

Protecting Journalists and Media Workers: Good Practice

Recommendations for the UK Government's National Committee for the Safety of Journalists

In 2019, the UK Government announced plans to form the National Committee and Action Plan for the Safety of Journalists to "ensure that those who threaten journalists are held to account." This committee will be the responsibility of the Department for Digital, Culture, Media and Sport (DCMS) and the Home Office. To support and help shape the direction of this much needed initiative, the Media Freedom Rapid Response (MFRR) here outlines examples of good practice from across EU Member States and Candidate Countries that can be incorporated into the committee's approach to this complex topic to encourage greater collaboration and coordination to protect journalists and media workers across the UK.

A Note on Countries Mentioned in this Briefing:

This briefing includes summaries and explanations of processes and systems built to protect journalists and media workers in The Netherlands, Sweden, South East Europe (Including Montenegro, Serbia, Kosovo, Bosnia and Herzegovina, Albania and North Macedonia), Serbia and Italy. Each comes with a different approach to press freedom to respond to specific actions, histories, capacities and situations. In this manner, this document is not set out to offer approaches that can be incorporated into UK policy wholesale. Instead, this is to demonstrate the width and breadth of different approaches, alongside specific actions or policy decisions that can be amended to suit the specific situation in the UK. The MFRR advocates for responses and policies that respond to and reflect the lived experiences of journalists and media workers in the UK and are tailored to specific needs and requirements; with accessibility and practical support at its centre. However, we believe it is valuable to look to other countries and jurisdictions to explore and learn from approaches that have been designed and implemented. We need to be aware of the difference and distance between plans or commitments made and the plans as implemented. How these commitments are implemented can offer practical guidance regarding necessary funding and structures needed to adequately respond to threats against journalists. However, it is important to identify situations where implementation has failed to live up to the promise of the initial plans or commitments.

Further to this, this briefing should not be read as a recommendation of the state's overall approach to media freedom nor the broader health of the media environment. In each country mentioned here, threats and restrictions for support remain and these issues should not be ignored. Countries can establish innovative mechanisms to protect journalists and media workers, while also failing to uphold the necessary or expected level of media freedom. The countries included in this briefing have been highlighted on the basis of individual and specific approaches and programmes to protect journalists and media workers that could support the UK Government's own stated aim of supporting media freedom. Their inclusion should not be read as a commendation from the Media Freedom Rapid Response or our partners.

The Netherlands

Improved coordination and collaboration between journalists, media workers and the police

Following an uptick in threats to journalists in The Netherlands, the authorities and the Dutch journalists union (Nederlandse Vereniging van Journalisten, NVJ) brought together a number of organisations including the public prosecution service, the police, the Dutch Society of Editors-in-Chief and the NVJ to form the [Steering Group on Aggression and Violence against Journalists](#). As part of the agreements related to the formation of this steering group, the framework offers a number of key features to protect journalists including the:

- requirement of the police and the public prosecution service to inform the NVJ and the Dutch Society of Editors-in-Chief of any threats to journalists;
- sharing of information and delivering proactive training to both journalists and relevant state bodies related to emergent threats and issues facing journalists;
- prioritising the detection of, and prosecution for, aggression and violence against journalists;
- empowering media companies and outlets to develop and maintain a safety plan for all journalists and media workers, including freelancers. This can be implemented through a collective labour agreement and a covenant for freelancers. A version can be held by NVJ, when the individual outlets do not maintain one;
- establishing a collective norm to establish a common standard of risks to ensure every journalist and media worker is able to communicate information to the relevant authorities;
- developing a Violence Against the Media (VAM) app to offer practical support and guidance on a range of issues including: what are criminal offences?; how do I report a crime?; how do I deal with a serious threat?; what is the difference between reporting an incident and reporting a crime?; why am I obliged to report a crime and what can I expect to happen afterwards?

This framework and the [steering group](#) establishes the foundations for a detailed and responsive relationship between journalistic organisations and state bodies to ensure new and changing threats to media freedom can be responded to or proactively protected against. To ensure the promise is followed through on, it is vital that the group meets regularly and is able to share information in an open and frank manner. However, it also requires the state bodies involved in this process to respect the independence of participating media outlets and organisations, ensuring they are still able to scrutinise and interrogate government policy and actions, while at the same time ensuring journalistic sources and practices are protected. The nature of the relationship also enables different situations, such as journalists covering events including demonstrations, protests, elections and other febrile situations to be planned for and responded to with all necessary stakeholders.

As part of this, an [audit](#) "of the laws, policies and practice affecting freedom of expression and participation in public debate in the Netherlands [was produced] to focus on a range of themes and seek to ascertain whether Dutch law, policy and practice measure up to leading European standards." This would help the authorities identify good practice that can be expanded on or shared, as well as aspects that need to be improved through new or amended legislation,

budgetary reallocations or more structural changes. This established a flexible and responsive manner by which the state's response and approach can evolve and strengthen.

Relevancy to the UK: This is a model that could lend itself to the situation in the UK, as it offers a flexible approach that can be modified to respond to the range and complexity of threats to media freedom identified in the UK. Irrespective of the source, context, location and wider societal impact of the state of media freedom, this approach seeks to build a framework for greater coordination and collaboration between relevant and necessary parties. However, trust will have to be built on both sides, with all journalists reassured that their involvement in this process will not hinder or restrict their independence or ability to scrutinise government policy. The ability to tailor state response and approaches to the lived experience of journalists and media workers, could make government policy far more responsive, agile and efficient in this sector. The audit, as outlined above, would be a strong first step for the UK committee and will help guide and structure all future work by giving it an accurate and in-depth understanding of the existing media and protection landscape across the UK.

Sweden

Establishing an action plan to protect free expression that identifies responsibilities for the entire state

In 2018, the Swedish Government launched the [Action plan: Defending Free Speech - measures to protect journalists, elected representatives and artists from exposure to threats and hatred](#) that looked at a range of different threats to free expression, through the threats to a range of different actors, including journalists, elected officials and artists. This sought to look beyond the response from the judiciary alone, instead looking at a broader, more structured response to threats against free expression. A key aspect of this plan's focus is expanding, developing and funding existing institutions, such as the local victim support centres and helplines to support victims of threats brought about by participation in public discourse. Further to this, it establishes guidelines and responsibilities to provide training and resources that are intended to be used by government agencies and organisations that need better tools to support those exposed, but also by private individuals who are exposed to threats and hatred in the public debate. This is not solely focused on state institutions alone, instead the plan outlines opportunities for civil society organisations to secure funding and support initiatives that help to prevent threats and hatred against the democratic discourse, e.g. to develop guides and guidelines, action programmes, training and experience exchange.

Relevancy to the UK: This holistic approach that seeks to strengthen existing bodies, including both state entities and non-governmental bodies offers an effective and wide-reaching way in which journalists, media workers and society at large can be supported to continue participating in public discourse. It also identifies the broader democratic environment as something that needs to be strengthened, which is an important aspect of the work the UK could adopt to ensure that both direct and indirect threats or sources of grievances are addressed. This could help establish a healthier democratic environment within which journalists operate and address root causes of threats, cutting them off at the source, while offering support to society at large. This approach would require regular updates and analysis of its progress to ensure it is still relevant and responsive to the changing nature of threats against journalists, with further resources

committed to ensure it can plan ahead and support the governmental and non-governmental organisations who are delivering on objectives outlined in the plan.

Albania, Bosnia and Herzegovina, Montenegro, North Macedonia, Serbia & Kosovo

Collaborated with the Council of Europe to train judges, prosecutors and police officers on issues related to press freedom

"Reinforcing Judicial Expertise on Freedom of Expression and the Media in South-East Europe (JUFREX)" is a project co-funded by the Council of Europe and the European Union that seeks to build capacity within the state apparatus to protect free expression and media freedom. It involves an ambitious training programme for police officers, judges and prosecutors, as well as specific activities directed at regulators, journalists and public service media, relating to the interconnected segments, which are of significant importance for freedom of expression and exercise of human rights, in line with Council of Europe and European standards. For example, as part of this project, alongside training to judges and police officers in Montenegro, JUFREX has developed a handbook for legal practitioners entitled "[Protecting the right to freedom of expression under the European Convention on Human Rights](#)", which offers practical guidance on protecting free expression within a human rights framework. This can amplify the direct training offered as part of the project to other stakeholders and those entering the relevant departments.

As part of this programme, Montenegro has also created the National Commission for Monitoring Investigations of Attacks on Journalists, which can coordinate all responses to threats against journalists and media workers in the country. Further to this, Montenegro has established a point person within the police force who specialises in threats to free expression and media freedom to ensure the specificities and risks faced by journalists are responded to by the police.

Relevancy to the UK: While the domestic capacity and expertise may differ in the UK, compared to South-East Europe, this work highlights an important aspect of work that should not be ignored, that of specialised and dedicated capacity and expertise when it comes to crimes or threats against journalists. In a number of cases including those against Amy Fenton, Patricia Devlin, Sunday World and Sunday Life, as well as journalists and photographers covering recent far-right demonstrations in London and Leeds, journalists have been explicitly targeted for their work and it is solely because they are journalists that they are at risk. This targeting requires similarly tailored and targeted responses from state entities, such as the police. To deliver this, dedicated training and support is required to be built into the ongoing training of officers and the entire police hierarchy to ensure a human rights approach is followed. This dedicated training that is offered to police officers, judges and potentially the Crown Prosecution Service will establish a framework that can incorporate specific focuses and evolving threats to ensure they can respond adequately. For instance, this framework should be used to build capacity and understanding of issues related to free expression online and online harassment, including gendered online harassment and abuse targeting women journalists.

As in Montenegro, establishing a dedicated and well-resourced department or point person within the police force focusing on protecting free expression and media freedom, within a human rights framework, will establish an oversight and coordination body to ensure journalists can engage directly with the police. Further to this it can ensure processes are built and

maintained to establish sustainable protections for journalists and any and all threats and attacks against journalists and media workers are responded to in a coordinated and responsive manner.

Serbia

Addressing a history of impunity to strengthen media freedom

Following the breakup of former Yugoslavia in 1992, over 40 journalists had disappeared or were killed. Very few investigations took place, or were concluded with the perpetrators being brought to justice. In 2012, the [Commission for the Investigation into the Murders of Journalists](#) was founded to reopen and investigate all crimes against journalists in this time. The Commission is made up of representatives from media and journalist outlets and bodies, the Ministry of Internal Affairs and Serbia's national security body, the Security Information Agency. Its initial task was to reopen three cases of journalists killed between 1994 and 2001. In 2018, the [government expanded its remit](#) to include a broader range of murders and other crimes against media workers committed during the Balkan wars, which involved representatives from the War Crimes Prosecutor's Office and the War Crimes Unit of the Ministry of Interior of the Republic of Serbia. The commission's work has culminated in the convictions of a number of people, including former representatives of the state security apparatus. Due to the ability of journalists and government agencies to collaborate to address impunity and establish protections for journalists, the model of the commission has been taken up by Montenegro to investigate similar cases and address the enduring impact of impunity.

Relevancy to the UK: While the UK does not have a domestic history comparable to the situation in Serbia, nor a legacy of impunity comparable to this specific history, there are a number of aspects from this approach that would be beneficial to the UK. Crimes and threats against journalists are often left uninvestigated, with crimes going unpunished. This has a chilling effect for participation in journalism so every jurisdiction should develop proactive and structured plans and schemes to ensure all crimes against journalists are fully investigated. Another aspect of the Serbian approach that should not be overlooked is the manner in which it built public awareness and support for the commission's work and broader support for media freedom. The public awareness campaign for the commission won an award at the 2014 Cannes Lions International Festival of Creativity. The only way we can protect journalists and media workers is to build public awareness of the importance of a robust, vigorous and independent media, especially in light of threats coming from criminal entities or unknown individuals such as protestors.

Italy

An ambitious system to protect journalists and media workers from threats from organised crime.

The [Ufficio Centrale Interforze per la Sicurezza Personale \(UCIS\)](#) is a body within the Ministry of the Interior which coordinates protection for threatened journalists against threats of violence from organised crime across Italy. It brings together government bodies, the police and relevant public security agencies to offer, if needed, 24-hour protection and surveillance of at-risk journalists, as well as the possible requirement to place journalists in rotating safe custody in

areas of the country deemed safe depending on the identified source of threats. In 2018, the [European Centre for Press and Media Freedom](#), alongside Ossigeno per l'informazione reported that over 20 reporters in Italy were defended by armed police 24/7 due to credible threats, in addition to over 165 journalists who had some form of police protection. To ensure this process is informed by media outlets and organisations, the system is overseen by a coordination centre involving state entities such as the UCIS, the government and police, alongside representatives of the Italian journalist union, La Federazione Nazionale della Stampa Italiana (FNSI).

In coordination with Ossigeno per l'informazione, the organisations manage a list of threatened journalists, many of whom will be given police protection as part of this scheme. If a journalist is identified as being at risk and requiring protection, they are not permitted to turn it down. This is an ambitious, effective but costly programme that is dependent on government support to continue. After renowned journalist [Roberto Saviano](#), who lives under 24-hour police guard, criticised the former Italian Deputy Prime Minister and Minister of the Interior Matteo Salvini, Salvini threatened to remove his protection. The UCIS is independent of the government and acts on evidence and information about the severity and imminence of any threat to journalists and media workers.

Relevancy to the UK: In general terms, the threats facing journalists and media workers in the UK have not reached the frequency and severity facing Italian journalists that would make this entire approach necessary for the UK. However, as seen in the increasing number of threats of violence in Northern Ireland against journalists at Sunday World and Sunday Life, alongside the threats made against Patricia Devlin, which are tied to dissident factions of the sectarian conflict, alongside threats to Amy Fenton and journalists at demonstrations, the UK may need to explore a more proactive and resource-heavy approach. Further to this, as outlined in the case of Amy Fenton, where threats of physical and sexual violence, resulted in her having to leave her home after police informed her of a credible threat, the UK requires a standardise and structured response to threats against journalists, especially when their safety cannot be guaranteed. In the case of Amy Fenton, the police informed her of a credible threat and recommended that she leave her town, but from that point they offered little practical support, instead leaving Ms Fenton to source her own accommodation and care arrangements. Looking at the Italian model can allow the UK to identify practical and tangible support, such as relocation and the use of safe houses and regular, structured and rotating forms of police protection to respond to changing threats against journalists.

Overall Recommendations

- Establish open and transparent mechanisms of coordination and communication between relevant state entities such as ministries and departments, the police and prosecutors, and media outlets, unions, representative bodies, cooperatives and organisations to ensure emergent threats, risks and trends can be addressed in a mutually beneficial manner that continues to ensure media outlets can scrutinise the state and guarantee their independence;
- Offer practical and necessary support for threatened journalists that can be accessed quickly to respond to degrading levels of safety. This can include relocation, emergency accommodation and financial support for caring responsibilities and living costs;

- Proactively incorporate the protection and support of journalists and media workers in the state response and planning for specific and high-risk events or situations, such as protests, demonstrations, elections and other occasions journalists may be targeted specifically due to their profession;
- Require state entities, such as police officers to be adequately trained and supported when dealing with crimes and threats against journalists, including online harassment and abuse, to ensure they are equipped to deal with a wide range of threats. This should be offered on an evolving basis to reflect the changing media environment and emergent threats and risks;
- Acknowledge that journalists are often targeted due to their profession and so will require tailored and responsive support mechanisms, as well as a proactive response from the police and the Crown Prosecution Service to ensure those who threaten journalists and media workers face justice;
- Embed a human rights and gender-responsive approach - and frame all initiatives, training and project design on this to ensure the right to free expression is protected for all;
- Establish specialities and expertise within state bodies, such as the police, to be able to lead and coordinate action related to threats and investigation of crimes against journalists;
- Refer to resources such as the [Council of Europe](#) to build internal capacity and audit the UK's response to different threats against journalists to ensure good practice is followed and responses to changing situations are incorporated into all systems and initiatives.

For further collaboration and support on these and other connected issues related to protecting media freedom, please contact MFRR Coordinator, Nik Williams, based at the European Centre for Press and Media Freedom on nik.williams@ecpmf.eu or +49 341 200 403 18

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