



**Organization for Security and Co-operation in Europe
The Representative on Freedom of the Media
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**OSCE SOUTH EAST EUROPE MEDIA CONFERENCE
CONCLUSIONS AND RECOMMENDATIONS**

The OSCE South East Europe Media Conference, held on 10-11 May 2018, gathered over 150 participants in Struga on the shores of Lake Ohrid representing government, civil society, press and media associations, journalist unions, public service media and media professionals to discuss media freedom issues in the region. The fifth conference followed the Austrian OSCE Chairmanship's "Media Freedom in the Western Balkans" Conference in February 2017, highlighted participants' numerous personal and professional experiences with attacks on the safety of journalists, in particular female journalists, and the often precarious working conditions media workers in the region face. In addition, the conference also delved into issues ranging from Public Service Media, with participants calling for their strengthened independence and financial sustainability, to best practices in the area of media self-regulation, new economic opportunities and challenges, the impact of digitalization on media freedom, and finally the phenomena of "fake news", propaganda and disinformation.

On the first day of the Conference, participants adopted a declaration condemning the violence against Olivera Lakić, an investigative journalist with the Vijesti newspaper in Montenegro, who was shot the evening of 8 May 2018. The full text of the Declaration can be found here: <https://www.osce.org/representative-on-freedom-of-media/380689>.

The Declaration sent a strong message of support and solidarity to her, the employees of Vijesti and all journalists and media workers who face threats, attacks and intimidation in the region. Safety of journalists is still one of the biggest challenges in the region, and many crimes against journalists and media outlets go unpunished. In the Declaration, participants called for an independent, effective and speedy investigation and for the perpetrators of the attack, including its masterminds, to be brought to justice. It further emphasized that any attack on a journalist not only violates the rights of the journalist involved, but also undermines the public's "right to know", the rule of law and democracy itself.

Following the six sessions on the topics outlined above, the OSCE Representative on Freedom of the Media presents the following non-exhaustive findings, conclusions and

recommendations from the two-day Conference. These recommendations have been drafted to apply to multiple stakeholders in the media community and more broadly, including regional policy makers and authorities at every level, academics, media outlets, civil society, the international community working in the region, intermediaries and regulators, journalists' unions and associations and journalists, themselves.

Session 1: Safety of Journalists

Participants in the session shared their personal and professional experiences of threats, intimidation, violent attacks, and smear campaigns—both online and offline—that they have faced in their line of work. Participants also discussed the specific risks faced by female journalists, including intimidation, harassment and threats, given that they encounter the “double burden” of being targeted for both their gender and their profession. One of the biggest challenges mentioned was a lack of recourse for bringing perpetrators of crimes against journalists to justice, either due to a lack of inadequate legal follow-through or inaction by law enforcement agencies and widespread impunity for such crimes. The need for adequate legal frameworks to protect journalists' safety was highlighted, as well as the importance of legal remedies in the event of a crime, and the obligation on the part of authorities to ensure accountability and fight impunity. In certain parts of the region, though adequate legislation exists, implementation and enforcement are lacking and need to be strengthened.

Recommendations:

- Condemn publically and unequivocally and in solidarity with victims, all attacks, intimidation and violence against journalists and media workers, which include, but are not limited to: smear campaigns, surveillance, intimidation, forced closure of offices, online harassment, killings, torture, physical violence;
- Engage with all relevant stakeholders—namely national authorities, the legislative, executive and judiciary branches of government, local and regional civil society, journalist associations and media outlets—to support investigations and efforts to bring perpetrators to justice, and continue to raise awareness about the threat to democracy posed by attacks against journalists, and the importance of protecting journalists' safety and security;
- Recognize the nexus between media freedom, justice and the rule of law in order to reflect on the specific needs of the media community in relevant legislation, prosecutorial activities and protective mechanisms, including police protection when necessary; this also requires adequate human and financial resources for investigative and prosecutorial processes, and political will;
- Continue to call for and enforce swift investigations into attacks against journalists by law enforcement agencies, taking such threats seriously whether they occur on or offline, and provide adequate tools to victims of threats, harassment, violence or

intimidation; this will also require training for and co-operation between police and prosecutors;

- Encourage education in newsrooms and in the media sector to train media professionals on self-protection against harassment, intimidation and attacks, including specific digital security training and resources following a threat or attack;
- Speak with one voice and foster solidarity at the local, national and regional levels to condemn attacks, i.e. in co-operation with the international community, national authorities, politicians, journalist associations and relevant advocacy groups;
- Recognize the double burden faced by female journalists and develop a gender mainstreamed strategy to better ensure their safety online and off.

Session 2: Working conditions of journalists and media outlets

While participants recognized that authorities have passed legislation in some areas in order to improve the working conditions of journalists and media workers, the media industry continues to face considerable challenges. Precarious working conditions related to social security, wages and contracts that perpetuate job insecurity prevail. Paired with political interference and/or business interests, working conditions for journalists and media workers are often at unacceptably low levels. Due to the precarious working conditions and the economic challenges media outlets face, editorial independence might be undermined by financial and/or political pressure.

Recommendations:

- Raise awareness of the precarious working conditions for media workers, as manifested by low wages, irregular working hours, lack of health insurance, social security, and other employment benefits. Awareness should be raised with the clear objective of improving working conditions in order to ensure the ability of journalists and media workers to report independently of political and economic pressure, and without the risk of self-censorship;
- Empower, encourage and reform trade unions specifically for media professions and journalists to reinforce collective bargaining, both for fixed-term staff and freelancers working online and off, while fostering a sense of solidarity among those in the profession to increase social and working rights, such as social security, unemployment benefits, and health insurance. Trade unions need to be recognized as legitimate representatives of journalists;
- In the absence of labour unions, liaise with relevant state authorities such as labour inspectorates, to ensure that national social standards (work contracts, working hours, social security payments) are respected, and national minimum standards enforced;
- Explore possibilities for collective contracts in the profession as a safety net and assurance of the continued professional security needed for ethical journalism, as in other professions;

- Develop and enforce policies and legislation that safeguard media pluralism, maintaining competition without undue business or political interference that might put additional pressure on the editorial line of media and journalists;
- Ensure transparency in funding and financial independence of media as key elements to ensure their freedom from outside interference, in particular when funding comes from public bodies. Authorities should not try to influence the media market through hidden subsidies.

Session 3: Strengthening Public Service Media

This session focused on the role of the public service media (PSM) and legal frameworks that govern their organizational set-up and programmes. Participants discussed the role of governing and programmatic councils and their organization. In particular, best practices that should govern their editorial guidelines, strategic direction and mandate, as well as society's needs (linguistic, cultural, political) were discussed. Because content produced by the PSM is primarily in the interest of society and should thus remain in the public domain, reflecting the cultural, ethnic, social, linguistic, religious composition of society and maintaining the interest of the public at all times was identified as important for maintaining credibility and fulfilling the core PSM mandate. Participants also discussed the need to foster more investigative reporting within the PSM focused on issues affecting society, maintaining professional standards and editorial independence.

Recommendations:

- Ensure that staffing, including for Programming and Governing Councils, is based on professional merits, not party loyalty, to maintain independence from the political sphere while keeping in mind the public mandate;
- Develop individual models for PSM financing according to local realities, given that no single model in the regional context is transposable to the other, and in order to ensure their financial sustainability, contributing to their political independence;
- Take into account the cultural, ethnic, social, linguistic, religious composition of society to ensure that the PSM reflect all views represented in society in line with its public interest mandate;
- Encourage investigative pieces and journalism also in PSM in line with best practices of the sector;
- Foster innovation in the PSM to engage audiences, offering content online and offline that is adapted to society's needs, including through means of programming and diffusion of information online (including through new technologies such as apps, online content, social media) as well as broadening possible revenue streams.

Session 4: Media self-regulation and improving professional standards

Representatives from the region, in particular journalists' associations and interest groups, put forward best practices regarding self-regulation, and professional standards in the media landscape. The panel concluded that ethical standards adopted on a voluntary basis among associations of journalists or within specific media outlets help media workers produce impartial and objective reporting. In the region, it is difficult for Press Councils and self-regulatory mechanisms to achieve financial independence and sustainability without donations or public funding, given that media outlets themselves struggle for revenue and are not able to contribute to such Councils. The panel concluded, however, that proper financial and human resources are needed to maintain editorial independence and journalistic credibility.

Recommendations:

- Raise awareness on self-regulatory mechanisms as a valuable tool in the region for establishing professional and ethical standards in a diverse media landscape, on a voluntary basis. Efforts should be made for their consistent implementation;
- Support the drafting of self-regulatory codes in a spirit of inclusiveness, transparency and in the interest of the general public, in line with international standards and best practices;
- The sustainability of Press Councils should be a priority for the media community given their essential role in facilitating media self-regulation;
- Promote training, education, and awareness-raising within the profession to further foster professional standards and independent reporting;
- Co-operate with independent investigation mechanisms and self-initiative mechanisms such as Ombudspersons, Press Councils, Independent Commissions, to address issues pertaining ethical and professional journalism;
- Digital literacy strategies are important to ensure that journalists and media actors as well as the public are able to effectively engage in media self-regulation.

Session 5: Impact of digitalization on freedom of expression and media in the region

The focus of this panel was to discuss the impact of digitalization on the media and freedom of expression, and in particular whether it advanced the "democratization" of the media landscape by providing citizens with outlets to express themselves online and journalists with a platform to disseminate their reporting more widely. Panellists concluded that digitalization also comes with risks, given that media users are now exposed to more information and disinformation. Digitalization has radically changed print media, even eradicating it in some places. The session also touched upon the responsibility of news portals which diffuse reports widely, to consider their direct impact on the spread of quality news.

Recommendations:

- Safeguard, protect and respect basic human rights and rights related to freedom of expression and access to information online just as they are offline;
- Focus on quality of news over quantity and speedy delivery in the era of “democratization” of the media through technology;
- Given that fact-checking should be the basis of all journalism, continue to strengthen the credibility of media through fact-checking, in particular in the online sphere;
- No single model for expanding the revenue base in the digital age has affirmed itself. Media should therefore explore and experiment with different financing models;
- Develop training and promote education in the area of digital literacy, as well as awareness-raising on the cost of producing quality journalism.

Session 6: “Fake news” world phenomenon and regional reality

While the term “fake news” is used frequently, the panel aimed to define, in more concrete terms, what falls under the term and how disinformation seemingly has been more widespread than in the past. Participants concluded that, while the phenomenon has always existed, it has nevertheless been exacerbated by the use of the Internet, making it easier to spread unverified information and unprofessional reporting. “Fake news” is not only political, strategically constructed information with a goal to undermine reliable spread of credible information in the public sphere, but also oftentimes driven by business interests.

Recommendations:

- States should not adopt legal bans on “fake news”, false news or other similar terms that are counterproductive and prone to abuse;
- Existing laws, including on civil defamation laws, should provide adequate legal remedies for the dissemination of false information which harm reputation;
- Politicians should not make or encourage statements which they know to be false or which demonstrates a reckless disregard for verifiable information;
- Politicians should not use the term “fake news” to attack media outlets or journalists, as this undermines trust in media and journalism;
- Authorities and other stakeholders should strive to create a free, independent and diverse communication environment in a media-literate society as the best method for countering the spread of false information;
- Internet intermediaries must have clear policies for restricting or deleting content which should meet, at a minimum, due process guarantees, and international standards on freedom of expression.

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