

How to Apply for Legal Support

The European Centre for Press and Media Freedom (ECPMF) recognises that physical threats to the life, safety, wellbeing and security of journalists and media organisations remain a serious concern in many European countries. The recent actions of some governments in passing laws that restrict the right to freedom of expression and freedom of the media suggest that there is a need for advocacy against such laws or to improve existing legislation. Individual journalists, bloggers, activists, free speech advocates, non-governmental organisations and media outlets, especially those operating in countries with more restrictive governments, can find it difficult to find legal expertise and pay for adequate legal support. Organisations monitoring governments and parliaments may also need legal expertise to argue for better legislation.

ECPMF offers and co-ordinates legal support for free speech individuals and organisations working in countries located geographically in Europe.

Depending on ECPMF's assessment, such support may consist of:

- General guidance
- Access to legal advice on relevant law and strategy
- External assistance (for example to submit a case to court, watching briefs, oral advocacy)
- Access to expertise in policy and law making
- Engagement in national or international litigation (directly or indirectly).

The ECPMF's legal affairs committee will review each application for support to decide the appropriate response.

If you have any questions about your entitlement to legal support please contact us directly at legal@ecpmf.eu.

When applying for legal support, applicants will be asked to confirm that they have acted and will act in good faith by sticking to common European journalistic and ethical standards.

For the avoidance of doubt: ECPMF will not support standard labour disputes or any speech that can be considered hate speech or incitement to violence.

Some legal threats – like life imprisonment or closing a media outlet - will be given priority.

Part I – Before you apply

The following set of criteria is intended to give some outline guidance for those considering applying for legal support.

- 1) Legal support might consist of:
 - Legal advice or strategy guidance
 - Making available expertise in policy and lawmaking
 - Engagement in national or international litigation (directly or indirectly).
- 2) Legal support/expertise might be provided in cases involving:
 - Administrative decisions from regulatory bodies/institutions related to freedom of expression
 - Lawsuits in national courts
 - Applications in international courts (European Court of Justice, European Court of Human Rights)
 - Law and policy making.
- 3) Persons/organisations who might be eligible to apply for legal support:
 - Employed or freelance journalists
 - Freedom of expression activists or advocates
 - Bloggers
 - Organisations supporting the right to freedom of expression.
- 4) Deadlines:
 - Applicants need to respect legal deadlines within their home country (statutory limitations)
 - ECPMF will respond to the application for legal support/expertise as quickly as possible but in any event within 30 days. For urgent cases, a fast track procedure will be used by the legal affairs committee.
 - The type and duration of any legal support will be decided on a case-by-case basis.
- 5) Areas where legal support/expertise may be offered:
 - Defamation
 - Protection of sources and journalistic material
 - Bullying or harassment
 - Whistleblowing

- Prior –restraint issues such as injunctions and super-injunctions
- Access to public information
- Censorship
- Imprisonment.

Part II – Application procedure

1. Addressee:
Applicants are asked to use the online form.
The form can also be printed off and posted to European Centre for Press and Media Freedom, Request for legal support, Menckestraße 27, 04155 Leipzig, Germany. Relevant documents should be included.
2. Confirmation:
The applicant will receive a confirmation that their application has reached the ECPMF within five working days
3. Vetting
The ECPMF's supervisory and executive committee will vet any applications in order to ensure their validity and integrity. The ECPMF office may, but is not obliged to, refer the application to its legal affairs committee.
4. Legal affairs committee
The legal affairs committee is composed of media law experts appointed by the ECPMF. Its rules of procedure can be viewed here [add link]. LAC will consider any application referred to it by the ECPMF office on the basis of the information provided and their own research. The principle role of the LAC is to offer non-binding advice and guidance when asked by the ECPMF office on any requests that may be received for legal support. The final decision on supporting any particular case lies with the ECPMF office, not LAC.
5. Decision period
LAC will consider and review any applications within 30 days of being sent them by the office.
If need be, LAC can contact the applicant and ask for further information. For urgent cases, a fast track procedure will be used. LAC will offer guidance and advice to ECPMF office as to whether and how, a case can be supported.
6. Decision
As soon as possible after receiving LAC's advice, ECPMF office will contact the applicant in writing to inform them of the decision. If support has been refused, short reasons will be provided.

7. Right to object The applicant is entitled to complain about the refusal of legal support to the ECPMF office, who will review their decision. The review decision of ECPMF office will be provided in writing and is final. There is no further route of appeal.