European Commission against Racism and Intolerance: Media Provisions in New Country Reports on Racism

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The European Commission against Racism and Intolerance (ECRI) recently published four country reports adopted in its third monitoring cycle of the laws, policies and practices intended to combat racism in the Member States of the Council of Europe. Each of the country reports, which examine the situation in Andorra, Latvia, the Netherlands and Ukraine, contains specific recommendations concerning the media.

As in earlier ECRI country reports (see IRIS 2005-7: 3), a number of recommendations are recurrent. For example, national authorities are called upon to encourage media/journalistic initiatives that provide training on human rights issues generally and on "issues concerning racism and racial discrimination in particular" (Andorra (para. 71); Ukraine (para. 104)). There are also repeated calls for the establishment of independent (non-judicial) bodies with a remit to receive complaints about the media (Andorra (para. 71); Ukraine (para. 104)). In the case of the Netherlands, ECRI recommends that the Dutch authorities continue to support the work of the Complaints Bureau for Discrimination on the Internet (para. 99). A potential role for media self-regulatory mechanisms in dealing with intolerant speech is identified in the report on Latvia (para. 106).

Another recommendation, made in respect of Latvia and Ukraine, is a tried and trusted ECRI formula. It encourages the national authorities to "impress on the media, without encroaching on their editorial independence, the need to ensure that reporting does not contribute to creating an atmosphere of hostility and rejection towards members of any minority groups" (Latvia (para. 108); Ukraine (para. 104)). In respect of Latvia, such groups are taken to include "members of the Russian-speaking population, as well as immigrants – particularly newcomers – asylum seekers and refugees, certain ethnic groups such as Roma, and religious minorities such as Muslims or Jews" (para. 108). In respect of the Ukraine, the formula reads differently and more restrictively: "members of any ethnic minority group or [...] asylum seekers, refugees and immigrants" (para. 104). There is an important second prong to this recommendation in respect of Latvia, *viz* ., that the State authorities "engage in a debate with the media and members of other relevant civil society groups on how this could best be achieved" (para. 108). Although formulated differently, the same recommendation is also made in respect of the Netherlands, with the Muslim communities singled out for special

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mention (para. 97).

The Report on Andorra recommends that the authorities “ensure that the new broadcasting law includes provisions prohibiting racial discrimination” (para. 71) and the Report on Latvia insists on the need to ensure “an effective implementation of the existing legislation against incitement to racial hatred” (para. 106). The Report on the Netherlands recommends that the authorities support the monitoring of racism and xenophobia in the media, as well as initiatives designed to improve levels of representation of ethnic minorities in the media profession and of cultural diversity in media output. It also encourages the authorities to promote media awareness among the population generally, “with a particular emphasis on promoting critical thinking among young people and equipping them with the necessary skills to become aware of and react to racist or stereotyping material” (para. 98).

ECRI Third Reports on Andorra, Latvia, the Netherlands and Ukraine, all adopted on 29 June 2007

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