



Resolution 2212 (2018)¹

The protection of editorial integrity

Parliamentary Assembly

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 of several challenges threatening the editorial integrity and independence of the media in the member States. The emergence of 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 obstacle for 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 which they can 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 own [Resolution 2179 \(2017\)](#) on political influence over independent media and journalists, in which the Assembly 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.

1. *Assembly debate* on 25 April 2018 (14th and 15th Sittings) (see [Doc. 14526](#), report of the Committee on Culture, Science, Education and Media, rapporteur: Mr Volodymyr Arieu). *Text adopted by the Assembly* on 25 April 2018 (15th Sitting).



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 in 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 2017 Joint Declaration on Freedom of Expression and “Fake News”, Disinformation and Propaganda by the United Nations Special Rapporteur on Freedom of Opinion and Expression, the Organization for Security and Co-operation in Europe (OSCE) Representative on Freedom of the Media, the Organization of American States (OAS) Special Rapporteur on Freedom of Expression, and the African Commission on Human and Peoples’ Rights (ACHPR) Special Rapporteur on Freedom of Expression and Access to Information, 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, with a view to fulfilling their positive obligation to protect media professionals and guarantee freedom of the media;

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 \(2007\)](#), 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 with regard to political and economic forces – increased transparency of media ownership and greater diversity of media content;

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 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. aim to 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 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 people considering themselves targets of unreasonable press intrusion and inaccurate reporting have ready access to an effective system of complaint and redress, while safeguarding editorial integrity and independence;
 - 9.5. monitor the dissemination of 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 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 practice regarding editorial integrity and high-quality journalism;
 - 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 editorial integrity and transparency among journalists, while at the same time warning against behaviour that is contrary to professional ethics.