

## **Resolutions adopted by the AM 2020**

**3 November, Online**

### On recovery plan for media during Covid-19 pandemic

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#### **1. On supporting a global news recovery**

*Tabled by NUJ (UK and Ireland)*

This Annual Meeting of the EFJ believes that the unprecedented global Covid-19 crisis has underlined the vital role of trustworthy, relevant journalism and impartial news in our societies and communities.

Yet at a time when accurate reliable information is more important than ever, news industries around the world are in crisis, under enormous strain, with title closures deepening existing news deserts, and widescale cuts and redundancies further diminishing grassroots journalistic roles and freelance opportunities.

This AM welcomes the launch by the IFJ of its Global Platform for Quality Journalism and its coordinating role in facilitating engagement between affiliates to push for a global recovery in journalism, and calls for the EFJ to further collaborate and ensure a strong European input into this battle for a reinvigorated industry.

In supporting this aim, this AM Congress calls on the EFJ steering committee to campaign for:

- i. tech giants to pay their way, after years of exploiting editorial content without paying for its creation, through a digital information levy or similar mechanism
- ii. governments to invest in public-interest news, through arms-length funding mechanisms, with no public funding to any company making redundancies, paying out dividends or resisting union recognition
- iii. tax breaks for news subscriptions, Jobs for Journalists, and targeted support for new media start-ups
- iv. media literacy campaigns to tackle disinformation and fake news
- v. greater plurality in the media and tighter ownership regulation
- vi. improved protections and support for freelancers and the self-employed

- vii. renewed support for public service broadcasting and its vital role in the broader media landscape

## **2. On the EU Recovery Plan for the Media Sector**

*Tabled by SNJ (France), FNSI (Italy), SJ (Portugal), FAPE and FESP (Spain)*

Two European Commissioners, Thierry Breton, in charge of the internal market, and Vera Jourova, in charge of values and transparency, have just announced that the European Commission is going to take a series of initiatives to, they say, "strengthen democracy, the rule of law and fundamental rights".

Their statement is based on the report "Media Pluralism Monitor 2020" and makes a worrying observation. It notes in particular that "the economic situation of the media is only one side of the coin".

They noted that information is more and more restricted and gives pride of place to the version of the power in place, that disinformation is spreading, that access to information is increasingly difficult for journalists, etc. They also noted that the media is not always in a position to provide information to the public.

The two commissioners announce a recovery plan for the media sector, respecting its independence.

- Considering that the concentration of the media knows no restraint despite the coronavirus crisis,
- Considering that pluralism has become a sham in many countries and that, everywhere, the main media fall under the control of oligarchs or powerful financial groups,
- Considering that media owners do not ensure the independence of editorial offices and that governments hinder the search for information
- Considering that media owners are taking advantage of the coronavirus crisis to reduce the number of journalists and multiply precarious jobs,

The EFJ Annual Meeting calls on the two commissioners to hear its demands for real quality journalism, ensuring full, verified and balanced information so that European citizens can form their own opinions.

The EFJ Annual Meeting calls on the two Commissioners to demand from the media eligible for their recovery plan commitments negotiated with the trade unions representing journalists and their global and continental organisations to respect editorial independence, to hire precarious journalists and to provide editorial offices with budgets that allow them to search for information.

### **3. On emergency measures for employment support**

*Tabled by NUJ (Ireland)*

This Annual Meeting of the European Federation of Journalists welcomes the urgent call by the European Trade Union Confederation (ETUC) to the Ministers of Finance and the Ministers of Employment of the European Union for a prolongation and extension of emergency measures for employment support across the EU, issued on October 27th 2020.

Given the scale of the crisis facing workers across Europe, AM shares the frustration of the ETUC, trade unions and TRADE labour confederations in Europe at the failure of EU member governments to reach agreement on the implementation of the ambitious plans agreed by the EU institutions.

The recent, second wave of infections has led to the re-introduction of restrictions on economic activity and the free movement of people.

The ETUC has warned that there is “a high risk that the tens of millions of workers who are suspended from work and benefitting from the various employment protection measures put in place by governments, will become unemployed if the gap between the emergency measures and the recovery plan payments is not bridged by appropriate support measures for workers and companies.”

DM notes the ETUC warning that these figures are conservative because of the extreme difficulty in getting reliable data on precarious, nonstandard and self-employed workers, many of whom are engaged in the most affected sectors including the media, arts, culture, entertainment, retail and tourism.

The difficulties faced by freelance journalists and those on fixed term or casual contracts in Ireland and the UK mirror the experiences of freelancers and casual workers across Europe and serve to underline the need for social protection for precarious and self-employed journalists.

This AM notes and welcomes the core demands of the ETUC:

- For all national and EU emergency measures - particularly those connected to employment protection and income compensation – to be continued until the full recovery of the economy and the stabilisation of jobs.
- For employment protection and income compensation measures to be extended to cover all categories of workers, including precarious, non-standard, and self-employed workers and fixed term and seasonal workers.
- For workers’ rights to be respected to enable workers to take part in shaping responsible restructuring processes and maintain employment.

This AM further notes:

This ETUC intervention is consistent with the call made by nine MEPs and eight media experts in support of the déclaration by 42 MEPs launched on April 21st for a better structuring of the assistance given to the media following the outbreak of the Covid-19.

The precarious position of the media across Europe poses a threat to democracy at a time when resourced, ethical journalism is needed to counter misinformation.

This AM calls on the Steering Committee to robustly campaign on these issues and work towards securing a re-balancing of national and EU media funding so that the protection of employment, and the rights of workers becomes the primary focus of activity, recognising that a vibrant, diverse public interest and quality journalism cannot flourish in conditions of poverty and uncertainty.

## On media freedom

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### **4. On Turkey**

*Tabled by DISK Basın-Is (Turkey) and TGS (Turkey)*

The EFJ Annual Meeting is deeply concerned that the crackdown in Turkey on journalists, as well as writers, artists and academics, continues unabated at an unprecedented rate since the beginning of political violence in July 2015.

EFJ AM notes the grim toll of journalists behind bars or in pretrial detentions, which so far has reached near 100 this year. Many more have fled the country and left in exile.

Among the most recent cases of press freedom violations are:

- Five TV channels (Halk TV, Haber Global, Meltem TV, Tele 1 and Fox TV), fined by broadcast watchdog RTÜK over remarks made in their programmes.
- Can Dündar, former editor in chief of Cumhuriyet newspaper now living in exile, threatened by the court at its 9<sup>th</sup> hearing retrial to be declared a fugitive and his assets confiscated;
- Press Advertisement Agency (BİK) has cut the public ads for daily newspapers Evrensel, BirGün and Cumhuriyet.
- Local courts banned Sendika.Org, yenisamgazetesi.com, siyasihaber.org and some others despite three Constitutional Court rulings in 2020 which said that blocking access to those mediums (Sendika.Org, siyasihaber.org) was a violation of freedom of expression.
- Dozens of journalists have been charged with doing terrorist propaganda or insulting President Tayyip Erdoğan and many of them were detained.

The EFJ AM regrets that despite the strong campaigns that have assembled tens of thousands for activists from political and civil society organisations, human rights NGOs, and labour unions, Turkey remains one of the world's biggest jailors of journalists.

Despite expressing concern from time to time, European governments, the EU and the Council of Europe have failed to take tough action such as sanctions, assets freeze or other punitive measures to force Erdogan to stop his crackdown on journalists, media and freedom of expression. Instead European institutions have maintained a "constructive" approach including trade and customs incentives, as well as the prospect of more money and benefits for continued cooperation on migrant flows.

The EFJ AM condemns the friendly visit by the President of the European Court of Human Rights (ECHR), Iceland's Robert Spano, to receive an honorary doctorate from Istanbul University, an institution that sacked over 200 teachers. He did not want to meet opposition figures, but was received for 45 minutes by Erdogan. With 10,000 cases of human rights abuses in Turkey submitted to the ECHR, the EFJ believes that Spano has forfeited his right to preside over these cases and must go.

The EFJ AM calls on all EFJ and IFJ affiliates to redouble their effort to re-energise the solidarity campaigns in support of journalists in Turkey, including political mobilisations, appeals to governments and politicians, visits to monitor trials, twinning and adoption of journalists in jail, etc.

The EFJ AM calls on the EFJ Steering Committee and the IFJ Executive Committee to work together to evaluate what's being done and draw up new plans in support of our affiliates in Turkey.

## On Authors' Rights

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### **5. On authors' rights, neighbouring rights and negotiations**

*Tabled by SNJ and CFDT-Journalistes (France)*

The GAFAs have become content providers by plundering the various media around the world, without paying the authors, mainly journalists. Publishers have been accommodating themselves to this situation for years, only reacting after seeing their advertising revenues fall in favour of the platforms.

Google has built its business model on this content capture and is now trying to escape prosecution in many countries (European Union, Australia, etc.) after passing directives and laws obliging it to negotiate the remuneration of content.

The European Parliament has voted to create a neighbouring right for publishers; France is the first country to have transposed the directive adopted on 24 July 2019.

Noting that Google is using every possible trick to dilute the negotiations, trying to negotiate with publishers alone, either by form of press or with media groups taken separately ;

Noting that Google is once again proposing to invest in a new product, Google News Showcase, based on the model of an agreement concluded in 2013 in France, in order to avoid copyright and related rights;

Noting that the negotiations are taking place in the most extreme opacity, without the presence of the organisations of the holders of authors' rights, namely journalists ;

Noting that the rights of journalists and their fair remuneration are never mentioned in the various statements made by Google and publishers;

The EFJ Annual Meeting, meeting on 3 November,

- Condemns the opacity of negotiations between publishers and platforms;
- Demands the participation of its organisations, national unions or representative associations in all countries in all current and future negotiations between publishers and platforms;
- Calls for the opening of tripartite negotiations (representatives of journalists, publishers and platforms) at European level, with observers from the European Parliament to examine the state of progress of all national negotiations;
- Reaffirms that journalists, as the sole owners of authors' rights to their works, should be remunerated up to 50% of the rights paid by the platforms.

## On Freelance journalists

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### **6. Equal rights for all journalists**

*Tabled by SNJ-CGT (France), FSC-CCOO (Spain), CJA (Croatia), TUCJ (Croatia)*

The pandemic crisis due to coronavirus in 2020 has revealed strengths and weaknesses of each country's work organization system.

As far as journalism is concerned, the crisis demonstrated that the most vulnerable situation was for independent freelance journalists, all those who do not have a fixed contract with a media outlet.

The corona crisis in Croatia already in the first weeks showed that freelancers lost more than 80% of their engagement at the very beginning. Many of them could not apply for state aid for the crisis. Unions and associations managed to agree on a crisis fund, but that is a short-term solution.

In other countries, such as Spain, freelance journalists do not have access to social security, as do all staffed workers.

Finally, in other countries, such as France, emergency aid is channeled through companies and does not reach all freelance journalists because, despite a law that avoids competition law, because not all companies comply with the law.

All journalists are important and necessary to create quality, diversified, pluralistic, creative, innovative information that reaches all kinds of populations in each country, all citizens.

All journalists must have proper working conditions, whether they are staff of a media outlet or freelancers.

We cannot accept that some journalists can be covered by the rights of all workers, including social rights, while for others the working conditions are disastrous.

Quality working conditions and social protection guarantee the independence of the journalist and, by the same way, the freedom of the press, which is fundamental in our democratic systems.

The European Federation of Journalists, gathered in its General Assembly, commits itself to work so that the legal framework of each country guarantees all journalists, staff and freelancers, equivalent rights, allowing them to negotiate collectively, to have social coverage and to be able to exercise journalism in freedom.

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## Statements

### 1. On the media situation in Belarus

*Statement tabled by the EFJ Steering Committee and the Belarusian Association of Journalists (Belarus)*

In Belarus, during and after the 9 August presidential elections, the media, journalists and bloggers were the target of increased repression. As a result, the situation went from serious to catastrophic.

While the Belarusian Association of Journalists (BAJ) recorded 23 violations of journalists' rights from the beginning of the year until 8 May, i.e. before the election campaign was launched, it registered about 400 such cases from 9 August to 1 November.

There were more than **318 detentions of journalists**, who were just doing their job, during this period. Approximately 1 in 3 detained journalists suffered violence while in custody.

BAJ recorded cases of torture after detention and damage or seizure of journalists' equipment. Many journalists were detained and sentenced to short prison terms and fines. Three journalists were injured by rubber bullets.

Other serious violations of freedom of speech related to the election campaign and protests occurred:

- the blocking of the Internet in Belarus in the first days after the elections and continued restrictions on mobile Internet during mass demonstrations;
- restrictions on access to news sites that independently cover the political situation, an implicit ban on printing and distributing four non-state newspapers;
- actions by the Ministry of Information to deprive Belarus' largest media portal TUT.by of its media status;
- the official characterisation of the popular Telegram channel NEXTA and its logo as extremist material;

- the denial of accreditation to foreign correspondents intending to cover the elections; the withdrawal of accreditation from all foreign media correspondents who previously had it;
- the criminal prosecution of bloggers.

The EFJ Annual Meeting, the EFJ Steering Committee and BAJ call on EFJ affiliates to support journalists in Belarus:

1. The AM calls on EFJ affiliates to call on their governments to adopt strong statements condemning the persecution of journalists, physical violence and repression of freedom of expression in Belarus;
2. The AM calls on EFJ affiliates to call on their governments to demand that the international organisations of which they are members - the European Union, the Council of Europe, the Organisation for Security and Cooperation in Europe, UNESCO and the United Nations - take concrete and urgent measures against the persecution of journalists and the continuing violations of freedom of expression and human rights in Belarus;
3. The AM calls on each national member organisation of the EFJ to write open letters to the government of Belarus calling for an end to the persecution of journalists in the country.
4. The AM calls on national organisations affiliated to the EFJ to continue to disseminate information on current events in Belarus in their countries and among their members.

## **2. On the right of journalists to report and inform on the work of the police force, as well as the right to identify police personnel**

*Statement tabled by SNJ-CGT (France)*

In France, the government wants to prohibit the dissemination of images of law enforcement officials on social networks, and to this end it intends to amend the 1881 law on freedom of the press.

Several members of the majority, including the former Minister of the Interior, Christophe Castaner, have tabled a bill on "global security" in France, which attracts our full attention.

In statements to the press and in a hearing at the National Assembly on Monday 2 November, the current Minister of the Interior, Gérald Darmanin, confirmed that this bill was being carried out in "perfect collaboration with the government" with the aim of "strengthening the police". The Minister stressed that he had promised "to no longer be able to broadcast images of police officers and gendarmes on social networks".

This bill provides for :

"45,000 fine for disseminating, by whatever means and on whatever medium, with the aim of damaging the physical or psychological integrity, the image of the face or any other element of identification of an official of the national police or a member of the national gendarmerie when he or she is acting as part of a police operation."

This amendment to the law of 29 July 1881 on the freedom of the press goes against all the provisions on press freedom in Europe and threatens to prevent journalists from simply doing their job.



The press freedom code for the police, drafted by the European Centre for Press and Media Freedom and supported by the European Federation of Journalists, states that :

"In the case of police assaults or threats against journalists, the person assaulted regularly fails to identify the assailants because the police often refrain from wearing identity plates. Combined with the low level of motivation on the part of police personnel to testify against their own colleagues, the fact that police in many countries cannot be identified hampers a thorough investigation of such incidents. National authorities must accept that journalists have the right to report and inform on police conduct. »

Therefore, the European Federation of Journalists, meeting in its General Assembly, calls on the French government and parliament to withdraw this draft amendment to one of the oldest press freedom laws in Europe;

to take into account the imperative need for a democracy worthy of the name to ensure that the action of its forces of law and order, for the safety of all citizens, respects the laws of the Republic, as well as the equally necessary need to allow all journalists to fully exercise the right to inform, which requires the observation and evaluation of the action of these forces of law and order, in order to avoid any impunity.

The right of citizens to be informed cannot be exempted from the possibility for journalists to film and broadcast the action of law enforcement agencies.