy possible violations of human rights and applications before the Court. The early reaction to the Platform alerts is indeed a means to preserve the safety of journalists and the democratic dialogue in our societies.

Unfortunately, none of the alerts submitted during this period has moved to the status of being “resolved” or “progress”. Very few alerts have received a response from the member states at this stage – on average it takes three to six months for replies to come in.

It therefore remains essential, following the Committee of Ministers’ invitation in its 129th Session in Helsinki (16-17 May 2019),²³ to ensure a more systematic follow-up to alerts posted on the Platform.

The present and subsequent periodic reports offer opportunities for a debate on these alerts and enable the Organisation to better target its action on the most urgent issues they raise.

5. Targeted co-operation and international co-ordination

The Council of Europe also co-operates closely with member and non-member states, as well as international partners in the area of freedom of expression.

Such actions are mostly part of larger programmes and project interventions financed by voluntary contributions from member states, the European Union (EU), and other sources. A substantial number of these projects are implemented as joint programmes between the EU and the Council of Europe.²⁴ The Council of Europe ensures strategic programming of co-operation through country-specific Action Plans, in which freedom of expression and freedom of the media are priority areas for intervention.²⁵ However, only a limited number of Action Plans specifically address the issue of safety of journalists.²⁶

²³ See footnote 2.

²⁴ Such as : the EU/Council of Europe Horizontal Facility for the Western Balkans and Turkey (Horizontal Facility II) 2019-2022 – total budget: €41 million (EU : 85%, Council of Europe 15%); the South Programme IV “Regional Support to Reinforce Human rights, Rule of Law and Democracy in the Southern Mediterranean” – Total budget: €3,334 million (EU: 89,98% Council of Europe: 10,02%); March 2018 – February 2020; Joint Programme “EU and Council of Europe working together to support freedom of media in Ukraine”, 2019-2021, total budget of the media component : € 1,172, 300.

²⁵ Such as a HELP online course for South Eastern Europe on the protection of journalists; updating a Handbook on the safety of journalists for future training. In Georgia, in 2019 a Baseline Study assessing compliance of national legislative framework and practices with Rec(2016)4. In 2020, the project encouraged national authorities to include safety of journalists in the National Human Rights Action Plan. In Ukraine, the Joint Programme on freedom of media gives legislative expertise on safety of journalists, recommendations for reviewing by-laws on accreditation procedures; insurance of journalists working in the Joint Forces Operation zone; training sessions for judiciary, law enforcement, prosecutors on protection of freedom of expression; creation of a Rapid Response Mechanism for the protection of journalists (based on the Guide for the implementation of the CM Rec 2016(4)). Capacity building on safety of journalists was carried out with the Moroccan Trade Union of Journalists to build up monitoring structures on safety of journalists and to provide psychological, professional and legal support.

²⁶ For example on 9 December 2020, the Council of Europe Office in Pristina, within the framework of the projects EU/CoE “Freedom of Expression and Freedom of the Media (JUFREX2)” and “Reinforcing the fight

As regards international co-ordination, the Council of Europe and the EU join forces to enhance standards' coherence and policy complementarity with respect to safety of journalists and media freedom²⁷.

According to the European Democracy Action Plan, the European Commission will propose, in 2021, an EU recommendation on the safety of journalists, drawing from the Recommendation of the Committee of Ministers of 2016 to ensure it is better implemented by EU member states. In a recent discussion with the Vice-President of the European Commission, Ms Věra Jourová, the Secretary General recalled the availability of the Council of Europe to co-operate in this respect.

The Council of Europe also liaises with the OSCE to ensure effective working relations and co-operation, and to generate coherence and complementarity of action. It also maintains and develops contacts with other international organisations, in particular the United Nations.²⁸

6. Conclusions and further steps

The findings of the different organs, bodies and tools of the Council of Europe point toward a need to make further efforts to live up to the obligations which the member states have undertaken to protect journalists.

It is however necessary to make the best possible use of the Platform's work, which is not merely an instrument of registration. The co-operation of all stakeholders is essential in this respect.

Whereas a purely numerical approach would not reflect the complexity of cases dealt with by the Court and the Committee of Ministers within their respective prerogatives under the Convention, the repeated findings of violations and the delays in execution point to the persistence of a number of systemic shortcomings. The Department for the Execution of Judgments has thus been tasked with preparing a factsheet on freedom of expression which will cover best practices on execution issues for such cases, to assist member states. It will contain measures that states have already taken with a view to remedying breaches of the Convention via legislative changes, judicial and administrative practice change, and other institutional or practical measures. In many cases, only a coherent combination of national measures will be able to lead to an improvement of the situation.

It is, however, important to recall that the responsibility to take the required corrective measures lies primarily with the member states under the Convention.

It is of utmost importance that they act with determination to address properly the problems identified, in particular to remedy persisting systemic shortcomings.

against violence against women and domestic violence – Phase II" organised [a roundtable discussion addressing issues related to protection and safety of journalists](#), with special emphasis on women journalists and the risk of violence against women.

²⁷ In light of the 2007 Memorandum of Understanding between the Council of Europe and the EU, the statement of intent of April 2014, the Council Conclusions on EU priorities for co-operation with the Council of Europe 2020-2022, and the EU Action Plan on Human Rights and Democracy 2020-2024.

²⁸ For example participation of the Head of the Council of Europe's Information Society Department in OSCE events such as the Supplementary Human Dimension Meeting, 22-23 June 2020; OSCE South East Europe Media meeting, 17-18 September 2020; OSCE Webinar on access to information and freedom of the media, 21 October 2020; OSCE virtual meeting on Safety of Women Journalists, 2 November 2020; the UNESCO Task Force on Safety of Journalists, 28 October 2020, the Global Conference on Media Freedom, 16 November 2020; International Human Rights Institute of the International Bar Association's High Level Panel of legal Experts on Media Freedom: "Strengthening consular Support to Journalists at Risk", 17 November 2020, and "More effective Investigations into Abuses against Journalists", 25 November 2020.

Our Organisation, for its part, not only has the mandate and capacity to identify the shortcomings in the implementation of our commonly agreed standards, but also stands ready to assist member states, within the framework of targeted co-operation projects or through its regular monitoring and advisory activities, whenever so requested.

The Council of Europe is notably ready to help member states in the implementation of the CM Recommendation of 2016 *on the protection of journalism and safety of journalists and other media actors* and to put into action the approaches and best practices mentioned in the Implementation Strategy of 2018 and the Implementation Guide of 2020. The co-operation of our Organisation with the European Union in this field can create positive synergies.

One further occasion for member states to renew, specify and clarify their political commitment to what they have already subscribed to, will be the Council of Europe Conference of Ministers responsible for Media and Information Society. This Conference is expected to adopt a final declaration and four resolutions drafted by the Steering Committee on Media and Information Society (CDMSI):

- on the safety of journalists, which will contain a commitment to develop national action plans, including for the implementation of Recommendation CM/Rec(2016)4;
- on freedom of expression and digital technologies;
- on the changing media and information environment; and
- on the impact of the health crisis on freedom of expression.

These commitments, expected to be taken at high political level should boost further concrete and credible action within our member states to produce tangible results, in co-operation with all stakeholders.

APPENDIX I

Alerts on the Platform for the protection of journalism and the safety of journalists between 1 May and 31 December 2020²⁹

Alert	Publication date	Category	Level	Source	State reply
Albania					
Police Uses Force and Detains Two Journalists Covering Street Clashes in Albania	15.12.2020	attacks	1	state	
Explosives Detonate in Front of Albanian Journalist Elidon Ndreka's House	05.11.2020	attacks	1	unknown	
Journalist Elvis Hila Obstructed and Detained by Police in Albania	23.06.2020	harassment	2	state	11.09.2020
Heavy Fines and Shutdown Threat against Albanian TV Channel	19.05.2020	other acts	2	state	16.07.2020
Armenia					
Demonstrators Attack RFE/RL Office in Yerevan, Assault Journalists	12.11.2020	attacks	2	unknown	
Armenian Ministry of Foreign Affairs strips Russian Journalist Ilya Azar of Press Accreditation	23.10.2020	other acts	2	state	13.11.2020
Austria					
Journalist Nurettin Civandag Assaulted in Vienna after Filming Pro-Kurdish Demonstration	02.07.2020	harassment	1	non-state	
Azerbaijan					
Journalist Arzu Geybullayeva Targeted by Harassment Campaign	10.12.2020	harassment	2	non-state	
Shelling Injures two Russian Journalists Yuriy Kotenok and Levon Arzanov covering the Nagorno-Karabakh conflict	23.10.2020	attacks	1	unknown	
Shelling Injures Four Journalists covering the Nagorno-Karabakh conflict	23.10.2020	attacks	1	unknown	
Journalist Afgan Sadikhov Detained and Charged with Extortion	18.06.2020	detention	1	state	
Azerbaijani Reporter Elchin Mammad Detained	15.05.2020	detention	1	state	
Belgium					
News Website Apache Ordered by Court to Take Down an Article	24.09.2020	other acts	2	state	
Journalist Florence Hainaut Targeted by Harassment Campaign	24.07.2020	harassment	2	non-state	
MIA Brussels Correspondent Tanja Milevska Receives Death and Rape Threats	15.07.2020	harassment	1	unknown	
EU observer under Threat of Legal Action in Belgium after Complaint was Dismissed in Luxembourg	25.06.2020	harassment	2	non-state	
Journalist Jeremy Audouard Intimidated by Brussels Police while Filming an Arrest	08.06.2020	harassment	2	state	

²⁹ Update 13 January 2021.

Bosnia and Herzegovina					
Death Threat Sent to Nezavisne Novine Newsroom	22.12.2020	harassment	1	unknown	
TV Journalist Sinan Gluhic Attacked by Politician	10.06.2020	attacks	1	non-state	04.08.2020
Death Threats against N1 Journalist Nikola Vučić	03.06.2020	attacks	1	non-state	21.07.2020
Journalist Vanja Stokić Received Death Threat	27.05.2020	attacks	1	non-state	
Bulgaria					
Bulgarian Reporter Martin Georgiev Summoned for Questioning over Request for Comment	24.09.2020	harassment	2	state	
Bulgarian Journalist Polina Paunova Attacked while Covering Party Conference	11.09.2020	attacks	2	unknown	
Bulgarian Freelance Journalist Dimitar Kenarov Beaten and Detained by Police while Covering Protest	04.09.2020	attacks	1	state	
Bulgarian Media Owner Ivo Prokopiev under Threat of Imprisonment for Expressing "Opinion"	29.06.2020	harassment	1	state	
Investigative Journalist Dimiter Petzov Charged with Drug Possession Days after Filing a Freedom of Information Request	19.06.2020	harassment	1	state	
Croatia					
Death Threats against Croatian Journalists after Man Storms into Zadarski.hr Editorial Offices	03.12.2020	harassment	2	non-state	
N1 TV Crew Insulted and Threatened during Interview	22.10.2020	harassment	2	non-state	
Estonia					
Results of Investigation Remain Offline Amid Ongoing Lawsuit Against Estonian Public Broadcaster and Journalists Mihkel Kärmas and Anna Pihl	10.12.2020	other acts	2	non-state	
Estonian Justice Minister to Look into Journalists' Practices Following Revelations	24.11.2020	harassment	2	state	17.12.2020
France					
Press Photographer Guillaume Fauveau Intimidated by Police	20.12.2020	harassment	2	state	
Flyers Inciting Hatred against Journalists in French Police Stations	01.12.2020	other acts	2	state	
Several Journalists Wounded during "March for Freedoms" in Paris	01.12.2020	attacks	1	state	
Journalists Assaulted by Police during Forced Evacuation of Migrant Camp	27.11.2020	attacks	1	state	
Journalists Tangi Kermarrec and Hannah Nelson Detained Overnight	24.11.2020	harassment	2	state	
Bill on Global Security Threatens Press Freedom	09.11.2020	other acts	2	state	
The Minister of the Interior Tries to Identify the Sources of Journalist Willy Le Devin	09.11.2020	harassment	2	state	

<u>TF1 and Journalist Liseron Boudoul Targeted by Hate Campaign</u>	03.11.2020	harassment	2	non-state	16.12.2020
<u>Five Journalists Held in Police Custody</u>	08.10.2020	detention	2	state	16.12.2020
<u>Two Media Workers Injured in Knife Attack</u>	28.09.2020	attacks	1	non-state	16.12.2020
<u>New National Policing Plan Raises Concerns among Journalists</u>	23.09.2020	other acts	2	state	04.01.2021
<u>Journalists Obstructed during Yellow Vest Demonstrations</u>	18.09.2020	harassment	2	state	04.01.2021
<u>Journalist Alexandre Reza Kokabi Arrested and Taken into Custody</u>	30.06.2020	detention	2	state	16.12.2020
<u>Subject to Repeated Intimidation, Journalist Inès Léraud Faces New Defamation Charges</u>	15.06.2020	harassment	2	non-state	04.01.2021
<u>Deputy Eric Ciotti Wants to Sanction Journalists who Broadcast images of Police Officers</u>	09.06.2020	other acts	2	state	
<u>Journalist Ysis Percq Threatened and Intimidated by Far-right Activists</u>	27.05.2020	harassment	2	non-state	16.12.2020
<u>Journalists Banned from Railway Stations</u>	13.05.2020	other acts	2	non-state	16.12.2020
Georgia					
<u>At Least 5 Journalists Attacked, Beaten in Run-Up to Parliamentary Elections</u>	07.10.2020	attacks	1	unknown	
Germany					
<u>Journalists Insulted and Harassed by Demonstrators in Berlin</u>	03.08.2020	harassment	2	non-state	31.08.2020
<u>ZDF Camera Crew Severely Assaulted in Berlin</u>	04.05.2020	attacks	1	unknown	15.06.2020
Greece					
<u>Three German Freelance Journalists Detained on Lesbos while Reporting on Refugee Landings</u>	27.11.2020	detention	1	state	
<u>Critical Greek Media Excluded or Sidelined from State Funding Package during Covid-19</u>	23.07.2020	other acts	2	state	31.07.2020
<u>Smear Campaign Against Four Sport Journalists</u>	12.05.2020	harassment	2	unknown	27.05.2020
Hungary					
<u>Police Question Journalists over an Article</u>	29.10.2020	harassment	2	state	
<u>Civil Court Gags Investigative Report under EU Data Privacy Rules</u>	22.10.2020	other acts	2	state	
<u>Hungarian Ministry of Foreign Affairs to List Journalists' Trips Abroad</u>	21.09.2020	other acts	2	state	
<u>Hungary's Last Independent Radio Station has License Extension Rejected by Media Council</u>	11.09.2020	other acts	2	state	01.10.2020
<u>Dismissal of Index News Website Editor Further Constricts Media Independence</u>	31.07.2020	other acts	2	unknown	17.08.2020
<u>Threats of Legal Action against Cartoonist Gábor Pápai</u>	11.05.2020	harassment	2	non-state	25.06.2020
Ireland					
<u>Lawsuit Filed against the "Dublin Inquirer"</u>	08.09.2020	other acts	2	non-state	

Italy					
La Nazione Photojournalist Tommaso Germogli Hospitalised with Head Trauma after Attack	09.11.2020	attacks	2	non-state	24.11.2020
Sky TG 24 Crew Covering Anti-Lockdown Demonstration Attacked and Chased in Naples	03.11.2020	attacks	2	unknown	24.11.2020
Italian Journalist Mimmo Rubio Threatened over Coverage of COVID-19 Protests and Organised Crime	30.10.2020	attacks	2	non-state	24.11.2020
Cars of Italian Journalists Claudio Brambilla and Luisa Biella Destroyed in Suspected Arson Attack	20.10.2020	attacks	1	unknown	19.11.2020
Italian Journalist Saverio Tommasi Insulted and Threatened by Anti-face Mask Protesters in Rome	14.10.2020	harassment	2	non-state	12.11.2020
Online Threats Against the President of Federazione Nazionale Stampa Italiana	26.08.2020	harassment	2	non-state	24.09.2020
Journalists Attacked and Labelled as “Terrorists” during Far-Right Protests in Rome	10.06.2020	attacks	2	non-state	02.07.2020
Government Signals Reversal of Commitments to End Jail Penalties for Journalists in Defamation Law	05.05.2020	other acts	2	state	26.05.2020
Malta					
Attempt by a Lawyer to Bribe Journalist Ivan Martin	05.11.2020	other acts	2	non-state	
British-Azerbaijani Businessman Threatens Defamation Actions against Five Media Outlets	15.07.2020	harassment	2	non-state	
Netherlands					
Intelligence and Security Agencies Act Threatens Press Freedom and the Protection of Sources	23.12.2020	other acts	2	state	
North Macedonia					
Journalist Miroslava Byrns Threatened	27.07.2020	attacks	1	non-state	
TV Klan Crew Threatened and Asked to Delete Footage	03.06.2020	other acts	2	unknown	
Poland					
Orlen’s Takeover of Polska Press Exposes Media Pluralism	23.12.2020	other acts	1	non-state	
Gazeta Wyborcza Journalist Angelika Pitoń faces Two Charges in Poland	25.11.2020	harassment	2	state	15.12.2020
Polish photojournalist Agata Grzybowska detained and charged	24.11.2020	detention	1	state	
Polish Photojournalists Beaten by Riot Police	12.11.2020	attacks	1	state	
Gazeta Wyborcza Journalists Magda Kozioł and Joanna Urbańska-Jaworska Assaulted by Masked Men while Covering Women’s March	30.10.2020	attacks	1	non-state	
Warsaw Publishing House Broken into and Vandalised	15.07.2020	harassment	2	unknown	27.10.2020
International Election Observers Criticise TVP Election Coverage	15.07.2020	other acts	2	state	10.09.2020
Photojournalist Wojciech Atys Taken to Court after Reporting on a Protest	07.05.2020	harassment	2	state	22.07.2020

Romania					
<u>Judicial Intimidation Targeting the Romanian Union of Journalists and Daily Newspaper "Libertatea"</u>	03.08.2020	harassment	2	state	24.09.2020
<u>Lawsuits Filed against the Romanian Centre for Investigative Journalism</u>	08.06.2020	harassment	2	non-state	16.07.2020
Russian Federation					
<u>Police Arrest Journalists Covering Protests in Khabarovsk, Anton Kurdiumov, Andrey Solomakhin and Dmitry Khetagurov Remain in Detention</u>	18.11.2020	detention	1	state	
<u>Russian Journalist Aleksandr Pichugin Awaiting Verdict in False News Trial</u>	12.11.2020	harassment	2	state	
<u>Police Detain, Interrogate Journalist Yana Toporkova, Raid Her Home</u>	30.10.2020	other acts	2	state	
<u>Journalist Sergey Plotnikov Abducted, Questioned, Beaten, then Released in Russia's Far East</u>	21.10.2020	attacks	1	unknown	
<u>Koza Press Editor-in-Chief Irina Slavina Dies After Self-Immolation</u>	07.10.2020	attacks	1	unknown	
<u>Russian Journalists Aleksandr Dorogov and Yan Katelevskiy Imprisoned, Beaten During Arrests and Detention</u>	27.08.2020	detention	1	state	
<u>Journalist from Dagestan, Russia Threatened with Death in a Phone Call</u>	29.07.2020	attacks	1	unknown	
<u>Russian Journalist Dmitriy Nizovtsev Beaten by Unidentified Men</u>	27.07.2020	attacks	1	unknown	
<u>Russian Journalist Ivan Safronov Arrested over Charges of Treason; Journalists Detained at Protests for his Release</u>	10.07.2020	detention	1	state	
<u>Attack on Russian Journalist David Frenkel Covering Constitutional Election</u>	02.07.2020	attacks	1	state	
<u>Echo of Moscow Radio Station Fined over COVID-19 Interview</u>	01.07.2020	other acts	2	state	
<u>Russian Journalists Investigated, Fined over COVID-19 Reporting</u>	19.06.2020	other acts	2	state	
Serbia					
<u>New Threats to TV N1 Journalist Zaklina Tatalovic</u>	20.11.2020	harassment	2	unknown	
<u>Serbian Journalist Jeton Ismaili's Family Threatened during Break-In</u>	20.08.2020	attacks	1	unknown	26.10.2020
<u>Serbia: Finance Ministry Demands Access to Bank Records of Journalists and NGOs</u>	03.08.2020	other acts	2	unknown	
<u>Journalists and Media Workers Attacked and Obstructed while Covering Belgrade Protests</u>	15.07.2020	attacks	1	state	26.10.2020
<u>Several Journalists Attacked while Covering Protests in Novi Sad and Nis</u>	15.07.2020	attacks	1	non-state	26.10.2020
<u>Journalist Sasa Mikic Reporting on Serbian Election Assaulted Outside Polling Station</u>	25.06.2020	attacks	1	non-state	26.10.2020
<u>Journalist Bojana Pavlović Harassed in Front of the Police who Confiscated her Phone</u>	12.06.2020	harassment	2	unknown	03.08.2020
<u>KRIK Targeted by a Smear Campaign after Investigation</u>	18.05.2020	harassment	2	state	

Slovak Republic					
Slovak Investigative Journalist Peter Sabo Finds Bullet in His Mailbox	26.06.2020	attacks	1	unknown	15.07.2020
Slovenia					
Journalists Attacked and Injured while Covering Protests in Slovenia	09.11.2020	attacks	1	non-state	02.12.2020
Two Journalists from RTV Slovenia Subject to Preliminary Investigation for Violating COVID-19 Restrictions	06.10.2020	harassment	2	state	02.12.2020
39 Lawsuits against Journalists from Necenzurirano	30.09.2020	other acts	2	non-state	27.10.2020
Director of the Government Communication Office Calls for Citizens to Publicly Denounce Media "Manipulators"	20.08.2020	harassment	2	state	
Reporter Eugenija Carl Receives Threatening Letter with White Powder	22.06.2020	harassment	2	unknown	07.07.2020
Prime Minister Janez Janša Denigrates Journalists	18.05.2020	harassment	2	state	25.08.2020
Spain					
RTVE Left without Board of Directors for the Past Two Years	23.09.2020	other acts	2	state	
Sexist Graffiti Painted on the façade of «Pikara Magazine» headquarters	15.09.2020	harassment	2	non-state	
Spanish Journalist Physically Assaulted while Reporting on Protests in Madrid	05.06.2020	attacks	2	non-state	
Portuguese Journalists Banned from Entering Spain	12.05.2020	other acts	2	state	18.05.2020
Sweden					
Two Journalists Prosecuted for Investigative Documentary on 'MS Estonia'	20.10.2020	harassment	2	state	13.11.2020
Exiled Turkish Journalist Abdullah Bozkurt Attacked in Stockholm	02.10.2020	attacks	1	unknown	
Exiled Pakistani Journalist Sajid Hussain Baloch Found Dead	13.05.2020	attacks	1	unknown	18.05.2020
Cartoonist Mahmoud Abbas Threatened with Death	11.05.2020	harassment	1	unknown	19.05.2020
Turkey					
Turkish Journalist Ayşegül Doğan Sentenced to 6 Years, 3 Months in Prison	08.12.2020	detention	1	state	
Turkish Police Raid Mezopotamya News Agency, Detain Journalist Dindar Karataş	25.11.2020	detention	1	state	
Turkish News Agency Office Raided and Four Journalists Detained	13.10.2020	detention	1	state	
Turkish Journalists Rawin Sterk and Selman Keleş on Trial over Alleged Membership in Terrorist Organisations	11.09.2020	detention	1	state	
Turkish Journalist Oktay Candemir Charged with 'Insulting' Deceased Sultan in Satirical Tweet	11.09.2020	detention	2	state	
Several Attacks on Local Journalists and Journalists' Associations	27.08.2020	attacks	1	non-state	
Turkey Proposed Social Media Law, Threatening Press Freedom	27.07.2020	other acts	2	state	

<u>Two Journalists, Müyesser Yıldız and İsmail Dükel, Detained by Police for "Military Espionage"; Yıldız Arrested</u>	12.06.2020	detention	1	state	
<u>Journalist Metin Uca Sentenced to 14 Months for Tweeting Suspiciously Accurate Election Forecast by State-run News Agency</u>	09.06.2020	harassment	1	non-state	
<u>Interior Minister Denigrates Oda TV Journalist Müyesser Yıldız</u>	20.05.2020	harassment	2	state	
<u>Radio Television High Council Bans Halk TV after Interview with Opposition Politician</u>	11.05.2020	other acts	2	state	
<u>Turkish Radio and Television High Council Cancels Broadcast of Northern Cypriot Diyalog TV</u>	11.05.2020	other acts	2	state	
<u>Fox TV Banned from Broadcast, Anchor Fatih Portakal Faces Three-year Imprisonment</u>	11.05.2020	harassment	1	state	
<u>Criminal Complaint Filed against Journalist Ragıp Zarakolu</u>	10.05.2020	harassment	2	state	
Ukraine					
<u>Arson Attack on Alternatyva.org Editorial Office</u>	22.10.2020	harassment	2	unknown	04.12.2020
<u>Investigative Programme 'Schemes' Targeted with Car Burning</u>	17.08.2020	harassment	2	unknown	12.11.2020
<u>Ukrainian Investigative Journalist Mykhailo Tkach Finds Traces of Surveillance Devices at his Home</u>	12.08.2020	other acts	2	unknown	12.11.2020
<u>Judges Illegally Tried to Gain Access to a Ukrainian Journalist Telephone</u>	04.08.2020	other acts	2	state	12.11.2020
<u>Ukrainian Journalist Katerina Sergatskova in Hiding amid Threats</u>	24.07.2020	harassment	2	unknown	12.11.2020
United Kingdom					
<u>Lawsuit Against Swedish Outlet Realtid Filed in London</u>	09.12.2020	other acts	2	non-state	
<u>Journalist Patricia Devlin Subject to Threats and Intimidation Despite Police Complaint</u>	21.10.2020	harassment	2	unknown	
<u>Investigative Media Outlet "Declassified UK" Blacklisted by the Ministry of Defence</u>	01.09.2020	other acts	2	state	23.09.2020
<u>Media Workers Threatened and Assaulted at Violent Far-right Rally in London</u>	17.06.2020	attacks	2	non-state	
<u>Journalist Amy Fenton Put under Police Protection due to Threats following Coverage of a Criminal case</u>	03.06.2020	attacks	2	non-state	
<u>Open Democracy Journalist Banned from Asking Questions at UK Government's Daily Press Briefings</u>	28.05.2020	other acts	2	state	
<u>Loyalist Threats against Journalists in Northern Ireland</u>	11.05.2020	harassment	1	unknown	25.06.2020
<u>Jogger Insults a TV Journalist and Throws Water over Her</u>	07.05.2020	attacks	2	non-state	

APPENDIX II

Other recent developments in the field of freedom of expression and information in the Council of Europe

- On **1 December 2020**, the Council of Europe **Convention 205 on Access to Official Documents**, generally referred to as the **Tromsø Convention**, entered into force after ratification by 10 states. This Convention is the first binding international legal instrument to recognise a general right of access to official documents held by public authorities. Transparency of public authorities is a key feature of good governance. This treaty is open for signature by the member states and for accession by non-member states and by any international organisation.
- The **PACE Committee on Culture, Science, Education and Media** is currently working on reports on “**Media freedom, public trust and the people’s right to know**”; “**The role of the media in time of crisis**”; and “**The control of on-line communication: a threat to media pluralism, freedom of information and human dignity**”. As a part of the preparation of these reports, the PACE Culture Committee is regularly organising hearings and exchanges of views with partners of the Platform and experts in the field of freedom of expression.
- On **7 July 2020**, the **Venice Commission** issued a compilation of its Opinions and reports concerning freedom of expression and media.³⁰
- As part of its on-going Fifth Evaluation Round, **GRECO** frequently comments on the **access by journalists and the public to information**, especially in relation to persons exercising top executive functions. GRECO has issued various recommendations to member states (e.g. Belgium, Croatia, Denmark, Luxembourg, Malta, Poland and Spain) to improve access to information and has encouraged those member states which have not yet done so to sign and ratify the Tromsø Convention.
- On **27 October 2020**, the **Commissioner for Human Rights** issued a statement against **Strategic Lawsuits against public participation (SLAPPs)**.³¹ She advocates a threefold approach: preventing the filing of SLAPPs by allowing the early dismissal of such suits. This should go hand in hand with awareness raising among judges and prosecutors, and proper implementation of the caselaw of the Court on defamation; introducing measures to punish abuse, particularly by reversing the costs of proceedings; minimising the consequences of SLAPPs by giving practical support to those who are sued.
- The latest **study** commissioned by the Media Division **“The impact of COVID-19 and ensuing measures on freedom of expression in Council of Europe member states”**³² describes a number of allegedly too far-reaching actions of member states in the face of the COVID-19-crisis and proposes conclusions on which steps should be taken to protect and promote freedom of expression in times of this crisis.

³⁰ [https://www.venice.coe.int/webforms/documents/?pdf=CDL-PI\(2020\)008-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-PI(2020)008-e).

³¹ [Time to take action against SLAPPs – Human Rights Comments – Commissioner for Human Rights \(www.coe.int\)](https://www.coe.int/en/web/venice-commission/press-releases/2020/07/07-2020-001).

³² [The impact of COVID-19-19 and ensuing measures on freedom of expression in Council of Europe member states](https://www.coe.int/en/web/venice-commission/press-releases/2020/10/27-2020-002).

- On **29-30 September 2020** the **Committee of Experts on Combating Hate Speech** ([ADI/MSI-DIS](#)) held its first meeting and started work on a draft Committee of Ministers' recommendation on a comprehensive approach to combating hate speech, including in the context of an online environment, within a human rights framework.