Parliamentary Assembly: Resolution on editorial integrity

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Emmanuel Vargas Penagos
Institute for Information Law (IViR), University of Amsterdam

On 25 April 2018, the Parliamentary Assembly of the Council of Europe (PACE) adopted a Resolution on the protection of editorial integrity. The Resolution opens with PACE noting that several challenges to the editorial integrity and independence of the media had arisen in the member states. PACE also recalled that the emergence of online media and media-like information sources had triggered a decline in revenue for traditional media. According to PACE, this factor, coupled with less profitable obsolete business models and increased threats from organised crime, terrorism and armed conflicts, compromised the independence of the media and their editorial integrity.

The Resolution recalls that criminal defamation laws, that sometimes include provisions for imprisonment, remain in the legal framework of a majority of member states. Based on this, PACE recalled and reaffirmed its Resolution 1577(2007), “Towards decriminalisation of defamation” (see IRIS 2007-10/104), where it stated that statements or allegations in the media, even when inaccurate, should not be punishable, provided they were made without knowledge of their inaccuracy, without any conscious intention to cause harm and on condition that their truthfulness was checked with proper diligence. Moreover, PACE also recalled that several member states had adopted surveillance and law-enforcement measures that reduced the media’s capacity to investigate while relying on confidential sources of information. Furthermore, there has been an increase in threats, harassment, intimidation, surveillance, arbitrary deprivation of liberty, physical attacks, torture and the killing of journalists. These factors put pressure on the media to self-censor and sometimes there are no trustworthy mechanisms to report harassment or threats.

Based on this, PACE recommends that states fully implement Recommendation CM/Rec(2016)4 on the protection of journalism and the safety of journalists and other media actors (see IRIS 2016-5/3), with a view to fulfilling their positive obligation to protect media professionals and guarantee freedom of the media. PACE also recommends that member states fully respect the Council of Europe standards on the independence and pluralism of public service media. Furthermore, PACE recommends the review of national legislation regarding defamation, extra surveillance and law-enforcement powers in the name of countering terrorism, as well as the review of regulatory authorities in the media field. Moreover, member states are called upon to examine the imbalance of

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revenues between news media outlets and internet corporations and to find solutions to rectify this issue, including channelling some of the huge profits made from digital advertising placed on search engines and social media back to the media that invest mainly in reporting the news; this could be done, for example, via changes in taxation and copyright rules. Finally, the Resolution invites media professionals and outlets to increase their voluntary adherence to, and respect for professional codes of ethics; to refuse to carry out work infringing their ethical codes and integrity; to maintain their editorial staff separate from their advertisement and commercial departments; to develop internal oversight mechanisms such as a readers editor or ombudsperson; to establish or strengthen responsibility for the dissemination of fake news; and to organise training to enhance skills on new editorial challenges.

Parliamentary Assembly of the Council of Europe, Resolution 2212 (2018) The protection of editorial integrity, Text adopted by the Assembly on 25 April 2018

http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-EN.asp?fileid=24734&lang=en

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