Media freedom and measures to counter disinformation about COVID-19

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On 3 April 2020, the Council of Europe's Commissioner for Human Rights, Dunja Mijatović, issued an important Statement concerning measures aimed at countering disinformation about the COVID-19 pandemic (for previous Statements, see IRIS 2017-7/3).

The Commissioner began by noting that some Council of Europe member states had used countering disinformation about COVID-19 as a "pretext to introduce disproportionate restrictions to press freedom," which is a "counterproductive approach that must stop." The Commissioner pointed to how these new measures "clearly risk hampering the work of journalists and media actors and restricting the public's right to receive information." The Commissioner then highlighted specific measures that had been implemented in some member states, including Armenia, Azerbaijan, Bosnia and Herzegovina, Hungary, Romania and the Russian Federation. For example, in Hungary and the Russian Federation, journalists reporting on the pandemic are "facing a variety of sanctions, including the risk, under new laws, of prison terms of up to five years for spreading 'false information.'"

Secondly, the Commissioner stated that access to information had also been a "collateral victim" of the measures certain member states had taken during the pandemic. The Commissioner pointed to the Czech Republic, Italy and Serbia, where there had been reports of cases of journalists "prevented from attending press conferences, obtaining information from health authorities or documenting the operations of law enforcement officials." However, the Commissioner emphasised that journalism served a "crucial function during a public health emergency," and that timely information was "essential for the public to understand the danger and adopt measures at a personal level to protect themselves."

Thirdly, the Commissioner reiterated that it was of "utmost importance" that journalists be able to work under safe conditions "without fear of being harassed or attacked," referring to Recommendation (2016)4 of the Committee of Ministers on the protection of journalism and safety of journalists and other media actors (see IRIS 2016-5/3). However, the Commissioner then referred to Turkey, where several journalists were "detained in reprisal for their reporting on COVID-19";

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and to Slovenia, where a journalist who had filed an information request about the measures adopted by the government had “been the target of a smear campaign by media close to the political party leading the government coalition.”

Finally, the Commissioner urged all Council of Europe member states to “preserve press and media freedom and ensure that measures to combat disinformation are necessary, proportionate and subject to regular oversight, including by parliament and national human rights institutions.” The Commissioner emphasised that measures to combat disinformation “must never prevent journalists and media actors from carrying out their work or lead to content being unduly blocked on the Internet,” and stated that “[t]hose countries which have introduced restrictions that do not meet these standards must repeal them as a matter of urgency.”

Council of Europe Commissioner for Human Rights, Press freedom must not be undermined by measures to counter disinformation about COVID-19, 3 April 2020

https://www.coe.int/en/web/commissioner/-/press-freedom-must-not-be-undermined-by-measures-to-counter-disinformation-about-covid-19

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