DEMOCRACY AT RISK: THREATS AND ATTACKS AGAINST MEDIA FREEDOM IN EUROPE

Annual Report
by the Partner Organisations
to the Council of Europe Platform
to Promote the Protection of Journalism
and Safety of Journalists

2019

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Introduction

Press freedom in Europe is more fragile now than at any time since the end of the Cold War. Journalists increasingly face obstruction, hostility and violence as they investigate and report on behalf of the public. Urgent actions backed by a determined show of political will by Council of Europe member states are now required to improve the dire conditions for media freedom and to provide reliable protections for journalists in law and practice.

▬▬ The 2019 Annual Report by the partner organisations of the Council of Europe's Platform for the Protection of Journalism and Safety of Journalists provides a clear picture of the worsening environment for the media across Europe, and its underlying causes[1].

▬▬ The 12 partners, including journalists' and media organisations as well as freedom of expression advocacy groups, reported 140 serious violations in 32 Council of Europe member states to the Platform in 2018. The Platform was launched in April 2015 to provide information which may serve as a basis for dialogue with member states about possible protective or remedial action.

▬▬ The Annual Report paints a disturbing picture. Impunity routinely protects those responsible for violent crimes who deliberately target journalists for their work. Legal protections have been progressively weakened and denied. The space for the press to hold government authorities and the powerful to account has been diminished.

▬▬ In addition to providing an overview of the urgent threats to media freedom identified in 2018, the Annual Report also takes an in-depth look at particular issues or country contexts that individual partner organisations have identified as especially salient during the past year. These include the situation

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1. This report represents a joint effort by the 12 partner organisations to the Platform to raise awareness about key developments related to press freedom in the Council of Europe region highlighted by the alerts. Different sections have been contributed by different organisations. Each Partner Organisation reserves the right to make its own assessment of any particular issues or case, including those that are referenced in this text.

in Turkey, which remains the world's biggest jailer of journalists; the Russian Federation, where state actions and policies continue to severely restrict the space for free expression; Italy, the state which saw the sharpest increase in the number of media freedom alerts reported in 2018; and Hungary, in the light of the very high concentration of media in the hands of pro-government oligarchs. The report also assesses disturbing new trends, including impunity for journalists' murders inside the European Union (EU) as well as elsewhere; attacks on freelance journalists; and efforts to undermine the independence of public service media, including in countries once considered "safe harbours" for such media.

▬▬ In the spirit of cooperation of the 2015 Memorandum of Understanding signed by the partner organisations and the Council of Europe, we call on member states to urgently take account of the findings and recommendations presented here. We ask them urgently to take all measures necessary to create a favourable environment for free and independent media and to end the many acts of violence, harassment and intimidation which journalists face as a daily reality in some member states.

Significant features of the assault on press freedom in the Council of Europe region

Ján Kuciak and Jamal Khashoggi were killed in retaliation for their work.

The number of attacks on journalists' physical safety and integrity is growing.

▶ At least two journalists were killed in 2018 in relation to their journalistic work: Ján Kuciak in Slovakia[2], and Jamal Khashoggi (after entering the Saudi Arabian consulate) in Turkey[3]. In the deaths of two other journalists, Viktoria Marinova in Bulgaria[4] and Maksim Borodin in the Russian Federation[5], questions and concerns have been raised over the thoroughness of the respective police investigations or around the circumstances which led to the murder.

▶ Overall, 35 alerts regarding attacks on journalists' physical safety and integrity were posted on the Platform in 2018, confirming an upward trend in the number of attacks. Of these, 29 are classified as "level 1", which covers the most severe and damaging violations to media freedom. In addition to the killings noted above, the alerts include the

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2. Platform alert, "Slovak Investigative Journalist Killed at Home", posted 26 February 2018, replied 27 February, 12 March and 1 October 2018.
3. Platform alert, "Saudi Journalist Disappears During Visit to Saudi Consulate in Turkey", posted 5 October 2018.
4. Platform alert, "Bulgarian Journalist Viktoria Marinova Killed", posted 7 October 2018, replied 25 October 2018.
5. Platform alert, "Russian Journalist Dies under Suspicious Circumstances", posted 24 April 2018.

detonation of a car bomb in front of a journalist's home[6]; a knife attack on a journalist in front of his apartment door[7]; an arson attack against the headquarters of an investigative news website[8]; and the ramming of a van into a building housing a major national newspaper[9].

The number of recorded threats, including death threats, doubled in 2018.

▶ The number of alerts about serious threats to journalists' lives has sharply increased, almost doubling on an annual basis, since the launch of the Platform in 2015. Notably, 2018 saw a clear trend towards verbal abuse and public stigmatisation of the media and individual journalists in many member states, including by elected officials and especially in the run-up to elections. Such actions, which are frequently propagated over social media, brand media workers as potential targets, in some instances triggering hostility, hate and violent actions against them[10]. This is unacceptable and must be vigorously condemned. Worryingly, the Platform alerts highlight cases where authorities have failed to adequately respond to journalists' complaints[11]. Examples of verbal abuse by political leaders in 2018 include voicing regret that journalists were not yet "an extinct species"[12], publishing lists of journalists who dared to be critical of the government and describing them as "traitors"[13], and making threats to reduce sources of public funding to the press on the ground that it "pollutes public debate …with public money"[14].

6.   Platform alert, "Montenegrin Journalist Targeted in Car Bombing", posted 5 April 2018, replied 28 August 2018, resolved 6 December 2018.
7.   Platform alert, "Journalist Enrico Nascimbeni Attacked with a Knife in Milan", posted 6 August 2018.
8.   Platform alert, "Arson Attack on News Website in Northwestern Ukraine", posted 5 March 2018, replied 2 May 2018.
9.   Platform alert, "Dutch Biggest Daily De Telegraaf Attacked in Latest Incident Involving Media", posted 27 June 2018, replied 14 November 2018.
10.   Platform alert, "Journalists Attacked by Far-right Radicals", posted 30 November 2018; Platform alert, "Threats against Slovenian Journalists", posted 11 June 2018, replied 9 October 2018; Platform alert, "Turkish Far Right Leader Threatens 80 Journalists, Pollsters and Academics", posted 27 June 2018; Platform alert, "BHRT News Team Attacked by a Group of Fifteen Persons in Konjic", posted 24 August 2018.
11.   Platform alert, "Police Failure to Respond to the Serious Threats a Journalist Received Online", posted 25 June 2018.
12.   Platform alert, "Czech President Expresses Regret that Journalists not yet Extinct Species", posted 7 September 2018.
13.   Platform alert, "Serbian Weekly Describes Independent Media as "Traitors"", posted 19 November 2018
14.   Platform alert, "Minister Di Maio Threatens to Reduce Indirect Public Funding to the Press", posted 18 September 2018.

Impunity – the lack of proper police and judicial follow-up to crimes against journalists – has been allowed to become a "new normal".

► The Platform details 17 long-standing cases of impunity for the murder of journalists – a disturbing indication of how state authorities often fail to fulfil their strict obligation under Article 10 (freedom of expression) of the European Convention of Human Rights to conduct prompt and effective investigations and bring those responsible to justice. To highlight this deplorable lack of progress, the Platform launched a special page on impunity for murder cases.

► Three new alerts[15] were submitted in 2018 on impunity for serious crimes against journalists. None of the previous alerts relating to impunity for murdered journalists have seen significant progress.

► The Platform provides ample evidence of failings, unexplained delays and omissions in domestic investigations which point to a lack of political will by member states to bring the perpetrators and masterminds of these crimes to justice. They also reveal failings related to inadequate legal frameworks, a lack of judicial independence or capacity, and negligence or corruption.

At the end of 2018, the Platform recorded 130 journalists in detention in the member states of the Council of Europe.

Journalists continue to be arbitrarily and unjustly detained or jailed.

► As of 31 December 2018, the Platform recorded 130 cases of journalists in detention. This figure includes 110 journalists jailed in Turkey, 11 in Azerbaijan, five in the Russian Federation and four in Ukraine.

► In 2018 several alerts concerned alleged abuse of the Interpol "Red Notice" system by some member states[16] to pursue journalists who had

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15. Platform alert, "Impunity for a Series of Killings, Kidnapping and Disappearances of Serbian and Albanian Journalists in 1998-2005", posted 10 August 2018; Platform alert, "Impunity in the Case of the Murder of Dusko Jovanovic", posted 28 May 2018; Platform alert, "Impunity for Police Officers who Attacked Journalists", posted 19 March 2018.

16. Platform alert, "Turkish Journalist Kamil Demirkaya Detained in Romania", posted 6 December 2018, replied 20 December 2018, resolved 7 January 2019; Platform alert, "Israeli-Russian Blogger Aleksandr Lapshin to be Tried in Azerbaijan", posted 7 March 2017.

moved abroad to avoid domestic repression and the threat of arbitrary imprisonment.

Repressive legislation is seriously eroding media freedom.

► Ten new alerts on problematic legislative or administrative measures were reported in eight member states in 2018[17]. They include the closure or banning of media outlets by decree[18]; new legislation allowing the blocking of Internet sites on national security grounds without independent oversight[19]; rules requiring foreign-funded media outlets to register as "foreign agents"[20]; a bill that would criminalise the viewing of certain online content and publishing certain pictures or video clips; and measures that potentially criminalise the legitimate work of journalists reporting on terrorism issues[21].

States seek to block Internet sites and social media platforms.

► In 2018, the Platform recorded three alerts in two member states concerning unnecessary or disproportionate control of online communications and access to information[22]. Although this figure remained stable in comparison to previous years[23], the implications of the acts highlighted by the alerts are significant. The Russian authorities, for example[24], restricted access to the *Telegram* messaging app as well as to a large number of news portals, causing massive temporary Internet disruption. Almost 20 million Internet protocol addresses were temporarily blocked, including at least six media outlets. Notably, none of the alerts

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17. Ukraine, Turkey, "The former Yugoslav Republic of Macedonia", France, Russian Federation, Poland, United Kingdom and Lithuania.
18. Platform alert, "Three Newspapers and one TV Station Closed by Decree-law", posted 9 July 2018; Platform alert, "Russian Media Organisations Banned for Three Years in Ukraine", posted 25 May 2018, replied 31 July 2018.
19. Platform alert, "Draft Bill to Allow Blocking of Internet Sites without a Court Order", posted 6 July 2018.
20. Platform alert, "Duma Committee Approves Legislation to Label Individual Journalists 'Foreign Agents'", posted 4 July 2018.
21. Platform alert, "Media Freedom Advocates Raise Alarm over UK Counter-terror Bill", posted 25 September 2018, replied 3 December 2018.
22. Platform alert, "Ukraine: New Draft Bill Risks Interfering with the Editorial Policy of the Public Service Media", posted 7 February 2018, replied 6 June 2018, resolved 7 July 2018; Platform alert, "Russia: Blocking of Telegram and Collateral Temporary Blocking of Media Sites", posted 29 April 2018.
23. Two cases reported in 2017, one in 2016 and two in 2015.
24. Platform alert, "Russia: Blocking of Telegram and Collateral Temporary Blocking of Media Sites", posted 29 April 2018.

previously submitted to the Platform regarding the arbitrary blocking of Internet or social media in various member states[25] has been declared "resolved" or "showing progress" in 2018.

The independence and sustainability of public broadcasters is being increasingly undermined.

▶ Adequate financing is essential to ensuring the independence and sustainability of public service media (PSM). In 2018, alerts to the Platform confirm a trend of cuts to PSM funding in several Council of Europe member states and highlight political interference in the work of PSM supervisory boards[26]. In general, the alerts bore witness to a marked trend towards increased political pressure on public broadcasters, making it difficult for reporters and editors to exercise editorial independence.

Journalists' ability to protect sources is in jeopardy.

▶ The 2018 alerts show a clear deterioration regarding the protection of journalistic sources. In several member states, administrative authorities filed requests aimed at disclosure of information identifying journalistic sources without any judicial involvement[27]. Raids were carried out at newspapers' premises and at journalists' homes[28]. Police confiscated

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25. Platform alert, "Administrative Blocking of Websites 'Inciting Terrorism'", posted 7 April 2015, replied 12 May 2015; Platform alert, "Germany: Draft Bill on Social Networks Raises Serious Free Expression Concerns", posted 28 April 2017, replied 29 August 2017; Platform alert, "Kurdish Journalist Berzan Güneş Arrested for Social Media Posts", posted 15 June 2018; Platform alert, "Draft Bill to Allow Blocking of Internet Sites without a Court Order", posted 6 July 2018; Platform alert, "A Reference Information Website Arbitrarily Blocked in Russia", posted 2 April 2018.

26. Platform alert, "Government Plans to Strongly Reduce Funding for Public Service Media", posted 19 March 2018; Platform alert, "Government Plan to Strongly Reduce Funding for Public Service Broadcasting", posted 20 September 2017, replied 18 December 2017; Platform alert, "Romania to Eliminate Public Broadcast Fee", posted 21 October 2016; Platform alert, "Threat of Closure of the Public Broadcast Media Service", posted 18 April 2017; Platform alert, "Greece Halves the Number of National TV Broadcasting Licenses", posted 21 September 2016, resolved 6 December 2016; Platform alert, "Threats to the Independence of the Lithuanian LRT", posted 14 November 2018, replied 8 January 2019.

27. Platform alert, "Financial Regulatory Authority Requests the Disclosure of Journalistic Sources", posted 9 November 2018, replied 19 November 2018, resolved 6 December 2018; Platform alert, "Data Protection Authority Requests the Disclosure of Journalistic Sources", posted 12 November 2018, replied 19 November 2018.

28. Platform alert, "Police Raid Sendika.org Newsroom", posted 2 July 2018; Platform alert, "Police Searched the Home of Journalist Salvo Palazzolo", posted 19 September 2018.

mobile phones belonging to investigative journalists[29]. Judicial decisions granted public prosecutors access to journalists' phone records[30].

► In addition, legislative moves by several member states[31] to assume more extensive powers for mass surveillance have created grave risks to journalists' rights including the protection of confidential sources. None of the alerts posted on the Platform regarding such legislative initiatives have been declared "resolved" or showing progress.

Laws that threaten to criminalise journalists' work continue to exert a major chilling effect.

► Defamation still carries a risk of imprisonment in more than half of the Council of Europe member states[32], running counter to the case-law of the European Court of Human Rights (ECtHR). Despite some progress, such as Malta's decision to repeal its criminal defamation law, the 2018 alerts show that this risk remains real, with journalists facing jail sentences for defamation[33] or for insults to the head of State[34]. Journalists continued to be sued by government officials for defamation[35], despite the fact that public officials and politicians must display a greater degree of tolerance toward criticism. In Malta[36], over 30 defamation lawsuits against murdered journalist Daphne Caruana Galizia before her death remain pending; the continued pursuit of many of those cases by the plaintiffs, including government officials, illustrates a deep structural injustice.

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29.   Platform alert, "Slovak Police Seize Mobile Phone of Czech Investigative Reporter", posted 16 May 2018, replied 4 July 2018; Platform alert, "Ukrainian Journalist Detained and her Equipment Seized by Rome Police", posted 23 January 2018.

30.   Platform alert, "Ukraine Court Allows Prosecutors Access to Investigative Journalist's Phone Records", posted 5 September 2018, replied 4 October 2018.

31.   Platform alert, "Poland Legalises Mass Surveillance of its Citizens", posted 25 January 2016, replied 26 February 2016; Platform alert, "UK Draft Bill on Surveillance Threatens Protection of Journalists' Sources", posted 16 November 2015, replied 15 December 2015; Platform alert "France Legalizes Mass Surveillance of its Citizens", posted 6 May 2018, replied 12 May 2015, Platform alert, "New Proposed Law Set to Increase the Power to Surveil Foreign Journalists", posted 8 July 2016, replied 10 August 2016.

32.   Organisation for Security and Co-operation in Europe: "Defamation and Insult Laws in the OSCE Region: a Comparative Study", Vienna: OSCE, 2017, p. 7 et al.

33.   Platform alert, "Slovak Journalist Gets a Suspended Sentence for Defamation", posted 4 April 2018, replied 4 May and 4 July 2018.

34.   Platform alert, "Court Sentences Former TRT Cameraman Binali Erdoğan over Alleged Insult against the President", posted 27 September 2018.

35.   Platform alert, "Journalist Roberto Saviano Sued by Interior Minister Matteo Salvini", posted 24 July 2018.

36.   Platform alert, "Malta Economy Minister Issues four Libel Suits and Warrants against Blogger Daphne Caruana Galizia", posted 10 February 2017, replied 16 February and 17 November 2017.
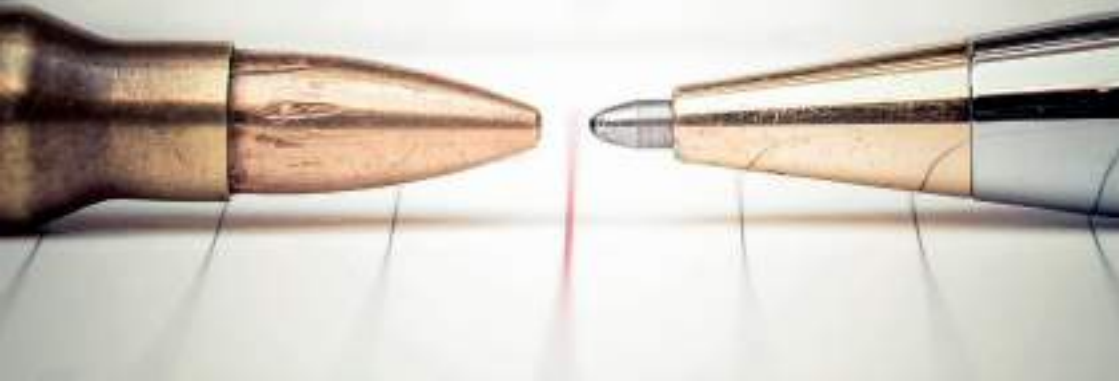
Are member states responding to alerts adequately in terms of the Council of Europe's agreement with the partner organisations?

In 2018, the rate of response to alerts from states was 39%.

The overall response rate from states after serious and verified threats to media freedom were reported to the Platform in 2018 was only 39%, a level which is much too low. Relatively few state replies have so far led to genuine remedial actions or to necessary reforms of laws and practices. More evidence of efforts to resolve problems is essential in order to bring about real improvements in the protections for media freedom in the Council of Europe area.

► Azerbaijan, Bosnia and Herzegovina, Italy, Russian Federation and Turkey did not respond to any alerts in 2018.

► Some member states took significant steps to reply effectively by creating domestic mechanisms to respond to alerts. France established an inter-ministerial working group to coordinate responses, composed of representatives of the Permanent Representation of France to the Council of Europe and the Ministries of Interior, Justice and of Culture. Ukraine's Ministry of Information Policy has also put in place a system to coordinate responses to alerts, and several other countries have signalled their intention to follow suit. Such moves are an important step towards better transparency and accountability for handling Platform alerts.

► The problems or cases raised in a number of alerts have been adequately resolved, including individual cases in Belgium, Bulgaria, France, Georgia, Greece, Iceland, Italy, Luxembourg, Montenegro, Netherlands, Poland, Serbia, Slovenia, Spain, Turkey and Ukraine.

► Constructive measures were adopted in several member states to strengthen frameworks of protection for journalists under threat. Following several shocking assaults against crime reporters and media offices in the Netherlands, for instance, the public prosecution, the police authorities and media outlets concluded an agreement to adopt preventive measures and coordinate responses to instances of violence.

► The Platform partners welcome every prompt and constructive reply by member states to alerts, and applaud steps by some member states to put in place new organisational arrangements to ensure adequate responses.

Selected topics

Impunity

▬▬ In 2016, a turning point was reached when the governments of the 47 Council of Europe member states declared in the Committee of Ministers' Recommendation CM/Rec(2016)4[37] that the scale and severity of attacks, threats and harassment against journalists and other media actors across Europe was "unacceptable". They stressed that, in view of the damaging effects on the functioning of democratic society, far-reaching measures were needed to strengthen protections and to eradicate impunity. In the Ministers' words, abuses and crimes committed against media workers, which in practice are committed by both state and non-state actors, "are often met with insufficient efforts by relevant state authorities to bring the perpetrators to justice, which leads to a culture of impunity and can fuel further threats and violence, and undermine public trust in the law". Yet the situation has still not improved.

▬▬ Impunity means the failure by state authorities to identify, prosecute and punish all those, including the assailants and masterminds, responsible for crimes of violence against journalists. It is a pernicious offence and a betrayal of trust by public officials. Impunity gives rise to a suspicion of official collusion in or tolerance of unlawful acts and undermines public confidence in the

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37. Recommendation CM/Rec(2016)4 on the protection of journalism and the safety of journalists and other media actors, 13 April 2016.

authorities' maintenance of the rule of law. Several judgments by the ECtHR have established[38] that states must fulfil "positive obligations" to carry out effective investigations following the killing or disappearance of a journalist.

In 2018 there were 17 individual cases of impunity for murders of journalists.

▬▬ In 2018 there were 26 impunity alerts on the Platform, including 17 individual cases of impunity for murders of journalists. Two of those murders took place in Azerbaijan, one in Montenegro, six in the Russian Federation, one in Serbia, two in Turkey and five in Ukraine. In addition, a separate impunity alert[39] on Serbia, published in August 2018, identifies 14 more cases of killings, kidnappings and disappearances of Serbian and Albanian journalists between 1988 and 2005 that remain unresolved and which require renewed and independent investigations by the relevant state authorities.

▬▬ The total number of unsolved journalists' murders and disappearances in the Council of Europe area is unquestionably higher still, but the Platform records only those which have been submitted by the partner organisations since 2015. The 17 individual unsolved cases date back to murders that took place between three and 24 years ago. In most cases no progress at all has been apparent towards justice for the victims' families. The most long-standing case is that of Dada Vujasinović[40], a Serbian reporter who was shot dead in Belgrade in 1994. In 2018 the partner organisations registered an additional impunity case related to the killing of Naji Jerf[41], a Syrian journalist and film-maker who was gunned down by unknown assailants in Gaziantep in south eastern Turkey in 2015. He had made documentaries about human rights abuses by the Syrian government and the Daesh group.

▬▬ ECtHR rulings in landmark cases provide insights into patterns of behaviour on the part of law-enforcement and judicial authorities which are characteristic of a "culture" or "climate" of impunity[42]. These include *Gongadze v. Ukraine[43]*, in which the Court found that that the Ukrainian authorities ought to have

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38. *Emin Huseynov v. Azerbaijan*, 59135/09, 7 August 2015, para. 70 et al.
39. Platform alert, "Impunity for a Series of Killings, Kidnapping and Disappearances of Serbian and Albanian Journalists in 1998-2005", posted 10 August 2018.
40. Platform alert, "Impunity in the Case of the Murder of Dada Vujasinovic", posted 28 April 2015, replied 11 April 2018.
41. Platform alert, "Murder of Syrian Journalist Naji Jerf in Turkey", posted 30 December 2015.
42. Platform factsheet, "Impunity against perpetrators of physical attack against journalists", June 2018.
43. *Gongadze v. Ukraine*, 34056/02, 8 November 2005, para. 175 et al.

been aware of the vulnerable position of the journalist Georgiy Gongadze, who covered politically sensitive topics and was murdered in 2000 outside Kyiv; it found Ukraine in violation of Article 2 (right to life) of the European Convention on Human Rights for failing to conduct an effective investigation; in *Dink v. Turkey*[44], the Court found similar patterns of behaviour by Turkish law-enforcement officials in the case of the murder in 2007 of the prominent Armenian-Turkish editor and journalist Hrant Dink; and in a July 2018 ruling the ECtHR found[45] that the Russian Federation had "failed to take adequate investigatory steps to find the person or persons who had commissioned the murder" of investigative journalist Anna Politkovskaya.

A climate of impunity has started to take hold in parts of Europe.

▬▬▬ Three new alerts[46] were submitted in 2018 with regard to impunity for other serious attacks against journalists, and five alerts previously submitted to the Platform under "physical attacks" were moved into the impunity category because of the lack of progress in investigations after the passage of two or more years since the crimes were committed. Among the cases of unresolved violent assaults are those of website editor Marjan Stamenkovski[47], who suffered head injuries after being attacked in 2015 by a gang in "the former Yugoslav Republic of Macedonia", and Serbian investigative journalist Ivan Ninić[48], who was viciously beaten, also in 2015. Other impunity cases on the Platform relate to failure of the authorities to investigate police officers accused of targeting journalists with unnecessary violence during public protests in Armenia in 2014[49] and the unresolved case of Greek journalist Demitrios Perros[50], who was badly injured when he was assaulted while covering a public protest in Athens in 2016.

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44. *Dink v. Turkey*, 2668/07, 6102/08, 30079/08, 7072/09 and 7124/09, 14 September 2010, para. 82 et al.
45. *Mazepa and Others v. Russia*, 15086/07, 17 July 2018, para. 69 et al.
46. Platform alert, "Impunity for a Series of Killings, Kidnapping and Disappearances of Serbian and Albanian Journalists in 1998-2005", posted 10 August 2018; Platform alert, "Impunity in the Case of the Murder of Dusko Jovanovic", posted 28 May 2018; Platform alert, "Impunity for Police Officers who Attacked Journalists", posted 19 March 2018.
47. Platform alert, "Online Journalist Marjan Stamenkovski Brutally Beaten with Metal Bars in Skopje", posted 31 July 2015.
48. Platform alert, "Serbian Investigative Journalist Ivan Ninić Suffers Brutal Attack", posted 7 September 2015, replied 12 November 2015.
49. Platform alert, "Lack of Effective Investigation into Police Violence and Obstruction of Journalist's Work", posted 19 May 2015.
50. Platform alert, "Greek Journalist Brutally Attacked during Public Rally", posted 9 February 2016, replied 2 May 2016.

▬▬▬ The partner organisations are acutely concerned that a climate of impunity has started to take hold in parts of Europe, as evidenced by the poor record of some Council of Europe member states in investigating and punishing crimes of violence and other serious crimes against journalists. The partner organisations are especially alarmed by the lack of substantial progress in identifying and bringing to justice the instigators or masterminds of recent murders and suspected murders of journalists in the Council of Europe area, including those in 2018 of Jamal Khashoggi in Turkey[51] and Ján Kuciak and his fiancée Martina Kušnírová in Slovakia[52]; in 2017 of Daphne Caruana Galizia in Malta[53]; and in 2016 of Pavel Sheremet in Ukraine[54]. The partner organisations also note doubts raised about the thoroughness of the investigations into the 2018 murder of Viktoria Marinova in Bulgaria[55] and the 2018 death of the Russian journalist Maksim Borodin in the Russian Federation[56], which police have declared a suicide without fully investigating the available evidence. The swift completion of transparent and effective investigations and prosecutions leading to the punishment of all those found responsible, as well as other unsolved killings of journalists, is essential if public trust in states' commitment to protecting the safety of journalists and the rule of law is to be restored.

Turkey

▬▬▬ As of 31 December 2018, there were 92 active alerts on Turkey, including 110 cases of journalists in detention[57]. 14 new alerts were submitted to the Platform in 2018 and Turkey has not replied to any of these alerts.

▬▬▬ In 2018, journalists in Turkey continued to face extraordinary repression. Despite the official ending of the state of emergency in July 2018, Turkey

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51. Platform alert, "Saudi Journalist Disappears During Visit to Saudi Consulate in Turkey", posted 5 October 2018.
52. Platform alert, "Slovak Investigative Journalist Killed at Home", posted 26 February 2018, replied 27 February, 12 March and 1 October 2018.
53. Platform alert, "Investigative Journalist Daphne Caruana Galizia Killed by Car Bomb", posted and replied 17 October 2017.
54. Platform alert, "Journalist Pavel Sheremet Killed in Car Explosion", posted 20 July 2016, replied 14 February 2017.
55. Platform alert, "Bulgarian Journalist Viktoria Marinova Killed", posted 7 October 2018, replied 25 October 2018.
56. Platform alert, "Russian Journalist Dies under Suspicious Circumstances", posted 24 April 2018.
57. The official count of arrested journalists varies from one organisation to another, depending notably on the inclusion or not of pre-trial detentions and the definition and inclusion on the list of other media workers. For instance, the International Press Institute (IPI) counts 161 journalists in jail in Turkey, whereas the European Federation of Journalists (EFJ) lists 159 journalists. As the exact figure of jailed journalists in Turkey is in a regular state of flux, in some cases there are also delays in registering cases to the Platform.

remains the world's largest imprisoner of journalists and has been rated as one of the worst performers in the world in terms of freedom of expression and media freedom[58].

In Turkey, over 200 journalists have been arrested or detained on account of their publications.

▬ Since the attempted coup of July 2016, and under the state of emergency which was imposed thereafter, over 200 journalists have been arrested or detained on account of their publications[59]. Arrests of journalists and media workers continued throughout 2018, in particular in the south east of the country.

▬ The majority of arrested journalists face charges of membership in or propaganda of various groups considered terrorist organisations by the Turkish government, including the so-called FETÖ movement or the PKK. The broad interpretation of the concept of terrorist propaganda, including in cases concerning journalists where there was no incitement to violence, has been repeatedly denounced, including by the Council of Europe Commissioner for Human Rights[60].

▬ The use of prolonged solitary confinement against detained journalists is another issue, with journalists including Deniz Yücel[61] and Nedim Türfent[62] spending months alone, treatment tantamount to torture under ECtHR case-law[63]. Evidence obtained through torture has also been deemed admissible by judges in trials against journalists[64].

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58. In 2018, Reporters without Borders (RSF) ranked Turkey 157th of 180 countries in the World Press Freedom Index. In January 2018, Freedom House ranked Turkey 154th in its media freedom index and classified the country as "not free" for the first time. Statistics kept by the Committee to Protect Journalists (CPJ) show Turkey to be the world's leading jailer of journalists.

59. This includes journalists released thereafter. See UN High Commissioner for Human Rights, "Report on the impact of the state of emergency on human rights in Turkey, including an update on the South-East", Geneva: UNHCR, March 2018, para. 90. Expression Interrupted! "At least 162 journalists in prison in Turkey", 2019; International Press Institute, "Press Freedom in Turkey: current situation", 2019.

60. Third Party intervention under Article 36, paragraph 3, of the European Convention on Human Rights, Doc. CommDH(2017)29, 10 October 2017.

61. Platform alert, "'Die Welt' Correspondent in Turkey Deniz Yücel Detained", posted 24 February 2017.

62. Platform alert, "Journalist Nedim Türfent Sentenced to Jail for Interviewing Members of Illegal Organisation", posted 15 June 2015.

63. See e.g. *Ilaşcu and Others v. Moldova and Russia* (GC), 48797/99, 8 July 2004, para. 434 et al; *Ramirez Sanchez v. France* (GC), 59450/00, 4 July 2006, para. 125 et al.

64. Özgün Özçer, "Testimony under Torture Deemed Admissible in the Türfent Case", Platform 24 for Independent Journalism, 20 February 2018.

▬▬▬ In 2018, verdicts in the form of lengthy prison sentences were handed down in the first major mass criminal proceedings against journalists on terrorism-related charges under the state of emergency: *Cumhuriyet*[65]; Ahmet and Mehmet Altan[66], Nazlı Ilıcak[67]; and *Zaman*[68]. The cases were characterised by gross violations of the journalists' rights to liberty, a fair trial and freedom of expression. These trials illustrated the almost complete collapse of the rule of law in Turkey and highlighted major concerns relating to the role of the judiciary, its independence and relationship with the prosecution, lack of sufficient access to defence lawyers during pre-trial detention and during the trials themselves, insufficient pre-trial disclosure and lack of sufficient evidence to establish a *prima facie* case to warrant continued detention and prosecution. The verdicts were met with a global outcry[69].

▬▬▬ In January 2018, the Constitutional Court of Turkey ruled[70] that the fundamental rights of journalists Mehmet Altan and Şahin Alpay had been violated by their detention and that the two journalists should be released from custody. Despite the judgment, criminal courts[71] rejected the journalists' request to be freed. Şahin Alpay was later released from pre-trial detention after a second judgment of the Constitutional Court[72], which concluded that his rights had been violated due to the non-implementation of the previous judgment, but the criminal courts refused to release Mehmet Altan.

▬▬▬ Under Article 153 of the Turkish Constitution, all Constitutional Court rulings enter into force immediately and are binding for the legislative, executive and judicial organs, including the administration and officials. The decision of the lower court appeared to be the direct result of political pressure, amounting

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65.　Platform alert, "Turkey: Arrest of at Least 12 Employees of Cumhuriyet Newspaper", posted 31 October 2016.
66.　Platform alert, "Ahmet Altan and Mehmet Altan Detained for Words Used on TV", posted 13 September 2016.
67.　Platform alert, "Journalists Arrested in Major Clampdown following Failed Coup in Turkey", posted 27 July 2016.
68.　Platform alert, "Zaman Media Group Seized by Authorities", posted 9 March 2016.
69.　On the *Albans & Ilıcak* verdict, UN Special Rapporteur on freedom of opinion and expression David Kaye and OSCE Representative on Freedom of the Media Harlem Désir issued a joint statement, saying that "the court decision … critically threatens journalism and with it the remnants of freedom of expression and media freedom in Turkey"; on the *Cumhuriyet* verdict: Council of Europe Secretary General Thorbjørn Jagland, in his address to the 1315th Meeting of the Ministers' Deputies _(2 May 2018) regarding Turkey, said to be "deeply worried by the chilling effect such heavy criminal sentences may have on freedom of expression and media freedom in Turkey. Especially if the only evidence used to establish these serious crimes is their journalistic activities"; on the *Zaman* verdicts, Harlem Désir stated that the "severe charges were never proven during the investigation", and urged Turkey to free the journalists.
70.　Şahin Alpay, 2016/16092, 11 January 2018.
71.　Istanbul 13th Criminal Court, 11 January 2018.
72.　Şahin Alpay (2), 2018/3007, 15 March 2018.

to interference with its independence and indicating a grave violation of the rule of law[73].

▬▬ In March 2018, the ECtHR announced judgments on applications filed on behalf of Mehmet Altan[74] and Şahin Alpay[75]. The Court found that there had been violation of Article 5(1) (right to liberty and security) and Article 10 (freedom of expression) of the European Convention on Human Rights. Alpay had already been conditionally released on 16 March. Mehmet Altan remained in detention until 27 June. Both were conditionally freed, and placed under house arrest and travel ban. Verdicts on eight further cases of journalists in Turkey, granted priority status by the ECtHR, are still pending.

Journalists' murders highlight rising threats to the rule of law within the EU

▬▬ The murders of Daphne Caruana Galizia in Malta in 2017[76] and of Ján Kuciak and his fiancée in Slovakia in 2018[77] have dramatically raised public and official awareness in the EU of the twin crisis of journalist safety and impunity that has already taken root within the bloc as well as in other parts of the Council of Europe area.

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73. PEN International, "Turkey: Implement Constitutional Court Decision to Free Journalists", 12 January 2018.
74. *Mehmet Hasan Altan v. Turkey*, 13237/17, 20 March 2018.
75. Şahin Alpay v. Turkey, 16538/17, 20 March 2018.
76. Platform alert, "Investigative Journalist Daphne Caruana Galizia Killed by Car Bomb", posted 17 October 2017, replied 17 October 2017.
77. Platform alert, "Slovak Investigative Journalist Killed at Home", posted 26 February 2018, replied 27 February, 12 March and 1 October 2018.

In Caruana Galizia's case, there has been a lack of credible indications that the authorities are diligently investigating who planned and commissioned the killing.

■ Caruana Galizia was killed by a car bomb that exploded near her home in Bidnija, Malta on 16 October 2017. Three suspects were detained on 4 December 2017, but there has been a notable lack of credible indications that the authorities are diligently investigating who planned and commissioned the killing. That task calls for a thorough and impartial examination of leads arising from the journalist's reporting on high-level financial crimes and other forms of wrongdoing, which often implicated leading political and business figures.

Slovak investigative journalist Ján Kuciak and his fiancée, Martina Kušnírová, were found dead from gunshot wounds in their house in Veľká Mača.

■ On 25 February 2018, Slovak investigative journalist Ján Kuciak and his fiancée, Martina Kušnírová, were found dead from gunshot wounds in Kuciak's house in Veľká Mača, some 50 kilometres from Bratislava. At the time of his death, Kuciak had been collecting records on potential embezzlement of EU funds and suspected tax fraud linked to the construction of a luxury apart-ment complex in Bratislava.

■ In July 2018, the country's General Prosecutor acknowledged that costly but unspecified "mistakes" had negatively affected the early stage of the inves-tigation into the killings. On 28 September, the Slovak police arrested three individuals. Four people were later charged with the couple's murder. Soon afterwards local journalists told visiting members of the European Parliament that there was renewed confidence in the investigation. However, at the time of writing, the individuals who planned and paid for the attack have not been identified or charged.

■ The EU and its member states must live up to their public commitments to safeguard media freedom and the safety of journalists, particularly when it comes to journalists such as Kuciak and Caruana Galizia, who reported extensively on allegations of financial wrongdoing that relate directly to the EU's interests and/or competences, including the sale of EU citizenship, the embezzlement of agricultural subsidies, and cross-border fraud and money laundering. The Platform welcomes the important role of the European Parliament's Rule of Law Monitoring Group as well as the Council of Europe's

Special Rapporteur of the Parliamentary Assembly to Malta, Pieter Omtzigt[78], in seeking to bring further international scrutiny to the cases in Slovakia and Malta.

Italy

▬▬ Italy is among the countries with the highest number of alerts posted on the Platform in 2018. Thirteen alerts focused on Italy, the same number as in the Russian Federation.

▬▬ This figure shows how press freedom clearly deteriorated in Italy in 2018: the number of violations in Italy reported to the Platform more than tripled compared to 2017.

Italy is the EU member state with the highest number of active threats on the Platform.

▬▬ Italy is also the EU member state with the highest number of active threats on the Platform, a total of 19. Since June 2017, the Italian authorities have not responded to any of the alerts posted on the Platform.

▬▬ The growing violence against journalists in Italy is particularly worrying. Mafia and organised crime remain one of the biggest threats of journalists. In 2018, the Platform recorded three cases of journalists facing death threats[79], and it includes a number of active alerts on attacks and violence on journalists. Twenty one Italian reporters threatened by the mafia live under permanent police protection. In addition, several journalists have been intimidated and attacked by members of neo-fascist groups[80].

▬▬ The majority of alerts recorded in 2018 have been submitted after the official installation of the new coalition government on 1 June. The government's two deputy prime ministers, Luigi Di Maio and Matteo Salvini, regularly express through social media rhetoric particularly hostile to the media and journalists.

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78. See e.g. Parliamentary Assembly Committee on Legal Affairs and Human Rights, "Daphne Caruana Galizia's assassination and the rule of law, in Malta and beyond: ensuring that the whole truth emerges", Introductory memorandum by Mr Pieter Omtzigt, Rapporteur, Doc. AS/Jur (2018)30, 20 June 2018.
79. Platform alert, "Death Threats to Journalist Marilù Mastrogiovanni", posted 23 July 2018; Platform alert, "Italian Journalist Subjected to Death Threat", posted 11 October 2018; Platform alert, "Investigative Journalist Receives Death Threats, Targeted by Attempted Arson Attack", posted 16 November 2018.
80. Platform alert, "Neo-fascist Threats against Journalist Paolo Berizzi", posted 2 November 2018.

■■■ Among other things, Deputy Prime Minister Salvini has threatened to remove police protection for investigative journalist Roberto Saviano[81], despite the known threats to his life from criminal organisations. Deputy Prime Minister Di Maio has insulted journalists and initiated a policy of abolition of public subsidies to the press[82].

■■■ According to the Italian Federation of Journalists' Unions, media professionals now face a new threat in the country: a constant risk of violence fuelled by the hostile rhetoric of members of the government and the ruling coalition parties.

Russian Federation

■■■ The thirteen alerts on threats to media freedom in the Russian Federation in 2018 show that independent journalists and bloggers face intense physical, legal and financial pressures, as well as violations of their fundamental rights, marked often by impunity. The authorities have routinely failed to take remedial actions to prevent violence against journalists, including murders, physical attacks and threats, thereby enabling a climate of impunity that encourages further attacks. The alerts further shed light on the Russian authorities' increasing control over the flow of information, which severely restricts the rights to freedom of expression, opinion and information.

■■■ On 15 April 2018, Maksim Borodin[83], an investigative correspondent for the independent news website *Novy Den*, died after falling from the balcony of his fifth-floor apartment. His reporting on local corruption, prisons and the involvement of Russian private military contractors in Syria had gained national attention in the weeks prior to his death. On 17 April, *Novaya Gazeta* quoted *Novy Den's* editor-in-chief, Polina Rumyantseva, stating that Borodin contacted her three days prior to his shocking death saying that he detected surveillance both of the website's office and of himself personally[84]. Rumyantseva had encouraged Borodin to report this to the police but the authorities were never contacted, she said. Despite such circumstantial evidence, and without performing due diligence by thoroughly investigating suspected connections with his reporting, the Russian authorities stated that Borodin's death was suicide.

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81. Platform alert, "Journalist Roberto Saviano Sued by Interior Minister Matteo Salvini", posted 24 July 2018.
82. Platform alert, "Deputy Prime Minister Di Maio and former MP Battista Insulted Journalists", posted 12 November 2018; Platform alert, "Minister Di Maio Threatens to Reduce Indirect Public Funding to the Press", posted 18 September 2018.
83. Platform alert, "Russian Journalist Dies under Suspicious Circumstances", posted 24 April 2018.
84. Izolda Drobina and Pavel Gutionov, "A light beyond the balcony railing", Novaya Gazeta, 17 April 2018.

Bills signed into law in 2018 provide the Russian authorities with additional tools to restrict access to information, carry out surveillance and censor content.

▬▬ Proposed legislation and bills signed into law in 2018 provide the Russian authorities with additional tools to restrict access to information, carry out surveillance and censor content. The state regulator's attempts to block the application *Telegram*[85] in April 2018 resulted in extensive arbitrary restrictions of freedom of expression and access to information, including mass collateral website blocking. An especially alarming development was the adoption by the Russian parliament of a law[86] to extend the status of "foreign agent" to media outlets, individual journalists and other writers who publish information online and receive any kind of financial or other assets from abroad, creating a further chilling effect on freedom of expression and access to information.

▬▬ The Constitution of the Russian Federation enshrines the rights to freedom of expression and privacy and prohibits censorship. As a state party to the European Convention on Human Rights, the Russian Federation has obligations to respect, protect and fulfil the right to freedom of expression. The Platform partners call on the Russian authorities to repeal or amend laws stifling free expression, to prevent and protect against threats and violence against journalists, media workers, human rights defenders and activists, and to end impunity for such crimes.

Hungary

▬▬ The three alerts submitted on Hungary in 2018 illustrate the authorities' progressive capture of the media landscape and its impact on media freedom.

Government exerts de facto control over most of the country's media.

▬▬ As a result of Prime Minister Viktor Orbán's extensive reshaping of the media landscape since coming to power in 2010, the Hungarian government exerts sway over most of the country's media. The few independent outlets that remain face a host of obstacles, including lack of advertising revenue, a restrictive regulatory environment, and public campaigns to discredit

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85. Platform alert, "Russia: Blocking of Telegram and Collateral Temporary Blocking of Media Sites", posted 30 April 2018.
86. Platform alert, "Duma Committee Approves Legislation to Label Individual Journalists 'Foreign Agents'", posted 6 July 2018.

independent journalists. In 2018, prominent investigative journalist András Dezső[87] faced a possible three-year prison sentence on charges of misusing sensitive personal information in a case that rights groups believed was linked to his independent reporting. He was let off with a reprimand in November. Meanwhile, Hungarian government spokesperson Zoltán Kovács continued to verbally attack Lili Bayer[88], a *Politico* correspondent, on social media and blog posts.

▬▬ The structure and production of state and public news media in Hungary are strongly centralised and pro-governmental. Media coverage of the 8 April parliamentary elections was highly polarised and lacked critical debate, and the campaign was marked "by a pervasive overlap between state and ruling party resources, undermining contestants' ability to compete on an equal basis"[89]. In November 2018, the owners of the vast majority of Hungary's pro-government media outlets announced that they were "donating" their companies to a foundation, creating a huge right-wing media conglomerate under the direction of a close ally of Prime Minister Orbán[90]. The lack of transparency in the setting up of the foundation and the fact that the terms of the transfer of assets were exempted from external scrutiny, and cannot even be challenged by the Hungarian Competition Authority, has intensified concerns over media pluralism in the country. Two commercial radio stations were threatened with closure after the Media Council declined to extend their broadcasting license, amidst allegations of discrimination against outlets that are critical of the ruling Fidesz party[91].

▬▬ The Platform partners call on the Hungarian authorities to respect, protect and promote freedom of the press, and to this end, to revise the country's laws and practices to create an environment in which the media can function free from undue government influence and interference.

Freelancers

▬▬ News media around the world increasingly rely on freelance journalists, fixers, photographers and video journalists for their stories and coverage. But

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87. Platform alert, "Criminal Charges Brought against Hungarian Investigative Journalist András Dezső", posted 31 October 2018.
88. Platform alert, "Journalist Lili Bayer Verbally Attacked by Government Spokesperson", posted 3 October 2017.
89. OSCE Office for Democratic Institutions and Human Rights, "Hungary, Parliamentary Elections, 8 April 2018: Statement of Preliminary Findings and Conclusions", 9 April 2018.
90. Platform alert, "New Pro-government Media Conglomerate Threatens Media Pluralism", posted 29 November 2018.
91. Platform alert, "Media Council Refuses to Renew Broadcasting Licences of Two Radio Stations", posted 22 November 2018.

as most freelancers work without the back-up, training and support provided to their staff colleagues, they are especially vulnerable to repression, abuse and arbitrary treatment, including judicial harassment.

Serious threats and obstructions affecting freelance journalists included physical assaults by far-right groups and vicious smear campaigns.

▬▬ Criminal charges, travel bans, smear campaigns and the denial of press accreditation are among the forms of harassment that freelance journalists are confronted with across the Council of Europe area. Serious threats and obstructions affecting freelance journalists registered in alerts to the Platform in 2018 included physical assaults by far-right groups and vicious online smear campaigns.

▬▬ On 18 November 2018, two Ukrainian and one Canadian freelance journalists were violently attacked in Kyiv by right-wing groups participating in a counter-rally on Transgender Commemoration Day[92]. According to the police, an investigation was opened into the attack on the Canadian freelance journalist, Michael Colborne. However, the authorities seemed less willing to investigate the attacks on the Ukrainian freelancers. Margareta Bondari, a freelancer working with *Spilka* magazine, was attacked by three men when she was leaving the site and was injured by pepper spray. Following the incident, she was targeted online by Yevgen Karas, the leader of the S14 ultra-right group. Bogdan Aminov, a freelancer working with *Newsone* TV channel, was also attacked and says his official complaint to the police has not been investigated.

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92.   Platform alert, "Journalists Attacked by Far-right Radicals", posted 30 November 2018.

▰▰ In 2019, the Platform will introduce enhancements to its alert-logging system to allow partner organisations to better track, log and share information about serious threats to the safety and rights of freelance journalists. Member states are urged to take all appropriate measures to safeguard the rights of freelance journalists in order to prevent discrimination and unjust treatment.

Public service under attack all over Europe

▰▰ In 2018, several countries that had been considered "safe harbours" for public service media (PSM) became places where it is under significant threat. Three principal means were used to weaken the independence of PSM in the Council of Europe region: reducing resources, restricting the outlet's mission, and enacting new legislation or regulations.

Three principal means were used to weaken the independence of PSM in the Council of Europe region: reducing resources, restricting the outlet's mission, and enacting new legislation or regulations.

▰▰ A blatant case of attack through the shrinking of resources[93] happened in Ukraine, where the new national public service broadcaster, *UA:PBC*, became operational in 2017. On 23 November, the parliament adopted a budget that assigned *UA:PBC* a sum of 1.005 billion Ukrainian Hryvni (UAH) for 2019, amounting to only 57% of the sum guaranteed by law and thus falling short of legal obligations for the second consecutive year. This amount was further reduced to 805 million UAH after debt payments. The budget trimming has

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93. Platform alert, "Government Plan to Strongly Reduce Funding for Public Service Media", posted 20 September 2018, replied 18 December 2017.

obliged *UA:PBC* to reduce the reach of its coverage in parts of the country and to switch off analogue transmission. The problem of insufficient financial resources for PSM is also exemplified by alerts on Romania[94] and on Bosnia and Herzegovina[95].

▬▬ With regard to the restriction of PSM mandates, a most worrying case in 2018 occurred in Denmark[96], where the centre-right governing coalition, which relies on the external support of a right-wing populist party to pass legislation, imposed a new Contract of Service on DR, the national PSM. The new contract includes a number of restrictions to the PSM's mandate and additional costs. Among other obligations, DR had to substantially limit its presence in the digital world, provide its programmes (at a price) to competitors for online use and reduce investment in sports rights. Another decision was to abolish the license fee and replace it with a direct contribution from the state budget, which exposes the PSM to the risk of politically-motivated funding decisions and a nearly 25% cut, within three years, of its funds. In September 2018, DR announced the closing of three radio and three TV channels and the laying off of around 400 staff. In the next five years DR will have to cut around 100 million euros from its budget.

▬▬ Reducing independence via changes in legislation or regulation is the most common way to exert political interference over PSM, especially when governments wish to replace managers appointed by their predecessors.

▬▬ In Lithuania[97], an enquiry was launched in Parliament about supposed misuse of public funding by the national broadcaster. In parallel, changes were made to the system of appointing its governing board which appears to lack safeguards against political influence[98]. Similar problems, on a smaller scale, also occurred this year in certain established democracies, such as Luxembourg[99], where the director general of the country's only PSM (Radio

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94. Platform alert, "Threats to the Independence of the Romanian Public Broadcaster (TVR)", posted 15 March 2016, replied 5 August 2016; Platform alert, "Romania to Eliminate Public Broadcast Fee", posted 21 October 2016.
95. Platform alert, "Threat of Closure of the Public Broadcast Media Service", posted 18 April 2017; Platform alert, "Director and Management Team of RTV USK Dismissed for Undisclosed Reasons", posted 23 July 2018.
96. Platform alert, "Government Plans to Strongly Reduce Funding for Public Service Media", posted 19 March 2018.
97. Platform alert, "Threats to the Independence of the Lithuanian LRT", posted 14 November 2018, replied 8 January 2019.
98. European Broadcasting Union, "EBU Concerned about Proposed Legal Changes in LRT", 17 October 2018.
99. European Broadcasting Union, "Débat en cours au Luxembourg sur la gouvernance de la radio de service public", Letter to Prime Minister Xavier Bettel, 13 October 2018.

100.7) resigned before the end of his mandate. Trade union representatives complained that the move was provoked by government interference and anomalies in the current system of regulation and supervision that allow undue official pressure on the director general and the radio's journalists in order to obtain preferential news treatment.
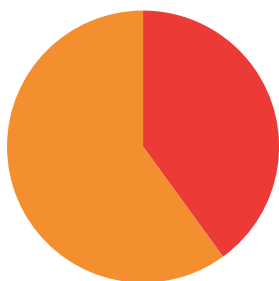
▬▬ The presence in this report of Denmark, Luxembourg and Switzerland[100] – three countries with long-standing democratic traditions – is another indication that media freedom, independence and pluralism is under growing pressure almost everywhere.

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100. In January 2018, civil society groups in Switzerland close to the right-wing Swiss People's Party launched a national referendum to abolish public financing of SSR, the country's public broadcaster. However, in March, Swiss citizens voted overwhelmingly (by 71.6%) to maintain the license fee and SSR.

Statistical breakdown

In 2018, 140 alerts concerning 32 Council of Europe member states were submitted to the Platform, confirming last year's conclusion of the wide geographic spread of the media freedom threats.
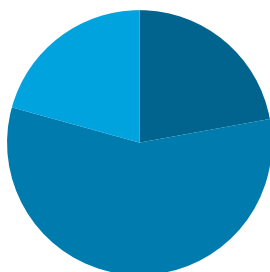
2018 alerts by levels

- Level 1 (56 alerts, 40%)
- Level 2 (84 alerts, 60%)

Levels

━━ Out of the 140 alerts, 56 (40%) are of level 1, which covers the most severe violations to media freedom.
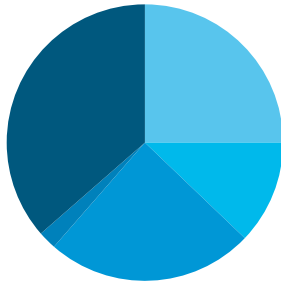
2018 alerts by sources of threat

- Unknown (31 alerts, 22%)
- State (80 alerts, 57%)
- Non-state (29 alerts, 21%)

Sources of threat

━━ In 80 alerts (57%), the state is the source of the threat. Of the remaining threats, 29 (21%) originate from a non-state actor, and 31 (22%) of them from an unknown source.
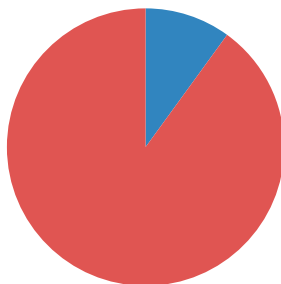
2018 alerts by categories

- ■ Attacks on physical safety and integrity of journalists (35 alerts, 25%)
- ■ Detention and imprisonment of journalists (17 alerts, 12 %)
- ■ Harassment and intimidation of journalists (34 alerts, 24%)
- ■ Impunity (3 alerts, 2%)
- ■ Other acts having chilling effects on media freedom (51 alerts, 37%)

Categories

▬ Of the 140 alerts, 35 (25%) fall under the category of attacks on physical safety and integrity of journalists, 17 (12%) under detention and imprisonment, 34 (24%) under harassment and intimidation, three (2%) under impunity and 51 (37%) under other the category of acts having chilling effects on media freedom.
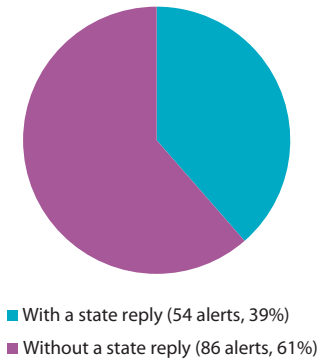
2018 alerts by status

- ■ Resolved (14 alerts, 10 %)   ■ Active (126 alerts, 90 %)

Status

▬ 14 alerts (10%) out of the 140 submitted in 2018 were also closed. In addition, six alerts from 2015, 15 alerts from 2016 and 21 from 2017 were closed, bringing up to 55 the total number of alerts closed in 2018.

2018 alerts with a state reply

- ■ With a state reply (54 alerts, 39%)
- ■ Without a state reply (86 alerts, 61%)

■ 54 alerts (39%) out of the 140 submitted in 2018 received a state reply. In addition, 17 state replies were received by the Secretariat concerning threats to media freedom reported in 2017, 8 concerning threats reported in 2016 and 9 concerning threats reported in 2015, bringing the number of replies received in 2018 up to a total of 72.

■ The proportion of state replies increased in 2018 in comparison to the previous year (+12%), which may be due in part to newly established response mechanisms established by certain member states. Nevertheless the 2018 rate of responses remains low comparing to the rate of responses received during the Platform's first year, when 68% of the alerts received a reply from the domestic authorities. In 2016 this number fell to 33%, and in 2017 to 26%.

■ In 2018, ten member states[101] provided a response rate superior to 70%. This stands in sharp contrast to the situation in the countries which have not yet provided any response to the alerts submitted for their attention[102].

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101. Albania, Belgium, France, Greece, Montenegro, Serbia, Slovenia, "The former Yugoslav Republic of Macedonia", United Kingdom and Ukraine.
102. Azerbaijan, Bosnia and Herzegovina, Italy, Russian Federation and Turkey.

This is the annual assessment of the media freedom threats in the Council of Europe's member states in 2018, by the partner organisations to the Safety of Journalists Platform.

The Platform was set up by the Council of Europe in 2015, in co-operation with prominent international NGOs active in the field of the freedom of expression and associations of journalists, to facilitate collection and dissemination of information on serious threats to media freedom and safety of journalists in the Council of Europe's member states. The Platform enables the Council of Europe to be alerted in a timely and systematic way on these threats and to take co-ordinated and prompt action when necessary. Its objective is to improve the protection of journalists, better address threats and violence against media professionals and enhance the response capacity within the Council of Europe.

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The Council of Europe is the continent's leading human rights organisation. It comprises 47 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

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