25th Anniversary of the Mandate of the OSCE Representative on Freedom on the Media

can there be security without media freedom?



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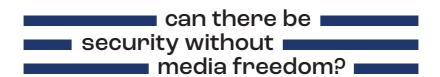
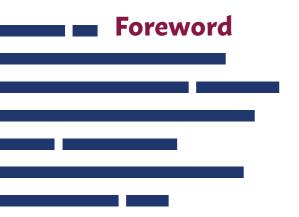


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Foreword by OSCE RFoM

The 25th Anniversary of the mandate is a timely occasion to look back, take stock and reflect on the lessons learned over the past 25 years. More importantly, however, it is a time to look forward and ask ourselves the question: how can we defend media freedom in these turbulent, rapidly changing times in the years to come?

The OSCE Representative on Freedom of the Media (RFoM) was established 25 years ago, with a vision: to support the participating States in upholding their "commitments to the furthering of free, independent and pluralistic media".

Over the last 25 years, the RFoM has scrutinized and assisted the participating States, and launched pioneering projects to fulfill its mandate — Open Journalism, Safety of Journalists, AI & Free Speech, Safety of Female Journalists Online, the End Impunity Campaign, Free Media Against Disinformation, just to name a couple from the dozens of initiatives the Office worked on over the years.

What makes this institution – and its activities – so unique, is that it is ingrained within the OSCE's comprehensive security concept, making media freedom a key pillar of security. My institution contributes to the overall goal of comprehensive security as part of a bigger organization.

Freimut Duve, the first OSCE RFoM often said: "There is no freedom without media freedom!" While I too stand by these words, in today's climate of crises, turbulence, and uncertainty, we need an even stronger reminder of the direct implications for security. Therefore, at the start of the year, I have chosen a slightly adapted version, with tribute to the first RFoM's message: "There is no security without media freedom".

Little did I know how true those words would ring only a few weeks later. The war waged by the Russian Federation against Ukraine continues to take a terrible toll on the lives and livelihoods of the Ukrainian people. It is also creating devastating consequences for media freedom and leaving our region in a deep crisis. In addition, other tensions and conflicts are aggravating and

further destabilizing the overall security in the region. While this alone is already a deep cause for concern and a reason to ring the alarm on media freedom, we find ourselves in many other deep crises – be it linked to health, climate, economy, or digital disruptions.

I am dedicated to the grand idea of the mandate. But fulfilling it is a shared responsibility. I cannot singlehandedly make any country have a perfect media freedom record — nobody can. The future of media freedom in the OSCE region depends on our sense of shared responsibility — states, companies, civil society, academia, journalists, and other media actors.

First and foremost, the participating States have the positive obligation to guarantee the exercise of fundamental rights like freedom of expression. Political will on the side of state authorities, is a precondition for meaningful engagement with the RFoM, so that we can support and strengthen national and international safeguards for media freedom.

The sad reality, however, is oftentimes quite the opposite. Political will to protect the media is being traded in for hostility against the media; tearing down its crucial role in democracy, peace, and security. Antagonism to freedom of speech has become commonplace in too many parts of the OSCE region – with a range of strategies, from censorship, media capture, and legal repression to the overflooding of information spaces with disinformation, and in some cases, the weaponization of speech itself (i.e. through state-led influence operations).

In times like these, it is not only expedient, but necessary, to discuss and strategize around the large number of emerging challenges, which are growing by scale and complexity. It is with this backdrop that I chose to mark the 25th anniversary of the RFoM mandate by establishing a group of eminent experts and delivering a report that serves us all with a critical assessment of the role of the media for peace and security.

Together with nine eminent experts, we took a birds-eye view on the media freedom situation and its linkage to security. This exercise necessitated taking a risk: without critically assessing the notion of free speech and media freedom, we cannot repair its faults or go beyond it. I want to thank each and every expert for taking a leap of faith with us on openly exploring questions like: 'Is media good for security?' or 'What is media today?'.

Though none of us had a moment of doubt that media freedom is as imperative for security today and tomorrow as it was 25 years ago, we certainly discussed the many reasons and obstacles preventing, or even countering it from serving that purpose, all of which is reflected in the report before you.

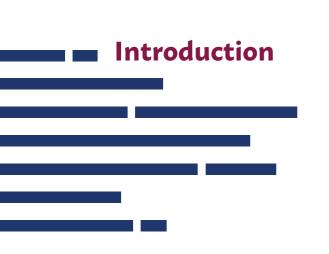
The challenges that the first Representative flagged in the first ever RFoM's regular reports to the Permanent Council remain priorities for my Office even today, including the safety of journalists and the fight to end impunity for crimes committed against them. These problems have not gone away or transformed. Instead, they have compounded. With new technological, political, and social transformations, came new opportunities, but also new threats.

Challenges old and new, simple and sophisticated, all have mounted up over the years, and while I hold a mandate that is flexible enough to address all these issues, it has become necessary to prioritize the work of my Office, and strengthen our network to more strategically confront the many challenges that lie ahead.

The expert discussions that led to this report were insightful and very productive. The outcome includes a long list of recommendations for my Office — and for the participating States — to explore. I see this kind of dialogue with experts and stakeholders as an important part of my work and will continue to consult a broader network of experts and media actors to work with me and my Office, in fulfilling this crucial mandate.

Teresa Ribeiro

OSCE Representative on Freedom of the Media



Introduction

It is always difficult to anticipate future challenges; particularly with the fast-paced evolution of both technology and the media. Had someone claimed 25 years ago that social media would be so pervasive in the lives of billions of people, and that technology would play such a prevalent role in shaping societies, hardly anyone would have believed them. So, questions are, what will the media ecosystem look like, what forms of communication will shape our social interactions and pose the most serious challenges to, and benefits for, our security and democracies?

To deliberate these questions, the RFoM brought together an Advisory Group of Eminent Experts on Freedom of the Media (AGEEFOM), which met on several occasions throughout the year. They discussed current and emerging trends and challenges for media freedom, and the potential role of the RFoM in addressing these issues. The overall intention of this initiative is to promote media freedom and media systems in which journalists are free to report on matters of public interest, thus contributing to security and peace across the OSCE region; and to the United Nations 2030 Agenda for Sustainable Development and in particular to its Sustainable Development Goal 16, to promote just, peaceful and inclusive societies, including by ensuring public access to information and protection of fundamental freedoms.

The mandate of the RFoM, as an autonomous institution of the OSCE, was established in November 1997 by the OSCE's Permanent Council, following the Lisbon Summit of Heads of State in December 1996, in which they recognized the unique and crucial role of the media for lasting peace and security.

Since 1997, the RFoM has assumed a leading role as a watchdog for media freedom across the OSCE region and its 57 participating States, providing early warning on violations of freedom of expression and media freedom and promoting full compliance with OSCE principles and commitments regarding freedom of expression and media freedom. The RFoM's unique mandate stems from the commitments made by every OSCE participating State, and this continues to be the basis of its work. The RFoM mandate has over the years proven to be comprehensive and flexible enough to address current and emerging issues both online and offline.

Yet over the last 25 years, challenges to media freedom have grown in scale and complexity. Many developments are interrelated and interconnected – negatively affecting the media system and its essential function in society. A growing distrust and anti-media sentiment, sparked also by populist politicians and authorities who want to sow doubt in order to cover up their anti-democratic tendencies and deeds; physical attacks; increasing danger for journalists when reporting in times of conflict, in times of crises, and on public gatherings; legal harassment of the media and weakening of the rule of law; restrictions to the free flow of information, regardless of frontiers; declining online safety, especially for women journalists; increasing challenges in the online sphere, including the effects of artificial intelligence in shaping and arbitrating online information and the amplification of disinformation; and the issue of governance of online platforms. These are just a few of the many growing challenges to media freedom.

At the same time, the traditional concepts of media (also known as legacy media) are grappling with existential crises, including of an economic nature. The business models that have endured for a long time are now being put in question, with advertising revenues being lost to online platforms, and more and more audiences switching to digital sources and free information. Local media are particularly affected, with many already entirely diminished.

Environmental factors also impact the ability of safeguarding media freedom. The global COVID-19 health pandemic is a defining health crisis of our time. The World Health Organization cautioned that this first ever pandemic in the digital era has brought with it unprecedented consequences of mass-manipulation, also referred to as an 'infodemic'. Too much information, including false or misleading information, in digital and physical environments during the disease outbreak has tested society's resilience to dis/misinformation.

Digitalization and social media, despite a clear positive potential, have challenged the media landscape enormously in the past decades, and to some respect blurred divisions between the public and private spheres of communication. Online platforms have become gatekeepers, shaping and arbitrating our online information spaces, including in manipulative ways that undermine public interest. Their business practices entail vast challenges concerning transparency and accountability; in an ever-evolving digital landscape, human-rights-based governance frameworks are oftentimes still missing.

Among all these developments, we now also find ourselves in a very difficult moment for the OSCE region, specifically regarding its common security. The unprovoked war that the Russian Federation has launched against the sovereign state of Ukraine has already caused devastation and grief beyond description; with ramifications for the entire OSCE region, and far beyond.

The free flow of information is essential at all times, but it becomes vital in times of conflict. It is often said that the first casualty of war is truth. In the digital age, such conflict takes on many additional layers of a hybrid nature, with government-led or induced influence operations and vicious online censorship. Also outside of the context of armed conflict, these are difficult times. In many places, democracy and the rule of law are not a given, being constantly contested from within and outside of our societies. Polarization, extremist speech, authoritarianism and technological, health, socioeconomical and climatological crises make our world an unstable place for a growing part of the population.

Realizing that democracy is as much a process as it is a goal, the AGEEFOM discussed political trends and the way they impact media freedom; how social, economic, and environmental developments affect media freedom; and how digital and other current transformations are shaping the media landscape.

The experts came together to discuss and answer three key questions:

- Is media freedom still relevant for human security today and tomorrow?
- What is the current understanding of the 'media' element of the 'freedom of the media' concept?
- How can media freedom be safeguarded by intergovernmental organizations, particularly the OSCE?

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Is media freedom relevant for human security today and tomorrow?



"There is no security without media freedom." - Teresa Ribeiro

In their 1975 founding document, the Helsinki Final Act, the participating States of the CSCE (now OSCE) recognized the importance to the concept of security of respect for human rights and fundamental freedoms: "The participating States recognize the universal significance of human rights and fundamental freedoms, respect for which is an essential factor for the peace, justice and wellbeing necessary to ensure the development of friendly relations and co-operation among themselves as among all States."

In the same document, they showed themselves "conscious of the need for an ever-wider knowledge and understanding of the various aspects of life in other participating States" and emphasized the "essential and influential role of the press, radio, television, cinema and news agencies and of the journalists working in these fields". In several ensuing documents did the participating States commit themselves to take all necessary steps to ensure the basic conditions for free and independent media.

In 1997, they solidified this approach by adopting the OSCE RFoM mandate, uniquely situating it within a security organization, acknowledging the need for media freedom at the core of the OSCE's comprehensive concept of security.

With numerous new developments impacting our media systems and forming a threat to our common peace and security, the question is whether these ideas still hold true today. Is media freedom considered as relevant for human security today and tomorrow as it was 25 years ago?

In the last quarter of a century, the media landscape has changed drastically, with the online sphere having taken an ever-grander part of the role that was traditionally played by TV, radio and newspapers. The way people get news today has changed significantly; online news consumption - including television, radio, and newspaper content consumption online- has intensified,

to a point where, in many countries, people spend more time online than they do in front of television sets or reading newspapers.

"The challenge is with addressing invisible repression. Cyberattacks, surveillance, control of the digital media landscape, and the amplification of disinformation and propaganda have been growing for a decade." - Marietje Schaake

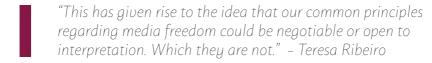
The upcoming of internet and its applications has had many good effects, but there are also many negative trends undermining the valuable role of the media. This impact includes disinformation and propaganda, political dysfunctions, surveillance tools, distrust in institutions, superfast and worldwide spread of extremist speech, and difficulties to maintain economic sustainability for legacy media. It also includes deliberate tactics aimed at targeting journalists in their watchdog function and at using media for disrupting peace, stability and security.

Journalism is difficult work at the best of times. In a conflict situation, journalists face even greater difficulties. They operate in a climate of fear for their lives, and under pressure, often with opposing sides seeking to control the narrative. But during a conflict situation is also when journalism is most important. Independent media ensure the world remains informed with accurate information, reporting on human rights violations and war crimes. It can also contribute to conflict reduction and resolution by gathering and disseminating impartial and accurate information.

The year 2022 has already been marred by a war in the heart of Europe; with the full scale invasion of the Russian Federation on the sovereign state of Ukraine, too many lives have already been lost, leaving security in the OSCE region shattered, and media freedom impaired. In addition, other tensions and conflicts are aggravating and further destabilizing the overall security in the region.

"Truth is the first victim in war." - Galina Arapova

Rising tensions and conflicts do not appear overnight. A sharp and severe decline in media freedom is a clear indicator of wider human rights and security challenges ahead. The growing disparity between democracies and authoritarian regimes that censor critical media, spread propaganda, and engage in influence operations have already been fueling geopolitical tensions across the globe for some years.



In the months ahead of the invasion by the Russian Federation in Ukraine on February 24, and since then, the OSCE region has witnessed its most severe crackdown on free speech and media freedom of the last 25 years. The Russian population has been deprived of their fundamental right to seek, receive, and impart information of all kinds; a threat not only for Russian citizens, but to the OSCE's entire common information space and security.

No Rules, No Trust, No Security?

At the core of the matter, there have been three overarching changes over the last several years that negatively impact media's ability to be conducive to comprehensive security – for promoting peaceful, just and inclusive societies:

- 1. No Rule of Law in the Digital Realm
- 2. Freedom of Expression Weaponised
- 3. Upside-Down Version of Trust Established

1. No Rule of Law in the Digital Realm

False information and inaccuracies are certainly not a new phenomenon. But in the old days, there was more of a prevalent norm, that journalism should generally serve the public interest. The media ecosystem was mostly occupied by legacy outlets working according to professional standards, and with the existence of regulatory frameworks that would hold media accountable including through legislative and self-regulatory means, the impact of false and misleading information was much less omnipresent

and poignant. However, this regulatory framework had been developed for different technological, economic, political, and social realities, which have changed significantly over time.



"The physical world has been weakened due to a lack of rule of law in the online world." - Maria Ressa

In the fight for the attention of the 'consumer' in an overcrowded media market, the profit driven incentive structure of social media platforms places a huge emphasis on emotional, controversial, and sensational content. Deceptive design patterns (also known as 'dark patterns') are used to manipulate or heavily influence users to make certain choices online, and to consent to giving up their data, which in turn is used to personalize online content to keep them engaged, to continue to collect more data. This is a precarious loop, with users being increasingly exposed to deceptive, potentially polarizing content that is 'click-worthy'. Isolated engagement with such content can strengthen preexisting views, deepen 'echo chambers' and lower an individuals' likelihood of exposure to independent, pluralistic, and diverse media content.

With such business practices, powerful online platforms that can shape and arbitrate political and public discourse are having a direct and significant impact on global peace, stability and comprehensive security. Yet, these new gatekeepers of information — and their business practices — are developing mostly out of sight and at a rate that outpaces any legal or regulatory framework to prevent the misuse and causal harm of their incentive structure, and for safeguarding freedom of opinion and expression online.

Moreover, as in many instances the judiciary does not have the means and capacity to intervene in all matters related to content moderation, and freedom of expression online, the institutional architecture of rule of law is being challenged. As such, the unregulated growth of online markets has given a small number of private actors an astounding ability to capitalize on network effects, to become the most powerful companies in the world, and to monitor and influence the behaviour of citizens across the entire OSCE region, deeply impacting their right to freedom of expression.



"Our political sphere has become a public sphere on social networks, challenging our whole institutional architecture." - Miguel Poiares Maduro

To counteract the accumulation of such power over the exercise of such fundamental rights in the hands of a few, whether in government or the private sector, we must reimagine a combination of regulation, meta-regulation, and self-regulation fit for a new era, shaped in line with local cultures, regulatory traditions, and contexts.

However, it also needs to be mentioned that this need for regulation comes with the risk that some governments will attempt to wield it for their own purposes, as a pretext to further control and restrict free speech online.

2. Freedom of Expression Weaponised

The sheer abundance of possibilities to spread messages and the amount of information available online has weakened people's ability to make informed decisions. The World Health Organization has pointed to this phenomenon as an 'infodemic', whereby an overabundance of information, accurate or not, makes it hard for people to find accurate and reliable information.

Governments and other political actors have in some cases used this phenomenon, by weaponizing it. The use of propaganda and disinformation to persuade people existed long before social media; but what is new is their scale, reach, penetrative power and, hence, impact. Artificial intelligence, in particular, has enabled the amplification of malign content on social media platforms at a scale that produces and exacerbates systemic consequences, weakens social cohesion, and endangers peace and security.



"Freedom of expression started being used against us, as a weapon." - Maria Ressa

An important part of the challenge is not just old-fashioned censorship, but information saturation, which necessitates some form of organizing and prioritization of information. The sheer volume of online content and the

overwhelming number of narratives and counter-narratives, has become a kind of 'weapon of mass distraction'. Censorship was the traditional tool for authoritarian leaders to suppress speech, one that is still used by the authorities of some OSCE participating States. New tactics do quite the opposite and flood the online space with all kinds of speech, including multitudes of false, inaccurate, and misleading information. This weaponized use of free speech is proving incredibly effective in creating chaos and distrust in the media and other democratic institutions.

"Noise reduction is a necessary approach to filtering out content to replace it with newsworthy information, by an authoritative news outlet. But how do we define noise, and how do we identify authoritative news outlets is critical." - Ingrid Brodnig

In this light, it is worth mentioning that in several countries in the OSCE region, the news media are increasingly falling in the hands of a few powerful persons or interest groups, a phenomenon that is also known as media capture. Rather than holding the ones that have the political or economic power to account and instead of reporting in the public interest, these news media will use their channels to advance the specific interests of state and/or non-state actors that control the media industry. In such captured media systems, the political or business leaders (oftentimes closely working together) and media owners co-operate in a mutually beneficial relationship: media owners provide loyal news coverage to the ones in power, in exchange for advantageous treatment of their economic and political interests.

"In an environment of attention scarcity (rather than information scarcity) do governments have too much power?" - Joel Simon

In line with this, some scholars have recently described a phenomenon they call 'spindictators': a new type of media-savvy strongmen who have reshaped authoritarian rule for a more refined one. Instead of evident and open mass repression, these potentates control their citizens by distorting information and simulating democratic practices, while seemingly upholding the rule of law. In place of shutting off their country from the world, they keep a carefully

composed appearance of democracy to maintain global contacts. Like spin doctors, they twist the news to gather support, using less openly brutal, more concealed and, most importantly, more effective means of monopolizing and maintaining their power. They mask their censorship, using democratic institutions to undermine democracy itself.

"There is a need to superimpose a public interest framework, because the human rights-based framework is being undermined by platforms and weaponized by governments."

- Joel Simon

Moreover, dangerous narratives like 'fake news' have been used to target the media and journalists, endangering their work, their livelihood, in some cases, even their lives. Dangerous and hateful public statements coming from some politicians, public officials, and other authoritative persons targeting the media, has led to the spread of intolerance and divisiveness, and even encouraged threats and violence against journalists, putting them at risk, and eroding public trust in their work.

3. Upside-Down Version of Trust Established

Trust in the media; in institutions; in each other is essential to the functioning of democracy. Yet today, trust is declining; and this is having a detrimental impact on media freedom, on society, and on peace and security.

"Distrust towards the media is like putting a loaded gun in the hands of authoritarian regimes." - Maria Ressa

Authoritarian governments and political actors oftentimes promote false narratives and spread propaganda and disinformation, including through state-aligned media. Such information operations are proving to be rather effective; studies show that many citizens trust propaganda outlets first – creating an upside-down trust paradigm – deepening trust in lies while sowing distrust in truthful, accurate, public interest media content.

Authoritarian regimes and their information operations do not function in

a vacuum; they seemingly always serve a vocal minority (or majority) that actively supports them. This often comes as a pushback against diversifying societies. While political discourse has changed over the years, toward a more inclusive approach, with more and more voices, and a more diverse participation in public and civic discussions taking place over the last decade, we are also witnessing a stronger pushback against such diversity and a nostalgia for when things were not as dynamic and fast changing. The fast-paced changes trigger fears, particularly the anxiety that certain nativist ideas are becoming more uncertain, and ultimately vanishing.

"A myth of the glorious past is being used to promote a counter-reaction to diversifying and pluralistic societies."

- Frica Marat

These fears are being exploited for emotional manipulation, leading to a vast discrepancy in information bubbles – with propaganda bubbles on the one hand, and independent media in another.

Moreover, with an unprecedented ability to process large amounts of data, including through sophisticated algorithms, such information operations can successfully broadcast messages and images to specifically targeted audiences, with the ability to influence an increasingly segmented and polarized society. Many scholars agree that online consumption and exchange of information can be pointed to as an accelerating factor to the process of radicalization.

Death by a Thousand Cuts

Journalists are under constant pressure. This has always been the case, even if it is more so the case and more complex today.

The challenges are plenty — old and new. Many journalists are still paying the ultimate price for uncovering the truth; not a year has gone by without a journalist killed for their work in the OSCE region. Other blatant infringements on media freedom include on- and offline threats, physical attacks, persecution, prosecution, and imprisonment of journalists. These age-old tactics to silence the media still exist today. Worse so, gross violations of free speech and journalists' rights continue to proliferate in impunity.

At the same time, there is a growing trend of the many violations that creep in slowly, and taken together form a systemic approach that silences critical voices and dismantles media pluralism. These include a growing distrust and anti-media sentiment; increasing danger for journalists when reporting on public gatherings; legal harassment, including in the form of strategic lawsuits against political participation; a general weakening of the rule of law; restrictions on the free flow of information across borders; a decline in online safety, especially for women journalists; and broader internet governance issues including addressing disinformation and the impact of artificial intelligence on free speech.

It is clear that journalists who attempt to bridge the gap between often complex scientific information and data and the general public, to expose and explain issues, need to be better protected. They are an essential tool in the arsenal against social challenges and crises, including climate change or gender equality, and in their overall contribution to peace and security.

No Security without Media Freedom

To conclude this chapter, on the question of whether media freedom is still relevant for human security today and tomorrow; the short answer is yes.

The experts of the panel all agree that freedom of expression remains fundamental for any discussion about the future of our common security, and even is fundamental to the existence of our societies. Freedom of expression has always been and still is a cornerstone of democracy, as it enables the free exchange of ideas, opinions, and information. The whole edifice of democracy functions on the assumption of an informed citizenry, with shared values and a common sense of truth. Facts nurture trust, and trust builds truth. Without facts, trust, or truth we cannot share a common reality. This is necessary for the possibility to scrutinize any potential threats to it.

But the way to get there has changed.

Media has the power to influence whole societies. Independent media is still as much a pillar of functional democracy, crucial for transparency and factual, unbiased reporting of news as it was 25 years ago, or perhaps even more important than ever in these turbulent times. The media is paramount in informing on issues of public interest, to allow citizens to formulate opinions and take informed decisions, to hold leaders accountable and hear a diversity

of opinions. The COVID19-pandemic, to name just one example, has clearly shown the urgent need for factual, high quality and timely information.

Many recent examples have shown that when media is captured by commercial or political interests, it cannot report in the public interest and is unable to hold power to account. This systemic problem disrupts democracy, and leads to poor decision-making and harmful outcomes for society. It erodes the rule of law, enables corruption and political instability, and indicates a situation whereby media is not conducive to peace and security. This leads to the crystal-clear conclusion that security for just, peaceful, and inclusive societies cannot thrive without functioning, independent and pluralistic reporting. Yes, in the wrong hands, media can be used for great harm, but there is simply no alternative to it.

"Independent journalism and free media should be viewed not only as safeguards of just and peaceful democracies, but also as enablers of the transition to equitable and sustainable societies." - Mira Milosevic

Ultimately, what is needed more than ever is a constellation of pluralistic and independent media, professional journalism that respects ethical standards, and a critically and digitally literate society:

- (a) A media ecosystem where pluralistic, independent, ethical and professional media can play its vital function by producing widely accessible factual and unbiased information, promoting transparency and accountability. As long as the media and journalists are subject to violence, censorship, surveillance, economic pressure, legal harassment in the form of strategic lawsuits, and exploitation by antidemocratic forces, this ecosystem cannot exist.
- (b) To prevent tendencies of media capture, the media should develop a system of effective self-regulation in both online and offline environments. Quality-conscious journalists and media are becoming more and more urgent in the changing media landscape, though it is worth noting that in some countries media regulatory bodies have been co-opted or captured by states, either directly or indirectly. Only genuinely independent media self-regulation can protect freedom

- and pluralism of the media, and avoid any governmental regulation that could undermine freedom of expression.
- (c) Media, access to information, and digital literacy are essential for maintaining and building pluralistic societies, with critical citizenry actively participating in decision-making processes. Understanding the media's role in democracy and being able to critically assess and use different kinds of information from different sources, empowers societies and strengthen peace and stability.

Lastly, it is to be noted that all these issues are of utmost importance to all OSCE participating States. Any pressures and violations on media freedom in a one country may endanger and undermine the peace and the stability of neighboring countries, and the entire region. An international approach to safeguarding media freedom is not only in line with OSCE commitments, it is also the only way many stakeholders believe the current situation can and should be addressed.

What is the current understanding of the 'media' element of the 'freedom of the media' concept?

As stated, there have been immense changes in the media environment — both in terms of the way information, and more specifically news, is delivered (via internet, mobile phones and other digital technologies) and produced (by bloggers, vloggers, influencers, and other media actors). There are many more means for the dissemination of information and there are other actors in our current media systems than there were 25 years ago. While journalists were traditionally known to be the most important editors of public interest information, nowadays they share this position with a growing number of other actors in the media and information space. Because of these changes, we find ourselves confronted by a journalistic dialectic that raises many questions: what is the media's role in this world; and what constitutes media these days? Does the word 'media' in the concept 'media freedom' still encompass the same, or a similar, notion as it did 25 years ago?

An answer to these questions necessarily touches upon many different areas and themes.

Shifting information spaces

The contemporary and still-evolving media system in the (different parts) of the OSCE region is increasingly complex. Nowadays, almost anyone can express themselves and reach (potentially) the whole world with their ideas and communications. Such decentralized, fast, and real-time exchange of information at a global scale was unthinkable 25 years ago, when most information and ideas went through certain editorial processes before they were disseminated to broader audiences.

The horizontality of social media has allowed anyone to broadcast content without passing through an editorial control body. The emergence of new and open journalism – including bloggers, vloggers, and commentators – has added important eyewitness accounts to current developments, and significantly enabled citizens to engage in public debate more directly and meaningfully. However, these actors are not necessarily bound by ethical

principles of journalism. More malign actors, in the meanwhile, have been able to spread disruptive and dangerous speech and contaminate democratic debates and processes more widely.

Nevertheless, journalism is different to other types of expression due to its main purpose and the ethical and professional standards that shape the pursuit of that purpose. Journalism's purpose to provide the public with accurate and newsworthy information serves democracy well; it scrutinizes those in power, holds them to account, and provides a voice for society, particularly those who are marginalized. That is why journalists, or the media, are often referred to as 'public watchdogs' or the 'fourth estate'.



"Journalists have the courage to stand up and demand answers to their questions." - Yaman Akdeniz

Upholding professional ethical standards is at the core of such credible, independent journalism. At the same time, professionalism – including the upholding of checks and balances – is increasingly an expensive process, while at the same time the work of journalists is becoming more and more multifaceted. Journalists increasingly have to not only assume the role of reporting the truth but also fact checking and disputing the mammoth amount of untruths that are targeting them and their work.

In current times, where viewership is often driven by emotions rather than by newsworthiness, it has become extremely challenging for journalism to compete with other actors in the attention economy. As a result, journalists are not only oftentimes required to use different platforms and different methods to convey their messages, they also must develop many new skills; new models of journalism; new protocols; new processes for fact-checking; modern open-source investigating processes; and more. Digitalization and the global pandemic, in particular, have redefined the editorial and publication processes for independent media.



"Journalists are the Leonardo's of modern times; they've had to adapt and now have a wide variety of skills in their bag." - Mira Milosevic So, when discussing the 'media' in media freedom, it is clear that new media techniques and platforms are to be included, as well as new media actors that use different methods and new models. Moreover, depending on the reach and impact of journalistic content, there should also be a necessity to uphold professional ethical standards, regardless of the actor's journalistic credentials. Likewise, certain protections afforded to journalists must also apply to all those actors who put themselves at risk for reporting on issues of public interest.

Free Speech in the Age of Algorithms and Artificial Intelligence

Large online platforms have become a dominant source for news consumption. These platforms undertake many functions of information management that was previously carried out by traditional gatekeepers, such as editors and publishers. Their content governance processes therefore tremendously influence media freedom.

"We used to call journalists editors of democracy, but they are being replaced by the algorithm."

- Miguel Poiares Maduro

Along with the exponential growth of information shared online, many platforms have turned to developing and deploying technologies like artificial intelligence for content governance. Artificial intelligence is used to support the prioritization and dissemination of content to audiences (content curation), as well as to filter and take down illegal, harmful, or otherwise unwanted content (content moderation). These Al-led processes provide the basis for how society interacts with information online today.

However, the data and advertising-driven business model of internet platforms is not necessarily conducive to safeguarding media pluralism or public interest and newsworthy content. On the contrary, their Al-driven content curation processes mostly focus on internal and advertisers' economic interests rather than diversity, accuracy or the public good.

Challenges arise particularly as these same processes of content governance are applied to news content as to all other types of online information. In this

context, Al-based tools are not being designed to prioritize public interest content, but rather to promote, amplify, and target users with content that will facilitate advertising and generate profit for platforms, at the expense of media pluralism and public interest.

Moreover, these Al-driven processes – that shape and arbitrate political and public discourse online – are executed by technology that is designed, developed, and deployed in potentially biased, and error prone ways, negatively impacting freedom of expression. Part of the problem is the lack of transparency of these Al tools- there is the concern that certain applications of Al lead to potentially harmful or discriminatory outcomes. Yet, to fully understand these issues there is a need for independent research, which is impossible without more meaningful transparency by online platforms that develop and deploy these technologies.

These new technologies bring about a transformative moment in time, drastically changing the media as we know it. So it is particularly important to not only address its societal harms, but also consider ways to harness it for fulfilling the media's democratic role.

Public Service Media

In light of the changing media ecosystem, public service media still act as important sources of reliable information; they can even be an important force to counteract some of the information disorders faced by society today. The unique feature of public service media is that they are funded by the public, made for the public, and supervised by the public. It is a vital element of democracy, and an important source of unbiased information and diverse political opinions. This is why their independence and sustainability need to be protected, and their role promoted.

However, public service media in many parts of the OSCE region face existential crisis, as they continue to struggle for financial sustainability and editorial independence. Many governments are reducing their budgets, while also putting into question the role and relevance of public service media as citizens now seemingly have access to a wide range of sources of news and information. In some cases, governments engage in a very intentional and systemic way of limiting the role of public service media, to reduce the

amount of genuinely journalistic reporting in their country, and therefore face less public scrutiny.

In a few countries, there even remains a need to reform state media (which continues to act as a vehicle for state propaganda) into true public service media.

Global Reach and Local Impact

When defining media in these days, local journalism warrants special attention, as it is known to be particularly important for social cohesion and encouraging political participation, providing checks and balances for decision-making by local and national authorities, and strengthening communities.

"The media, however you define it, are under constant pressure. Yet they continue to play an important role in democracy." - Yaman Akdeniz

The pandemic, for instance, was global, but the way people experienced it was very local (testing, hospitalization rate etc.) and the media had a significant impact on the ability of local communities to access information regarding their health. Local media have also played a pivotal role in reporting on issues of corruption and local political developments. Their sustainability, quality reporting, and public trust in their coverage is crucial for holding power to account and for peace and stability.

Unfortunately, the business model that historically supported local news media has collapsed, and many went out of business, leaving behind so-called 'news deserts' in many regional parts of the OSCE area. The local news organizations that have survived so far in this digital age have often had to reduce their reporting on issues of local relevance, opting for clickbait content helping maximize viewership and financial gain, which has further contributed to their declining status. There is no model on the horizon that can/will replace local media.

How can media freedom be safeguarded by intergovernmental organizations, particularly the OSCE?

The OSCE is a unique regional intergovernmental organization, based on the assumption that real security can only be achieved and maintained by addressing three so-called dimensions: the politico-military, the economic and environmental, and the human dimension.

Within this organizational make-up, the RFoM has a unique mandate to protect and promote media freedom in all 57 OSCE participating States, and to provide early warning on violations of freedom of expression. The RFoM's role is also distinct in its direct access to and contact with state authorities, and therefore can frankly and immediately address serious non-compliance with OSCE principles and commitments regarding media freedom and freedom of expression.

Monitoring media freedom developments and addressing issues whenever and wherever they occur in the OSCE region remains very important and helpful. The OSCE RFoM has a toolbox of diverse means for intervention and output: statements, speeches, reports, publications of different kinds and silent diplomacy. The diversity of all that output offers lots of flexibility to choose what is best suited for the desired impact — safeguarding and strengthening media freedom as a core concept of security.

As stated before, the media, and hence media freedom, is still a key pillar for security. The way to strive for it, however, has changed over time.

With the manifold challenges that our societies and the media face these days, more than ever do we need an approach that is carried by society as a whole. Legacy media and professional journalism seem to have lost some of their influence, while at the same time many of the challenges and crises we face have shown the great need for independent media that can provide audiences, and the societies they live in, with the information they need to thrive and survive. To regain purpose, media systems need to develop both multi-sectoral and multi-stakeholder approaches.



"A collaborative and multi-layered approach is needed." – Erica Marat

There is a significant role to play for the RFoM, as well as other OSCE executive structures, the OSCE field missions, and the participating States in building bridges and connections. Beyond the OSCE, political actors, the private sector, law enforcement, policy experts, academia, civil society, the media, and other international organizations all need to be included in efforts to safeguard and strengthen media freedom. The RFoM, that has those longstanding connections, is particularly well suited for this task.

Against this background the panel of eminent experts has identified the following range of thematic recommendations:

Establishing Networks

Journalists and the media at large have increasingly become a target to attack. This trend must be reversed. The panel of experts advises the RFoM to establish horizontal and vertical networks of relevant stakeholders that can vary in size and membership over time. Developing and supporting capacity of various mechanisms and permanent stakeholder groups can support the process of enhancing safety of journalists, especially when the media is facing multiple challenges and crises.

The RFoM is uniquely positioned to co-ordinate and consult with academia and civil society organizations defending media freedom across the OSCE region, and bridge the gap between government, academia, and civil society, to achieve effective multilateral solutions to various media freedom challenges.

Public Interest Framework

A human rights-based framework has been the pillar of functioning democratic and rule of law-based societies since the end of the Second World War; it was a shared vision and provided broad consensus on pertinent issues deeply affecting societies. However, over the years, the human rights-based

framework, as a principle for safeguarding freedom of expression and media freedom, has been undermined by online platforms and, in some cases, even weaponized by States.

While human rights remain a key pillar of security, and in no way need to be reviewed or replaced, there may be a need to superimpose an additional layer on top of the existing human rights-based framework, in the interest of media freedom. The panel advises the RFoM to explore a public interest framework that may include a scheme for recognizing and prioritizing media content that serves the public interest.

Safety of Journalists

The situation regarding safety of journalists and other media actors continues to deteriorate, while media pluralism and freedom of expression are shrinking. Threats and attacks on journalists are not only causing suffering, destruction and in the worst case loss of life, they also lead to self-censorship and undermine the credibility of public authorities and public trust in the media. There is a lack of sufficient national policies and implementation of international commitments as well as a gap in addressing gender perspectives in existing measures to protect journalists and their work, online and offline. This necessitates increased engagement on the topic with a need to develop effective national measures and international co-operation. With her/his clear mandate regarding the safety of journalists, the RFoM is advised to continue working on this topic, including its important work in supporting the establishment and implement of national action plans on the safety of journalists.

The experts noted throughout their meetings a growing concern about the resilience of independent media and journalists operating in a climate of increased hostility. They recommended that the RFoM therefore continue to use her mandate to urge authorities across the OSCE region to offer clear and open political support for journalism and journalists' safety, as a means to (re-)building public trust in independent media and, in turn, trust in the democratic system, which builds on checks and balances.

Supporting Journalists in Exile

More and more journalists are forced to leave their homes and countries under threat of imprisonment, torture, violence, or even death, because their work has provoked those in power. Not just during conflict, but also in other situations – including a health pandemic or climate change – a free and independent media plays an important role in providing crucial information to society. Journalists in exile play an important role in providing crucial information to society, namely challenging the official narratives of the countries they fled from. Moreover, they can inform the international community, in their decision making.

"When it comes to the free flow of information, one needs to support the journalists who continue sharing reports of public interest." - Galina Arapova

Undeterred by their forced departure, many journalists in exile strive to continue their journalistic work in a bid to keep their fellow citizens informed from afar. These journalists must be supported. Currently, there is no systematic approach to supporting journalists in exile across the OSCE region. As a growing issue, this needs to be urgently addressed.

The experts advise the RFoM to develop a guidance tool for State authorities on how to effectively support journalists in exile. Much of the existing support, if any, is short-sighted and not sustainable (i.e. donations). A way to enable journalists in exile to work long-term is much needed. Various aspects need to be researched, and guidance should include recommendations on how OSCE participating States can facilitate exiled journalists' ability to work in new jurisdictions; to facilitate media outlets engagement in media twinning exercises to support their fellow colleagues; and to facilitate online platforms allowing exiled journalists to monetize their work.

Economic Sustainability

Independent media need an effective resource model to compete in the information economy. With the recognition that quality journalism serves as a public good, and in a rapidly declining market for paid news and a loss of advertising revenues, such resources should perhaps come from the

State. This, however, raises further questions of how to protect the media's independence. So, on the one hand, governments are called on to provide resources to help journalists; on the other hand, in almost every context, this causes further problems, as this could interfere with the media's financial and editorial independence, thereby influencing their research and reporting.

The RFoM should continue to call on participating States to respect the editorial independence of public service media, while providing for their financial sustainability. The RFoM is also encouraged to explore and promote other ways of supporting the media's economic sustainability, including initiatives like the International Fund for Public Interest Media, which uses national development funds to invest in the media.

Currently, globally, less than one percent of development funds are used to support media. A recent feasibility study conducted by BBC Media Action illustrated how development funds would provide an effective way for enabling media markets to work for democracy. Consequently, an International Fund for Public Interest Media was established. The Fund acts "as a lever with which to tackle the mounting threats to media freedom and attacks on journalists".

"Without new public funding, regulation of digital markets, and international support systems for non-profit media, independent professional journalism is in danger of becoming an expensive luxury rather than a universal public good." - Mira Milosevic

An additional recommendation was made to focus on initiatives for sustaining (or in some cases reviving) local media. If media is truly to be able to effectively contribute to lasting peace and security, on the local, regional, and international level, local journalism must be resuscitated.

Media, Information, and Digital Literacy

The exponential spread and proliferation of disinformation and misinformation has heightened the urgency of media and information literacy for all. Individuals and societies need this essential cognitive, technical and social skill

in order to be able to make productive use of the ever-evolving information landscape and digital ecosystem, while navigating its challenges. This includes understanding the role of free media in democratic and pluralistic societies, the ethical and legal implications of the media and new technologies and the ability to communicate effectively, including by creating content. The experts encourage the RFoM to continue working on media and information literacy through its recently launched project, to furthering the development of media freedom literacy within the OSCE region; taking into consideration the need for more transparency of media financing and ownership structures, which directly impacts their political and economic independence; strengthening literacy regarding advanced social network algorithms, raising public awareness and promoting multi-sectoral cooperation involving civil society, media, youth, government bodies, independent media regulators and others.

Representation Matters

Access to a plurality of voices is a precondition for democracies to thrive; yet media pluralism continues to be undermined by the ongoing underrepresentation of several societal groups, most notably women, in the media. This is due to non-inclusive structures in society and the media sector, but particularly also due to the regular targeting and online attacks against female journalists who face a double-burden: being attacked as journalists and as women. In extreme cases, these attacks lead to self-censorship or worse: women retreating from the public sphere, leaving the male-dominated field of journalism with even fewer female voices.

A 2020 UNESCO global study found that nearly three in four women journalists experience online violence, while another IWMF study indicates that a third of them have considered retreating from journalism due to online attacks. This clearly shows that media pluralism is at risk. The RFoM is encouraged to continue addressing the issues faced by women journalists, and others who are targeted for their inherent or assumed characteristics, including through the activities of the Safety of Female Journalists Online (SOFJO) project, as well as to mainstream an intersectional approach to all of the Office's activities.

Media Self-Regulation

There are many advantages of media self-regulation. Self-regulation helps maintain the media's credibility with the public and it protects the rights of journalists to be independent, and to be judged for professional mistakes, not by those in power but by their colleagues and audiences.

With the broader media ecosystem intoxicated with harmful and hateful speech, there is an urgent need to (re)design media spaces to trigger cooperation requiring collective effort and intelligent design. Journalism needs to engage in collective resistance that seeks to detox the media, and rescue the media ecosystem from those who seek to abuse and pollute it.

Moreover, the current, and very centralized version of the internet (Web 2.0) has proven to have several flaws and harms embedded, particularly within the monopolistic control of information spaces of large social media platforms, i.e. the breeding of information disorders. This is no longer working for society, and there is a clear need for some form of regulation.

While government regulation can address many of these issues, the development of new laws pertaining to any form of media comes with its own set of challenges (for instance, when new laws are used as a pretext to further control and censor critical voices) as has been pointed to earlier in this report.

So far, with regard to social media, self-regulation of platforms had only occurred at company level, but never industry-wide and independently, and without involvement of multiple stakeholders. Now, there are novel efforts toward building a more open internet infrastructure that fosters a more collaborative, decentralized, trust-based and user-centric model — the Web 3.0. The OSCE RFoM has been encouraged to evaluate this movement as one potential avenue for new forms of media self-regulation, as well as to explore other possible solutions.

What is ultimately needed is to rethink professional standards, not just for journalism but for the entire online landscape and different communities of content creators. The RFoM was encouraged to promote collaborative efforts among various stakeholders, through public participatory ethics to evaluate,

educate and rethink and reform the media landscape and resuscitate its primary purpose of serving the public interest.

"Self-regulation only works when there is effective competition – that is to say, a wide range of alternatives on offer. The number of big online platforms are so scarce that we can consider them as utilities. For this reason, they need adequate, proper regulation from external parties." – Ingrid Brodnig

Platform Governance

A small number of online platforms have become powerful actors, making them the gatekeepers to our information. Their architecture and policies shaping the information landscape are immensely relevant to our freedom of opinion and expression, and our common and comprehensive security.

"Whatever regulatory framework we talk about, the RFoM needs to engage with platforms. This should be part of an OSCE grand strategy for media freedom." - Joel Simon

The RFoM was encouraged to continue engaging in international fora on the issue of platform governance, as well as to provide guidance to the OSCE participating States on the matter. The RFoM should advocate that any laws pertaining to platform governance should focus on addressing systemic risks, while also demanding human rights impact assessments and independent audits, and an obligation to ensure meaningful transparency, oversight and accountability, while not leading to more censorship, nor a handover of judicial responsibilities.

Impact of Artificial Intelligence on Freedom of Expression

As stated above, online platforms deploy automation and AI to curate and moderate online information spaces; it has become one of the main tools to shape and arbitrate information online. If implemented responsibly, AI can

benefit society. However, as is the case with most emerging technologies, there is a genuine risk that commercial, political or state use has a detrimental impact on free speech and media pluralism. Also, there is a risk that AI is being used as a tool of online platforms to save money- in this case algorithms are designed to moderate online content, not necessarily because of their effectiveness but because they are cheaper than human employees who moderate harmful online content. Human rights must be placed at the center of the development and deployment of AI in its use for online content governance. Moreover, algorithms should be reimagined and redeveloped to privilege public interest and pluralism. If artificial intelligence is being used to help filter information, it can surely be used to promote diverse information and marginalized voices. In this regard, the RFoM was recommended to explore and promote good practices of decentralized, competitive, plural media governance structures featuring 'algorithmic pluralism' as a means to strengthen diverse and independent public interest media content online.

The RFoM is also encouraged to continue its broader work on the impact of artificial intelligence on freedom of expression, and to promote the implementation of recommendations within its Policy Manual among the OSCE participating States.

"It remains nearly impossible to research the spread of disinformation and propaganda on social media platforms, and its effect, as we lack meaningful transparency by private social media companies." - Marietje Schaake

Countering Disinformation and Propaganda

The prohibition of propaganda for war, or on advocacy of hatred that constitutes incitement to discrimination, hostility or violence (as prescribed in article 20 of the International Covenant on Civil and Political Rights) does not fall within the protections of free speech and require a legal response. However, tackling harmful (but not necessarily illegal) content is more complex and requires countermeasures by many different actors. Investing in quality journalism, media self-regulation, and independent fact-checking as well as debunking of false information and media literacy are important antidotes to disinformation, and the RFoM is encouraged to engage different

actors across the OSCE region to promote good practices in these areas. The experts also pointed to the fact that while these are important steps, they will not resolve deep-rooted economic or social challenges that require a concerted effort by various OSCE structures and other international actors.

Capacity Building for Judiciary

Among other branches of government, the judiciary play an important role in safeguarding freedom of the media and freedom of expression; in bringing justice for crimes committed against journalists; and for upholding the rule of law also in the digital sphere.

The RFoM is therefore encouraged to continue working with judges, prosecutors, lawyers, and other relevant experts to strengthen the capacity of judiciaries in protecting freedom of expression and media freedom, and encouraging the exchange of best practices in the OSCE region, including through its Judicial Dialogue project.

Privacy and surveillance

Many issues including invisible repression, intimidation, silencing and surveillance of the media, to name a few, need to be addressed. International engagement is necessary to tackle many of these challenges. For instance, democratic governments can significantly prevent the misuse of certain technologies used to spy on journalists by having more stringent export controls. They can also protect investigative journalists and their sources by respecting secure communications and safeguarding encryption. Moreover, they can promote open and decentralized public spaces by enhancing and promoting interoperability allowing people to communicate across a range of different platforms and not be restricted to one.

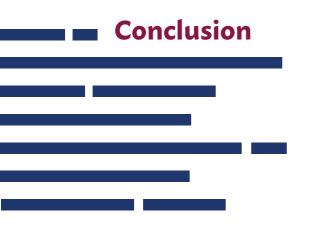
With tracking and targeting techniques leading to self-censorship, privacy and data protection are also increasingly relevant subjects in the area of media freedom.

States can also pave the way in developing human-rights-based regulatory frameworks to prevent influence operations and other forms of harmful manipulation online.

The RFoM was encouraged to follow such developments and raise awareness on the impact these are having on freedom of the media and freedom of expression.

Rebuilding Trust in the Media

The experts noted throughout their meetings a growing concern about the resilience of independent media and journalists operating in a climate of increased hostility. They recommended that the RFoM therefore continue to use her mandate to urge authorities across the OSCE region to offer clear and open political support for journalism and journalists' safety, as a means to (re-)building public trust in independent media and, in turn, trust in the democratic system, which builds on checks and balances.



Conclusion

When looking forward, it is important to remember where we have come from and what lessons we have learned from the past.

It took a collective wisdom, in 1997, for the OSCE participating States to recognize that no government is immune from interfering with media freedom; and that for the sake of security, this required an external watchdog to help restrain or thwart interferences with free media.

Constant scrutiny is essential to safeguard media freedom. It was with this honest and self-critical lens that OSCE participating States were able to establish the RFoM mandate and institution.

For 25 years now, the RFoM has been defending the important contribution of media freedom to security, with resolute determination. Countless interventions have been made using a wide range of tools (through public channels and silent diplomacy) in cases where journalists were attacked for their work, where media pluralism was restricted, where investigative reporting was hindered, or where speech was criminalized. Numerous activities have also focused on bettering laws and other safeguards for media freedom.

Though there are many accomplishments that mark this 25th anniversary, they quickly become overshadowed by the grand-scale of uncertainty and challenges ahead for media freedom, and with it, our common security.

While the collective political determination that created the RFoM mandate may have eroded, the RFoM's added value is still beyond doubt. Media freedom remains essential to comprehensive security and stability, and the RFoM mandate remains flexible enough to respond to existing threats, and emerging challenges to freedom of opinion, expression, and media freedom.

The year 2022, and most probably the years that follow, will be most challenging for those upholding the cause of freedom of the media. We will need vigilance, collaborative thinking and collective action. In other words, the RFOM will need to further strengthen and broaden its network, and engage in a structured dialogue process with multiple stakeholders.

This exercise – bringing together eminent experts to look ahead – has enabled the RFoM to update and strengthen her toolbox so as to be better prepared to address media freedom challenges to our common security.

The recommendations provided in this report are not a pick and choose menu; only by taking them all together can we strengthen freedom of the media, human rights, democracy, and security in the years to come. This takes joint efforts and collaboration of many stakeholders.

While the AGEEFOM was established under the framework of the 25th anniversary of the RFoM mandate, their invaluable discussions and recommendations have inspired continuity.

The RFoM aims to continue this process, with a broader network of academia and civil society representatives to regularly consult and collaborate with in a structured dialogue on safeguarding media freedom, and its important role for peace and security.

For more information about the **25th Anniversary** of the Mandate of the OSCE Representative on Freedom of the Media and the **AGEEFOM** members please visit the following website:

https://www.osce.org/representative-on-freedom-of-media/25th-anniversary-AGEEFOM



