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Political influence over independent media and journalists

Reply to Recommendation¹: Recommendation 2111 (2017)

Committee of Ministers

1. The Committee of Ministers has carefully considered Parliamentary Assembly [Recommendation 2111 \(2017\)](#) on “Political influence over independent media and journalists” which it has brought to the attention of the governments of member States and transmitted for comment to the Steering Committee on Media and Information Society (CDMSI).
2. The Committee of Ministers considers that violence against journalists and attacks on the media are attacks on democracy. It acknowledges that in recent years there has been a negative trend in relation to the safety of journalists and other media actors, as in many member States journalists are not sufficiently protected against violence and threats. The specific risks faced by women journalists including gender-based discrimination and sexual violence, intimidation and harassment, online and offline, are major concerns for the Committee of Ministers. The Platform to promote the protection of journalism and safety of journalists, in addition to providing a picture on whether the situation is improving or deteriorating, is a tool to raise States’ awareness in this connection and in prompting them to take action. In this context, the Committee of Ministers recognises that there is still room for improvement with regard to the co-operation and action required from member States in order to remedy all serious threats to media freedom. Impunity for intimidations, harassments, threats and acts of other forms of violence directed against journalists and media workers cannot be tolerated. The Committee of Ministers would also recommend that governments of member States implement, as a matter of urgency, its Recommendation [CM/Rec\(2016\)4](#) on the protection of journalism and safety of journalists and other media actors.
3. The Assembly refers to the 2017 Council of Europe publication “Journalists under Pressure – Unwarranted interference, fear and self-censorship in Europe” which has also brought to light the increasing use of psychological violence and intimidation, including judicial intimidation on journalists, particularly through the use of defamation, public order, national security and anti-terrorism laws. The Committee of Ministers appreciates and shares the Assembly’s focus on these issues.
4. Regarding paragraph 5.2, the Committee of Ministers welcomes the focus given by the Assembly to public service media. It recalls the important role of public service media in upholding freedom of expression, online and offline, by providing different groups in society with an opportunity to impart, as well as to receive, unbiased information and diverse political opinions.
5. The Committee of Ministers notes an emerging trend of threats to the independence of public service broadcasters, such as political interference in the editorial line of these broadcasters, insufficient safeguards in the legislation against political bias, or the lack of appropriate funding. Some of these threats are also highlighted by the Platform for the Protection of Journalism and Safety of Journalists. Furthermore, the 2017 Secretary General report on the “State of democracy, human rights and the rule of law” has stressed that the year 2016 witnessed interference of governments in the appointment and dismissal procedures of members of public-service media boards.

1. Adopted at the 1303rd meeting of the Ministers’ Deputies (10 January 2018).



6. The Committee of Ministers would recall that a number of recommendations have been issued in this area² in order to safeguard the important role played by public service media. In particular, the Committee would recall its Recommendation on public service media governance [CM/Rec\(2012\)1](#) which calls on member States to ensure that external governance arrangements for public service media guarantee the independence and sustainable development of public service media. It also provides detailed criteria to ensure a well-functioning internal governance system of these organisations which relate to the principles of independence, accountability, effective management, transparency and openness as well as responsiveness and responsibility.

7. The Committee of Ministers supports the Assembly's proposal to develop in operational terms the principles enshrined in [CM/Rec\(2012\)1](#) of the Committee of Ministers to member States on public service media governance, including in relation to appointment procedures (under paragraph 5.2.1). In this respect, for the 2018-2019 biennium, it can inform the Assembly that work will be carried out by the CDMSI on implementation activities in relation to that recommendation, notably the sharing of best practices among member States and the preparation of a compilation of different models of institutional and financial independence of public service media.

8. While the Committee of Ministers recognises the importance of standard-setting in the area of public service media, it would nevertheless underline that there are limits to the harmonisation of legislation and the development of model provisions in this area, which stem from contextual factors linked to differences in culture, legal and social systems across the 47 member States. A tailored application of the above standards is therefore warranted and their development in operational terms in a context-specific manner and in close co-operation with all parties involved.

9. With regard to paragraph 5.2.2., the Committee of Ministers supports the call to design and implement targeted co-operation programmes aimed at promoting good practice in the governance of public service media. It notes that over the last years, a good number (around 20) of projects have been implemented in member States and partner countries promoting media freedom, including independence and efficiency of public service media. Such projects should be continued.

2. Recommendation on media and the promotion of a culture of tolerance (1997); Recommendation on hate speech (1997); Recommendation on the remit of public service media in the information society (2007); Recommendation on media pluralism and diversity of media content (2007); PACE Resolution on indicators for media in democracy (2008); and PACE Recommendation on the funding of public service broadcasting (2009).