European Commission against Racism and Intolerance: Calls for Media (Self)Regulation in New Country Reports

IRIS 2011-4:1/3

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On 8 February 2011, the European Commission against Racism and Intolerance (ECRI) released its latest reports on Armenia, Bosnia and Herzegovina, Monaco, Spain and Turkey, adopted in the fourth round of its monitoring of the laws, policies and practices to combat racism in the Member States of the Council of Europe (for commentary on earlier reports, see IRIS 2010-9/2, IRIS 2010-4/3, IRIS 2009-10/109, IRIS 2009-8/4, IRIS 2009-5/3, IRIS 2008-4/5, IRIS 2006-6/4 and IRIS 2005-7/2).

In respect of Armenia, ECRI recommends that the national authorities promote: (i) "without encroaching on the independence of the media, the speedy adoption of a new self-regulatory Code of Ethics" containing "clear provisions against racism and related intolerance", and (ii) adherence to the new code (para. 50). It also recommends that training be organised for staff of the Armenian regulatory authority "on how to balance freedom of expression with minorities' protection" (para. 51). This issue has arisen in the context of the implementation of the Armenian Law on TV and Radio.

ECRI strikes a familiar note in its main media-related recommendation to the authorities in Bosnia and Herzegovina, i.e., "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 ethnic and religious group and the need to play a proactive role in countering such an atmosphere" (para. 51). This recommendation is supplemented by calls for: (i) due prosecution and punishment of media that breach the prohibition on incitement to hatred (para. 52), and (ii) encouragement of media initiatives to foster inter-community communication, eg. offering content that appeals to all communities in different languages (para. 53).

In its media-related recommendations concerning Monaco, ECRI calls for the establishment "by the media of a mechanism to deal with complaints against the media", with due regard for the principle of media independence (para. 91). It also supports the enactment of legislation specifically designed to counter online racism and intolerance (para. 92).

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ECRI's main recommendation for the Spanish authorities is two-pronged (para. 99). First, it calls on them to promote the establishment of "regulatory mechanisms for all media, compatible with the principle of media independence, making it possible to enforce compliance with ethical standards and rules of conduct, including rules against intolerance". The emphasis on self-regulatory approaches in the reports on Armenia and Monaco is thus not replicated in this report. The second prong to the recommendation to Spain is that the study of codes of conduct and issues relating to racism be incorporated into journalism training programmes.

Finally, in respect of Turkey, ECRI recommends that the authorities raise awareness of the dangers of racism and intolerance within the media sector and underscores "the importance of ensuring that all media are bound by an effective code of ethics" (para. 148). It also advocates the prosecution and punishment of those responsible for the dissemination of racist material (para. 149).

ECRI Reports on Armenia, Bosnia and Herzegovina and Spain (fourth monitoring cycle), all adopted on 7 December 2010; ECRI Report on Monaco (fourth monitoring cycle), adopted on 8 December 2010 and ECRI Report on Turkey (fourth monitoring cycle), adopted on 10 December 2010; all published on 8 February 2011

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