

WRITTEN CONTRIBUTION¹

for *Speak Up!*, the European Commission's Conference on
Freedom of Expression and Media in the Western Balkans and Turkey
Brussels, 6 May 2011

In its call for written contributions for the above-mentioned conference, the European Commission asked participants to submit ideas on possible ways to improve the situation with regard to freedom of expression and media in the region.

The conference concept note prepared by the European Commission states that “*Human rights and fundamental freedoms are founding values of the European Union, and are measures against which countries aspiring to join the EU are judged*”. As regards freedom of expression, the “measures” are in essence the Council of Europe standards.

In addition to the judgments of the European Court on Human Rights, the Council of Europe has developed a comprehensive body of standards concerning freedom of expression and information and freedom of the media. These standards, such as recommendations, declarations and guidelines, serve as a reference point for all 47 member states and for other actors such as the European Union, the OSCE and media watchdog organisations.

Moreover, throughout the years the Council of Europe has carried out a large amount of work to assist its member states in implementing the organisation’s standards in their legislation and practice. This is done through legal expertises, training programmes, seminars, conferences and other events with the participation mainly of public officials, media professionals and civil society, making use of the Council of Europe expertise and its extensive network of experts.

A large part of this assistance, most notably between 2000 and 2005, was aimed at South-Eastern Europe. Funded by Council of Europe member states, it was coordinated under the umbrella of the Stability Pact for South-Eastern Europe. These efforts led to significant results, bringing law and practice in the target countries closer in line with Council of Europe standards. In 2007, two of these countries – Bulgaria and Romania – joined the European Union. The remaining ones are on the way but still face challenges

¹ The ideas presented here are the personal views of the author and do not necessarily represent the official position of the Council of Europe

of varying extent as regards guaranteeing freedom of expression and information and freedom of the media.

In this long process, the European Commission and the Council of Europe have been working in co-operation towards aligning the media law and practice of potential EU members with the European standards. A number of joint legal expertises on media-related legislation have been prepared which carried the combined “weight” of the two organisations and therefore were much more likely to be taken into consideration by the authorities in the respective states. A joint European Commission - Council of Europe Action Plan, in co-operation with the Albanian Parliament, was launched in 2006 aimed at reforming the Albanian media legislation.

At the invitation of the European Commission, Council of Europe secretariat members took part in the seminars organised by DG Information Society on audiovisual policy in the Western Balkans as well as in bilateral meetings with the authorities of individual states. Conversely, European Commission secretariat members participated in events organised by the Council of Europe. In that way, the two organisations spoke in one voice, emphasising their shared values.

This highly effective synergistic co-operation (which was mostly driven by individuals on both sides) needs to be reinforced and to be made systematic. It will allow both organisations to use their respective strengths in a complementary way. The Council of Europe, on its part, will continue to contribute with its body of standards and its long-standing expertise in assisting member states to align their media-related legislation and practice with European norms. Such a constructive co-operation will allow for more efficient “return on investment” of public funds.

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