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The protection of editorial integrity

Report[1]
Committee on Culture, Science, Education and Media
Rapporteur: Mr Volodymyr ARIEV, Ukraine, Group of the European People's Party

Summary

Media professionals are accountable to the public. They have to keep high editorial standards and adopt codes of conduct that promote essential ethical principles, such as truth, accuracy, independence, fairness, impartiality and accountability. They should develop sound self-regulatory mechanisms and take more effective action to prevent the dissemination of false news and propaganda.

Furthermore, editorial integrity and the independence of the media are today put at risk by a dramatic decline in revenues of the traditional media and by increased threats from organised crime, terrorism, armed conflicts and authoritarian excesses in certain States. Journalists are often subject to harassment and intimidation, arbitrarily deprived of their freedom, physically attacked, tortured and even killed.

Member States should review their national legislation, particularly on defamation and enhanced surveillance powers as part of the fight against terrorism. They should also prohibit by law propaganda for war and incitement to national, racial or religious hatred. At the same time, States should examine the issue of the abnormal imbalance in revenues between news media outlets and internet corporations, and find solutions to rectify this imbalance

1. Reference to committee: Doc. 13964, Reference 4187 of 4 March 2016.

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A. Draft resolution[2]

1. The Parliamentary Assembly recalls that the fundamental right to freedom of expression and information carries with it duties and responsibilities. Media professionals are accountable to the public; they have to keep high editorial standards and adopt codes of conduct that promote essential ethical principles, such as truth and accuracy, independence, fairness and impartiality, humanity and accountability. In this context, the Assembly supports the Declaration of Principles on the Conduct of Journalists adopted by the International Federation of Journalists.

2. The Assembly is aware that several challenges to the editorial integrity and independence of the media are arising in the member States. The emergence of the new internet-based media and the rapid proliferation of media-like information sources have triggered a dramatic decline in revenues of traditional media. The reduced audience and less profitable obsolete business models, but also increased threats from organised crime, terrorism and armed conflicts, compromise both the independence of the media and their editorial integrity.

3. Criminal defamation laws, including provisions for imprisonment, remain in the criminal codes of a majority of member States, and the risk of high fines often acts as another brake on journalistic investigations. In this respect, the Assembly recalls its Resolution 1577 (2007) "Towards decriminalisation of defamation" and reaffirms that statements or allegations in the media, even if they prove to be inaccurate, should not be punishable, provided that they were made without knowledge of their inaccuracy, without conscious intention to cause harm and that their truthfulness was checked with proper diligence.

4. Editorial integrity in the media calls not only for accuracy, honesty and fairness, but also for sound and independent judgment by editors and journalists. Journalists and media outlets must be free to investigate, report and publish without undue constraints and without fear of violence or arbitrary treatment at the hands of State authorities. In this connection, the Assembly is concerned that in an environment where several member States have assumed extra surveillance and law-enforcement powers in the name of countering terrorism and protecting the public, the media's capacity to conduct difficult and lengthy investigations, relying on confidential sources of information, has been significantly reduced.

5. Journalists are increasingly being threatened, harassed, intimidated, subjected to surveillance, arbitrarily deprived of their liberty, physically attacked, tortured and even killed. They feel pressure to self-censor by withholding information in their reports and sometimes there is no mechanism they can trust to report harassment or threats. In this context, the Assembly recalls Committee of Ministers Recommendation CM/Rec(2016)4 on the protection of journalism and the safety of journalists and other media actors, as well as its Resolution 2179 (2017) on political influence over independent media and journalists, in which the Assembly had expressed its deep concern about the range of tactics used to erode media freedom, force journalists into self-censorship or take control of media outlets and subjugate them to vested interests.

6. The Assembly is also alarmed by the fact that State authorities intervene directly in the media sphere, not only by means of direct ownership, but also through partisan appointments to leadership positions in broadcasting and allocation of broadcasting licences, favouring selected media and weakening others by inequitable allocation of advertising budgets of government agencies and public companies.

7. In some cases, State-directed media have been turned into propaganda tools and misused to transmit false news or incite xenophobic hatred against minorities and vulnerable groups. This leads to a lack of independence and low ethical standards of a number of media outlets and explains the increasing lack of trust from the public. In this respect, the Assembly reaffirms its support for the decision of the European Council 2015 to counteract a stream of disinformation and inflammatory falsehoods emanating from media outlets and online accounts in the Russian Federation by setting up the East StratCom Task Force. It furthermore welcomes the Joint Declaration by the United Nations Special Rapporteur on Freedom of Expression and three regional rapporteurs in 2017, affirming that State actors should not make, sponsor or disseminate disinformation or propaganda.

8. The Assembly considers that in the present challenging context, the need for journalists to protect their editorial integrity and to keep high professional and ethical standards has become particularly topical. Consequently, the Assembly recommends that member States:

8.1. fully implement Recommendation CM/Rec(2016)4 on the protection of journalism and the safety of journalists and other media actors, with a view to fulfilling their positive obligation to protect media professionals and guarantee freedom of the media;

2. Draft resolution adopted unanimously by the committee on 22 March 2018.

8.2. actively support the goals of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity, which calls on State authorities to put an end to impunity for physical and verbal attacks against journalists and create a safe and enabling environment for the media to do their work;

8.3. fully respect Council of Europe standards regarding independence and pluralism of public service media, putting an end to the widespread attempts to influence them or to turn them into government media;

8.4. review their national legislation on:

8.4.1. defamation and its practical application in accordance with Assembly Resolution 1577 (2007) and with a view to ensuring its compatibility with Article 10 of the European Convention on Human Rights (ETS No. 5);

8.4.2. extra surveillance and law-enforcement powers in the name of countering terrorism and protecting the public, with a view to safeguarding the capacity for media to play their watchdog role;

8.4.3. regulatory authorities in the media field, with a view to ensuring – via their independence vis-à-vis political and economic forces – increased transparency of media ownership and media content diversity;

8.5. examine the issue of the enormous imbalance in revenues between news media outlets and internet corporations, and find legal and practical solutions to rectify this imbalance, including by:

8.5.1. channelling some of the great profits from digital advertising placed on search engines and social media back to the media that invest mainly in reporting the news; this could be done for example via changes in taxation and copyright rules;

8.5.2. finding appropriate ways for the internet companies to take more editorial responsibility as publishers and not merely as digital platforms;

8.6. legally prohibit propaganda for war and advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence;

8.7. consider establishing a national observatory to track dissemination of disinformation, propaganda and fake news and propose adequate measures to counteract these phenomena.

9. The Assembly invites media professionals and media outlets to:

9.1. increase voluntary adherence to, and respect for, professional codes of ethics in order to maintain high journalistic standards and editorial integrity, and restore public trust in the media;

9.2. use their effective right to refuse to carry out work that infringes on their professional ethical codes and editorial integrity;

9.3. maintain a clear separation between the activities of their editorial staff and the work of their advertising and commercial departments; clear rules should be followed to avoid conflicts of interest and self-censorship;

9.4. develop internal oversight mechanisms such as a readers editor or ombudsperson, as well as self-regulatory mechanisms, to ensure that persons considering themselves targets of unreasonable press intrusion and inaccurate reporting have ready access to an effective system of complaints and redress, while safeguarding editorial integrity and independence;

9.5. establish or strengthen responsibility for disseminating fake news, flag such false information whenever it appears either in traditional or social media and, in this connection, develop within the profession strong and tight co-operation in combating disinformation, propaganda and fake news;

9.6. organise adequate training to enhance journalists' skills to meet editorial challenges, including skills regarding data management and other technologies, and their knowledge of journalists' rights and duties under domestic and international law.

10. The Assembly invites:

10.1. the European Federation of Journalists to promote awareness of the issues raised in this resolution among its members and to facilitate exchanges of experience and good practices regarding editorial integrity and high-quality journalism worthy of public trust;

10.2. the European Broadcasting Union to continue to promote its Editorial Principles and Guidelines and to encourage European public service media to fully implement them, keeping in mind their particular role in a democratic society as an independent source of unbiased, accurate and relevant information and diverse political opinions;

10.3. the Alliance of Independent Press Councils of Europe to strengthen co-ordination among its members, in order to raise ethical and professional standards in Europe, facilitate complaints procedures across borders and raise awareness among the public;

10.4. the Ethical Journalism Network to continue advocating among journalists editorial integrity and transparency, while at the same time warning against unprofessional and unethical behaviour that is contrary to professional ethics.

B. Explanatory memorandum by Mr Volodymyr Ariev, rapporteur

1. Overview of core issues and context

1. The present report follows the previous work of the Committee on Culture, Science, Education and Media, from which emerged a contrasting picture of the media environment in Europe.[3] The positive side shows a continent where journalism functions in the public interest to hold power-holders to account, new forms of online mobile and interactive media give whole populations instant access to information and to easy means of self-expression, and the internet provides the most advanced store of human knowledge in history.

2. At the same time, partisan news, disinformation and manipulation of facts and stories, including made-up and often malicious "fake news", and harmful or extremist content of all kinds have become commonplace in the shared space of the internet, and have increasingly appeared in parts of national media too.

3. These two sides of communication in and through the media are related to the notion of "editorial integrity". I will use it in the sense of "honesty and accuracy in informing the public", regardless of the media, be it a newspaper, a radio/TV station, or a web-based media. To my mind, "editorial integrity" implies an "ethical/moral" approach to the profession of journalist. I will address two main issues in this report:

– defining and setting standards for editorial integrity;

– major challenges for editorial integrity.[4]

4. The ethics of journalism dictate that journalists strive in all circumstances to report accurately, impartially and fairly. When influential media fall seriously short in terms of editorial standards, as was seen for example in the phone-hacking scandal in the United Kingdom, or when the media publish paid-for articles, or suppress information of public interest, or spread distorting propaganda under political direction, the harm done to those affected and to the reputation and the credibility of the media can be extensive.

5. In this open and mass participatory media environment, false, misleading and partisan information is rife and "clickbait" (sensational but often trivial, misleading or made-up stories online) can attract more attention than verified news. The importance of upholding high standards of editorial integrity in the output and conduct of influential news media is more important than ever.

6. The general public around Europe show a keen concern about the influence of overtly partisan media, and recognise the importance of a robust culture of truth-seeking, honest and objective journalism as a public good in a democratic society. According to the 2017 Eurobarometer survey of public opinion in all 28 European Union member States, a narrow majority of people (53%) agree that their national media provide trustworthy information, but 44% think it does not. A clear majority, 57%, believe that their national media do not provide information free from political or commercial pressure, while 38% say they do. With respect to national public service media, as many as 60% of respondents see them as not free from political pressure.

7. One way of winning the trust of the public is to establish a robust self-regulatory mechanism. There are two essential conditions to make it work well: credibility with the journalists (both the industry and the professionals) and credibility with the public sphere. These fundamental values of good journalism are the essential prerequisites to establish the "trust factor".

8. It is necessary to take account of two important ways in which the working environment for journalists has been transformed. One factor is the revolution of mobile and online technologies, which means that traditional media are no longer masters of their own medium but must compete for attention with all newcomers and reach audiences largely through platforms managed by commercial internet companies; the internet has also swept away national frontiers in terms of the flow of information and ideas. The other factor is the coming of a markedly more hostile and threatening working environment for independent media in the face of concerted action by governments and other powerful forces to co-opt or coerce media in order to control the information space and shape public opinion themselves.

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3. See in particular the report on "Online media and journalism: challenges and accountability", Doc. 14228, and the Assembly Resolution 2143 (2017).

4. The analysis of these issues is essentially based on the expert report by Mr William Horsley, Media Freedom representative of the Association of European Journalists, International Director of the Centre for Freedom of the Media, University of Sheffield, whom I thank for his excellent work. In the light of the hearing held by the committee on 22 September 2017, I have incorporated information presented by Mr Horsley and Mr Chris Elliott, Board member of the Ethical Journalism Network, former "*Guardian*" readers editor, as well as by several members of the committee.

9. These are far from being “normal times” in Europe for journalists to exercise their role as “watchdogs” and objective chroniclers of events. Public opinion has been sharply polarised and feelings inflamed over tumultuous events, including the unlawful annexation of Crimea by Russia, the ongoing armed conflict in eastern Ukraine, terrorist attacks, the impact of a deep financial crisis, and the largest influx of migrants and refugees entering Europe for decades. After the coup attempt, for more than a year Turkey has been under a state of emergency in which large numbers of journalists, academics and others have been arrested, jailed or summarily dismissed from their jobs.

10. In the name of counterterrorism and public protection, most European States have taken extensive new powers of mass and targeted online surveillance and interception, which threaten the confidentiality of communications of journalists and others. Such sweeping powers threaten to make investigative journalism impossible, because guarantees of data privacy may be swept away. In a number of cases, surveillance and interception by State agencies have exposed the identity of confidential sources of information, which have then faced prosecution. Yet, the confidentiality of sources is a cornerstone of press freedom.

11. The increased risk for journalists of violent assault, harassment or intimidation has become a serious menace to journalists’ freedom to report with independence and integrity. Since April 2015, 22 journalists have been killed in Europe on account of their work, including eight in the offices of the satirical magazine *Charlie Hebdo* in Paris in 2015, according to alerts recorded on the Council of Europe’s Platform for the protection of journalism and the safety of journalists. Many more media workers have been injured in violent attacks during that time.

12. The Committee of Ministers, in its Recommendation CM/Rec(2016)4 on the protection of journalism and the safety of journalists and other media actors, stated: “It is alarming and unacceptable that journalists and other media actors in Europe are increasingly being threatened, harassed, subjected to surveillance, intimidated, arbitrarily deprived of their liberty, physically attacked, tortured and even killed because of their investigative work, opinions or reporting, particularly when their work focuses on the misuse of power, corruption, human rights violations, criminal activities, terrorism and fundamentalism.”

13. State actors are responsible for most threats and attacks against journalists and media outlets. Governments and their agencies have increasingly intervened in the media sphere by means of restrictive legislation, ownership and control, and in some cases by arresting and jailing journalists. These abuses have a grave chilling effect on freedom of expression. Editors and journalists fear arbitrary reprisals or misuse of State powers and as a result are liable to self-censor their work and hold back from reporting on matters of public interest to their readers and audiences. In such conditions, their integrity is compromised.

14. The responsibility for exercising integrity and all decisions related to editorial content rests with media owners, editors and journalists. However, media function within a framework of laws and regulations made by State and public authorities. The State and its agencies have the power to impede or constrain editorial integrity if they so choose, by sanctioning or criminalising certain journalistic actions, or blocking the conditions in which media can freely and safely make their own judgments about what to report and how.

15. There are some positive examples like the Italian non-governmental organisation (NGO) *Ossigeno per l’Informazione*, a civil society organisation which has mobilised political support for initiatives to counter violent threats against journalists from organised crime, and for long-awaited reforms to the country’s laws on defamation. It is necessary to expand this kind of good practice.

2. Defining and setting standards for editorial integrity

2.1. Council of Europe standards

16. The importance of editorial integrity is inherent in rulings of the European Court of Human Rights, which accords the broadest scope of protection to the press in recognition of its essential role in democratic societies, with particular reference to the vital role that the press plays in informing the public accurately and reliably. The Court’s case law has established rights and privileges for the function of journalism in key areas, including the confidentiality of journalistic sources, the issues of libel and defamation, the right to report on controversial matters in the public interest, and the accountability of State intelligence and security services.

17. The “watchdog role” of the press has been extended in rulings from the Court to the media in all its forms, and in some cases also to NGOs which perform a comparable role. Article 10 of the European Convention on Human Rights (ETS No. 5) also sets out the restrictions that States may place on those freedoms, subject to the Court’s well-established “triple test” that measures should be prescribed by law, necessary in a democratic society and proportionate to achieving the stated aim.

18. The 2014 Declaration of the Committee of Ministers on the protection of journalism and safety of journalists and other media actors states: "The public watchdog functions of the media are crucial … for the protection of all other human rights. Misuse of power, corruption, discrimination, criminal activity or human rights violations have come to light as a direct result of the work of investigative journalists and other media actors. Making the facts known to the public is essential for redressing such situations and holding to account those responsible."

19. At the same time, this declaration recalls the link between the legal protections accorded to the media in their work with the ethics of journalism. It says: "The safeguard afforded by Article 10 to journalists in relation to reporting on issues of general interest is subject to the proviso that they are acting in good faith in order to provide accurate and reliable information in accordance with the ethics of journalism."

20. With respect to broadcasting, the Council of Europe Thematic factsheet on Freedom of expression and the broadcast media of April 2016 states: "A situation whereby a powerful economic or political group is permitted to obtain a position of dominance over the audio-visual media and thereby exercise pressure on broadcasters and eventually curtail their editorial freedom undermines the fundamental role of freedom of expression in a democratic society."

2.2. Codes of practice and compliance mechanisms

21. In 2008, the Parliamentary Assembly urged in its Resolution 1636 (2008) "Indicators for media in a democracy" that "[m]edia should set up their own self-regulatory bodies, such as complaints commissions or ombudspersons, and decisions of such bodies should be implemented".

22. In my report from 2015 to the Assembly on "Media responsibility and ethics in a changing media environment" (Doc. 13803), I wrote that "[s]elf-regulation not only reduces the capacity of the State to influence the media for its own ends, it can also be a flexible form of regulation that can adapt rapidly to changing circumstances. Self-regulation draws on industry expertise, which can enhance its effectiveness and offer speedy and straightforward methods for resolving disputes".

23. A good example in this sense is Norway, where the self-regulatory mechanism won the trust of the public: the Press Complaints Commission reflects the pluralist democratic structure of the country; there is a single ethical code for all journalists; it is supported by all the media and all journalists (public and private); it is funded by the industry and by the journalists; it is transparent as its hearings are live-stream; there have been so far no examples of any media refusing to accept adjudication.

24. Self-regulatory codes are made by individual media titles, industry bodies and journalists' unions. Some European countries have adopted a system of co-regulation, in which the State has a statutory role in setting terms of media's regulatory structures, which are then managed and policed by media bodies to uphold the agreed set of rules.

25. The ethics of journalism and media are articulated in many codes of conduct or practice, which are backed up or enforced in a variety of ways in different countries. Public service media, on account of their obligation to serve the whole public and to provide their services as a shared public good, are subject to stricter requirements than other media concerning their governance and the provision of content. These requirements include matters of balance, fairness, inclusiveness and protection of the interests of minorities.

26. Compliance mechanisms typically take the form of Press or Media Councils. Some newspapers around Europe employ a senior staff journalist as an ombudsperson or readers editor to investigate and respond to readers' comments and complaints from a position of independence within the newspaper.

27. Among the commonly cited media codes and guidelines are: the International Federation of Journalists' Declaration of Principles on the Conduct of Journalists; the Ethical Journalism Network's principles of ethical journalism; the Camden Principles on Freedom of Expression and Equality developed by Article 19, the BBC's Editorial Guidelines; and the codes of practice of well-known newspapers like *Le Monde* and the *New York Times*, and of the international news agencies Reuters, Associated Press and Agence France Press.

28. All such editorial codes share common core elements. The Ethical Journalism Network, an independent body of media professionals, identifies five core elements: truth and accuracy, independence, fairness and impartiality, humanity and accountability.[5]

5. http://ethicaljournalismnetwork.org/who-we-are/5-principles-of-journalism.

29. A consistent emphasis is found in all these codes on the element of independence from all kinds of external influence, including from governments. That independence is seen as a necessary condition for the freedom of the media. The accountability that journalists acknowledge is to the codes of professional journalistic ethics and to the public, not to the State authority.

30. The International Federation of Journalists (IFJ), which represents 600 000 journalists who are members of national unions. Its Declaration of principles explicitly rejects the authority of the State in editorial matters: "Within the general law of each country the journalist shall recognise in professional matters the jurisdiction of colleagues only, to the exclusion of every kind of interference by governments or others."[6] The declaration also specifies behaviour by journalists that is contrary to professional ethics, including suppression of essential information or falsifying documents; plagiarism; calumny, slander, libel and unfounded accusations and acceptance of a bribe in any form in consideration of either publication or suppression.

31. The Alliance of Independent Press Councils of Europe (AIPCE), a loose voluntary association, has a statement of aims which stresses that "the writing of Codes of journalistic ethics and their administration is the business of journalists and publishers, who take into account public feelings, and not the business of governments".[7] The AIPCE also opposes the imposition of supranational codes and regulatory organisations, either at European or global level.

32. The *New York Times*, whose credo is "Without fear or favour", has a Journalism Ethics Policy which acknowledges public suspicion about the impartiality, accuracy and integrity of journalists and journalism. It states that "[p]roducing content of the highest quality and integrity is the basis for our reputation and the means by which we fulfil the public trust and our customers' expectations".[8] Its Standards and Ethics Code pledges that the paper publishes corrections in a prominent and consistent location or broadcast time slot.

33. The European Broadcasting Union (EBU), which represents broadcasting organisations in 56 countries, advances a set of editorial principles which require public service media broadcasters to be impartial and independent, fair and respectful, accurate and relevant, and connected and accountable.[9] A report published by the EBU in 2016 claimed that countries that have popular, well-funded public broadcasters encounter less right-wing extremism and corruption and have more press freedom.[10] However, the Council of Europe's Commissioner for Human Rights wrote on 2 June 2017 that government attempts to influence the independence and pluralism of public broadcasting have increased markedly in recent years. He wrote that "governments' attempts to turn public broadcasting into government broadcasting remain widespread".[11]

34. The Editors' Code of Practice of the Independent Press Standards Authority (IPSO) in the United Kingdom[12] is representative of an industry standard. It sets out the rules that most newspapers and magazines in the country have agreed to follow. It contains provisions that help to define editorial integrity. They include: clearly distinguishing between comment, conjecture and fact; not engaging in intimidation, harassment or persistent pursuit; rules on privacy and discrimination; and publishing corrections and apologies with "due prominence" for significant inaccuracy and misleading statements or distortion. In the United Kingdom, as in some other countries, the extent to which the Code of Practice is observed and enforced in practice remains a matter of dispute and lively public debate.

3. Major challenges for editorial integrity

3.1. Challenge 1: Fulfilling the media's "watchdog" role; investigative journalism

35. Investigative journalism is the frontline of the media's role in holding the powerful to account. Past successes for investigative journalism have all involved determined and bold pursuit of a story by media organisations in the face of obstacles, legal threats and high risks to the journalists and media titles concerned.[13]

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6. www.ifj.org/about-ifj/ifj-code-of-principles/.
7. www.aipce.net/aboutAipce.html.
8. https://www.nytco.com/who-we-are/culture/standards-and-ethics/.
9. https://www.ebu.ch/files/live/sites/ebu/files/Publications/EBU-Editorial%20Principles_EN.pdf.
10. https://www.coe.int/en/web/portal/-/public-service-broadcasting-under-threat-in-europe.
11. www.coe.int/en/web/commissioner/-/public-service-broadcasting-under-threat-in-europe.
12. https://www.ipso.co.uk/editors-code-of-practice/.
13. Well-known examples include the exposure of the Watergate scandal by the *Washington Post* and the *New York Times* in the United States in the early 1970s, which resulted in the resignation and disgrace of an American president; the long campaign by *The Sunday Times*, in the face of legal threats, to investigate and reveal the plight of hundreds of

36. As most mainstream media across Europe have suffered from declining revenues and overstretched resources, and as States in Europe and beyond have assumed extra surveillance and law-enforcement powers in the name of countering terrorism and protecting the public, doubts have been raised about the media's capacity to conduct difficult and lengthy investigations in the tradition of investigative journalism.

37. One outstanding example of a relatively new venture in investigative journalism is *Médiapart*, a French online newspaper funded entirely by subscriptions which specialises in original and investigative reports. It has played a major part in uncovering several important political scandals in France.

38. There are also other examples of enhancing the capacity and resources for investigative journalism at national and international level and through networks, like the Organised Crime and Corruption Reporting Project, the Balkans Investigative Reporting Network and the Consortium of Investigative Journalists.

39. It is an open question whether the contemporary media have proved effective in exposing and informing the public about significant abuses of power and injustices in contemporary Europe. Among the issues of acute concern to the public are known or suspected cases of election fraud, high-level corruption, abuses of authority by State officials at all levels, the activities of organised crime networks, financial fraud, miscarriages of justice and impunity and unlawful killings. In countries where governments with authoritarian behaviour exert control or pressure on the media, the risks are serious for those journalists who probe into such matters.

40. In recent years a series of mass leaks of official documents and data have presented editors and journalists with important and sometimes difficult choices touching on matters of editorial integrity. They include mass data files obtained and published by Wikileaks, Edward Snowden's files revealing the surveillance and interception activities of the United States National Security Agency and the so-called Panama Papers containing information about links between many leading public figures and secret offshore accounts.

41. Despite public warnings and objections by concerned governments and State agencies, in each case these mass data leaks resulted in global coverage in mainstream media. In the cases of the Snowden files and the Panama Papers, leading European and other news organisations co-operated in new ways to share, curate and report their contents. They argued that to do so was in the public interest, and claimed that by exercising editorial judgment and due diligence regarding issues of privacy and national security they could ensure that proper regard was paid to ethical and professional standards.

42. Sensitive editorial judgments have also arisen over numerous cases of abduction and hostage taking of journalists, aid workers and others in the Middle East and elsewhere. In some cases, news organisations have agreed, in dialogue with government authorities, to voluntarily withhold reporting on details of such cases and to impose a news blackout in the hope of saving lives. In most cases, the blackout was successful in preventing information from becoming publicly known.

3.2. Challenge 2: Media's struggle for independence against enhanced State powers and "predatory" business

43. The Council of Europe Secretary General's 2017 Annual Report on State of Democracy, Human Rights and the Rule of Law in Europe presented a bleak picture of failings on the part of member States to ensure legal and practical protection for journalists under threat. It found that physical protection for journalists is unsatisfactory in 20 member States, and the necessary legal guarantees for freedom of expression are unsatisfactory in 26 member States; those guarantees are judged to be both satisfactory and stable in only four of them.

44. The findings illustrate the fragility of protection for media independence: in a democracy, the State is supposed to be politically neutral, but where rule of law is uncertain, democratic safeguards are inadequate or absent, State officials may be tempted, out of self-interest or loyalty to their superiors, to harass critical media. The findings of the Secretary General's report are seen by press freedom organisations as confirmation of a growing trend to criminalise the work of journalists. Criminal defamation laws, including provisions for imprisonment, remain in the criminal codes of a majority of Council of Europe member States; and the risk of cripplingly high fines often acts as another brake on journalistic investigations.

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victims of the drug thalidomide; and the exposure from 2002 by *Stern* magazine of large-scale fraud in the offices of Eurostat. The *Stern* journalist was arrested by Belgian police and accused of bribing European Union officials, but was later exonerated, and in 2007 the European Court of Human Rights upheld his right not to reveal his confidential sources.

45. In order to exercise genuine editorial freedom, the media must be free of fear and from unnecessary and onerous constraints on their reporting and publishing activities. However, across Europe, governments have enacted and enforced a variety of other laws affecting journalists' freedom to report, including laws on treason, extremism, national security, surveillance, investigatory powers and peaceful protest. In some cases it is argued that terrorism laws conflate the work of journalists with support for terrorism or even participation in terrorist acts. Sometimes, too, the media face arbitrary justice in the form of rules which allow courts to sanction or close down media enterprises simply if they are deemed to have supported "extremism".

46. State authorities and political forces have intervened directly in the media sphere through discriminatory systems for regulating the media, partisan appointments to senior posts in broadcasting and allocation of broadcasting licences, and by means of direct ownership of, or influence over, news media. Often political authorities favour selected media and seek to weaken others through the allocation of advertising budgets of government agencies and public companies. The forced closure in 2016 of Hungary's respected left-of-centre newspaper, *Népszabadság*, followed sharp declines in its advertising revenue in an unfavourable political climate.

47. The extent of the everyday pressures faced by journalists across Europe is clear from the findings of the Council of Europe's 2017 publication "Journalists under pressure: unwarranted interference, fear and self-censorship in Europe". It analysed the experiences of 940 journalists and editors across Europe, and found that as many as 69% of them said they had been targeted by intimidation, verbal attacks or smear campaigns; 43% reported being intimidated at the hands of political parties and 31% of the total had suffered physical assaults, with the highest incidence of assaults taking place in Turkey and countries of the South Caucasus.

48. The impact of this difficult and sometimes dangerous environment was assessed. A high proportion of journalists who took part in the survey said they had felt pressure to self-censor by withholding information in their reports; 35% said there was no mechanism they could trust to report harassment or threats.

49. In a number of Council of Europe member States, public officials also seek to impose their own rules to decide who is and who is not a journalist, thus ensuring that those who are denied an official press card can be denied the right to defend their actions and claim rights as journalists.

50. In many cases, traditional media known for their independent or critical stance have been taken over or bought by owners with the aim of advancing their own agendas. These agendas may include influencing the public debate to their advantage or attacking the reputations of adversaries. Such trends have distorted the media landscape, especially in central and eastern Europe, stifled critical and diverse media voices, damaged the working environment for journalists across the region and made journalism more precarious and dangerous than it used to be.

51. The negative impact of these transformations can hardly be underestimated. The former Commissioner for Human Rights, Thomas Hammarberg, already wrote in 2011 that some media outlets "have been turned into propaganda megaphones for those in power, while other media have been inciting xenophobic hatred against minorities and vulnerable groups".[14] He warned of the possible consequences of such a takeover by owners and managers motivated by aims far removed from those expressed in any codes of journalistic ethics. "Such reckless and intrusive journalism", he wrote, "can damage public confidence very quickly – and be used as an excuse by governments to impose media regulation or even censorship".[15] In the light of subsequent events those words seem prophetic.

52. The Ethical Journalism Network published a report in 2015 called "Untold Stories: How corruption and conflicts of interest stalk the newsroom", which describes a widespread misuse of journalistic authority. The report states: "Media managers are doing deals with advertisers to carry paid-for material disguised as honest news; reporters and editors accept bribes and irregular payments and a culture of dependence on political and corporate friends makes it increasingly difficult to separate journalism from propaganda and impartial reporting from public relations."[16] The report was based on assessments of the media environment in 18 countries around the world, including four in Europe.

53. Press freedom organisations have warned that political and commercial pressures and interference in the media threaten the foundations of Europe's free, independent and trustworthy media. Forceful interventions in the media sphere by aggressive political and economic interests have given rise to

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14. www.coe.int/en/web/commissioner/-/ethical-journalism-self-regulation-protects-the-independence-of-med-1?inheritRedirect=true.
15. Ibid.
16. http://ethicaljournalismnetwork.org/resources/publications/untold-stories.

perceptions of “State capture” or “oligarchic capture” of the commanding heights of the media and information sphere. In some cases, State-directed media have been misused to transmit slanted propaganda messages and false news to destabilise other countries and incite discrimination and hate. The threat to the media’s role as an essential pillar of democracy has been acknowledged by Council of Europe member States, but safeguards in national law and European standards have often proved feeble. Journalists are at the centre of a many-sided storm which has undermined the statute and reputation of journalism.

54. The cherished ideal in democratic societies of the media as neutral and impartial chroniclers of events is under challenge. Public figures, including politicians and representatives of vested interests, have promoted the idea that published journalism, like other forms of public messaging, is inherently partisan, or even that all “truth” is subjective. That proposition seeks to discredit journalism and undermine the public credibility of the media, but it is the precious reputation of journalists as watchdogs for the public interest which drives powerful groups to seek to harness media power for their own ends. However, even in the most hostile environments, there are media in all parts of Europe that successfully maintain their independence and perform a vital task of reporting with real integrity.

55. In this climate, the media have become a ready target for public condemnation and hostility. In some European States, public figures have set aside former inhibitions and directed harsh insults and verbal attacks in public at individual journalists or sectors of the media. Journalists have at various times been called unpatriotic, scum, prostitutes, traitors and enemies of the State. Hate speech, vicious abuse and troll attacks have become a serious hazard, especially for many women journalists. It is possible to discern in this a pattern of polarised opinions and a virulent strain of intolerance and crude language in public discourse, directed against public figures and ordinary people alike, which amounts to a marked change in political culture. The media are at the centre of this battleground, and are often in the line of fire.

3.3. Challenge 3: Failure of old business models and media’s loss of distributive control

56. Mainstream media have largely lost control of the ability to reach readers and audiences directly through their own products and means of distribution. Instead, as they have become less economically stable, they have become dependent on the internet companies, including search engines and social media firms, to carry and distribute what they report. Even the BBC, a global brand and today the United Kingdom’s largest provider of news in any medium, has warned that a dominant internet is increasingly likely to become a channel for “misinformation, polarisation and disengagement”, making reliable and impartial sources of news more important in order to avoid a “democratic deficit”.[17]

57. The mainstays of newspapers’ business models (revenues from newspaper sales and advertising) have shrunk dramatically, while online advertising revenues are overwhelmingly enriching the newcomers. The Reuters Institute for the Study of Journalism (RISJ) estimated in a report for the Council of Europe in 2016[18] that the share of online advertising going to large international technology companies such as Apple, Amazon, Microsoft and Yahoo together reached more than 50% of the total market.

58. At the same time, RISJ estimates that across a range of European countries at least 80% of the money invested in news comes from “legacy” operations like print newspapers and television. In the United Kingdom, the media regulator Ofcom calculates that 99% of editorial investment in newsgathering is accounted for by the traditional media, while online providers supplied only 1% of the investment. As a result, the “legacy” or traditional media have suffered steep declines in revenue across Europe. In many cases, the weakening of their economic foundations has affected those media’s long-term survival prospects and the resources they can deploy for original journalism. It has also led to a drastic decline in the number of full-time employed staff in news media and a sharp increase in freelance or casual media workers, who have weaker job security, are often poorly paid, and are less able to stand up for their professional standards and employment rights.

59. The British *Press Gazette*, an online journal specialising in media affairs, expressed alarm when it wrote that “the web giants Google and Facebook are publishing news content without any of the legal or ethical constraints of the journalism industry, with a devastating impact on digital business models”. Social media companies have been obliged to invest in new efforts to monitor online content and devise mechanisms for acting more rapidly to take down extremist and other offensive material. Demands have also intensified for the enormous imbalance in revenues between news organisations and internet corporations to be rectified, and for the internet companies to take more formal responsibility as “publishers” and not merely as platforms.

17. The Future of News report: www.bbc.co.uk/mediacentre/latestnews/2015/future-of-news.
18. https://rm.coe.int/16806c0385.

60. The so-called legacy media, including TV, radio and newspapers and their online versions, provide most of the investment in original newsgathering, and the original journalism they produce is widely recycled or copied when it reappears in other online and social media. Yet by far the largest share of digital advertising revenue is sucked up by a handful of technology giants, including Google and Facebook, which invest relatively little in original content or news production.

61. At the same time, the fundamental rules of the media marketplace, while seeking to hold TV and print media to clear standards and regulatory measures, have until now broadly permitted the major news aggregators and social media platforms to operate outside those constraints. These disparities are under challenge and a number of proposals have been put forward to redress the balance. They include channelling some of the great profits from digital advertising back to those who invest in reporting the news through changes in taxation and copyright rules. However, the reality remains that free speech online is largely regulated or "policed" by privately-owned, global commercial firms.

62. Independent, long-established local and regional newspapers have been especially hard hit in the new environment, and many have failed, leaving many local communities without trusted and familiar news sources. In some countries, it is common for regional or municipal authorities to fund or manage print and broadcast media themselves, giving rise to many accusations of political bias and a loss of media plurality.

63. The public's reliance on other news sources, including social media, has grown, but here guarantees or safeguards of accuracy and accountability are plainly lacking.

3.4. Challenge 4: "Fake news" and the post-truth concept; disinformation for political ends

64. "Fake news" is generally taken to mean knowingly fabricated stories, usually published for political or financial purposes. They may consist of State propaganda, falsehoods or attempts at character assassination against particular figures or organisations, often posted on partisan sites or platforms. Such attacks on the reputation of individuals are not new, but the activities of "political technologists" and disinformation experts as well as the central role of the internet on people's lives have brought an exponential increase in the spread of misinformation, disinformation and verbal trash. These messages and posts can be disseminated rapidly and widely via automatic mass messaging using bots, and by search engines and social media companies. Sometimes fake news stories attract more attention than genuine news stories.

65. The phenomenon has sometimes been fuelled by provocative and intemperate statements by politicians and other well-known public figures and by their followers. The "post-truth" label was coined to apply to language that is driven more by emotion than by concern for known facts. One senior aide to US President Donald Trump contested media reports about the size of crowds attending the president's inauguration as "alternative facts". Another conservative commentator told National Public Radio in the United States "There's no such thing anymore as facts".

66. It is also thanks in part to President Trump's frequent use of the term "fake news" to discredit or reject statements that he disagrees with, that the expression has also come loosely to be seen as a dismissive term of rejection or just a form of insult.

67. Fake or false messages online, together with aggressively partisan materials, has caused much disruption when disguised as credible news and information, especially in the context of attempts to interfere in elections and other political processes in the United States, as well as in France, Germany and elsewhere.

68. The challenges to news media arise from the risk of contagion by the spread of false news and messages into the output of genuine news media. Media outlets have themselves often been the targets of fake news stories as well as various forms of cyberattacks. In some cases fictitious and scurrilous items have appeared on websites designed to mimic those of authentic media, in order to discredit those titles or to add spurious legitimacy to the falsehood.

69. Some cases, such as the creation by Macedonian teenagers of a network of fake news during the 2016 US presidential election to generate advertising revenue, may be described simply as mischief, even though some of those stories were widely spread and found their way into the mainstream media. However, many such sites are created with a serious intent to deceive or damage reputations in pursuit of partisan interests. False or fake news contradicts and desecrates the accepted codes of practice used by journalists.

70. Ethics in journalism, especially in the post-truth era of "fake news" and of social media, should matter very much, because in the digital environment, journalists have to restate and relearn the basics of ethical journalism. Appropriate professional institutions are crucial for supporting these basic principles. These bodies, when they work well, could do a lot to inculcate good practice and counter poor practice.

71. In response to the rapid evolutions in media technology and users' needs, media outlets have developed or refined a number of good practices. They include fact-checking and source verification mechanisms, such as *Le Monde's* Décodeurs, the BBC's *Reality Check*, a TV version broadcast on the "El Objetivo con Ana Pastor" programme on Spain's La Sexta TV channel, and First Draft News, an international partnership network working on verification processes and strategies. In efforts to assist users to avoid fake news and harmful materials, the use of online kitemarking to make trustworthy news and information sites or items easier to identify might play a useful part.

72. Disinformation is also a tool for political ends. In 2015, the member States of the European Union resolved to counteract a stream of disinformation and inflammatory falsehoods emanating from media outlets and online accounts in the Russian Federation. The European Union set up an East StratCom Task Force which says it has identified more than 3 000 items of disinformation transmitted from various Russian media sources. They include false or distorted reports and images related to the conflict in eastern Ukraine, the downing of a Malaysian airliner over this area of Ukraine in 2014 with the loss of more than 290 lives, the activities of the North Atlantic Treaty Organization (NATO) and negative stories about various European and other political leaders. The Task Force denies engaging in counter-propaganda.

73. Stopfake, a Ukrainian website managed by journalists, journalism students and others since 2014, has generated a high level of awareness about the nature and scale of distorted information and propaganda in the media about events in Crimea. It publishes detailed analyses exposing and refuting falsehoods and distortions.

74. The authors of the objectionable material are largely journalists working for State-owned or government-supporting Russian media but the campaign is seen as a tool of Russian policy. Several nearby governments, including Ukraine, Sweden and Denmark, have said that fake news from Russia represents a threat to their national security. A Joint Declaration[19] issued in March 2017 by the United Nations Special Rapporteur on Freedom of Expression and three regional rapporteurs said that State actors should not make, sponsor or disseminate disinformation or propaganda, and called on them to establish regulatory frameworks for broadcasters overseen by a body with safeguards against political and commercial interference or pressure.

75. Basic journalistic standards require that a journalist must in good faith verify the accuracy of what he or she reports. When reporting on any subject, including matters of international relations, the standards require that the statements or viewpoints of all sides concerned are reported and relevant facts are not hidden or suppressed. Those rules are routinely violated in the items highlighted by the European Union's Task Force. Characterisations of the Ukrainian Government as "fascist" in Russian reports and broadcasts represent a flagrant violation of media ethics.

76. The non-binding conclusions from a conference of regional journalists hosted by the Organization for Security and Co-operation in Europe (OSCE) in Tbilisi, Georgia, in May 2017 called for self-regulatory steps by the media to ensure accuracy in the news and provide for corrections of inaccuracies. They also recommended that media outlets consider including critical coverage of disinformation and propaganda as part of their services, in line with their watchdog role in society, particularly during times of conflict, elections and debates on other matters of public interest. However, on 30 August 2017, the OSCE Representative on Freedom of the Media, Harlem Désir, restated the concerns of his office regarding the Ukrainian Government's practice of detaining and expelling Russian and certain other foreign journalists from Ukraine.

77. Some civil society groups and journalists in Ukraine and other countries neighbouring Russia have argued that employees of Russian media who habitually transmit fake news or propaganda should be barred from recognition as journalists. This has not happened, although the United Kingdom's communications regulator, Ofcom, has ruled that Russia's State broadcaster RT has breached rules on accuracy and impartiality many times in its coverage of conflicts in Ukraine and Syria. Several initiatives have taken place to promote dialogue and consensus on journalistic norms of behaviour between Russian journalists and their counterparts in Ukraine and other parts of Europe.

19. www.osce.org/fom/302796.

3.5. Challenge 5: Media ethics, behaviour and skills

78. The media in Europe face new challenges in the age of the internet and of mass direct participation by citizens and communities in public debates. Journalists are required to present complex and fast-moving news stories in ways that are truthful, up to date and relevant to audiences. They must navigate powerful passions and sensitivities among communities of people who may be quick to blame the media for the content or wording of reports which they dislike.

79. In Germany, the public service TV channel ZDF and other media faced angry accusations of distorted reporting and "lies" about a series of sexual assaults against women and thefts outside Cologne railway station on New Year's Eve 2015, at the height of the large-scale influx of refugees and migrants into Germany. When the scale of the assaults became clear some days later, the TV station apologised for what it called a lapse of judgment after complaints that it had failed to clearly identify those thought to be responsible as being of North African or Arab appearance.

80. The media concerned were accused of sanitising serious crimes and hiding the truth. The row about the media's actions played into a nation-wide controversy over the government's decision to invite large numbers of migrants into the country despite strong resistance from anti-immigrant groups.

81. That episode was seen as a case of doubtful editorial choices made by liberal media out of concern to avoid fuelling anti-foreigner sentiment at a sensitive time. It is a core tenet of journalistic ethics that the content of reports should not display or incite prejudice and discrimination on the grounds of race, religion or other characteristics. The popular press around Europe has published numerous examples of hostile or derogatory reporting about migrants which have attracted censure as well as complaints; one British newspaper column likened migrants to "cockroaches".

82. The Cologne case demonstrated how excessive "political correctness" may also lead to a different kind of flawed reporting. It was typical of numerous cases in which local people have expressed anger or rage against members of the media and accused them of being privileged elites whose lives and outlook are unrepresentative of ordinary people.

83. Inflamed popular emotions and polarised public opinion were also the backdrop to fierce arguments in the United Kingdom about media coverage of the June 2016 referendum on membership of the European Union, in which both sides made exaggerated claims during the campaign period. Many on the "Leave" side of the argument charged mainstream media outlets with failing to understand and report adequately on the groundswell of popular anti-EU sentiment. Those media were accused of being out of touch with ordinary people.

84. At the same time, those in the opposite "Remain" camp were incensed that "Brexiters" repeatedly made extravagant claims about the benefits for Britain of leaving the European Union without the deceptions being acknowledged by pro-Brexit tabloid newspapers over a period of many weeks. Leading figures on the "Leave" side acknowledged openly that they had made "outrageous claims" about the merits of quitting the European Union because those claims were unexpectedly effective in persuading voters to their side of the argument.

85. Since the referendum took place, resulting in a vote in favour of "Leave", the United Kingdom media's role in reporting the campaign and the issues at stake has continued to be bitterly contested. A content analysis by the Reuters Institute for the Study of Journalism of reporting in major newspapers[20] determined that overall the press had covered the campaign, and the arguments of the Brexiters more favourably than those of the Remainers. During the ill-tempered campaign, a number of media organisations aggressively took sides either for or against Brexit, becoming participants in the battle of ideas. Voters revealed to opinion surveys that they largely felt insufficiently informed about the issues throughout the lengthy campaign period.

86. Media reporting about live events, including terrorist attacks, have exposed weaknesses in the protocols and practices of journalists. In August 2015, as a man hid himself in a cupboard inside the printing firm being occupied by the *Charlie Hebdo* gunmen, his location was publicly revealed in broadcasts by several radio and TV stations, so endangering his life. The almost universal possession of smart phones and other devices that enable anyone to transmit words and pictures on the internet makes it much harder to prevent the release of such information, on which a person's life may depend.

20. http://reutersinstitute.politics.ox.ac.uk/sites/default/files/UK%20Press%20Coverage%20of%20the%20EU%20Referendum_0.pdf.

87. Journalists need a range of new skills to perform to the highest standard in this environment, including skills in personal online security, handling big data, and drawing on multiple sources including social media. In the United Kingdom, the National Council for the Training of Journalists is doing a useful job by creating a module on ethics to be taught at all 42 of its training centres in higher and further education, as well as a few small private trainers. This is a crucial part of young journalists' training as they work towards a qualification. Lifelong training plays a very important role: journalists are not used to this, but increasingly they cannot keep up unless they learn new systems and new forms of journalism in a digital world, such as Google forms or social media tracking that have become part of the standard tools of journalists. Alongside technological training, professional training or update training in professional ethics should go hand in hand, because ethical journalism is both a moral imperative and a commercial one.

88. The frequency and prevalence of self-censorship by journalists and editors for fear of reprisals or harassment, especially online, is evident from the Council of Europe's 2017 publication "Journalism under pressure",[21] based on replies to a questionnaire from journalists across Europe. In Italy, large numbers of journalists have faced libel or defamation threats to deter them from reporting about criminal activity or wrongdoing, leading to a severe chilling effect, according to the organisation Ossigeno per l'Informazione. Across Europe, media which depend heavily on bank loans or business advertising have sometimes faced accusations of favouring those links by suppressing information that may be damaging to their sponsors, in breach of the ethical codes and duties of journalists to report all matters of public interest.

89. The unrestricted publication online of leaked confidential or unauthorised material poses a particular dilemma for mainstream media. Buzzfeed, a US-based global media and technology company, faced criticism from other parts of the media when in January 2017 it published the unverified and unedited dossier about newly elected US President Trump's alleged contacts with Russia which was compiled by a former British intelligence officer. The publication followed swiftly after CNN had reported the existence of the dossier, but like other media organisations CNN had refrained from publishing it because it was believed to contain misleading, false or potentially damaging information. Buzzfeed defended its action, saying that it had clearly labelled the document for what it was and that the public should be able to see the contents of a document which had become a public talking-point.

90. Some critics argued that Buzzfeed had broken a golden rule of journalism by publishing potentially defamatory material without ensuring that the subject of the report related to what it contained. In other cases, such as the Edward Snowden files, established news organisations carefully sifted the raw data of leaked files and applied what they claimed was a public interest test before publishing articles based on the data together with contextual information to explain and interpret those accounts. In this context, the European Journalism Network has called for new rules on transparency, conflicts of interest and ethical governance across the whole of the journalism landscape, online and offline, urging journalists to lead the way by demanding that their ethical values are reinforced.

91. The phone-hacking scandal, several years ago in the United Kingdom, provided an insight into the depths to which the ethics of journalism can fall, even in a developed media marketplace. It was seen by some as a test case for determining effective ways of holding journalists and their managements to the standards they themselves profess; and it highlighted the basic dilemmas in reconciling a State role in regulating the press while respecting the autonomy and freedom of the press.

92. Over a period of years, journalists from the *News of the World* and other British papers were accused of phone-hacking, bribing police and exercising improper influence in the pursuit of stories. The *News of the World* was closed in 2011 after a public outcry and an advertising boycott of the paper by some big companies.

93. A government-appointed inquiry into the culture, practice and ethics of the press, chaired by a judge, Brian Leveson, held public hearings and published its report in 2012.[22] It found that some press behaviour had been outrageous, and when chasing stories, journalists had sometimes "wreaked havoc with the lives of innocent people". It also found failures of compliance and governance at the *News of the World*, which was part of News Corporation. At times, relations between the press and politicians had also been too close.

94. The company admitted liability for a number of breaches of privacy and paid out compensation. A number of journalists and whistle-blowers were convicted. The Leveson inquiry revealed inappropriate behaviour of politicians and the police as well as of elements of the press. It is noteworthy that the truth about

21. https://book.coe.int/eur/en/human-rights-and-democracy/7284-journalists-under-pressure-unwarranted-interference-fear-and-self-censorship-in-europe.html.
22. http://webarchive.nationalarchives.gov.uk/20140122144943/; www.levesoninquiry.org.uk/about/the-report/.

the phone-hacking scandal was not revealed by the police but by *The Guardian* newspaper, which took the lead in exposing the rotten state of the British tabloid press in the face of hostility and evasions by the police and News Corporation.

4. Conclusions

95. Editorial integrity supposes that media organisations must be free to investigate, report and publish without undue constraints and without fear of violence and arbitrary treatment by the State authorities. In this respect, public figures should abstain from blaming the media for reporting when things go wrong, as the media's proper task is to inform the public and to hold a mirror up to society, revealing and reporting on social and political matters including corruption and misuse of power where it occurs. Their role is not to be popular or to win the approval of any political power.

96. Inquiring, independent and diverse media are essential for rational and civilised public discourse. No doubt, the media, like all sectors of society, have flaws and examples of unethical conduct. The ethics and professional standards of journalists and the media have been put into question in recent times. So now it is in the interests of media organisations and the reputation of journalism to redouble their efforts to restore public trust and confidence where it has been undermined. At the same time, it is a fallacy to believe that the way to evade scrutiny or stifle dissent is by attacking or seeking to silence the media. It would mean giving up freedom of information and freedom of the media. Of course, in return, journalists must assume their professional responsibilities and respect their codes of ethics.

97. The issue of editorial integrity is sometimes quoted in relation to media ownership. In order to address concerns about excessive media ownership concentration and a decline in media plurality, member States should introduce or strengthen measures to achieve transparency of media ownership and media plurality. The ownership and control of media outlets by State agencies or political groups is inimical to the independence of the media. At the same time, States and political parties can contribute greatly to the creation of conditions for editorial integrity by standing aside from control or influence over media content.

98. Editorial integrity is also referred to in connection with technological developments. Convergence continues at a rapid pace, as seen by the entry of giant players like Apple and Google into the television marketplace, and the significant growth of subscription-based video on demand streaming services such as Netflix. It is possible to imagine an end point in which original news providers, including major newspaper and other media, are virtually dependent on other platforms to deliver their content to their audiences and readers and the public at large. However, all sides have a shared interest in ensuring that high-quality news providers with the highest editorial standards and genuine independence from outside pressures survive and thrive, and that the internet remains free, open and neutral.

99. Finally, even in the most hostile environments for journalism, highly respected media titles exist across Europe which earn public trust by serving the public with honesty, integrity and fairness, and telling the truth to those in power. At the same time, given the current challenges facing the media, we must consider what more might be done to promote a media ecosystem that can provide the public with reliable independent information, in full respect of editorial integrity.

100. On the basis of the analysis developed in this report, I have formulated a number of operational proposals on possible actions to better protect editorial integrity. These proposals relate in particular to the challenges facing the journalist profession today, such as technological developments, the rapid proliferation of online news sources, the significant fall in traditional media revenues, and the intimidation and physical aggression against journalists. These operational proposals are reflected in the draft resolution contained in this report.