

## RESOLUTIONS & STATEMENTS

Adopted by EFJ Annual Meeting (AM)  
The Hague, The Netherlands  
11-12 May 2023

### ON MEDIA FREEDOM

#### 1. On media freedom in France

*Tabled by SNJ-CGT (France)*

The Annual Meeting of the European Federation of Journalists (EFJ), meeting in The Hague, The Netherlands, on 11-12 May 2023,

Despite the progress that was felt in 2022, the situation in France remains precarious and is deteriorating. In 2023, we counted at least 25 cases of obstruction of the press, with cases ranging from invective to arbitrary arrest and even assault of journalists.

Overall, the police and gendarmerie were the main factor in obstructing the press.

In particular, we noted a situation of arrest that seems completely outside the law, following the presence of UV visible paint, fired with special weapons by gendarmes. A Radio France journalist ended up in police custody for "participation in a group with a view to deliberate violence against people or damage to property".

Our colleague, who holds a press card, was in Sainte-Soline, where a demonstration was taking place against the construction of a megabasin on which he is making a long documentary.

Another journalist, clearly identified with the press, was attacked by a Brav-M team and strangled, while he was in the field covering a demonstration for his editorial office. In addition to this, there have been a large number of threats, verbal aggressions, and bans on access or on staying in the area.

Another important aspect to underline is the confiscation of PPE (personal protective equipment) which no longer allows the journalists concerned to do their work without being

endangered by tear gas or projectiles (confiscated helmets). A serious infringement of the right to inform in security.

The EFJ Annual Meeting **urges** the Steering Committee to give its full support to the French journalists and the unions representing them. The EFJ, which contributes greatly to the numerous reports of these cases on the Council of Europe's platform "for the protection of journalism and the safety of journalists", will continue to denounce these attacks on the freedom to inform and be informed at the European level and to act concretely with the European authorities to improve this situation.

## **2. On a growing threat to media freedom in Poland**

*Tabled by the Society of Journalists (Poland)*

The Annual Meeting of the European Federation of Journalists (EFJ) in the Hague, the Netherlands, on 11 – 12 May 2023

notes that on April 28, 2023 the head of the Polish electronic media regulator (The National Broadcasting Council – KRRiT) imposed a PLN 80,000 (Euro 18,000) fine on TOK FM, a news radio station, for broadcasting an interview in which a journalist said that a new school textbook approved by the authorities "at times read like a Hitlerjugend handbook". According to the head of KRRiT this statement amounted to 'hate speech' which is banned by law. The radio station denies the charge and plans to appeal against the fine in court. The publishers of the textbook have already removed criticized passages thus acknowledging that the criticism was justified.

Parliamentary elections are due this autumn in Poland and an accurate and impartial media is essential to enable voters to make an informed choice at the ballot box. The KRRiT should ensure that broadcasters, commercial and public, adhere to impartiality rules as laid down by Poland's media law.

The last parliamentary elections in 2019 saw the state owned media disregard these impartiality regulations to such an extent that OSCE international election observers concluded that, despite efforts by independent broadcasters to provide some balance, media coverage during the election was seriously tilted to favour the ruling party. In 2023 political news and current affairs broadcasts by the state owned media again overtly favour the ruling party and there is no sign that this will change during the election campaign.

At the same time the KRRiT seem intent on putting pressure on independent broadcasters to tone down their reporting deemed hostile to the ruling party by signaling through such fines that their broadcast license renewals which are due in the near future could be adversely affected. For TOK FM radio – renewal falls due at the time of 2023 parliamentary election and for TVN, a television station owned by Warner Brothers, in early 2024.

Therefore the annual EFJ meeting in The Hague instructs the EFJ Steering Committee to call on Poland's National Broadcasting Council:

- to revoke the TOK FM fine and to run the licensing process in an impartial and equitable manner, in accordance with the law;
- to work with Poland's State Election Commission (PKW) to ensure that the election coverage by the state owned and commercial media is impartial, fair and accurate thus ensuring a free and fair election.

## ON JOURNALISTS' SAFETY

### **3. On the intimidation and harassment of journalists by foreign regimes**

*Tabled by the NVJ (The Netherlands)*

The Annual Meeting of the European Federation of Journalists (EFJ), meeting in The Hague, The Netherlands, on 11-12 May 2023,

noting that the Dutch journalist and NVJ member Marije Vlaskamp has recently been victim of serious threats and intimidation by powers connected to the Chinese authorities.

Noting that threats were sent to the Dutch journalist over Telegram. Moreover, efforts were made to take over the digital identity of Marije Vlaskamp trying to associate her with an announced bomb attack in The Hague.

Noting that by these actions, the intimidators pushed pressure on her to retract an article critical of China (more information on the case can be found here: [How a Volkskrant-reporter became the target of Chinese intimidation](#))

Concerned that more journalists across Europe are confronted with similar kinds of cross border threats and intimidation from regimes that want to influence or block negative or critical publications about their country.

The EFJ AM calls on the EFJ Steering Committee to:

- raise awareness among its members to be (digitally) prepared against these kinds of intimidations and threats from foreign states;
- strongly condemn these forms of intimidation performed directly or indirectly by foreign states against independent journalists or their sources;
- support individual journalists, confronted with these kinds of threats.

### **4. On the effective protection of Kurdish journalists seeking asylum from deportation to Turkey, which endangers fundamental rights and life, and in this context dangerous Dublin deportations/repatriations**

*Tabled by impressum (Switzerland)*

The Annual Meeting of the European Federation of Journalists (EFJ), meeting in The Hague, The Netherlands, on 11-12 May 2023,

The AM thanks the EFJ General Secretariat and Steering Committee for the EFJ's long-standing diverse and effective actions to protect journalists in Turkey. Nevertheless, Turkey remains a dangerous place for journalists, especially those of Kurdish ethnicity, who are critical of the regime.

Current events show that the repatriation of asylum seekers to certain countries in the Dublin area also entails the risk of a refoulement that violates fundamental rights. This means that even this first repatriation must be regarded as a violation of the principle of non-refoulement under international law and thus as a serious violation of international justice and human

rights. Croatia, in particular, is on an escape route used by many refugees from Turkey, and many refugees are forced to leave their fingerprints by the Croatian authorities. As a result, other countries do not check the asylum applications of these refugees, in particular Kurdish journalists, but return them to Croatia relying on the Dublin Agreement. In Croatia, on the other hand, the danger of deportation to Turkey is considerable. This is because Croatia is known to actively and with great interest maintain good diplomatic relations with the Turkish regime. In addition, Turkish extradition requests have a particularly high probability of being complied with in Croatia. Expert opinions by specialized Croatian lawyers and other experts confirm these real and considerable dangers.

The EFJ AM urge the governments of the European states to make immediate use of the sovereignty clause in Art. 17.1 of the Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 and to accept the asylum applications of Turkish journalists themselves, especially if the alternative would be repatriation to Croatia. This is the only way in which these states can safely avoid violating the principle of non-refoulement and the only way to make sure that they avoid making themselves guilty of serious human rights violations. Such repatriations on the basis of the Dublin Convention must cease immediately.

The AM mandates the EFJ Steering Committee to actively defend this non-refoulement to third countries under the Dublin Convention in dangerous situations and to actively communicate the above resolution to governments. At present, the repatriation to Croatia is to be contested.

Ms. Perihan Kaya, Kurdish Journalist and refugee in Switzerland, has been physically and psychologically humiliated and treated inhumanely during her transit through Croatia and who is threatened with deportation to Croatia by the Swiss authorities: The delegates of the European countries at the EFJ annual meeting call on the Swiss asylum authorities and, if applicable, the authorities in charge of deportation to refrain from deporting or repatriating Perihan Kaya or to refuse to implement such decisions on humanitarian grounds. Anything else would put Switzerland and its authorities in real danger of violating the mandatory non-refoulement principle and thus be guilty of violating fundamental human rights. This is in deep contrast to the humanitarian principles that Switzerland has given itself.

## **5. On comprehensive insurance coverage for war journalists**

*Tabled by AVBB/AGJPB (Belgium)*

The Annual Meeting of the European Federation of Journalists (EFJ), meeting in The Hague, The Netherlands, on 11-12 May 2023,

Given that

- more than 12,000 Ukrainian and foreign journalists have been accredited to cover the war, according to Reporters Without Borders;
- the list of journalists who are victims getting longer by the day according to the Safety of Journalists Platform of the Council of Europe;
- on 9 May 2023, journalist Arman Soldin was killed in a shelling attack near Chasiv Yar in eastern Ukraine. The 32-year-old was working for the news agency Agence France Presse (AFP).

Whereas

- insurance coverage for war correspondents is alleged to be either too expensive and / or inadequate;

- an undefined number of journalists – and above all freelance journalists not working exclusively for 1 medium - work without insurance in the Ukraine;
- we all benefit from qualitative first-hand news;
- press freedom goes hand in hand with journalists' safety.

The EFJ AM instructs the EFJ Steering Committee:

- to facilitate and urge affiliates to collect data on the national situation. How many journalists per country have been accredited to cover the war in the Ukraine? Do they have insurance offered by which insurance company & who pays the insurance premium. What is covered by the insurance, what are the exclusions?
- to seek cooperation with international partners to lobby for a more comprehensive insurance deal.
- to map other helping lines apart from insurance companies. Funds, public money, ...

## **ON JOURNALISTS' WORKING CONDITIONS**

### **6. On the impact on journalists of the cost-of-living crisis**

*Tabled by NUJ (UK & Ireland)*

The Annual Meeting of the European Federation of Journalists (EFJ), meeting in The Hague, The Netherlands, on 11-12 May 2023,

Notes that across Europe inflation has become a significant issue for all workers. In March 2023, inflation in Turkey was still over 50 per cent, in Hungary and Latvia it was over 20 per cent, and in most of the Eurozone it was close to 10 per cent.

Notes that there are few reports of pay in the media satisfactorily keeping up with inflation. After many years when journalists' pay lagged slightly behind relatively low inflation (in many, but not all countries), the recent inflationary surge has left thousands of journalists short of money and struggling to keep up with the costs of everyday life, in a sector which has also endured severe job losses and cutbacks impacting staff and freelancers.

Notes that the cumulative degradation of journalists' pay makes it increasingly difficult for those who do not have other sources of income to work in the media. In turn this impacts on the diversity of voices to which readers, viewers and listeners are exposed.

Congratulates those groups of media workers who have taken a stand to protect their livelihoods, and focussed on pay as a recruiting and organising tool. In particular it notes the journalists working for Reach plc in the UK and Republic of Ireland who took strike action during the summer of 2022. More than 1,200 journalists joined the strike, the National Union of Journalists UK and Ireland recruited more than 400 new members, and the final settlement included pay rises ranging from 14 to 44 per cent across a range of specific roles and minimum rates.

Calls on the Steering Committee to actively promote the sharing of experience among affiliates of their fair-pay campaigning, and coordinate successful organising strategies in hybrid and remote working models as well as building solidarity amongst staff and freelancers to improve pay and conditions. This should particularly concentrate on the benefits to recruitment that fighting for decent pay brings, and building connections between unions where members in different countries work for the same companies.

### **7. On war in Europe and the fight for the right to report**

*Tabled by the FNSI (Italy)*

The Annual Meeting of the European Federation of Journalists (EFJ), meeting in The Hague, The Netherlands, on 11-12 May 2023,

Given that:

- in the many war scenarios, starting from the conflict in Ukraine, hundreds of journalists work to tell the horrors of the conflicts and to inform world public opinion;
- all journalists expose themselves to a risk in the war zones;
- the year 2022 was a dramatic one for press freedom and information workers, with 533 journalists in prison, 57 killed, 65 kidnapped and 49 missing;
- 8 journalists lost their lives in the conflict in Ukraine;
- over 500 journalists have been killed in the last 10 years and more than half of them have lost their lives in the conflict areas or tension;
- situations of extreme danger for journalists are also recorded, and perhaps to a greater extent, in countries where dictatorial and authoritarian regimes operate, where freedom of press and right to information are repressed.

Whereas:

- most frontline journalists are freelancers or independent journalists;
- the International Federation of Journalists (IFJ) has submitted to the UN a proposal for a Convention for safety of journalists and media workers in war zones.

The EFJ AM **instructs** the Steering Committee to support the action of the IFJ to quickly reach the approval of the aforementioned Convention, to support any other useful initiative to guarantee adequate protection for freelance or independent journalists who work in theaters of war or areas at high risk for their safety, and to identify economic concessions to allow coverage of the insurance costs necessary to work in areas where there are armed conflicts

## **ON EU POLICY**

### **8. On the draft European Media Freedom Act (EMFA)**

*Tabled by the Society of Journalists (Poland)*

The Annual Meeting of the European Federation of Journalists (EFJ), meeting in The Hague, The Netherlands, on 11-12 May 2023,

Welcoming the work on the draft European Media Freedom Act (EMFA) which is currently discussed in the European Parliament and the European Council.

Noting that a strengthened EMFA will greatly benefit the state of democracy in the European Union where media freedom is currently under threat in many member states.

Urging EFJ affiliated organisations to follow the work on this historic act and to prepare for the implementation of its recommendations which seek to bolster self regulation mechanisms in the media and strengthen the right of editors and journalists to resist pressure to violate professional standards.

Recognising the efforts of Vera Jourova, the European Commissioner for Values and Transparency and Thierry Breton, the European Commissioner for the Internal Market to draft and promote EMFA which by seeking to defend media freedom breaks new ground in the history of the European Union.

Extending its thanks to its Secretariat team ably led by Renate Schroeder, the EFJ director, which is defending the EMFA from its critics and arguing for a strengthening of the draft wherever its provisions fail to adequately defend media freedom in the EU.

Expressing its dismay at efforts by European publishers' organisations to weaken the EMFA and seeking to persuade the EU institutions to abandon an Act which promises to serve us all by creating a legal environment where media freedom will flourish in the interests of EU citizens and the cause of democracy.

Urging European publishers' organisations to rethink their stance and take into account that the democratic environment which EMFA seeks to foster will enable journalists to do their work in the public interest, as its goal is to free them of threats to media independence from authoritarian governments and unscrupulous business interests which is the case in several member states.

Noting that articles 4, 5 and 6 of EMFA are especially important for the cause of free journalism. These seek to commit EU member states to defend editorial freedom and limit the use of spyware and other surveillance techniques (art 4), to defend public service media editorial independence (Art. 5) and establish media ownership transparency mechanisms, strengthen the independence of editorial decisions and demand disclosure of potential conflicts of interest in the media (Art. 6).

The EFJ AM urges EFJ members and affiliates in the EU to lobby their national governments as well as national members of the European Parliament to defend and strengthen these crucial provisions.

The EFJ AM calls on EFJ members and affiliates in the new member states, where the threat to media freedom is most pronounced, to follow the EMFA drafting process and, wherever possible, to work together to strengthen the EFJ's voice whenever it is needed to defend free media from the enemies of democracy.

## **9. On the dissemination and impact of SLAPPs on the provision of independent information to the population**

*Tabled by impressum (Switzerland)*

The Annual Meeting of the European Federation of Journalists (EFJ), meeting in The Hague, The Netherlands, on 11-12 May 2023,

Recognising that the EFJ, and in particular the General Secretariat, warned already many years ago of the growth and dangers of abusive legal actions known by the acronym SLAPPs and undertook much appreciated actions to raise awareness of the phenomenon of SLAPPs and to coordinate action against them.

The AM is also aware that the EFJ itself, as well as various of its member organisations within their states, are using their lobbying resources to achieve better protection of journalists from SLAPPs. And the Assembly is aware that in the EU and certain of its member states, as well as in European states outside the EU, concrete legislation has been enacted or is under political discussion to limit SLAPPs.

However, the Assembly observes that there is only limited evidence that reliably and comprehensively demonstrates the negative impact on SLAPPs, which acts as an obstacle to national-level efforts against SLAPPs.

Therefore, the EFJ AM instructs the EFJ Steering Committee to work with EFJ members and universities or other educational institutions to develop a basis for describing and quantifying the negative impact of SLAPPs on society and specifically on the provision of independent, balanced and critical information to society. In particular, the indirect effects of SLAPPs should also be demonstrated, which result, for example, from self-censorship due to the fear of ruinous lawsuits. In parallel, and building on the results of these studies, the EFJ Steering Committee is encouraged to continue and strengthen its current efforts against SLAPPs and to promote within the possibilities of the EFJ the journalists' self-regulatory bodies such as Press Councils as a more effective alternative to lawsuits.

## **ON DISINFORMATION**

### **10. On addressing new disinformation challenges**

*Tabled by IMTUU (Ukraine)*

The Annual Meeting of the European Federation of Journalists (EFJ), meeting in The Hague, The Netherlands, on 11-12 May 2023,

Noting that disinformation distorts our perceptions of the world and is the greatest threat to free and independent journalism. The profession is also threatened by the involvement of journalists in information wars when, instead of seeking the truth, journalists resort to defending certain government actions or positions. The spread of disinformation has contributed to the return of the worst types of propaganda to the information space. Combined with modern information technologies and artificial intelligence, this propaganda is the most serious threat to humanity since the invention of weapons of mass destruction.

The EFJ AM instructs the EFJ Steering Committee to:

- Demand justice and campaign for international prosecutors to start action against Russian state propagandists, who bear moral responsibility for the war crimes committed in Ukraine, must also be punished legally. To this end, we call on the EU and the International Criminal Court to develop mechanisms and legal criteria to assess the level of responsibility of those responsible for inciting hatred and consequently killing people on both sides of the conflict, based on the decisions of the International Criminal Tribunal for Rwanda. The inevitability of punishment must become a reliable barrier.
- Note the need to join forces. Disregard for democratic principles leads to autocracy and bloody wars. Therefore, the EFJ states that it is necessary to unite the efforts of the professional community and develop a plan of effective measures to promote professional standards and counter disinformation threats that have received new technological opportunities to influence society.
- Call for compliance with standards. We call on all journalists to strictly adhere to high professional standards, and on governments and influential political forces to respect the rights of journalists and sincerely support freedom of speech around the world.
- The annual meeting of the EFJ calls on the governments of EU countries to step up efforts to release journalist Dmytro Hylyuk, public journalists in Crimea who is in a Russian prison.



## **ON AUTHORS' RIGHTS**

### **11. For the support of compensation of large internet platforms for the work of journalists for the benefit of journalists**

*Tabled by impressum (Switzerland)*

The Annual Meeting of the European Federation of Journalists (EFJ), meeting in The Hague, The Netherlands, on 11-12 May 2023,

Acknowledging the great efforts made by the EFJ as well as the Author's Rights Expert Group (AREG) to ensure that journalists receive a fair share of the profits generated by the use of journalistic content on major internet platforms.

The EFJ AM encourages the EFJ General Secretariat and the EFJ Steering Committee to continue and expand these efforts, both for members in EU countries and non-member states.

## **ON EFJ-IFJ COOPERATION**

### **12. On the need for unity among journalists' trades unions**

*Tabled by NUJ (UK & Ireland)*

The Annual Meeting of the European Federation of Journalists (EFJ), meeting in The Hague, The Netherlands, on 11-12 May 2023,

Believes that the foundational principle of all trades unionism is that unity is strength. Only by coming together and finding common cause can we effectively advance the interests of all workers.

Notes that on the 31st January 2023, the journalists' unions of Finland, Iceland, Norway and Denmark gave notice of their intention to leave the International Federation of Journalists. These decisions will become effective at the end of July 2023.

Notes that each of these unions gave as their reasons for leaving the continued IFJ membership of the Union of Russian Journalists and a number of different concerns that they perceived in the IFJ's governance.

Notes that since this date the Executive Committee of the IFJ has suspended the Union of Russian Journalists, the most severe sanction that its constitution allows.

Applauds the decision of the EFJ's Steering Committee to appoint a contact group to try and find common cause between the unions who announce their intention to leave IFJ and the IFJ's leadership.

Believes that the consolidation of this split can only damage journalists' trades unions and journalists in general.

Believes that among the leadership of the IFJ and the unions concerned there are many highly skilled negotiators, all of whom it implores to work without rest to find a means to heal this rift.

Calls on the Steering Committee to work with renewed intensity to resolve all outstanding issues and allow our movement to continue as one.

## **ON NATIONAL ISSUES**

### **13. On racism in the media and the silence that hangs over the editorial offices on this subject**

*Tabled by SNJ-CGT (France).*

The Annual Meeting of the European Federation of Journalists (EFJ), meeting in The Hague, The Netherlands, on 11-12 May 2023,

Noting that after launching a survey of journalists in France including its oversea territories in 2022, the SNJ-CGT has just published a report entitled: "Breaking the silence on racism in the newsrooms", in which it notes that the media environment is not spared from discrimination of all kinds and, in particular, racism.

According to this report, one journalist out of four declares to have been subjected to racist or stigmatizing comments or behaviors at work, in addition to a professional devaluation. Similarly, about 40% of the journalists surveyed have been victims of discrimination in general "rather widespread" at work. And, 47.1% of journalists say they have witnessed racism in their company.

Moreover, the SNJ-CGT notes that the victims' recourse to trade union forces is very low (24.4%). When the authorities are contacted, journalists find much more support outside the company (47.6%) than inside (17.7%).

In this report, the SNJ-CGT observes a systemic racism, an addition of discriminations (racism, sexism, unionism, linked to age, to being a mother or a single mother, etc.), a weak support from the hierarchy when the latter is not responsible, and a change in the situation, after reporting, evaluated at only 22.6%. Similarly, the "positive discrimination" strategies sometimes used in France may not be well received by many victims of racism who see themselves as a quota of racialized journalists in the editorial staff.

The investigation report also points out a real suffering at work among the victimized journalists who are often precarious, and a feeling of uselessness on the part of the colleagues who witnessed it, and this, despite a charter against racism and discrimination, present in many media, but which has not been signed in 96.4% of the cases.

This is why and from these alarming results, the SNJ-CGT invites all the European organizations to co-construct a real fight against racism which remains a scourge in the media in France and in Europe.

The AM condemns and deplores the systemic racism in the French media.

The European Federation of Journalists commits to work within its Gender and diversity expert group (Gendeg) to share good practices such as: training of elected officials and consistent union work in this field, support for newsrooms, a listening space for victims, the creation of tools to eradicate this scourge, or the systematic publication of job advertisements for journalists in order to give a chance to all candidates.

The AM **instructs** the Steering Committee:

- to call on its affiliates to take up these issues, to strongly condemn cases of racism in the media and to ask for consequent sanctions when necessary;
- to demand that state authorities in charge of media moderation and regulation, such as Arcom in France, take into account this crime and systematically denounce it.
- to support its affiliates' lobbying of human rights commissions on this issue.

#### **14. On local press correspondents in France**

*Tabled by SNJ-CGT & CFDT-Journalistes (France)*

The Annual Meeting of the European Federation of Journalists (EFJ), meeting in The Hague, The Netherlands, on 11-12 May 2023,

Noting that in France, local press correspondents (CLPs) have been a cheap source of labor for the weekly and daily regional press for the past thirty years.

These 30,000 little hands - almost as many as the number of journalists with a press card - are normally responsible only for "gathering all local information", according to law no. 87-39 of 27 January 1987.

This status has been abused for a long time, in fact a whole part of them, more and more numerous, is now doing journalistic work (investigations, portraits, photos, videos, etc.). The status of CLP is thus misused by the media employers, when the latter expect in return a work of local journalists.

In the local and regional press, daily and weekly, they are five times more numerous than professional local journalists.

CLPs fill up to 70 percent of some local newspapers. Their work is also essential to local democracy. But their working conditions and lack of social protection do not guarantee the independence necessary for a free press.

The law gives them the status of independent workers. However, they are exempt from social security contributions and work, most often, for a single press title. A major difference with the holders of the identity card of the professional journalists with whom they work; they

are not paid as employees, but as providers. Thus, they do not have the right to negotiate collectively either, while the rates are imposed by the media they work for.

According to a survey conducted by the National Collective of Local Press Correspondents (CNCLP), an association created in 2021, CLPs are paid an average of €4.76 per hour, between €5 and €15 gross per sheet, €2 to €4 per photo.

In a joint statement, the SNJ-CGT, the CFDT and the CNCLP affirm that "the coexistence of the status of local press correspondents, paid in fees as independent workers without social protection and without rights, and that of journalists is no longer tenable. It is time for these regional press workers to be paid on a freelance basis, hired on fixed-term contracts or as permanent employees. Everyone must have access to a dignified salary, social rights, training and representation in companies and at national level.

The EFJ AM instructs the Steering Committee to support the local correspondents, the CNCLP and the unions that support them.

The EFJ AM denounces the situation of the French CLP and considers that this false self-employed status should be stopped and that the presumption of salaried status that exists in France for all journalists should be respected, which also allows social protection and collective bargaining.

The EFJ AM calls on French and European parliamentarians to act and put an end to the use of this iniquitous status. In France, the law no. 87-39 of January 27, 1987 must be repealed, the Cressard law must apply to all those who work as journalists and the salary system must apply to all those who work in a subordinate capacity. Their rights as authors must also be respected, the use of their works must be remunerated and they must also receive a fair share of the neighboring rights collected by the press companies for the exploitation of their work.

## **15. Motion of support for the journalists on strike at Groupe Moniteur / Infopro Digital**

*Tabled by SNJ-CGT (France)*

Groupe Moniteur is a specialized press company for professionals in the construction, architecture, energy and local government sectors. It has about 350 employees, including about 100 journalists, and employs nearly 200 freelance journalists on a yearly basis.

For nearly three weeks, half of the editorial staff of "La Gazette des communes", one of the flagship titles of Groupe Moniteur, has been on strike. More than twenty journalists paid by the article have refused to hand in their work since April 24. The main reason given is that Infopro Digital's management has unilaterally decided to give a 0% increase in freelance rates in 2023.

While France is facing, like other European countries, a significant inflation, and despite the repeated requests of the French government urging all companies that can to implement wage increases, the company's management decided to give minimal increases -below the national average- to a part of the full-time workers and nothing to the journalists paid by piecework, the most precarious.

Yet, as every year, the company is making juicy profits, especially from subscriptions, trade shows, webinars and other paid services provided to local authorities. Profits amount to more than 30% per year and the title La Gazette des communes has won national circulation awards for three consecutive years.

In spite of this, the management of Infopro Digital, which has already distinguished itself by its brutal negotiation methods, has been condemned several times by the courts and has little regard for the health of its employees, has decided not to give any increase in income to some of its main employees, thus provoking one of the longest strikes in the history of the title, which was created in 1934.

The Annual Meeting of the European Federation of Journalists, meeting in The Hague on May 11 and 12, 2023, gives its full support to the striking journalists and to all employees of Groupe Moniteur and all employees of Infopro Digital's subsidiaries who demonstrated to obtain better working conditions, as well as to all trade unions mobilized to defend these employees.

The EFJ AM calls on the Steering Committee to address the board of the company, as well as the competent authorities in order to :

- Stress that any company must respect the laws and the rights of employees, in particular the right to collective bargaining, fair and in good faith.
- To ask the Publisher to remunerate authors' rights, without impinging on a fair and equitable sharing of reprography and digital reproduction rights, and to open a negotiation in this sense as requested by an administrative commission of the Ministry of Culture in November 2022.
- Remind the major shareholder, the Towerbrook investment fund, that it must enforce its own responsible ownership statement, which states, among other things, that they "assist their portfolio companies in developing best practices in working conditions, including the health, safety and welfare of their employees, their compensation structures, and their compensation practices. »
- Reaffirm that, in accordance with French law, freelance journalists must be systematically included in the mandatory annual negotiations, and that it is intolerable that they are forced to mobilize every year to be taken into account.
- To bring all our solidarity and support to the journalists and workers of this company, because their struggle to defend their rights concerns all employees and all journalists, in France and in Europe.

## **16. On presumption of innocence in Italy**

*Tabled by FNSI (Italy)*

The Annual Meeting of the European Federation of Journalists (EFJ), meeting in The Hague, The Netherlands, on 11-12 May 2023,

Given that:

- with the legislative decree n. 188 of 2021, entered into force in Italy, the Italian legislator transposed the European directive aimed to introduce certain provisions to strengthen the presumption of innocence;

Whereas:

- in Italy this European directive, dated 2016, had not been transposed during the 17th legislature, because the Government in office at that time had considered national law to be comply with the European legislation, also because in the Italian legal system already existed provisions defense of the presumption of innocence of the defendant, primarily in the article 27 of the Constitution;
- in Italy the legal principle of protection of people accused is protected and guaranteed by the Italian Constitution, by the fundamental negotiations of the European Union, by the judgments of the ECHR and by the Universal Declaration of Human Rights;
- compliance with the principle of the presumption of innocence is included by the Charter of Duties of Italian journalists and it constitutes an obligation for all those who provide information;

Considered that:

- the Italian government has implemented the directive 2016/343/EU and it has reformed it, in pejus, the relationship between the media and the justice bodies. Italy, in fact, is the only European country in which the transposition of the mentioned European directive has exclusively regulated relations between judiciary and press. Following the entry into force of the law, the justice bodies and the police forces no longer provide press with information and news, even when these do not concern criminal investigations;
- this situation causes a serious and unacceptable harm to the right of journalists to inform and to citizens to be informed, even if is guaranteed by the Italian Constitution and by the European Convention on Human Rights, as well as by the founding Treaties of the European Union;

The EFJ AM instructs the EFJ Steering Committee:

- to support FNSI with actions to oppose to any attempt to limit the right of information, to protect freedom of expression and press freedom;
- to intervene with the European Commission in order to promote any initiative, not excluding the request for activation of the infringement procedure against the Italian Government, already made by the Fnsi, in order to sanction excessive delegation and to remove, from the legislative provision on the presumption of innocence, as it is formulated, any obstacle that prevents journalists from doing their job and citizens from knowing facts of public interest.

## **17. For the correct transposition and compliance with Directive 790/2019 in Spain**

### *a. Tabled by FSC-CCOO and FESMC-UGT (Spain)*

The Annual Meeting of the European Federation of Journalists, held in The Hague on 11 and 12 May,

After the blockage in the processing of the project for the transposition into Spanish law of Directive 790/2019, whose amendment period was opened in December 2021 and is extended week by week to prevent its processing and to prevent the correction of the errors of interpretation made by the Government when transposing the regulation by means of a royal decree in which neither authors, writers nor journalists were heard.

And after learning less than a week ago that the intention is for the bill to lapse with the legislature at the end of the year, making final a transposition of Directive 790/2019 that neither respects fair remuneration for authors nor provides mechanisms to ensure that the 'transparency triangle' is met.

EFJ AM urges the Spanish Government, and more specifically its Ministry of Culture, to unblock the processing of the draft law on authors' rights for journalists and compliance with the transparency triangle, which allows companies and authors to know the income generated by their work in the digital single market in order to be able to claim a 'fair share' of this income, as established by European legislation.

### **18. For the unblocking of the regulation on professional secrecy in Spain.**

*Tabled by FSC-CCOO and FESMC-UGT (Spain)*

The Annual Meeting of the European Federation of Journalists, held in The Hague on 11 and 12 May:

In view of the blockage of the regulation on professional secrecy, agreed with all EFJ member journalists' organisations in Spain, FSC-CCOO, FESP-UGT, FeSP and FAPE, which has been awaiting processing in the Congress of Deputies since last December 2022,

And after the meeting held between Government technicians and Spanish journalists' organisations last Friday, 5 May, to try to unblock the implementation of the Professional Secrecy Act, transforming the addendum to the transposition of the Whistleblowers Directive into a bill of the Socialist Parliamentary Group so that it can enter into force before the end of the current legislature,

The Annual Meeting of the European Federation of Journalists, meeting in The Hague on 11 and 12 May, taking into account the importance for the protection of journalists in any country to have a strong regulation on the protection of sources and professional secrecy,

AM urges the Steering Committee to send a letter to all the presidents of the parliamentary groups in the Spanish Congress to ask them to facilitate and support the passage of this law, which has generated so much consensus and which has been pending regulation for almost 45 years, despite being a fundamental right enshrined in the Spanish Constitution of 1978.

## STATEMENTS

### **1. In support of the 'Miércoles Negros' for the unblocking of the State Agreement of Daily Press and the salary increase for the staff of the big newspapers**

*Tabled by FSC-CCOO and FESMC-UGT (Spain)*

The Annual Meeting of the European Federation of Journalists, meeting in The Hague on 11 and 12 May, shows its deepest solidarity with the thousands of information professionals who work in the daily press companies in Spain, and supports the 'Black Wednesday' campaign that workers in the sector have undertaken in the face of the companies' unwillingness to unblock the agreements of the major newspapers and the general Daily Press, despite the fact that the sector has had its wages frozen for more than a decade, when it has not reduced them.

The Annual Meeting of the European Federation of Journalists deplores the precariousness of employment to which the large Spanish media groups have subjected their staff since 2008, with salaries that generate poor workers, since in many national, regional and provincial newspapers, salaries are precarious and, in some cases, have already fallen below the recently approved Minimum Interprofessional Wage (SMI), set at 1.080 euros gross, and are also understaffed, resulting in starving newsrooms with marathon working hours.

The European Federation of Journalists shows its unconditional support to the media workers in the mobilisations that, since 18 April, have been taking place every Wednesday, under the name 'Black Wednesdays'. They aim to make visible and denounce the job insecurity that the sector has been enduring in the face of the closed-mindedness and immobility of the employers, the Association of Media Information (AMI), and the large business groups such as Vocento, Prisa and Unidad Editorial, responsible for headlines as significant as ABC, El Mundo and El País.

### **2. In support of the new day of strike of the workers of the Galician Radio and Television Corporation, under the slogan "No more abuses"; to the 260 'Black Friday' of the Galician public radio and television, and to the struggle for a truthful, plural and quality public media**

*Tabled by FSC-CCOO and FESMC-UGT (Spain)*

The Annual Meeting of the European Federation of Journalists, meeting in The Hague on 11 and 12 May, expresses its deepest solidarity with the new day of strike called precisely this Friday, 12 May, categorically calling for an end to labour abuses in the company. It is in line with the protests that for more than four years, 260 weeks, have been carried out by the professionals of Radio Televisión de Galicia (RTVG) in defence of the Galician public media.

It demands respect for the principles that have inspired the programming of the Corporation since the birth of the autonomous broadcasting body 38 years ago. These include respect for freedom of expression, objectivity, truthfulness and impartiality of information and



political, social and cultural pluralism; the separation between information and opinion, and the promotion and dissemination of Galician culture and language. This public service mission is set out in Law 9/1984, which states the obligation to serve the widest possible audience, offering quality and maximum geographical, cultural and social coverage.

The EFJ Annual Meeting reminds the Government of the Autonomous Community of Galicia that public radio and television should be the guarantor of the right to information enshrined in the Spanish Constitution, as a fundamental and universal right, and urges it to comply with the Media Law passed in 2011 by the Galician Parliament and to stop retaliating against the workers of the corporation who are only defending a quality public radio and television.

Defending public media from manipulation and from the dismantling and cuts they are suffering across Europe is one of the EFJ's main concerns, which is why we support, endorse and want to join today here in The Hague the strike on 12 May calling for "NO MORE ABUSE" and the 260 'Black Friday' in defense of CRTVG.

### **3. Free Julian Assange**

*Tabled by SINOS (Serbia)*

The Annual Meeting of the European Federation of Journalists, meeting in The Hague on 11 and 12 May, joins the International Federation of Journalists (IFJ) in calling on the US government to drop all charges against Julian Assange and allow him to return home to his wife and children.

We are gravely concerned about the impact of Assange's continued detention on media freedom and the rights of all journalists globally. We urge European governments to actively work to secure Julian Assange's release.

### **4. In support to end the impunity of crimes against journalists and targeting of journalists in Serbia**

*Tabled by NUNS, UNS and GS KUM Nezavisnost, SINOS (Serbia)*

Although the Republic of Serbia has undertaken some concrete steps, safety of the journalists has not improved, numerous attacks and threats on journalists are recorded continuously, and the existing protection mechanisms have not proven to be sufficiently effective and adequate.

The most important and effective mechanism was developed within the multisectoral Standing Working Group for Journalists' Safety, with a developed system of contact points for fast reporting and monitoring incidents against journalists, monitoring the procedures that have been initiated and reacting in case of irregularities.

Independent journalists and media are exposed to various types of pressures, targeting and smear campaigns from public officials and pro-government media, which often leads to harassment and serious threats by ordinary citizens, primarily through social networks.

The Independent Journalists' Association of Serbia (IJAS) and Journalists Association of Serbia (JAS) recorded around 140 cases of attacks and pressures in 2022. In 2023 IJAS recorded 57 cases of attacks and pressures (11 verbal attacks, 6 physical attacks and 40 pressures).

According to the records of the Republic Public Prosecutor's Office, in 2022, 81 criminal reports were submitted to the public prosecutor's offices. In 26 cases a decision was made to dismiss the criminal complaint or an official note was issued stating that there is no basis for initiating criminal proceedings. In 5 cases a guilty verdict was handed down, and in one case, the verdict was acquittal. Also, 6 cases are ongoing before the court. In 5 cases the perpetrators are unknown, and 40 cases are at some stage of proceedings before the prosecution.

Until the end of March 2023, Republic Public Prosecutor's Office recorded 14 new cases, out of which in 4 cases a decision was made to dismiss the criminal complaint or an official note was issued stating that there is no basis for initiating criminal proceedings, 10 cases are still in pre investigative procedure.

Finally, there are still no judicial epilogues in the cases of murder of journalists Milan Pantić, Dada Vujasinović and Slavko Ćuruvija. Despite the ten-year work of the Commission for Investigating Murders of Journalists and two first-instance verdicts of 100 years for the head of the secret police at the time in the case of the murder of Slavko Ćuruvija, the journalistic community is worried because of all the circumstances we live in.

This verdict should end the chain of impunity and justice should finally be served. If this does not happen, every hope for professional healthy journalism in Serbia will be killed.

In the case of journalist Milan Jovanović, whose house was devastated in an arson attack in 2018, trial has also not been completed. Conviction was handed down at first instance court for now.

The number of SLAPPs has been on the rise in the past couple of years. According to the Independent Journalists' Association of Serbia data, in 2021 and 2022 there have been 40 lawsuits that can be characterized as SLAPPs.

The analysis of recorded cases shows that the target of SLAPPs are investigative media outlets and media that report critically about the work of public officials, businessmen, crime etc. The media are being exhausted by a large number of legal claims and the amounts requested as compensation, as well as by evidently unfounded claims.

Mainly, the claimants are public officials, politicians, businessmen, and companies.

The European Federation of Journalists meeting in its general assembly on May 11 and 12 in Hague calls on:

- Serbian judiciary to conduct prompt, impartial, thorough and effective investigations into all cases of murders, attacks, harassment and intimidation against journalists offline and online, ensuring no impunity for perpetrators;
- High representatives of the executive power, members of National Assembly and other state or local officials to stop with targeting and using of abusive narrative and thus provoking the smear campaigns against investigative and independent journalists and media;
- Decision makers to take all necessary measures so that the legal framework foresees the additional necessary safeguards to deal with obviously unfounded or abusive court proceedings against public participation;
- Judiciary to provide additional training for judges in order to build their knowledge and capacities in detecting and dealing with manifestly unfounded or abusive court proceedings against public participation.

## 5. **AFP double status: double injustice**

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

First of all, we want to congratulate our Turkish colleagues from Istanbul and Ankara AFP local offices for their successful 9 days strike leading to enthusiastic and concrete results: 65% rising pay and other results show how united unions struggle can challenge and make change with inequality in our profession. BRAVO.

But the mobilization of colleagues in Turkey is a tree hiding the forest of inequalities : for decades, employees of AFP local offices have had fewer rights, fewer votes, fewer recourse, because of the local labor law of each country where the office is registered.

Agency staff with local or regional status are often confronted with crisis situations and very difficult working conditions, but scattered in local offices around the world, they have little contact with representatives of the staff in France.

Under local contract, AFP employees do not depend on French law, they often have much lower salaries, fewer days off and less working health rules (in particular the limitation of night work).

These inequalities between contracts under French law and contracts with local status are not justified : those journalists have a very high level of education, and their professional skills and expérences are comparable to their colleagues under French law.

The most precarious are often those precious reporters on the frontline, as the death of our young colleague Arman Soldin killed this week in Ukraine reminds us. Without those frontline reporters, no AFP, no international news in many French media.

According to AFP management, 1,139 people are currently employed under local contracts worldwide and 1,229 under headquarters contracts. The diversity of situations depending on the country makes global mobilization complicated.

But it is essential that the agency begins to treat all its employees around the world with equality.

We conclude with a specific thought for Arman Soldin and his family. Arman was killed this week in Ukraine, he was 32 years old and was working as video coordinator for the AFP agency.