

European ministers conference put spotlight on “autocrats” and opponents of media freedom

By William Horsley

The June 10-11 ministerial conference on Media and Democracy co-hosted by Cyprus and the Council of Europe shone a rare spotlight on the actions of European governments accused of persecuting journalists and ‘state capture’ of media. Last Friday the Ministers issued four political resolutions and a Final Declaration [Documents of the Conference \(coe.int\)](https://www.coe.int/en/web/conferences/2021-06-10-11); and approved a “roadmap” for the 47 member states aimed at reversing the general decline in media freedom, through intense political efforts to ensure that states implement their obligations under the European Convention on Human Rights.

The event provided memorable moments. But can it mark a turning-point for better protections for journalism and the safety of journalists?

The political rhetoric sounds promising. In advance of the conference the 47 Council of Europe governments agreed to the Council of Europe’s 4-year strategy for putting media freedom at the heart of its work <https://www.coe.int/en/web/portal/-/foreign-affairs-ministers-set-the-council-of-europe-s-course-for-the-next-four-years> . The Ministers have pledged to take more effective actions to prevent physical attacks on journalists, as well as abusive legal actions, oppressive defamation laws and online hate speech. Last year the “Tromsø Convention” on access to official documents came into force, initially with just ten participating states. And the Council is preparing new legal standards to safeguard human rights and the critical role of journalism in the digital sphere.

The realities, however, are alarming. The Platform for the safety of journalists has recorded 33 killings of journalists in Europe in the past six years. Against that background, the Council’s main decision-making body, the Committee of Ministers, has pledged to work more closely with civil society, enhance monitoring mechanisms, and apply political leverage when states fail to implement judgements by the European court of Human Rights. Turkey and Russia are among the conspicuous offenders. Secretary General Marija Pejčinović Burić has publicly deplored the fact that more than 300 court rulings against states for violations of freedom of expression rights, including the wrongful imprisonment of journalists, have not been implemented <https://www.coe.int/en/web/secretary-general/report-2021#page-0> .

Those preparations set the stage at the conference for outspoken criticism of governments by international legal experts and leading civil society and journalists’ organisations:-

David Kaye, chairman of the Global Network Initiative and former UN Special Rapporteur for freedom of expression, named Turkey, Russia,

Hungary and Poland as countries which must be “called out” for replacing independent media with state media, contrary to their international legal obligations.

Amal Clooney, the deputy chair of the High Level Panel of legal experts on media freedom, said autocratic regimes around the world now outnumber democracies. Those who persecute journalists must be punished according to international law, and European states should lead by example. The High Level Panel has called on democratic governments to impose targeted financial, travel and trade sanctions on those which abuse or imprison critical journalists.

Ricardo Gutierrez, secretary-general of the European Federation of Journalists, singled out Slovenian prime minister Janez Janša over eleven cases of verbal harassment or intimidation of journalists, including accusations of lying or spreading “fake news” that were published on the Council of Europe’s Platform for the safety of journalists. More cases of online abuse fuelled by political leaders were recorded in Bosnia, Bulgaria, Croatia, Estonia, France, Italy, Malta, North Macedonia, Poland, Serbia, Slovakia, Turkey, Ukraine and the UK. “Hate speech from politicians must stop!”, Gutierrez demanded.

Dunja Mijatovic, the Council of Europe Commissioner for Human Rights, said politicians and public figures must bear special responsibility for intimidating journalists through smear campaigns on social media. Such abuses have led to widespread self-censorship, she said.

Agnes Callamard, secretary-general of Amnesty International, called on the Council of Europe to impose a moratorium on the sale by European firms of sophisticated ‘spyware’ that is often used to track and silence journalists by threats and acts of violence. She also called for states to issue ‘restraining orders’ on would-be attackers and to accept an ‘obligation to warn’ journalists who face a threat of imminent attack.

Vera Jourova, Vice President of the European Commission, pledged to work with the Council of Europe to protect journalism from the dangers of Artificial Intelligence including cyber attacks, disinformation and the unaccountable actions of social media platforms. The Commission is to prepare an EU Action Plan to protect media freedom and plurality, and a Recommendation on the safety of journalists based on the work done by the Council of Europe, she said.

The Association of European Journalists, Index on Censorship, Article 19 and Committee to Protect Journalists, representing the 14 Partner organisations of the Platform for the safety of journalists, presented key trends from the 201 media freedom alerts recorded last year. They called for robust political leadership and actions to protect journalists from attacks, and end the impunity which often shields powerful figures from facing justice for instigating attacks. The Partners also called for Belarus, a non-member state of the Council of Europe, to be included in the remit of the Platform. And they urged

'forceful action' to stop the extreme repression of journalists by the Belarus authorities.

The most urgent problems for media freedom in Europe are the lack of effective protections for journalists under threat, and political meddling in the independence of national justice systems that often prevents journalists from obtaining redress for abuses and injustice. Many conference speakers urged European governments to remedy these basic failings by implementing the authoritative Guidelines on protection and prosecution issues that they already agreed to five years ago in the Committee of Ministers'

Recommendation

(2016)4 https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016806415d9#_ftn1 .

The Council of Europe is soon to launch a "comprehensive campaign" involving governments and stakeholders to protect journalism and the safety of journalists across Europe. It will promote and provide advice to establish National Action Plans to better implement the important 2016 ministerial Recommendation within member states.

In response, journalists' organisations and civil society will need to intensify their engagement for press freedom, and exert strong pressure to hold governments to their national and international obligations, and to the promises that they have just made.