

## **Annual Report to the 2014 AEJ Congress by AEJ Special Representative for Media Freedom (AEJ MF Rep) William Horsley, October 2014**

**OVERVIEW:** The AEJ's activities to defend media freedom reflect the fact that the past year has been terrible for many journalists and for media freedom – including deaths, abductions and targeted violence against journalists in Ukraine; severe crackdowns on free journalism and freedom of expression on the Internet, especially in Russia, Turkey and Azerbaijan; routine violence at street protests and against investigative journalists in many countries; a worsening climate of surveillance, hostility and harassment of journalists in the name of state security and anti-terrorism measures across Europe; political manipulation of public TV and radio; and many examples of arbitrary interference with journalists' work and rights through oppressive laws, arbitrary justice and violations of journalists' right to maintain the confidentiality of their sources. Self-censorship and 'internal censorship' by owners and editors has become commonplace, while secure and decently-paid journalistic jobs have shrunk rapidly, weakening the voice of free, independent media almost everywhere. The attacks on the press are damaging the ability of journalists to inform societies on matters of vital public interest and to hold the powerful to account. More reports and information are on the AEJ website.

**AEJ RESOLUTIONS:** (see website) At the 2013 Congress in Brussels the AEJ adopted Resolutions against against the secret mass surveillance revealed by Edward Snowden (UK Section) and against the persecution of journalists and civil society leaders in Azerbaijan (Polish and UK Sections)

**AEJ COMMITMENT TO DEFEND JOURNALISTS' INDEPENDENCE, SAFETY AND ETHICAL STANDARDS:** At every AEJ Congress since 2007 the Association has heard original reports from our member Sections, brought our concerns to the attention of influential European figures, and re-inforced our commitment to stand up against the repression of press freedom and uphold independent, high-quality journalism. AEJ Sections have engaged vigorously in activities in their own countries – such as protests against anti-media violence during the Taksim Square demonstrations in Turkey; protests against hundreds of cases of extreme targeted violence and censorship in Ukraine; campaigns for free speech and independent justice in Armenia; and political and legal struggles to defend free speech and press freedom in Bulgaria and Romania.

**AEJ MEDIA FREEDOM REP. ACTIVITIES IN 2013-4** include working with international organisations and other media/NGOs; speaking as requested at Council of Europe (CoE) and other seminars and public events; advocacy for actions to protect journalists and their rights; and participation in work to strengthen those policies by dealing with the Council of Europe, the OSCE and the European Commission and European Parliament. The AEJ Media Freedom Rep (MF Rep) works to strengthen the political and legal framework of safeguards for press freedom, and presses for robust actions to remedy the failure of many governments to live up to their commitments to free speech.

**MEDIA FREEDOM MONITORING AND ADVICE TO COUNCIL OF EUROPE PARLIAMENTARY ASSEMBLY:** In June 2014 the Media Freedom Representative (MF Rep) presented an in-depth Report in Strasbourg to parliamentarians of the 47 Council of Europe States on *The protection of media freedom in Europe*.

[http://www.aej.org/page.asp?p\\_id=452](http://www.aej.org/page.asp?p_id=452)

The Report drew on the experience of AEJ members and many authoritative sources. It included a detailed account of the worsening pattern of violent attacks and official and criminal harassment against journalists in Europe during the past two years. Among its key findings are the killings of 12 journalists in Russia and Ukraine, the targeted violence against members of the media in Ukraine before and after the Russian annexation of Crimea in March 2014, and patterns of state-backed intimidation of journalists in Turkey and Azerbaijan. The Report was commissioned by the Rapporteur for Media Freedom (Gvozden Flego, Croatian MP) of the Committee on Culture, Science, Education and Media of the Parliamentary Assembly of the Council of Europe (PACE). It is the fourth of a series of expert reports produced by AEJ MF Rep for the Assembly since 2009.

# In November 2014 I will deliver an additional Report for the Council of Europe Parliamentary Assembly (PACE), covering the period June to November 2014 and presenting proposals for stronger means of implementing agreed European standards to protect journalists' safety and safeguard press freedom across Europe.

**ADVOCACY AND INFLUENCE TO PROTECT JOURNALISTS AND JOURNALISM:** In November 2013, after two years of intense debate as a member of the small drafting group - and as an Observer organisation in the CoE's inter-governmental Media Steering Committee - the AEJ assisted in presenting strongly-worded texts for adoption by the CoE Committee of Ministers at the Ministerial conference in Belgrade.

[http://www.coe.int/t/dghl/standardsetting/media/belgrade2013/Belgrade%20Ministerial%20Conference%20Texts%20Adopted\\_en.pdf](http://www.coe.int/t/dghl/standardsetting/media/belgrade2013/Belgrade%20Ministerial%20Conference%20Texts%20Adopted_en.pdf)

The Resolutions acknowledged for the first time that the increasing scale of violent attacks and repression against journalists are 'unacceptable'. They endorsed new initiatives for States to take action to prevent physical and legal violence against journalists and unlawful secret state surveillance of journalists.

In December 2013, MF Rep addressed the Council of Europe's Committee of Ministers meeting on Implementation of Fundamental Rights Standards in Council of Europe (CoE) States:-

[http://www.coe.int/t/dghl/standardsetting/media/MSI-JO/W%20Horsley%20thematic%20debate%20comments%20Dec%202013\\_en.pdf](http://www.coe.int/t/dghl/standardsetting/media/MSI-JO/W%20Horsley%20thematic%20debate%20comments%20Dec%202013_en.pdf)

The speech urged member state governments to live up to their unfulfilled pledge, made 4 years before, to agree on new and stronger measures to pressure repressive governments in Europe to comply with European standards on press freedom and the physical protection of journalists. AEJ Rep called for proper Monitoring of attacks against journalists in member states, a Rapid Response Mechanism to provide protection or relocation in cases of urgent need, and a top priority programme to end Impunity (repeated failure to bring those responsible for attacking journalists to justice).

In early 2014 AEJ MF Rep was appointed as an independent member of the Council of Europe's Committee of Experts on protection of journalism and safety of journalists (MSI-JO) (2014-2015), tasked with drawing up detailed proposals and a draft 'Recommendation' to member states for adoption by the Committee of Ministers as formal CoE policy with the force of 'soft law'

*Experts' Committee reference documents :* [http://www.coe.int/t/dghl/standardsetting/media/MSI-JO/MSI-JO\(2014\)07\\_EN%20FIN%20Annotated%20Agenda.pdf](http://www.coe.int/t/dghl/standardsetting/media/MSI-JO/MSI-JO(2014)07_EN%20FIN%20Annotated%20Agenda.pdf)

In April 2014, after sustained pressure from AEJ, other civil society groups and several governments, the CoE Committee of Ministers adopted a 'Declaration on the Protection of Journalism and the Safety of Journalists and other media actors', which has the force of 'soft law' (influential in court judgements across Europe)

[https://wcd.coe.int/ViewDoc.jsp?Ref=Decl\(30.04.2014\)2&Language=lanEnglish&Ver=original&Site=CM&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864](https://wcd.coe.int/ViewDoc.jsp?Ref=Decl(30.04.2014)2&Language=lanEnglish&Ver=original&Site=CM&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864)

The Declaration strengthened the CoE's commitment to take a more proactive, interventionist stance on protecting journalists and their work. It called on all member states to review their own laws and practices at least once every two years to make sure that they comply with the state's 'positive obligations' to protect journalists and other media actors, and to end impunity – a significant success in efforts to protect the safety and work of journalists.

May 2014: Around World Press Freedom Day, AEJ Sections staged or joined public events, demonstrations and debates on urgent MF issues; AEJ MF Rep moderated a debate with IFJ, Reporters Without Borders, World Association of Newspapers etc at the international UNESCO conference in Paris on strategies to counter violence against journalists and end impunity. The official theme was the campaign to include freedom of expression as a top priority in the UN's post-Millennium goals global development policy.

May 19 2014: Participated in a CoE 'Round Table' meeting with about 50 leading NGOs and journalists' groups, as well as the Council of Europe, OSCE, European Commission and UN, on setting up an Internet-based platform as an early warning mechanism for threats and violence against journalists; and to gather opinions about a CoE 'Rapid Response' capacity

[http://www.coe.int/t/dghl/standardsetting/media/Round%20table%20outline\\_en.pdf](http://www.coe.int/t/dghl/standardsetting/media/Round%20table%20outline_en.pdf)

+ *Report on the Round Table meeting* by Tarlach McGonagle, Amsterdam University (ATTACHED ABOVE) – to be posted on CoE website later.

**COUNTRY VISITS FOR MEETINGS/CONFERENCES TO SUPPORT COUNCIL OF EUROPE PROGRAMMES ON PROTECTION OF JOURNALISM:**

In April 2014 AEJ MF Rep joined Ukrainian Journalists Union, Institute of Mass Information (media freedom NGO) and others at a conference in Kiev on Journalists' Safety – focused on advancing the incoming Ukraine government's roundtable dialogue with media and NGOs on media reforms and strengthening legal protections/judicial independence.

In September 2014, with Serbian journalists' associations and Serbia's Ministry of Culture at CoE Symposium on journalists safety in Belgrade – focused on legal reforms to protect journalism and to end impunity; including reports by Veran Matic, head of the Serbian Commission of Inquiry into Unsolved Murders of Journalists, and presentation of database of attacks on the Serbian media by Svetozar Rakovic, Sec-Gen of Independent Journalists Association of Serbia (NUNS)

**UPCOMING DIARY DATES:-**

**2 November 2014:** Worldwide actions and events to mark the first International day to end Impunity for Crimes against Journalists (declared by the UNGA Resolution) the date commemorates the murder of two French radio journalists in Mali on that date in 2013.

**3 November 2014:** Seminar and Inter-regional dialogue on the protection of journalists at the European Court of Human Rights, Strasbourg <http://inter-justice.org>

**4 November 2014:** UN Inter-agency meeting and Review of the UN Action Plan on the Safety of Journalists and the Issue of Impunity, Strasbourg

**20-21 November 2014:** UNESCO Director-General presents global report on Safety of Journalists and Impunity, including data on 'impunity' (failures to bring journalists' killers to justice); Bulgaria, Greece and Georgia are among the countries that have failed to respond to Unesco's requests for information about such investigations.

**4 December 2014 (details TBC):** Council of Europe (PACE Assembly) meeting with European parliamentarians, journalists and NGOs in Paris – on the CoE's plans for an 'online platform' and 'rapid response mechanism'.

**Background documents:-**

Report by AEJ Media Freedom Representative for the Council of Europe : *The activities of organisations in Europe working for the protection and safety of journalists and to end impunity* (November 2013)  
[http://www.coe.int/t/dghl/standardsetting/media/belgrade2013/MCM\(2013\)011\\_en\\_Horsely\\_SafetyofJournalists.pdf](http://www.coe.int/t/dghl/standardsetting/media/belgrade2013/MCM(2013)011_en_Horsely_SafetyofJournalists.pdf)

William Horsley authored *Second edition of the OSCE Safety of Journalists Guidebook*, Office of the OSCE Representative on Freedom of the Media (April 2014)  
<http://www.osce.org/fom/118052?download=true>