

AEJ Media Freedom Representative's report to 2015 AEJ Sibiu Assembly

By William Horsley, November 2015

In 2015 the Media Freedom Representative intensified contacts and cooperation with a wide range of inter-governmental, NGO and fellow journalists' organisations, including the Council of Europe and its Parliamentary Assembly (PACE), the European Parliament, the European Commission and its sponsored media freedom-related Centres, the other partners in the Council of Europe's "Platform" which the AEJ helped to create in December 2014, and Ossigeno per L'Informazione in Italy.

The AEJ President Otmar Lahodinsky led AEJ efforts to contest controversial developments concerning the Luxleaks case and the EU's draft Directive on Trade Secrets, which both represent potentially serious threats to legitimate journalistic activity and to media freedom. The Representative has maintained multiple contacts with AEJ sections and individuals to address urgent media freedom issues. Annual MF reports from the Sections, my most recent report commissioned by for PACE on *Protection of Media Freedom in Europe*, and other topical news items, reports and notices have been prepared and published on the AEJ website on the past year.

Council of Europe 'Platform' to promote the safety of journalists

The AEJ is a founding media partner of the Platform, which allows partner media and NGOs to send alerts about serious violations of press freedom and threats to journalists' safety to a live Council of Europe website. The member state concerned (where the incident occurred) is automatically asked to respond saying how it will deal with the problem. Since April 2015, over 85 alerts have been published, and more than 20 written responses have been received and also published on the website. The Platform is called an early warning system and assists with Council of Europe rapid response to serious violations. There are now seven partners - AEJ, Article 19, Committee to Protect Journalists, EFJ/IFJ, Index on Censorship and Reporters Without Borders.

Expert Committee on the protection of journalism and the safety of journalists (MSI-JO Committee)

After years of active participation by the AEJ as a recognised observer organisation in standard-setting, cooperation and public events activities of the Council of Europe, the AEJ Media Freedom Rep became one of only two independent (non-state) members of the MSI-JO Committee of experts in 2014-15. See the MSI-JO page on the Council of Europe website: https://www.coe.int/t/dghl/standardsetting/media/MSI-JO/default_en.asp.

The result of the group's work is a draft recommendation with detailed guidelines about actions and practices to be adopted by member states to fulfil their responsibilities to protect journalists and journalism in accordance with the European Convention on Human Rights. The draft text is expected to be discussed and (hopefully) approved as influential "soft law" by representatives of the 47 member states (the Committee of Ministers) in early 2016. After that, the Council of Europe has announced the start of a two-year intensive programme of activities to build up effective national mechanisms to protect journalists and to safeguard free, independent media all across Europe.

That framework of state-level protections, including monitoring and reforms of bad laws and regulations, is to be carried out in close consultation with journalists' associations and independent NGOs in each country. It will be an opportunity for AEJ national sections to participate in important work to oppose and end many forms of interference and threats, including criminalisation of journalism, formal and informal harassment, blocks on access to information for reporting, and common failures of state authorities to punish attacks and harassment against journalists.

Future initiatives and opportunities

1. AEJ national sections are invited to assist and participate in a questionnaire project “Journalists at risk: Part of the job? – Unwarranted interference, fear and self-censorship among journalists in CoE member states.” The head of the Survey team, Dr Marilyn Clark, will welcome cooperation from willing AEJ sections, to arrange for some individual members to take part in a pilot study early in 2016, followed by the main questionnaire study – involving hundreds of journalists – later in 2016. Sections may initially contact the AEJ MF Representative to indicate willingness to take part in the project. I will assist you to deal directly with Professor Clark about the actions to be followed.
2. An open invitation has been offered to the AEJ to join other international journalists’ associations, leading media houses and media-related institutions in endorsing and publicly supporting an *International Declaration on the Protection of Journalists*. The Declaration has been elaborated by the International Press Institute and the International News Safety Institute in consultation with a wide range of stakeholders. It sets out the legal responsibilities of states, including law enforcement and security forces and the judiciary, with respect to upholding the rights and the safety of journalists as an important element in ensuring functioning democracy in every society. The Declaration is paired with guidelines on media organisations’ responsibilities – not described as obligations but as recommendations and good practice. This Declaration initiative is part of a many-sided response by media and journalists’ organisations to the increase in violent attacks, harassment and undue interference and pressure in the lives and work of independent journalists. As such, the AEJ MF Representative can recommend to member sections that signing the Declaration would be a positive move, and would be in close accord with the AEJ’s purposes and priorities.