

Statement by the Council of Europe

Freedom of the Media: Protection of Journalists and Access to Information

The activities of the Council of Europe in the media field are aimed at promoting freedom of expression and information, as guaranteed by **Article 10 of the European Convention on Human Rights**, as well as the free flow of information at the pan-European level through the existence of a plurality of independent media.

The Council of Europe has elaborated a number of instruments supporting pluralism and independence of the media as a whole.

With regard to defamation, a report was recently prepared by the Steering Committee on the Media and New Communication Service, for the attention of the Committee of Ministers, on the alignment of laws on defamation with the relevant case-law of the European Court of Human Rights, including the issue of decriminalisation. The topic is also being addressed, *inter alia*, by the Parliamentary Assembly of the CoE. A Report on the decriminalisation of defamation is currently under preparation.

Freedom of expression and information in times of crisis is a priority issue in the activities currently underway in the field of media. Such work includes:

- Elaborating operational guidelines on guaranteeing freedom of expression and information in times of crisis;
- Exploring possibilities for monitoring the implementation by member states of CoE texts adopted on freedom of expression and information in times of crisis;
- Preparing a document on the legal and security aspects specific to investigative journalism; it may take the form of a declaration, highlighting the value of investigative journalism for a democratic society and stressing that initiatives designed to support such journalistic activities should be encouraged;
- discussions are also taking place with regard to a possible forum on the rights and responsibilities of the media and the working conditions of journalists in times of crisis and an information network on the media's contribution to inter-cultural and inter-religious dialogue, and on possible strategies to encourage the training of media professionals in order to provide professional and independent coverage of crisis situations;

The Council of Europe also continues to work in the field of media diversity, on human rights in the Information Society and on a legally binding instrument with regard to access to official documents.

Assistance activities are a major part of the CoE's work in the media field. These aim to provide advice to public authorities of interested member states, as well as to judges, lawyers, prosecutors and media professionals, in order to design and implement a legal framework of the media, which complies with the requirements under Article 10 of the ECHR. This assistance takes the form of expertise, round tables, seminars, etc. Co-operation with the OSCE is essential to avoid duplication of efforts and a coordinated approach with regard to the states where assistance from both organisations has been requested.

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