



## Resolution 2213 (2018)<sup>1</sup>

Provisional version

# The status of journalists in Europe

Parliamentary Assembly

1. The Parliamentary Assembly reiterates that freedom of expression and information is a fundamental right guaranteed by Article 10 of the European Convention on Human Rights (ETS No. 5). That right includes media freedom, which is a key prerequisite for the existence and development of a democratic society.

2. Professional journalists have a mission to provide the public with information on general or specialist topics of interest as responsibly and as objectively as possible. Accordingly, the Assembly is concerned to observe a gradual slide into precarity of the profession of journalist, directly linked to the collapse of the traditional financing model used for many media following technological change and the development of online media, with their impact sometimes exacerbated by political factors related to growing tendencies driven by populism, authoritarianism or the favouring of private interests. Some media have thus seen their editorial independence undermined while others have had to lay off staff. However, the Assembly notes that technological changes have also had a positive impact on journalists' work, in particular by facilitating research, communication and the creation of international networks and globally accessible databases with journalistic sources and works.

3. A drop in revenue of most media, the casting around of publishers for new business models and the virtually systematic outsourcing of work have all substantially contributed to the boom in the number of freelance journalists. The latter are confronted with a lack of professional recognition: although working in the same conditions as journalists employed on full-time contracts, they do not have the same rights and are unable, in several countries, to be represented by trade unions and negotiate their rates.

4. The Assembly is further concerned that journalists' working conditions continue to deteriorate: they are working longer hours; the demand for high output affects their ability to check information sources, investigate sensitive issues and analyse facts with a degree of detachment; many media companies do not allocate adequate resources to training; freelancers often lack preparation or insurance for working in areas where there are risks or conflicts.

5. In addition, the Assembly observes unacceptable inequality between women and men in the profession: women's careers are shorter than men's; it is considerably more difficult for them to reach managerial level; female journalists are the main victims of cyberbullying and sexist violence. In this connection, the Assembly reminds the member States of Committee of Ministers [Recommendation CM/Rec\(2013\)1](#) on gender equality and media, and the need to implement it.

6. Consequently, the Assembly recommends that member States:

6.1. fully respect their obligations stemming from Article 10 of the European Convention of Human Rights as regards journalists and other media actors' freedom of expression, and in particular their right not to reveal journalistic sources and their right to receive or impart information;

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1. *Assembly debate* on 25 April 2018 (14th and 15th Sittings) (see [Doc. 14505](#), report of the Committee on Culture, Science, Education and Media, rapporteur: Ms Elvira Drobinski-Weiss; and [Doc. 14535](#), opinion of the Committee on Legal Affairs and Human Rights, rapporteur: Ms Thorhildur Sunna Ævarsdóttir). *Text adopted by the Assembly* on 25 April 2018 (15th Sitting).



- 6.2. take all necessary measures to strengthen the safety of journalists and other media actors, to stop any harassment (including of a judicial, administrative or financial nature) against them and put an end to impunity for attacks against them, notably by conducting effective investigations into killings and other offences against their physical integrity; in this respect, member States of the Council of Europe should implement the guidelines set out in the appendix to Committee of Ministers Recommendation CM/Rec(2016)4 on the protection of journalism and safety of journalists and other media actors;
  - 6.3. review their domestic legislation on the status of journalists with a view to:
    - 6.3.1. identifying any areas to be updated, taking recent technological and economic developments into account;
    - 6.3.2. ensuring that such legislation protects journalists from arbitrary dismissal or reprisals and from precarious working conditions that may expose them to undue pressures obliging them to depart from accepted journalistic ethics and standards;
    - 6.3.3. providing a legal definition of journalists wide enough to encompass all forms of contemporary professional journalistic work, including internet-based;
    - 6.3.4. repealing disproportionately restrictive defamation laws and ensuring adequate procedural guarantees in libel proceedings brought against journalists;
  - 6.4. explore avenues for alternative funding in a new media ecosystem, including:
    - 6.4.1. the redistribution of advertising revenue generated by search engines or social media;
    - 6.4.2. the inclusion of freelance journalists within the scope of labour legislation in terms of minimum pay;
    - 6.4.3. the institutionalisation of innovatory crowdfunding initiatives, for example by giving decision-making power to donors providing more than 1% of registered capital;
  - 6.5. support action plans to tackle the problem of gender inequality on the labour market in the media sector, including:
    - 6.5.1. the drawing up of studies containing statistical indicators;
    - 6.5.2. the introduction of mechanisms inciting employers' organisations to seriously tackle this problem in the long term;
  - 6.6. support the involvement of representative social partners in the media sector to promote dialogue between employees and freelancers, on one hand, and employers, on the other;
  - 6.7. ensure that journalists' right to freedom of association is respected, in particular as regards adhering to trade unions and journalists' associations.
7. The Assembly calls on trade unions and journalists' organisations to:
- 7.1. adjust to rapid societal changes, including with regard to the status of journalists, which should be adaptable, as its essence lies in the tasks and not in the legal definition;
  - 7.2. promote membership, particularly among young people and women, but also among providers and managers of content, currently excluded from many trade unions, while ensuring that all members have the requisite professional expertise;
  - 7.3. promote the practice of mentoring for young journalists in general, enabling them to benefit from the professional experience of their more experienced colleagues, and for young female journalists in particular, to better equip them against discriminatory mentalities, harassment and sexist violence;
  - 7.4. stimulate dialogue between professional journalists and other content-provider professions on questions of quality, professional standards and responsibility;
  - 7.5. diversify themes and fields of training, adapting to the demands of the new media environment, and develop services for their members, in response to their specific requirements;
  - 7.6. represent all journalists in collective bargaining and agreements, above all for basic rights such as working hours, wages, paid leave after a certain length of service and social insurance contributions covering pensions, social security and unemployment;
  - 7.7. include and defend the rights of freelance journalists in the workplace and within social legislation in general, conferring upon them a core of common rights granted to salaried employees.

8. The Assembly invites 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 the passing on of good practices regarding high-quality journalism that follows codes of ethics and is worthy of public trust.
9. The Assembly calls on member States to support the Platform to promote the protection of journalism and safety of journalists with adequate financial contributions and by co-operating in its functioning, in particular by responding to alerts and by engaging in follow-up initiated by the Secretary General of the Council of Europe.
10. The Assembly strongly condemns the assassinations of journalists Daphne Caruana Galizia in Malta, Ján Kuciak in the Slovak Republic and Maxim Borodin in the Russian Federation. It calls on the Maltese, Slovak and Russian authorities to conduct effective investigations into these deaths, in line with the procedural guarantees stemming from Article 2 of the European Convention on Human Rights.