

Council of Europe Platform for the Protection of Journalism and Safety of Journalists

State reply by Switzerland

Swiss journalist Cathy Macherel faces online insults by far-right essayist (alert of 17 September 2021 on Switzerland)

Switzerland is aware that on 17 September 2021 an alert on Switzerland was received on the Platform for the Protection of Journalism and Safety of Journalists. This is the first entry on Switzerland since 2016. The case concerns Swiss journalist Cathy Macherel regarding alleged verbal threats and insults after an article she wrote for 'La Tribune de Genève'.

Switzerland supports the Platform strongly. Journalists under threat can report their concerns, and cases reported are listed. On account of its direct link to journalists' associations and the speed with which it can react, this Platform is essential for the prevention and redress of human rights violations against journalists.

Generally, it can be said that the political and legal environment for journalists and the media in Switzerland is considered good and safe. Indeed, in the World Press Freedom Index, Switzerland has consistently ranked among the top ten countries in recent years. Nevertheless, there are also challenges facing media professionals in Switzerland. The environment for media professionals appears to have become more difficult in general (online hate comments, violence, hatred and insults during coverage of demonstrations by opponents of COVID-19 measures, etc.). Hate comments directed against media workers, and others, are on the increase.

Swiss criminal and civil law cover various aspects of hate speech (cf. inter alia, Article 177 of the Swiss Criminal Code [SCC; Insult], Article 180 SCC [Threatening behaviour], Article 261 SCC [Attack on the freedom of faith and the freedom to worship], and Article 261bis SCC [Discrimination and incitement to hatred]). In the case in question, the journalist has already initiated legal proceedings. Switzerland will closely follow these legal proceedings, which are important for press freedom. However, due to the separation of powers, currently no further comments on the content of this specific case are possible.

In this context, Switzerland would like to mention two relevant initiatives:

- In order to better understand the risks in the area of public dissemination of hate speech online, which also plays a central role in the context of the protection of media professionals, the Swiss Federal Office of Communications (OFCOM) is preparing a report to examine Swiss governance of platform services (including search engines, social media and video platforms). The report will compile empirical findings, present the existing measures in Switzerland and discuss these with a view to effective protection. Possible solutions, e.g. new legal instruments against platform services, will also be outlined.
- Also, Switzerland intends to develop a national action plan for the protection of journalists. The issue of hate speech in the digital sphere, application of the law to the internet and a gender dimension will also play a role in this work.

The Swiss government is at the disposal of the Platform for any questions.