

European Commission Recommendation on safety and protection of journalists

IRIS 2021-9:1/5

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The European Commission adopted a new Recommendation on ensuring the protection, safety and empowerment of journalists and other media professionals in the European Union on 16 September 2021. This is the European Commission's first frontal engagement with these topics in a recommendation to the 27 EU Member States. The Recommendation provides guidance to the Member States on how to take "effective, appropriate and proportionate measures to ensure the protection, safety and empowerment of journalists".

It is framed in terms of EU law, policy and support measures. Various rights and principles enshrined in the Charter of Fundamental Rights of the European Union are given pride of place, including freedom of expression, media freedom and pluralism, integrity of the person, liberty and security, and non-discrimination. The main substantive focuses of the Recommendation are: a statement of purpose; general recommendations; three sets of specific recommendations, and 'provision of information, reporting and monitoring'. The general recommendations focus first on how to ensure that all crimes against journalists, offline or online, are investigated and prosecuted in an effective and impartial manner. Their second focus is on how to foster cooperation between law enforcement authorities, journalists and associations representing journalists. The third focus is on how States can support the development of independent response and support mechanisms for journalists and other media professionals facing threats. Such mechanisms could provide legal advice, psychological support, safe places and emergency helplines. The fourth focus is ensuring access to places and sources of information, thereby emphasizing the importance of first-hand reporting as part of the media's public watchdog role. The fifth concerns training, on a continuous basis, for all professions dealing with the protection and safety of journalists, including the judiciary and law enforcement authorities. The need for safety trainings for journalists is also underscored. The final focus within the general recommendations is economic and social protection for journalists and other media professionals and the creation of an enabling professional environment. The three sets of specific recommendations address particular issues of concern: 1) the protection and safety of journalists during protests and demonstrations; 2) ensuring online safety and digital empowerment, and 3) empowering and protecting female journalists and those belonging to minority groups or reporting on equality. They offer Member States mainly practical guidance on how to

strengthen or enhance existing approaches to these issues. They encourage trainings for, and cooperation with, law enforcement agencies as support measures for ensuring the safety of journalists while covering protests and demonstrations. They also underscore the importance of good communication and regular dialogue and reporting. For online safety, they promote cooperation between public authorities and industry, as well as between online platforms and civil society. They also set out various measures of protection against online surveillance. For the empowerment of female journalists and journalists belonging to minority groups, the emphasis is on improving transparency in reporting and data collection on attacks and discrimination. Measures fostering equality and inclusion in the media industry and in newsrooms are also emphasized, as are awareness-raising campaigns and provision of information. The Commission intends to monitor Member States' compliance with the Recommendation. Member States are expected to provide the Commission with all relevant information it needs for monitoring purposes no later than 18 months after the adoption of the Recommendation, and thereafter upon request. The Commission will evaluate the implementation of the Recommendation by Member States and develop key performance indicators for that purpose. On the basis of its impact assessments, the Commission will decide whether additional measures are required to achieve the aims of the Recommendation.

With the adoption of this Recommendation, the European Union is following in the footsteps of the Council of Europe and the OSCE, both of which have already adopted flagship recommendations on the safety of journalists in Europe. The European Commission's Recommendation makes a few cursory references to the Council of Europe's Committee of Ministers' CM/Rec(2016)4 to Member States on the protection of journalism and safety of journalists and other media actors (see IRIS 2016-5:1/3). It aims to support the implementation of the Council of Europe's standards, and in particular" CM/Rec(2016)4. The Commission's Recommendation and CM/Rec(2016)4 cover much similar ground. The former has an ostensibly narrower focus on "other media professionals", whereas the Council of Europe's approach is more expansive: "other media actors" clearly includes non-professional contributors to public debate, such as citizen journalists, bloggers, academics, whistleblowers, etc. The Commission's Recommendation does not explicitly reference OSCE Ministerial Council Decision No. 3/18 - Safety of Journalists (7 December 2018).

European Commission, Recommendation on ensuring the protection, safety and empowerment of journalists and other media professionals in the European Union, 16 September 2021

<https://digital-strategy.ec.europa.eu/en/library/recommendation-protection-safety-and-empowerment-journalists>

