

Sixth Roundtable: Police Prevention and the Fight against Impunity

CONCEPT NOTE

BACKGROUND

The increased number of reports received by the RFoM Office of journalists being targeted is indicative of a growing danger for, and discrimination against, journalists – and a threat to media freedom and freedom of expression in general – as well as the urgent need to counter such a worrisome trend. The Decision on the Safety of Journalists adopted at the OSCE Ministerial Council in Milan in 2018 (MC Decision 3/18) recognizes that the work of journalists can put them at risk of violence, intimidation and harassment, which can deter them from carrying out their work or lead to self-censorship, thereby having a negative effect on media freedom and media plurality. The Decision further recognizes that targeted campaigns undermining the work of journalists are increasing, eroding public trust and confidence in the credibility of journalism, which in turn can increase the risk of threats and violence. It also recognizes the need to effectively address the concerns of women journalists, and that safety entails physical, legal, psychological, political, technological, economic and other aspects.

The RFoM project on the Safety of Journalists aims at assisting the OSCE participating States to strengthen implementation of relevant OSCE principles and commitments, with particular reference to the pledges outlined in MC Decision 3/18 on the Safety of Journalists. The project also aims to improve the implementation of applicable legal frameworks and existing national strategies for the protection of journalists.

In order to effectively support the implementation of MC Decision 3/18 in the OSCE region, seven thematic roundtables will address the following core issues of journalists' safety:

- 1) data collection, analysis and reporting on attacks and violence against journalists and promotion of journalistic work;
- 2) secure working conditions;
- 3) safety of journalists in conflict situations;
- 4) intersectional perspectives;
- 5) legal harassment;
- 6) police prevention and fight against impunity;
- 7) digital safety.

FOCUS AND OBJECTIVES

Police and law enforcement have an important role to play when it comes to the safety of journalists. On the one hand, police and law enforcement officers need to protect the media, enabling them to report safely, including for instance, during events of public interest such as public assemblies, demonstrations and rallies. The Office of the RFoM has observed a rise in verbal and physical attacks on journalists committed by demonstrators and bystanders in several OSCE participating States. Next, law enforcement have a large role to play in the swift and effective investigation of attacks against journalists, bringing the perpetrators to justice.

At the same time, it unfortunately also happens, that law enforcement officers hinder the media in doing their work – or worse, sometimes end up brutally handling or attacking media workers. In recent years, there has been a worrying number of instances where journalists received particularly harsh treatment at the hands of law-enforcers while covering public assemblies in the OSCE region.

Up the judicial chain, there are also many flaws when it comes to securing the conditions for a safe working environment for the media, with impunity being a persistent problem. Data from the United Nations Educational, Scientific and Cultural Organization (UNESCO) show that the global impunity rate for journalist killings remains shockingly high at 86%. This alarming situation is not exclusively limited to professional journalists and other traditional media workers, it includes others who contribute to public debate and who perform journalistic activities or fulfil public watchdog functions. It has been established that insufficient efforts by relevant State authorities, including police, law enforcement, prosecutors and the judiciary, to bring perpetrators to justice leads to a culture of impunity and can fuel further threats and violence, and undermine public trust in the rule of law. This has a grave chilling effect on freedom of expression, as safeguarded by Article 19 of ICCPR, including on the ability to access information.

The sixth roundtable of the Safety of Journalists project will therefore focus on “Police Handling of the Media and the Fight against Impunity” to address these challenges. Given the scale and severity of threats and attacks against journalists and other media actors across the OSCE region and their damaging effects on the functioning of democratic society, far-reaching measures are necessary at the international and national levels in order to strengthen the protection of journalists and other media actors, and to eradicate impunity.

The OSCE participating States agreed to take effective measures to end impunity for crimes committed against journalists when they adopted the MC Decision 3/18 on the Safety of Journalists. They committed to ensure accountability as a key element in preventing future attacks, including by ensuring that law enforcement agencies carry out swift, effective and impartial investigations into acts of violence and threats against journalists. They also agreed to ensure access to appropriate remedies for victims of violence. Moreover, ending impunity requires holding accountable not only those who carried out the murder, but everyone complicit in it, including the masterminds behind it, and in this respect the Decision recognizes the crucial role of governments, legislators and the judiciary in enabling a safe working environment and ensuring safety of journalists by, inter alia, publicly condemning and bringing to justice all those responsible for crimes against journalists.

The aim of this roundtable is to discuss the essential role of police and law enforcement and the judiciary in ensuring a safe and enabling environment for media to do its work. This includes prevention, protection and prosecution of attacks against journalists (including a specific focus on impunity). The invited experts will exchange on measures to investigate and prosecute cases of violence against journalists more effectively. They will also discuss the importance of raising awareness among the police force about the role of the media. This will help to develop a broader understanding among the OSCE participating States how best to develop national measures and mechanisms to prevent violence against journalists and promote their safety.

MODALITIES

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