

Submission to the Office of the United Nations High Commissioner for Human Rights on the impact on the safety and work of journalists and media workers of the measures that Governments have taken to respond to the COVID-19 pandemic

ARTICLE 19, the European Centre for Press and Media Freedom (ECPMF), Free Press Unlimited (FPU), and OBC Transeuropa, as part of the Media Freedom Rapid Response (MFRR), are grateful for the opportunity to submit this information on the impact on the safety and work of journalists and media workers of the measures that Governments have taken to respond to the COVID-19 pandemic, for the purposes of the preparation of the High Commissioner's report at the 48th session of the Human Rights Council.

The MFRR tracks, monitors, and responds to violations of press and media freedom in European Union (EU) Member States and Candidate Countries,¹ which are documented on Mapping Media Freedom.² The information provided here draws from these alerts on the Mapping Media Freedom platform, the MFRR's monitoring reports³ with country-by-country and thematic analysis and other documents linked in the footnotes, to which we refer for more detailed information and further examples. This submission will solely focus on government measures and trends in Europe.

In our monitoring, we have observed a significant negative impact of COVID-19 on media freedom, frequently directly or indirectly related to government measures taken in response to the pandemic. This is independent of the direct health risks posed to journalists and media actors from the pandemic itself.

Between 1 March 2020 and 28 February 2021, we registered 107 alerts (involving 197 attacked persons or media entities) in 20 European countries related to COVID-19. This means that more than 1 out of 4 incidents of media freedom violations we documented during this period in the region were related to COVID-19.

In 29.9% of the incidents related to COVID-19 registered on Mapping Media Freedom, media actors were physically attacked (resulting in injury in 10.4% of incidents), and more than half (56.1%) include verbal abuse. Particularly, protests organised to oppose government responses to the COVID-19 pandemic have proven to be a significant threat to journalists and media workers' safety. Nearly half of the incidents related to COVID-19 (45.8%) happened during demonstrations.

The impact on safety of journalists

Widespread protests have led to a steep deterioration of the safety of journalists all across Europe since the pandemic started. The COVID-19 pandemic and governments' responses to it have driven an increase in protests across Europe. Demonstrations, in general, are a complex and challenging working situation for journalists and media workers, who have been increasingly at risk of verbal and physical attacks while covering protests.⁴ Threats emerge from a range of different actors, including demonstrators, as well as police officers or security services charged with maintaining the peace. This negative trend has also manifested during COVID-19 related protests.

¹ This includes the United Kingdom - 33 countries make up the MFRR region.

² All alerts are available on Mapping Media Freedom (MMF) at <https://www.mappingmediafreedom.org>.

³ Available at <https://mfrreu/monitor>.

⁴ Also see: International Press Institute (IPI), [Fresh attacks worsen climate of hostility against journalists covering protests across Europe](#).

For example, in a number of German⁵ cities and towns, throughout 2020 and 2021, numerous protests against the government's COVID-19 responses led to very unsafe situations for independent journalists. Many demonstrations were attended by a wide range of actors, including conspiracy theorists and far-right and extremist groups who have been particularly hostile towards the press. Throughout the incidents, the enmity expressed towards journalists and media workers stands out, revealing low regard for the profession and an assumption of political bias or the willful propagation of 'fake news'. From protestors, journalists and media workers frequently faced physical violence, harassment and threats during protests. For instance, on 7 November 2020 a large protest in Leipzig against the government's pandemic response brought forward a range of threats towards journalists including antisemitic online abuse,⁶ death threats⁷ and threats of 'cleansing'⁸ and physical assaults⁹ from protesters including known far-right activists.¹⁰

Such an increase in attacks, harassment and intimidation of journalists is not unique to Germany. This trend was indeed documented in a wide range of countries including Italy,¹¹ the Netherlands¹² and the United Kingdom.¹³ This geographic spread highlights a concerning trend, as threats emerge from countries, such as The Netherlands and Germany with traditionally high standards of media freedom and more established democratic processes, alongside states with a longer legacy of media freedom violations. The spread of anti-media sentiments, distrust of state institutions and democratic processes, as well as a willingness to directly interfere with journalistic reporting as part of a perceived legitimate protest act cannot be isolated to specific countries, histories or political norms and so will take concerted and coordinated action across Europe to resolve. The severity and frequency of these threats have oftentimes forced media actors, outlets and management to take radical steps to protect themselves. For example, after a series of threats to their staff, including verbal harassment, threats of violence and the urination on equipment by protestors, Dutch public broadcaster, NOS removed its corporate logo from all vans in the field.¹⁴

A second large concern is the fact that attacks and harassment of journalists do not solely come from protestors and citizens. Too often, police officers and other law enforcement personnel perceive journalists and media workers as an enemy or obstacle, or no different than protestors. This can result in disproportionate restrictions on access, threats of detention or arrest, or at times, physical attacks. For example, this was seen in the protests against government responses to the COVID-19 pandemic in Serbia in July, which resulted in 28 journalists and media workers being attacked by demonstrators¹⁵ and police officers¹⁶ in different towns and cities. While to an extent the victim of indiscriminate aggressive

⁵ Also see: European Centre for Press and Media Freedom (ECPMF), [Feindbild: Alliert im Pressehass](#).

⁶ MMF, [Online antisemitic messages directed against journalist](#).

⁷ MMF, [Protesters direct death threats towards journalists](#).

⁸ MMF, [Journalists threatened with 'cleansing' from protesters](#).

⁹ MMF, [A group of protesters attack a number of journalists](#).

¹⁰ MMF, [Protesters physically assault journalist](#).

¹¹ MMF, [Journalists face online harassment over protest coverage in Florence; Journalists covering "no mask" march in Bologna face intimidation; TG2 reporting crew threatened and robbed covering Palermo protests; Journalists face pressure over protest coverage in Florence; La Nazione photojournalist hospitalised with head trauma after attack; Reporter and camera operators for Sky TG 24 attacked covering anti-lockdown protests in Naples; Video journalist for la Repubblica threatened and attacked by anti-Covid lockdown protesters in Bologna; Journalist insulted and threatened by anti-face mask protesters in Rome; Journalists attacked outside COVID-19 facility; Journalists attacked and labelled as "terrorists" during far right protests in Rome; Journalists reporting on coronavirus insulted and threatened with metal rod](#).

¹² MMF, [RTV Rijnmond journalist assaulted; Freelance journalist assaulted and abused in Enschede; Press photographer pelted with stones; Journalist pelted with stones and assaulted during protest; NOS team attacked during protest in Urk](#).

¹³ MMF, [Photojournalists face intimidation covering London anti-lockdown protest](#).

¹⁴ Also see: European Federation of Journalists (EFJ), [Netherlands: Public Broadcaster NOS removes logo from vehicles following increased attacks against journalists](#).

¹⁵ MMF, [Insider.ned journalist's phone grabbed by two men; Nova.rs journalist attacked with stones during protest; RTS cameraman injured during attack](#).

¹⁶ MMF, [Beta news agency cameramen beaten by police during protest; Nova.rs journalist Radonjić beaten by police during protest; Nova.rs journalists attacked by police during demonstration; Journalist of Nova.rs news portal attacked and obstructed covering Belgrade protests by police](#).

policing, there was a disturbing trend of journalists and media workers being attacked by police officers even after presenting their press IDs. Žikica Stevanović of the Beta news agency, Milica Božinović, a journalist for the Novars news portal, and Igor Stanojević were all attacked by police officers, with Stanojević also being arrested for his reporting.¹⁷

This declining safety of journalists in Europe cannot be viewed as separate from the political context. Politicians with illiberal views have abused the pandemic to demonise journalists and media workers, feeding into and exacerbating a climate of hostility and mistrust. For instance, in Slovenia Prime Minister Janez Janša has accused media outlets of having contributed to COVID-19 deaths by spreading lies on several occasions.¹⁸ Investigative journalist Blaž Žgaga has faced threats and a smear campaign in media and social media after raising a Freedom of Information request about the emergency powers taken by the Slovenian government to contain the COVID-19 virus.¹⁹

Impact on the work of journalists: restricting access

Government measures in response to the COVID-19 pandemic have negatively impacted journalists and media workers' work by affecting their access to information in several ways. These include legislative changes, the manipulation of access to policy-makers and health workers and the use of COVID-19 regulations to block access to protest locations and to detain, arrest and fine journalists and media workers for covering protests. In many instances, these threats exacerbated pre-existing obstacles that prevent journalists and media workers from accessing information, venues and expertise. The most severe threats were observed in states with existing authoritarian tendencies, such as Hungary, where the pandemic has given cover to grab more powers and tighten control over media and information.

Some countries have introduced legislation purportedly targeting fake news. In Bulgaria, a draft law on "internet misinformation" that was vaguely defined was submitted, but finally did not pass.²⁰ In Hungary, independent journalists risk up to five years of detention if they publish information that is considered to be "scaremongering" by the authorities.²¹ In May 2020, only two months after the pandemic had started, already 83 journalists and citizens in Hungary had been prosecuted under the new provision. The result is censorship and self-censorship, as legal unclarity and fear of what information will be interpreted as false or spreading fear, leads to less critical reporting.

Governments also took other legislative measures in light of the pandemic that curb journalistic freedoms. Several countries have restricted or modified their right to information laws and regulations.²² For instance, in May 2020, Hungary issued Decree No. 179/2020, which prevented information requests from being submitted in person. The period within which the state was required to respond to requests was prolonged from 15 days to 45 (this can also be extended once with another 45 days). Countries such as Romania, Bulgaria, Scotland²³ and Serbia likewise extended the response period, sometimes, as seen in Romania, doubling the number of days journalists had to wait for responses. Italy, Spain, Slovenia and Poland, frequently using state of emergency decrees, went further and suspended deadlines absolutely. In Italy, the law was further fragmented by introducing different rules depending on the information requested by journalists.

The COVID-19 pandemic has increased the dependency on states to communicate clearly with the public, share public health information and respond to the press's questions. However, this process has frequently been skewed to ignore critical outlets and manipulate access to policy-makers. For

¹⁷ Also see: [Serbia: MFRR calls for all journalists and media workers to be protected](#).

¹⁸ MMF, [PM accuses Zdr and its editor of responsibility in COVID-19 deaths; Threats and smear campaign against journalist and government critics](#).

¹⁹ MMF, [Threats and smear campaign against journalist and government critics](#).

²⁰ MMF, [Vaguely worded draft law on "internet misinformation" poses threat to media freedom](#).

²¹ Also see: ECPMF, [Hungary's two pandemics: COVID-19 and attacks on media freedom](#).

²² Also see: IPI, [Access Denied: FOI deadlines extended or suspended across Europe](#); EFJ, [Covid-19-impact on access to information in CoE countries](#).

²³ MMF, [Scotland restricts Freedom of Information by change in the law during corona virus outbreak](#).

example,²⁴ on 16 October 2020, the Maltese government hosted a press conference to announce new developments in its response to the COVID-19 pandemic. This was broadcast live on TVM, a network operated by the Public Broadcasting Services. However, as soon as deputy Prime Minister Chris Fearne asked to take journalists' questions, TVM stopped the live broadcast. When questioned about this, and a similar incident in August, the Broadcasting Authority justified it on the grounds that it was legally obliged to prevent "unexpected questions which may undermine the impartiality of the broadcast and turn a public health broadcast into a party political statement." In another example,²⁵ in the UK, journalists from openDemocracy and The Sunday Times were barred from participating in the daily UK Government COVID-19 briefings. When confronted with the banning of James Cusick from openDemocracy, the outlet was referred to as a 'campaigning' organisation, a term previously used to discredit coverage from The Guardian and The Mirror about the potential violation of lockdown rules by Dominic Cummings, the Prime Minister's chief adviser at the time.²⁶ In Greece,²⁷ the Health Ministry prevented health editors from attending its daily briefings, leaving the submission of written questions, which would then be read out on air, as the only engagement available.²⁸ And in Slovenia, the Government Communication Office (UKOM) restricted the appearance of government officials and advisers on news shows and journalists reported their questions being systematically overlooked during online press conferences.²⁹

On several occasions, this manipulation of access extended to health workers, which was also curtailed. Journalists faced restrictions on access to hospitals, medical teams and spokespersons. Medical workers were put under pressure not to talk to the media, and journalists' teams were denied access to hospitals. For example, in Serbia³⁰ journalist Ana Lalic was arrested following a complaint by the Vojvodina Clinical Center that she had upset the public and harmed the health institution's reputation after reporting on chaotic conditions in the hospital. In Hungary,³¹ journalists were prevented from interviewing health workers, including hospital administrators, doctors and nurses.

Moreover, access to protests has often been denied to journalists. Media actors, for example in the UK,³² have faced blocked access to protest locations, detention, arrest and fines for covering protests based on restrictions imposed in response to the COVID-19 pandemic. In Slovenia,³³ the Minister for the Interior called for journalists and media professionals who reported from the scene of anti-lockdown protests to face criminal prosecution.

Also outside the protest context, abuses of COVID-19 related restrictive measures have been recorded. For instance, in North Macedonia,³⁴ journalist Biljana Sekulovska was obstructed from her work and threatened with legal action for trying to film a police patrol performing checks during the curfew. In Italy,³⁵ also judges and courts have abused the pandemic to limit the journalistic right to access information. At the beginning of 2021, the media were banned from making audio and video recordings of the largest mafia trial in three decades, using COVID-19 as the justification. The ban was later rescinded.

Lastly, the COVID-19 pandemic has emerged at a time of economic crisis for journalism across Europe, with many journalists, media workers and outlets struggling to secure a sustainable income amidst

²⁴ MMF, [Live COVID-19 broadcast cut before press questions](#).

²⁵ MMF, [openDemocracy journalist banned from asking questions at daily government COVID-19 briefing](#).

²⁶ Also see: [MFRR call on the UK Government to act in a transparent manner that respects press and media freedom in the UK](#).

²⁷ MMF, [Authorities deny access to health editors during briefings on COVID-19](#).

²⁸ Also see: IPI, [Briefing: Press freedom suffers in Council of Europe member states under COVID-19](#).

²⁹ MMF, [Government Communication Office accused of controlling COVID-19 news coverage](#).

³⁰ MMF, [Journalist arrested after reporting on chaotic conditions in local hospital in Novi Sad](#).

³¹ MMF, [Journalists barred from interviewing medical professionals during COVID-19](#).

³² MMF, [Police forcibly prevent journalists from covering protests; Journalist arrested and detained due to coverage of demonstration; Photojournalists reporting on anti-lockdown protest face threats of arrest from police](#).

³³ MMF, [Interior minister calls for criminal prosecution of journalists covering lockdown protest](#).

³⁴ MMF, [Journalist threatened with legal action after filming police controls](#).

³⁵ MMF, [Audio-visual recording banned from biggest mafia trial in three decades](#).

falling advertisement revenues, readership and alternative funding sources. While the pandemic has demonstrated the need for independent, robust and accurate reporting, it has also hastened the decline and economic fragility of many outlets across the continent. Economic support for the sector to recover is sorely needed, but if this is administered unequally it can amplify a skewed media landscape and starve critical outlets. For example, in Greece the government announced a €20 million state advertising scheme that would provide media with revenue through state advertising. When the government released the full list of 1,232 entities who received funding through this scheme, a number of outlets critical of the government including Documento, who government spokesman Stelios Petsas accused of sharing 'fake news',³⁶ received very small amounts compared to government-friendly websites, despite having far larger circulation and readership and more employees.³⁷

Conclusion

Across the MFRR region, government responses to the COVID-19 pandemic have had various direct and indirect negative effects on the safety and work of journalists and media workers, amounting to a significant negative impact on media freedom. While the pandemic has brought specific problems that require tailored responses, it has also served to highlight and at times exacerbate existing threats to the safety of journalists and media workers and their ability to do their job. The pandemic has been exploited by state actors to target critical and independent reporting.

To reverse the trend, the Media Freedom Rapid Response makes the following recommendations:

- States must improve the safety of journalists and media workers covering demonstrations, and protect them from physical violence, intimidation and harassment by protestors and law enforcement;
- State entities should ensure there are no undue barriers for media actors to access policy-makers, information, documents and other sources;
- Public authorities and political leaders should refrain from demonising the press and instead publicly condemn and adequately address attacks, intimidation and harassment of journalists and media workers and other threats to media freedom;
- Measures taken by governments to address the COVID-19 pandemic must comply with international human rights law requirements, and state actors should not abuse them to attack journalists and media workers or to obstruct their work;
- States should refrain from reliance on criminal prosecution and other coercive measures as a primary means of combating dis/misinformation about the spread of COVID-19;
- States should administer economic support for recovery in a fair, equal and transparent manner.

This submission has been written as part of the Media Freedom Rapid Response (MFRR), which tracks, monitors and responds to violations of press and media freedom in EU Member States and Candidate Countries. This project provides legal and practical support, public advocacy and information to protect journalists and media workers. The MFRR is organised by a consortium led by the European Centre for Press and Media Freedom (ECPMF) including ARTICLE 19, the European Federation of Journalists (EFJ), Free Press Unlimited (FPU), the Institute for Applied Informatics at the University of Leipzig (InfAI), International Press Institute (IPI) and CCI/Osservatorio Balcani e Caucaso Transeuropa (OBCT). The project is co-funded by the European Commission.

MEDIA FREEDOM RAPID RESPONSE



³⁶ MMF, [Investigative newspaper excluded from state funding and accused of spreading "fake news"](#).

³⁷ Also see: [MFRR partners raise concerns over proposed low funding for opposition media outlets in Greece](#).