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P9_TA(2020)0320

Strengthening Media Freedom: the Protection of Journalists in Europe, Hate Speech, Disinformation and the Role of Platforms

European Parliament resolution of 25 November 2020 on strengthening media freedom: the protection of journalists in Europe, hate speech, disinformation and the role of platforms (2020/2009(INI))

(2021/C 425/05)

The European Parliament,

- having regard to the Treaty on European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU),
- having regard to the Charter of Fundamental Rights of the European Union,
- having regard to the European Convention on Human Rights (ECHR),
- having regard to the case law of the Court of Justice of the European Union and the European Court of Human Rights (ECtHR),
- having regard to the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (ICCPR), the UN Convention against Corruption and the UNESCO Convention on the Protection and the Promotion of the Diversity of Cultural Expressions,
- having regard to the relevant resolutions of the UN General Assembly and the UN Human Rights Council and the reports of the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, in particular that of 23 April 2020 entitled ‘Disease pandemics and the freedom of opinion and expression’,
- having regard to the joint declaration of 3 March 2017 by the UN Special Rapporteur on Freedom of Opinion and Expression, the Organization for Security and Co-operation in Europe (OSCE) Representative on Freedom of the Media, the Organization of American States (OAS) Special Rapporteur on Freedom of Expression and the African Commission on Human and Peoples’ Rights (ACHPR) Special Rapporteur on Freedom of Expression and Access to Information, entitled ‘Freedom of expression and “Fake News”, Disinformation and Propaganda’,
- having regard to the UN Plan of Action on the Safety of Journalists and the Issue of Impunity,
- having regard to the UN Human Rights Committee’s General Comment No 34 on Article 19 of the ICCPR (‘Freedoms of opinion and expression’),
- having regard to the 2030 Agenda for Sustainable Development and the commitments set out therein, inter alia promoting peaceful and inclusive societies for sustainable development, including by ensuring public access to information and protecting fundamental freedoms,
- having regard to the work carried out by the Council of Europe to promote the protection and safety of journalists, including Recommendation CM/Rec(2018)1 of the Committee of Ministers to member states on media pluralism and transparency of media ownership and the declaration by the Committee of Ministers on the financial sustainability of quality journalism in the digital age, Recommendation CM/Rec(2016)4 of the Committee of Ministers to member states on the protection of journalism and safety of journalists and other media actors, and its 2020 annual report entitled ‘Hands off press freedom: Attacks on media in Europe must not become a new normal’,
- having regard to Resolution 2300 of the Parliamentary Assembly of the Council of Europe (PACE) of 1 October 2019 on improving the protection of whistle-blowers all over Europe,

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- having regard to the joint communication from the Commission and the High Representative of the Union for Foreign Affairs and Security Policy of 10 June 2020 entitled ‘Tackling COVID-19 disinformation — Getting the facts right’ (JOIN (2020)0008),
- having regard to the Commission communication of 29 January 2020 containing the Commission Work Programme 2020 (COM(2020)0027),
- having regard to the Commission communication of 17 July 2019 entitled ‘Strengthening the rule of law within the Union: A blueprint for action’ (COM(2019)0343),
- having regard to the Commission’s Gender Equality Strategy 2020-2025,
- having regard to the Commission communication of 26 April 2018 entitled ‘Tackling online disinformation: a European approach’ (COM(2018)0236),
- having regard to the Commission’s Code of Practice to fight online disinformation, agreed on 26 September 2018,
- having regard to the Commission recommendation of 1 March 2018 on measures to effectively tackle illegal content online (C(2018)1177),
- having regard to the Commission’s Action Plan against Disinformation of 5 December 2018,
- having regard to the Commission’s Code of Conduct on Countering Illegal Hate Speech Online, launched in May 2016 and to its fourth evaluation round, resulting in the document ‘Factsheet — 4th monitoring round of the Code of Conduct’,
- having regard to Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law ⁽¹⁾,
- having regard to Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive or AVMSD) ⁽²⁾, and Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU ⁽³⁾,
- having regard to the report of the European Regulators Group for Audiovisual Media Services of 2020 entitled ‘Disinformation: Assessment of the implementation of the Code of Practice’,
- having regard to the Council conclusions of 25 May 2020 on media literacy in an ever-changing world,
- having regard to the Council conclusions of 14 November 2018 on the strengthening of European content in the digital economy, which recognise the relevance of content generated by the media ‘as well as other cultural and creative sectors’ as ‘essential pillars of Europe’s social and economic development’,
- having regard to Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law ⁽⁴⁾,
- having regard to the EU Human Rights Guidelines on Freedom of Expression Online and Offline, adopted on 12 May 2014, recognising artistic freedom as an inherent component of freedom of expression alongside media freedom,

⁽¹⁾ OJ L 305, 26.11.2019, p. 17.

⁽²⁾ OJ L 95, 15.4.2010, p. 1.

⁽³⁾ OJ L 303, 28.11.2018, p. 69.

⁽⁴⁾ OJ L 328, 6.12.2008, p. 55.

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- having regard to the Special Report update of the European External Action Service (EEAS) of 24 April 2020 entitled ‘Short Assessment of Narratives and Disinformation around the COVID-19/Coronavirus Pandemic’,
- having regard to the work carried out by the EU Agency for Fundamental Rights (FRA),
- having regard to the findings of the World Press Freedom Index, published by Reporters Without Borders, and to those of the Media Pluralism Monitor of the European University Institute’s Centre for Media Pluralism and Media Freedom,
- having regard to its resolution of 17 April 2020 on EU coordinated action to combat the COVID-19 pandemic and its consequences ⁽⁵⁾,
- having regard to its resolution of 9 January 2020 on ongoing hearings under Article 7(1) TEU regarding Poland and Hungary ⁽⁶⁾,
- having regard to its resolution of 18 December 2019 on public discrimination and hate speech against LGBTI people, including LGBTI-free zones ⁽⁷⁾,
- having regard to its resolution of 18 December 2019 on the rule of law in Malta following the recent revelations surrounding the murder of Daphne Caruana Galizia ⁽⁸⁾,
- having regard to its resolution of 28 November 2019 on the EU’s accession to the Istanbul Convention and other measures to combat gender-based violence ⁽⁹⁾,
- having regard to its resolution of 10 October 2019 on foreign electoral interference and disinformation in national and European democratic processes ⁽¹⁰⁾,
- having regard to its resolution of 19 September 2019 on the importance of European remembrance for the future of Europe ⁽¹¹⁾,
- having regard to its resolution of 28 March 2019 on the situation of the rule of law and the fight against corruption in the European Union, specifically in Malta and Slovakia ⁽¹²⁾,
- having regard to its resolution of 16 January 2019 on the situation of fundamental rights in the European Union in 2017 ⁽¹³⁾,
- having regard to its resolution of 17 April 2018 on gender equality in the media sector in the EU ⁽¹⁴⁾,
- having regard to its resolution of 11 September 2018 on measures to prevent and combat mobbing and sexual harassment at the workplace, in public spaces, and in political life in the EU ⁽¹⁵⁾,
- having regard to its resolution of 14 November 2018 on the need for a comprehensive EU mechanism for the protection of democracy, the rule of law and fundamental rights ⁽¹⁶⁾,
- having regard to its resolution of 25 October 2018 on the use of Facebook users’ data by Cambridge Analytica and the impact on data protection ⁽¹⁷⁾,

⁽⁵⁾ Texts adopted, P9_TA(2020)0054.

⁽⁶⁾ Texts adopted, P9_TA(2020)0014.

⁽⁷⁾ Texts adopted, P9_TA(2019)0101.

⁽⁸⁾ Texts adopted, P9_TA(2019)0103.

⁽⁹⁾ Texts adopted, P9_TA(2019)0080.

⁽¹⁰⁾ Texts adopted, P9_TA(2019)0031.

⁽¹¹⁾ Texts adopted, P9_TA(2019)0021.

⁽¹²⁾ Texts adopted, P8_TA(2019)0328.

⁽¹³⁾ Texts adopted, P8_TA(2019)0032.

⁽¹⁴⁾ OJ C 390, 18.11.2019, p. 19.

⁽¹⁵⁾ OJ C 433, 23.12.2019, p. 31.

⁽¹⁶⁾ OJ C 238, 6.7.2018, p. 57.

⁽¹⁷⁾ OJ C 324, 27.9.2019, p. 392.

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- having regard to its resolution of 3 May 2018 on media pluralism and media freedom in the European Union ⁽¹⁸⁾,
 - having regard to its resolution of 19 April 2018 on protection of investigative journalists in Europe: the case of Slovak journalist Ján Kuciak and Martina Kušnírová ⁽¹⁹⁾,
 - having regard to its resolution of 12 December 2017 on the EU Citizenship Report 2017: Strengthening Citizens' Rights in a Union of Democratic Change ⁽²⁰⁾,
 - having regard to its resolution of 3 October 2017 on the fight against cybercrime ⁽²¹⁾,
 - having regard to its resolution of 15 June 2017 on online platforms and the digital single market ⁽²²⁾,
 - having regard to its resolution of 14 March 2017 on fundamental rights implications of big data: privacy, data protection, non-discrimination, security and law enforcement ⁽²³⁾,
 - having regard to its resolution of 15 November 2017 on the rule of law in Malta ⁽²⁴⁾,
 - having regard to its resolution of 25 October 2016 with recommendations to the Commission on the establishment of an EU mechanism on democracy, the rule of law and fundamental rights ⁽²⁵⁾,
 - having regard to its resolution of 23 October 2013 on organised crime, corruption and money laundering: recommendations on action and initiatives to be taken ⁽²⁶⁾,
 - having regard to the study of 28 February 2019 of Parliament's Policy Department for Citizens' Rights and Constitutional Affairs entitled 'Disinformation and propaganda — impact on the functioning of the rule of law in the EU and its Member States',
 - having regard to Rule 54 of its Rules of Procedure,
 - having regard to the opinion of the Committee on Culture and Education,
 - having regard to the report of the Committee on Civil Liberties, Justice and Home Affairs (A9-0205/2020),
- A. whereas media freedom, pluralism, independence and the safety of journalists are crucial components of the right of freedom of expression and information, and are essential to the democratic functioning of the EU and its Member States; whereas key democratic tasks of the media include strengthening transparency and democratic accountability; whereas the media play an essential role in democratic society by acting as public watchdogs, while helping to inform and empower citizens by widening their understanding of the current political and social landscape and fostering their conscious participation in democratic life;
- B. whereas the crisis has highlighted the essential role played by journalists in providing citizens with reliable and verified information; whereas more effort must therefore be made to ensure safe and suitable working conditions for journalists; whereas investigative journalism should be given particular consideration in the context of fighting corruption and maladministration in the EU;

⁽¹⁸⁾ OJ C 41, 6.2.2020, p. 64.

⁽¹⁹⁾ OJ C 390, 18.11.2019, p. 111.

⁽²⁰⁾ OJ C 369, 11.10.2018, p. 11.

⁽²¹⁾ OJ C 346, 27.9.2018, p. 29.

⁽²²⁾ OJ C 331, 18.9.2018, p. 135.

⁽²³⁾ OJ C 263, 25.7.2018, p. 82.

⁽²⁴⁾ OJ C 356, 4.10.2018, p. 5.

⁽²⁵⁾ OJ C 215, 19.6.2018, p. 162.

⁽²⁶⁾ OJ C 208, 10.6.2016, p. 89.

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- C. whereas some Member States limit the freedom of the media through economic means, such as distorted public advertising among media outlets that alters competition, and directly control public media in order to influence editorial decisions and thus ensure pro-government loyalty; whereas public authorities should adopt a legal and regulatory framework which fosters the development of free, independent and pluralistic media;
- D. whereas all Member States must adhere to the values enshrined in Article 2 TEU;
- E. whereas media capture, the lack of institutional transparency, hate speech and disinformation are increasingly being exploited for political purposes as tools to intensify social polarisation; whereas combating these phenomena is not only relevant to the domain of human rights, but is also a fundamental factor in terms of the defence of the rule of law and democracy in the EU;
- F. whereas according to the 2020 World Press Freedom Index, the COVID-19 pandemic has highlighted and amplified many other crises that threaten the right to freely reported, independent, diverse and reliable information; whereas the index has revealed significant differences between the individual Member States, some scoring among the top in the world ranking, while others towards the bottom, which has resulted in a gap of more than 100 places between the best- and worst-performing Member States; whereas several Member States have fallen in international press freedom rankings;
- G. whereas the freedom of the media has been deteriorating in recent years, and while the COVID-19 outbreak has exacerbated this deterioration, it has also brought to the forefront the importance of the media and the right of access to reliable information;
- H. whereas according to the 2019 Reuters Institute Digital News Report the average level of trust in the news in general (worldwide) was down 2 percentage points to 42 % compared with 2018 and less than half those surveyed (49 %) said that they trusted the news media they themselves used; whereas trust in the news found via search (33 %) and social media (23 %) remains stable but extremely low;
- I. whereas the transparency of media ownership is an absolute precondition for ensuring media pluralism and independent journalism;
- J. whereas journalists and other media actors continue to face violence, threats, harassment, pressure, (self-)censorship, public shaming and even assassination in the EU as a result of doing their job to protect the public interest; whereas recent years have shown a growing pattern of intimidation aimed at silencing journalists that requires urgent action to uphold the essential role of the independent media in ensuring the principles of the rule of law; whereas the murders of Daphne Caruana Galizia and Ján Kuciak are two tragically profound examples of the extent to which investigative journalists are being targeted for exposing corruption and protecting democracy and the rule of law;
- K. whereas the threats to media freedom include harassment and attacks aimed at journalists, disregard for their legal protection, and media capture and politically motivated actions in the media sector;
- L. whereas women journalists face gender-specific forms of violence, such as sexual and online harassment; whereas more than 70 % of women working in the media have experienced more than one type of harassment, threat or attack online; whereas 52 % of women have experienced these types of offence in the past year alone; whereas online harassment and abuse is often highly sexualised, based not on the content of victims' work, but on their physical traits, cultural background, or private life; whereas these threats lead women journalists to self-censorship and have a chilling

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- effect on press freedom and freedom of expression; whereas research consistently finds evidence that women are in the minority across media sectors, particularly in creative roles, and are severely underrepresented at senior decision-making levels ⁽²⁷⁾;
- M. whereas in several Member States, strategic lawsuits against public participation (SLAPP) are a continued practice used to scare journalists into halting investigations into corruption and other matters of public interest;
- N. whereas in addition to violence, intimidation and harassment of journalists there is a lack of prosecution of the perpetrators of these crimes, and impunity has a chilling effect; whereas the OSCE reports that impunity prevails as, for example, fewer than 15 % of murders of journalists in the OSCE region are solved;
- O. whereas the right of journalists to report and investigate needs to be further enhanced and effectively protected;
- P. whereas strengthening media freedom requires credible and detailed information on the scope and nature of the challenges to be faced in the Member States and the EU as a whole, including on cases of violation of the principles of the independent media and infringements of the fundamental rights of journalists;
- Q. whereas artistic freedom is an integral part of the fundamental right of freedom of expression and is essential for Europe's cultural diversity and democratic health; whereas attacks on artistic freedom are proliferating but remain invisible;
- R. whereas the global COVID-19 crisis is having a devastating social and economic impact on the media sector; whereas media outlets have been reporting considerable losses in their advertising revenue; whereas thousands of media workers have already lost or are at risk of losing their jobs, either temporarily or permanently; whereas this has had a particularly strong impact on freelance journalists and media workers, whose number is increasing throughout the EU and who already constitute a significant proportion of all journalists and media workers in Europe; whereas this poses a serious risk of further fostering the concentration of information in the hands of a few and preventing the spread of free and independent information; whereas the financial sustainability of jobs and financial independence are a crucial part of press freedom;
- S. whereas digital advertising revenue often benefits non-EU actors and European media revenues are in sharp decline, imperilling the future of traditional advertising-financed media companies such as commercial TV channels, newspapers and magazines;
- T. whereas in some Member States, State aid for media outlets has not been handled transparently, which puts these outlets' independence and credibility at serious risk;
- U. whereas the business model of social media platforms, based on micro-targeted advertising, plays a role in spreading and amplifying hate speech inciting discrimination and violence, and fostering radicalisation leading to violent extremism, including through the circulation of illegal content; whereas combating all forms of intolerance is an integral part of human rights protection as developed by the jurisprudence of the European Court of Human Rights;
- V. whereas the COVID-19 pandemic has led to the stigmatisation, including through the media, of some particularly vulnerable individuals, which has fostered the polarisation of European society and the proliferation of hate speech;
- W. whereas the phenomenon of cyber violence (including online hate speech, cyberstalking and online harassment) is becoming more widespread; whereas women who have a public role, among others politicians, journalists and activists fighting for women's rights and the rights of sexual minorities, are becoming a prime target for cyberbullying and online violence;

⁽²⁷⁾ International Women's Media Foundation, 'Global Report on the Status of Women in the News Media', 2011.

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- X. whereas the AVMSD obliges the authorities in every Member State to ensure that audiovisual media services and video-sharing platforms take measures to protect the general public from programmes, user-generated videos and audiovisual commercial communications containing incitement to violence or hatred against a group of persons or a member of a group based on any of the grounds referred to in Article 21 of the EU Charter of Fundamental Rights; whereas the AVMSD obliges Member States to ensure the independence of media regulators;
- Y. whereas the spread of misinformation and disinformation, as well as disproportionate actions to tackle it on digital platforms, poses a threat to freedom of information, to democratic discourse and to the independence of the media, and has increased the need for high-quality traditional media; whereas data analysis and algorithms are having an increasing impact on the information made accessible to citizens;
- Z. whereas the spread, on a massive scale, of news from different sources which are difficult to verify, along with the ever-growing role of social media and messaging platforms, is having a negative impact on the fundamental rights of EU citizens; whereas the COVID-19 pandemic has accelerated the impact of disinformation online, sometimes with serious consequences for public health, and has made even clearer the need to ensure free and independent information in order to protect the fundamental rights of citizens; whereas the lack of a coordinated communication strategy at EU level has facilitated the wave of disinformation concerning the pandemic, especially on social media and messaging platforms;
- AA. whereas disinformation and misinformation related to COVID-19 may cause panic and social discontent and need to be addressed; whereas measures to combat disinformation and misinformation cannot be used as a pretext for introducing disproportionate restrictions on press freedom, undermining media pluralism and putting the safety of journalists in jeopardy; whereas reports indicate that coordinated campaigns have been running across the Member States and neighbouring regions, promoting false health information and disinformation about the EU and its partners; whereas the Commission addressed these phenomena in its recent joint communication on tackling COVID-19 disinformation; whereas some governments have taken advantage of emergency legislation, and while some of the restrictions will be temporary, others risk being extended long after the health crisis is over; whereas pluralism of information sources, accountability and institutional transparency are a primary defensive barrier against disinformation;
- AB. whereas genuinely independent, adequately funded public service media operating across various platforms are key to a functioning democracy in the EU;

Media freedom, media pluralism and the protection of journalists in Europe

1. Reiterates its continued deep concern about the state of media freedom within the EU in the context of the abuses and attacks still being perpetrated against journalists and media workers in some Member States because of their work, as well as the growing public denigration and general weakening of the profession, weighing particularly heavily on local, investigative and cross-border journalism; stresses that, in accordance with the Council of Europe recommendation of 7 March 2018 on media pluralism and transparency of media ownership, Member States have a positive obligation to foster a favourable environment for freedom of expression, offline and online, in which everyone can exercise their right to freedom of expression, and invites the Member States to fully support and endorse the recommendation;
2. Is deeply shattered by the murders of Daphne Caruana Galizia in Malta and Ján Kuciak and his fiancée Martina Kušnířová in Slovakia due to their investigative work to unveil corruption and other crimes, and reiterates the importance of an independent investigation to bring to justice the perpetrators of and masterminds behind these crimes; calls on national law enforcement authorities to fully cooperate with Europol and other relevant international organisations in this regard;

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3. Deplores the fact that journalists and media workers often work in precarious conditions, which compromises their ability to work appropriately and thus hampers media freedom; stresses that adequate working conditions for journalists and media workers are crucial in fostering high-quality journalism; calls on the Commission and the Member States to promote sustainable measures aimed at financing and supporting high-quality and independent journalism;

4. Recalls the essential role played by investigative journalism in fighting organised crime by collecting and connecting relevant information, thereby exposing criminal networks and illicit activities; highlights the fact that these activities put them at increased personal risk;

5. Underlines the crucial role that investigative journalists play in holding power to account and performing their functions as watchdogs for democracy and the rule of law;

6. Strongly reiterates its call on the Commission to treat attempts by Member State governments to damage media freedom and pluralism as constituting a serious and systematic abuse of powers and as going against the fundamental values of the EU as enshrined in Article 2 TEU; welcomes, therefore, the Commission's intention to include a specific chapter on monitoring media freedom and pluralism in its Annual Report on the Situation of the Rule of Law within the EU; suggests, in this context, a bottom-up approach reflecting individuals' voices and diversity to ensure that the challenges faced by journalists and the media sector are effectively captured; calls, furthermore, for the inclusion in this chapter of country-specific recommendations and effective responses as well as an assessment of the transparency of ownership and the level of government and private interference in the EU Member States; encourages the Commission to actively cooperate with the Council of Europe, exchanging best practices and making sure that the measures undertaken are complementary; urges the Commission and the Member States to develop and maintain a credible framework for the protection of media freedom and media pluralism; calls for the Commission to aim to introduce standards and benchmarks for media freedom at Union level, as well as incentives for higher convergence between Member States; calls on the Commission and the Member States to fully support and strengthen the tools already developed for the promotion and protection of the rights and freedoms enshrined in Article 11 of the EU Charter of Fundamental Rights and Article 10 of the ECHR, such as the Media Pluralism Monitor and the Council of Europe Platform for the Protection of Journalism and Safety of Journalists, and to promptly react to possible threats to and violations of these rights and freedoms; urges the Commission to take into account the impact of the emergency measures taken in 2020 in the context of COVID-19 on press freedom, institutional transparency, accountability, media pluralism and safety of journalists, including through an overview of the attacks against journalists across the EU and the responses provided by Member States in this regard; recalls Parliament's repeated call for a permanent, independent and comprehensive mechanism covering democracy, the rule of law and fundamental rights in the EU; considers that the EU mechanism on democracy, the rule of law and fundamental rights must enshrine media freedom, including artistic freedom, as an essential pillar of a democratic system; calls on the Commission, in this context, to collect information and statistics on media freedom and pluralism in all the Member States;

7. Highlights the irreplaceable role of public service media and stresses that it is essential to ensure and maintain their independence from political interference; highlights, in addition, the need to ensure the financial independence of private market operators and the conditions for the sustainability of their activities so as to avoid media capture; reiterates Parliament's call for an ambitious EU media action plan in this context; condemns attempts by some Member State governments to silence critical and independent media and undermine media freedom and pluralism; warns of attempts to indirectly subdue such media by means of financial patronage and condemns, in particular, attempts to control public service media; deplors the fact that in some Member States public broadcasting has become an example of pro-government propaganda, which often excludes opposition and minority groups from society or presents them in defamatory contexts, and even in some cases incites violence; underlines that in some Member States, especially in rural areas, access to information is limited to public propaganda and language barriers restrict access to international news; recalls that access to information and high-quality journalism is of paramount importance for democracy; highlights the lack of obligatory content analysis for media outlets in some Member States, which would provide comparable public data regarding the balanced presence of pro-government and opposition voices on television and the radio, especially during election campaigns;

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8. Draws attention to the recommendations included in PACE Resolution 2255 of 23 January 2019, which call on the Member States to guarantee editorial independence, as well as sufficient and stable funding, for public service media; highlights that national, regional and local media, and in particular public service media, have an important responsibility to serve the public interest and to adequately reflect the cultural, linguistic, social and political diversity of our societies; stresses that the role of public service media as trusted providers serving the general public interest would be enhanced by appropriate and sustainable funding free from political interference in the Member States; calls on the Member States, therefore, to use financing models in which public service media are financed from sources independent of political decision-making; stresses the crucial need to safeguard independent authorities and ensure strong independent oversight of media against undue state and commercial intervention and attempts to influence editorial policies; calls on the Commission to present a legal framework to supervise the operations of public service media providers, including whether they fulfil the criteria of prudent management and task-based financing and whether their services fulfil expectations for fact-based, fair and ethical journalism;

9. Denounces the lack of balanced political debate among media outlets in certain Member States and the fact that the politically motivated restriction of information exists in practice, for example denying access to data of public interest, using delay tactics, the unjustified narrowing of the scope of information requested, banning journalists from public venues including parliaments, restricting journalists' opportunities for interviews with politicians and members of the government, and avoiding giving interviews to media outlets not in the government-friendly conglomerate, even those with significant national outreach; stresses that public authorities must ensure transparency with regard to their activities, thereby helping to bolster public confidence, given that the free flow of information helps to protect life and health and facilitates and promotes social, economic and political debate and decision-making; calls on Member States to ensure that journalists and media outlets have meaningful access to parliamentary debates, to members of parliaments and high-ranking government officials, to data of public interest and to public events and press conferences, especially those of governments, as the lack of such access seriously restricts the notion of freedom of the media;

10. Reiterates its concern about the lack of specific legal or policy frameworks protecting journalists and media workers from violence, threats and intimidation at national level within the EU; calls on public figures and authority representatives to refrain from denigrating journalists, as this undermines trust in the media across society; underlines the important role of journalists in reporting on protests and demonstrations and calls for their protection so that they can carry out their role without fear; asks Member States to provide specific training programmes for law enforcement authorities responsible for the protection of journalists; calls on the Member States and the Commission to ensure — in law and in practice — the effective protection and safety of journalists and other media actors as well as of their sources, including in a cross-border context; firmly believes, in this regard, that Member States should prohibit the use of private investigators as a form of intimidation for the purpose of obtaining information about journalists in their professional capacity or about their sources;

11. Is deeply concerned about the increasing political attacks on the media and deplores the lack of protection of journalistic sources; recalls Member States' obligation to carry out prompt, impartial and effective investigations into attacks such as threats, killings, harassment, intimidation and ill-treatment perpetrated against journalists and urges Member States to step up efforts to end threats and attacks against journalists and media workers, to ensure accountability, and to guarantee that victims and their families have access to the appropriate legal remedies; calls on the Commission and the Member States to ensure that reporting mechanisms are accessible; calls for the implementation of the EU Human Rights Guidelines on Freedom of Expression Online and Offline, which stress that the EU will take all appropriate steps to ensure the protection of journalists, both in terms of preventive measures and by urging effective investigations when violations occur; highlights that women journalists are especially vulnerable to harassment and intimidation and should therefore be subject to additional safeguards; expresses deep concerns about the rise in attacks against female journalists and media workers; reiterates its call on Member States to take a gender-sensitive approach when considering measures to address the safety of journalists;

12. Calls on the Member States to fully implement the Council of Europe recommendation on the protection of journalism and safety of journalists and other media actors, and to transpose Directive (EU) 2019/1937 on the protection of persons who report breaches of Union law, which aims to set minimum common standards to ensure a high level of protection for whistle-blowers, into their national legislation as soon as possible; highlights that whistle-blowing is essential for investigative journalism and the freedom of the press;

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13. Condemns the use of SLAPP to silence or intimidate investigative journalists and outlets and create a climate of fear around their reporting of certain topics; strongly reiterates its call on the Commission to come forward with a comprehensive proposal for a legislative act aiming to establish minimum standards against SLAPP practices across the EU;

14. Points to the final recommendations of the Special Committee on Organised Crime, Corruption and Money Laundering (CRIM) set out in its resolution of 23 October 2013 on organised crime, corruption and money laundering, according to which defamation and libel laws dissuade possible reporting of corruption; reiterates its call for all the Member States to de-penalise defamation and libel laws in their legal systems, at least for cases involving allegations of organised crime, corruption and money laundering in Member States and abroad;

15. Calls on the Commission to set up an EU hotline as a rapid-response mechanism for journalists requesting protection and to ensure that adequate attention is paid to their situation;

16. Stresses that excessive concentration of ownership in the content-producing and content-distributing sectors may threaten citizens' access to a range of content; underlines that media pluralism, which depends on the existence of a diversity of media ownership and of content as well as independent journalism, is key to challenging the spread of disinformation and ensuring that EU citizens are well-informed; recalls that according to the Media Pluralism Monitor 2020, media ownership concentration remains one of the most significant risks to media pluralism and is seen as creating barriers to the diversity of information; calls on the Member States to adopt and implement media ownership regulatory frameworks in order to avoid horizontal concentration of ownership in the media sector and to guarantee transparency, disclosure and easy accessibility for citizens with regard to information on media ownership, funding sources and management; calls on the Commission to monitor the implementation at Member State level of existing EU instruments against ownership concentration and illegal State aid to increase diversity in the media landscape; condemns any attempt to monopolise media ownership in the Member States or exert political interference in media management; urges the Commission and the Member States to act quickly and resolutely to increase the transparency of media ownership and the financial sources used by media owners; calls on the Commission to strengthen efforts to ensure that the media proactively publish information about their ownership structures, including their beneficial owners, and that clear rules are put in place to prevent potential conflicts of interest arising in media ownership structures, with a special emphasis on avoiding political interference; condemns governments' excessive interference in media pluralism through public advertising; calls on the Commission to closely monitor the use of EU funds allocated to supporting free and independent media in order to channel the resources to those in need; emphasises, in this respect, that EU money cannot be spent on state-controlled media and media that distribute political propaganda;

17. Deplores the fact that in some Member States media regulatory bodies have come under government influence and operate in a manner biased against media outlets that are critical of the government;

18. Is concerned about attempts to take advantage of the COVID-19 pandemic to punish independent and critical media and introduce restrictions on the media's access to and scrutiny of government decisions and actions, suppressing or mitigating institutional transparency mechanisms by adopting exceptional measures and hampering proper and informed debate on those actions; stresses the role of journalism and the free flow of information as essential to the EU's efforts to contain the COVID-19 pandemic; points out that journalism also plays a crucial function at a moment of public health emergency; calls on the Commission to monitor such national government practices comprehensively and to include the results in its annual reports on the rule of law;

19. Calls on the Commission and the Member States to urgently introduce EU and national emergency recovery packages to protect the jobs and livelihoods of journalists and media workers, support companies and fund public service media through the COVID-19 economic recovery plan, while fully respecting EU competition rules; highlights that during

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the COVID-19 crisis certain media outlets, and local media platforms in particular, estimated losses of as much as 80 % ⁽²⁸⁾ of their revenues owing to the decrease in advertising; stresses that in the face of the pandemic European citizens need professional, economically secure and independent journalists; reiterates in this context its call for the creation of a permanent European fund for journalists in the framework of the next MFF (2021-2027), as redrafted following the COVID-19 crisis, offering direct financial support for independent journalists and media outlets, freelancers and self-employed media workers; underlines that funding should be managed by independent organisations in order to avoid any interference with editorial decision-making and that support should be provided only for those public and commercial media outlets that are truly independent and free from government or any other interference; recalls that special emphasis should also be placed on independent media start-ups, particularly local ones, in Member States where media freedom has worsened in recent years, media ownership concentration has increased significantly and public service media are under threat from political influence;

20. Reiterates, in this context, its call for an ambitious EU media action plan to support the development of a vibrant and pluralistic media landscape;

21. Calls for an ambitious MFF with increased budget allocations for supporting the media and independent journalism, in particular investigative journalism; stresses the importance of innovation in journalism and news media, which could be fostered through EU funding; notes with concern the budgetary cuts envisioned to the Creative Europe and Justice, Rights and Values programmes in the Commission's revised budget proposal;

22. Strongly welcomes the allocation of EU funds to enable the launch of new projects, such as the Europe-wide rapid response mechanism for violations of press and media freedom and the cross-border investigative journalism fund, in order to strengthen media freedom and pluralism;

23. Underlines that the media have a powerful role to play in promoting gender equality and anti-discrimination; urges the Commission and the Member States to take active steps to promote gender equality in the media sector so that more women can hold creative and decision-making positions, which would enable the media to contribute to the reduction of gender stereotypes;

Hate speech

24. Condemns all types of incidents of hate crime, hate speech and accusations devoid of foundation or formulated in bad faith ⁽²⁹⁾, both offline and online, motivated by discrimination based on any grounds, such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation, that occur within the EU and elsewhere; expresses concern over the hate crimes and crimes relating to incitement to discrimination or violence which occurred during the COVID-19 pandemic, leading to the stigmatisation of some particularly vulnerable individuals;

25. Deplores the increasing levels of hate speech used in political communication by governments and political parties across the EU; calls on the Member States to strongly condemn and sanction hate crime, hate speech and scapegoating by politicians and public officials, at all levels and on all types of media, as these phenomena directly normalise and reinforce hatred and violence in society, and to refrain from discriminatory and inciting rhetoric in governmental communication as it is detrimental to society; stresses that sanctions should always be in compliance with the international standards of freedom of expression; calls, furthermore, on the Member States, within the limits of the law, to guarantee and encourage freedom of expression, including artistic freedom, which is essential to vigorous democratic debate; recalls that racist and xenophobic speech are not covered by freedom of expression;

⁽²⁸⁾ See *The Economist*, 'The newspaper industry is taking a battering', 18 April 2020 and News Media Europe, 'COVID-19 and the news media: journalism always comes at a cost', 24 March 2020.

⁽²⁹⁾ Judgment of the European Court of Human Rights of 23 April 1992, Application No 11798/85, paragraph 46.

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26. Reiterates its call on the Member States to implement and enforce further measures to prevent, condemn and counter hate speech and hate crime, so as to counter the spread of hate speech and violence offline and online, while also ensuring that law enforcement applies effective hate crime recording practices based on the principles endorsed by the EU High Level Group on combating racism, xenophobia and other forms of intolerance;

27. Highlights that online hate speech has become increasingly widespread in recent years as individuals and disruptive actors use the power of online platforms to spread hateful information; stresses that this harms the collective public interest as harmful content undermines respectful and honest public discourse, and poses threats to public safety given that online hate speech can incite real-world violence;

28. Points out that the legal framework for tackling hate speech and discrimination should be reinforced; reiterates its call for negotiations on the horizontal anti-discrimination directive to be unblocked to that end;

29. Reiterates its call on the Commission and the Member States to take measures to increase women's security in public spaces and on the internet, to address emerging forms of gender-based violence such as cyberstalking and online harassment, and to introduce comprehensive mechanisms to assist victims of such violence;

30. Reiterates its call on the Commission and the Council to activate the 'passerelle clause' enshrined in Article 83(1) TFEU in order to include violence against women and girls and other forms of gender-based violence (including cyber violence) in the catalogue of EU-recognised crimes;

31. Takes note of the Code of Conduct on Countering Illegal Hate Speech Online, promoted by the Commission, and of its fifth evaluation round, which found that, on average, IT companies remove 71 % of the illegal hate speech notified to them; recalls that journalists and civil society organisations should be included in evaluations and reviews of the Code of Conduct and that the IT companies participating in the Code of Conduct only review requests for removal against their terms and conditions and community guidelines; highlights the wide margin of discretion left to private companies to determine what is illegal; encourages all companies that run social media platforms to participate in the Code of Conduct;

32. Points out that Member States must ensure, by all appropriate means, that the media, including online and social media, as well as advertising, are free from all incitement to violence or hatred directed against any person or group of persons, which can have a direct effect on the participation in civil society of these individuals; reiterates its call on the Commission, the Member States and social media companies to counteract the spread of racism, xenophobia, LGBTI-phobia and religious hatred on the internet, in cooperation with the relevant civil society organisations; calls on Member States and the Commission to collect more reliable data on the extent of hate speech and hate crimes;

33. Expresses its concern about the lack of reporting of hate crimes by victims owing to inadequate safeguards and to the failure of authorities to investigate properly and end impunity for hate crimes in the Member States; calls on the Member States to develop and disseminate tools and mechanisms for reporting hate crimes and hate speech, and to ensure that any case of alleged hate crime or hate speech is effectively investigated, prosecuted and tried;

Disinformation and the role of platforms

34. Notes that the new digital technology and social media have been factors in the problem of the spread of disinformation and foreign interference, and have resulted in online platforms playing an influential role in publishing, disseminating and promoting news and other media content; reiterates its concern about the potential threat disinformation poses to freedom of information, freedom of expression, democratic discourse, the independence of the media and public health; highlights that measures combating disinformation should focus on fostering a plurality of opinions through the promotion of high-quality journalism, delivering reliable, fact-based and verified information, and on

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building media literacy, and that any such measures must provide guarantees for freedom of information and freedom of expression;

35. Calls for greater collaboration between online platforms and law enforcement authorities so as to address effectively the spread of messages that incite hatred or instigate violence; stresses the importance of promptly removing illegal content in order to curb its uncontrolled spread; notes, however, that online platforms cannot and must not become private censors and that any removal of illegal content by online platforms must be subject to safeguards, including review by the courts of the Member States, in order to protect freedom of expression, including artistic freedom, the right to free and independent information and the fundamental rights of citizens in general; recalls that online platforms are part of the online public sphere in which public debate take place; calls on the Commission to ensure safeguards for platforms so that fundamental rights and freedom of speech are respected;

36. Recalls that political profiling, disinformation and manipulation of information are often used by political parties and private or public entities, and reiterates its concern about the fact that evidence of interference is continuously coming to light, with indications of foreign influence, in the run-up to all major national and EU elections, with much of this interference benefiting anti-EU and populist candidates seeking to polarise and nullify ideological pluralism while targeting specific minorities and vulnerable groups; points out that fighting interference by third parties in the future will be a fundamental factor in upholding European values and democracy; underlines, in the context of the COVID-19 emergency, that disinformation and sensationalised media reports relating to the pandemic have also been used by extreme right-wing and populist groups and politicians to target minority groups and contribute to anti-immigration rhetoric, which has led to increased instances of racist and xenophobic hate speech, as well as discrimination;

37. Points out that different forms of misinformation and disinformation, as well as other forms of information manipulation relating, inter alia, to the COVID-19 pandemic, continue to proliferate around the world, are often targeted at the most vulnerable communities, and have potentially harmful consequences for public security, health and effective crisis management; takes the view that these disinformation campaigns seek to undermine the democratic process and citizens' trust in the democratic institutions of the Member States; welcomes the joint communication of 10 June 2020 on tackling COVID-19 disinformation; recalls that all measures to combat disinformation, including those taken in the context of the COVID-19 emergency, need to be necessary, proportionate, transparent, temporary and subject to regular oversight, avoiding any drift leading to public monopoly or concentration of information sources, and may under no circumstances prevent journalists and media actors from carrying out their work or lead to content being unduly removed or access to such content blocked on the internet; deplores the fact that certain online platforms remove or censor content, including journalistic content, related to the COVID-19 pandemic on the basis of non-transparent terms and conditions which unnecessarily limit freedom of expression; stresses that resorting to such measures may result in access to important public health information being prevented or limited; highlights that any attempts to criminalise information relating to the pandemic may create distrust in institutional information, delay access to reliable information and have a chilling effect on freedom of expression;

38. Condemns conspiracy theories and publicly funded disinformation campaigns aimed at discrediting the EU and misleading the public about its aims and activities; calls on the Commission to openly condemn and debunk the lies and disinformation spread by any state authorities about the EU and to publish and distribute a factual response in order to inform citizens;

39. Welcomes the Commission's initiative to present a European Democracy Action Plan that aims to counter disinformation and to adapt to evolving threats and manipulations, as well as to support free and independent media; emphasises in this respect that protecting freedom of expression, including free, independent and financially viable media, artistic freedom, fundamental rights content and democratic debate, while combating hate speech and disinformation, is a fundamental factor in terms of the defence of the rule of law and democracy in the EU; notes with concern that according to a Global Disinformation Index (GDI) study, websites spreading disinformation in the EU receive more than EUR 70 million in ad revenue every year; highlights the potentially negative impact of business models based on micro-targeted advertising; confirms that the General Data Protection Regulation⁽³⁰⁾ provides for the right of individuals not to be subject

⁽³⁰⁾ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1).

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to pervasive online tracking across sites and applications; calls on the Commission to engage further with digital platforms in this regard and to step up efforts to enforce the prohibition of such practices, combat the strategic, automated amplification of disinformation through the use of bots and fake profiles online, and increase transparency with respect to the financing and distribution of online advertising; calls, furthermore, on all online platforms to ensure that the algorithms that underpin their search functions are not primarily based on advertising; asks for the establishment of a digital and fundamental rights multi-stakeholder expert group encompassing independent media and digital and human rights NGOs in order to assist the Commission and the EU institutions in general;

40. Welcomes the launch of the European Digital Media Observatory (EDMO) project, which will increase the scientific knowledge available with regard to online disinformation, promote the development of an EU information verification services market and support the creation of a cross-border and multidisciplinary community composed of fact checkers and academic researchers cooperating with stakeholders to identify, analyse and expose potential disinformation threats, with regard to COVID-19 for example;

41. Reminds the Commission and the Member States as well as the private sector, in particular online platforms, and civil society as a whole of the need for joint action when it comes to the fight against disinformation; stresses that online platforms should play a key role in detecting and countering disinformation; acknowledges the promising and necessary yet still insufficient impact of the voluntary actions taken by some service providers and platforms to counter disinformation, illegal content and foreign interference in electoral processes in the EU; highlights, however, that online platforms are currently still failing to take appropriate responsibility for countering those immediate threats;

42. Emphasises that the effectiveness of actions by online platforms to tackle disinformation can only be assessed when conducted in full transparency and by sharing relevant data; urges the Commission, therefore, to assess all possible measures to oblige online platforms to address the spread of disinformation effectively, in a transparent and accountable manner, and to share the relevant data accordingly; calls on the Commission to consider sanctions for online platforms that fail to do so; expects to see this reflected in the European Democracy Action Plan and the Digital Services Act accordingly;

43. Stresses, in this regard, that removing online content in the absence of a judicial order determining its illegal nature has a strong impact on freedom of expression and information; calls for regular impact assessments of the voluntary actions taken by service providers and platforms to counter disinformation; insists on Member States' obligation to respect, protect and guarantee fundamental rights and requests the assessment of all available options to protect and uphold the right to information and participation; calls on the Commission, in this respect, to propose EU rules on online platforms aimed also at countering government practices that unnecessarily limit freedom of expression; stresses that using automated tools in content moderation may endanger freedom of expression and information and that EU digital policy and strategy must provide for appropriate remedies and safeguards in full compliance with the relevant provisions of the EU Charter of Fundamental Rights and of the ECHR;

44. Considers that the EU Code of Practice on Disinformation could be strengthened through improved monitoring of existing commitments, the transparent and disaggregated provision of information and data by online platforms, and the expansion of such commitments; considers that a co-regulatory approach that continuously reflects current developments in the digital sphere could be a way forward;

45. Encourages social media companies and online platforms to explore possibilities to make tools available to enable users to report and flag potential disinformation in order to facilitate prompt rectification and allow for review by independent and impartial third-party fact-checking organisations, while preventing misuse of such tools; stresses that online platforms should cooperate with Member States and the EU institutions to facilitate the assessment of disinformation and foreign interference and the identification of perpetrators;

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Media literacy

46. Calls on the Commission and the Member States to increase their efforts to strengthen education policies that promote media and information literacy, empower citizens to think critically and help them to identify disinformation; highlights, in this respect, that upholding editorial independence within central and local media outlets and developing media literacy projects are essential elements for building resilience, raising awareness and strengthening education in efficiently fighting propaganda, disinformation and manipulation; considers that continuous media literacy curricula and efforts across all age groups are of significant importance when increasing societal resilience to such threats in the digital space; calls on the Commission, in this regard, to work in close cooperation with the Member States and civil society organisations to develop curricula on information, media and data literacy; stresses that media literacy is an increasingly essential and critical skill for citizens; points out that in order to reach a wider audience and as many age groups as possible, it is important to scale up media literacy initiatives through social media platforms, including effective media literacy strategies for the elderly and the most vulnerable groups; calls on the Commission and the Member States to also promote programmes and policies aimed at fostering media and news literacy for journalists and media actors and at developing a critical and conscious appreciation of the use of ICT, such as, for instance, campaigns raising awareness of rights and possible risks in the digital sphere; stresses the need to develop a comprehensive EU strategy on media literacy and calls on the Commission to step up efforts to this end; underlines the key role of civil society organisations in fostering media literacy and helping to prevent the spread of hate speech; recalls that programmes deemed to be using effective strategies to combat hate crime and hate speech are focused on cooperation, communication, conflict resolution, problem solving, mediation and bias awareness;

47. Urges the Commission to step up efforts to increase EU funding for media literacy programmes and to actively engage in the promotion of reliable, fact-based and fact-checked information by enhancing media distribution channels in order to improve access to such information; calls on Member States to fully implement the provisions of the revised AVMSD, which require them to promote and develop media literacy skills;

48. Encourages the Commission to provide support to complement educational programmes in all Member States, not only within the scope of media literacy, but also in wider civic education, including education in democratic values and human rights for further sensitisation to disinformation and propaganda;

49. Highlights the fact that local and community media organisations are key structures for the promotion, production and dissemination of information and facts related to local and minority artistic and cultural events; considers them to be an important instrument for maintaining media pluralism and a multicultural environment in Europe; considers that community media outlets should also be involved as stakeholders in EU programmes dedicated to promoting journalism and media literacy, and calls on the Member States to provide them with adequate support, ensuring they carry out their educational and cultural roles;

50. Calls for the EU institutions to ensure strengthened and proactive communication in all official languages when major public emergencies, such as the pandemic, occur, in order to ensure that EU citizens have access to accurate, user-friendly and verified information;

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51. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of the Member States.
