

## **EFJ Annual Meeting**

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### **Bergamo, 15-17 June 2012**

#### **Resolutions adopted by the Annual Meeting**

### **On economic crisis and labour rights**

**1. On the threats posed to the Greek media by the economic crisis**

*Tabled by the EFJ Steering Committee*

**2. On collective agreements**

*Tabled by the DJV, Germany*

**3. On media crisis: fighting against precarious work**

*Tabled by Union of Cyprus Journalists and SNJ-CGT, France*

**4. On international framework agreements**

*Tabled by SNJ-CGT, France*

**5. On the rights for collective agreements**

*Tabled by FNSI, Italy*

**6. On working with the ILO**

*Tabled by the NUJ, UK*

**7. On media concentration: unemployment and attacks to pluralism.**

*Tabled by SNJ CGT*

### **On media policy and authors' rights**

**8. On campaigning for media pluralism**

*Tabled by the National Union of Journalists, Great Britain*

**9. On authors' rights**

*Tabled by the Danish Union of Journalists*

**10. On class action law against buy-out contracts of media houses**

*Tabled by the DJV und dju in ver.di, Germany*

**11. On intolerance and media**

*Tabled by the FNSI, Italy and ESIEMTH, Greece*

**On press freedom and safety**

**12. On the freedom of information act (FOIA)**

*Tabled by the FNSI, Italy*

**13. On detained journalists**

*Tabled by the EFJ Steering Committee*

**14. On journalists' rights in Hungary**

*Tabled by MUOSZ, Hungary*

**15. On protection of sources**

*Tabled by Union of Cyprus Journalists*

**Other**

**16. On EFJ work**

*Tabled by DJV and dju in ver.di*

**17. On EFJ policy on sexual harassment**

*Tabled by the Union of Journalists in Finland*

## **A. On economic crisis and labour rights**

### **1. On the threats posed to the Greek media by the economic crisis**

*Tabled by the EFJ Steering Committee*

The Annual Meeting of the European Federation of Journalists (EFJ), meeting in Bergamo, Italy on June 15-17 2012,

Considering that the economic crisis has crippled the Greek media sector both qualitatively and quantitatively;

Noting that the economic crisis is often manipulated by the media owners who use it as a pretext to cut jobs, slash salaries, lower professional standards, abolish collective bargaining, demolish labor rights and ignore authors' rights;

Noting that the austerity measures are being enforced more severely on the media workers, nearly a third of whom are presently unemployed, than the media owners, the majority of whom continue to receive ad subsidies yet have left their staff unpaid for over six months;

Noting that the phenomenon of precarious employment -void of any social protection- is on the rise, especially among newcomers to the profession and female journalists;

Noting that traditional media owners are mistreating the new media environment as a money-saving opportunity by forcing staff to work across multiple media owned by the same media group;

Believing that the new media environment creates new employment and income opportunities for professional journalists;

Believing that professional standards, decent working conditions and fair wages constitute prerequisites for content quality journalism and freedom of information;

**Instructs** the EFJ Steering Committee to step up its campaign in Greece for safeguarding jobs, strengthening labour rights and ensuring media quality in the midst of the crisis.

## **2. On collective agreements**

*Tabled by the DJV, Germany*

The Annual Meeting of the European Federation of Journalists in Bergamo, Italy on 15-17 June 2012;

Requests the EFJ Steering Committee to develop a programme which allows the journalists' unions in South-Eastern Europe to:

- negotiate collective agreements on behalf of its members,
- to regulate the general working conditions as well as the salaries,
- to achieve regulations for freelance journalists,
- to achieve an improved protection of authors' rights.

**Requests** the EFJ to define as a key task in 2012 the improvement of social standards in South Eastern Europe, and to consider this in the budget as well.

## **3. On media crisis: fighting against precarious work**

*Tabled by Union of Cyprus Journalists and SNJ-CGT, France*

The Annual Meeting of the European Federation of Journalists in Bergamo, Italy on 15-17 June 2012;

Considering that the situation throughout Europe has further worsened with regard to the shrinkage of the journalists' social rights and cutting jobs in the media, under the twin effect of the systemic crisis which affects the various European countries and of the concentration phenomenon in favour of transnational groups;

Noting that the media owners, taking advantage of the world economic crisis, put intolerable pressure onto journalists and they appear even more aggressive by reducing the workers' salaries and benefits or even by cutting jobs, therefore violating the collective agreements,

Noting that the externalization of the research for and the treatment of information increases the number of journalists with precarious work, called freelancers, that is to say journalists who have not chosen independence but have rather been undergoing the aftermath of social policies emanating from transnational groups for which this externalization of the writing is synonymous with growing profits ;

Noting that freelancers' situation has deteriorated and continues to deteriorate seriously in all European countries;

Noting that the deterioration of journalists' social status may result in a weakening of information quality, especially in a digital environment increasing the editorial tasks;

Considering that the cutting of jobs and workers' benefits is dramatically affecting the quality of journalism by creating a climate of "fear"

Notes the proposals set out by the Executive Committee of the European Trade Union Confederation (ETUC) following their meeting held on 5-6 June, and circulated to delegates, called "A Social Contract for Europe" (amendment proposed by the Steering Committee)

Drawing on motions adopted during the successive EFJ annual meetings about precariousness, especially the motions that were adopted in Bled in 2006, and Istanbul in 2010.

The Annual Meeting in Bergamo states that:

- priority must be given to the fight against precariousness in its work programme.
- legislation and norms should be elaborated in all European countries in order to bring the freelancers' status more into line with the status of journalists who are hired by a redaction with regular working contracts with limited or unlimited duration; thus discouraging employers to resort to precarious contracts, and even on the contrary, forcing him/her to recognize the same set of rights for precarious and permanent journalists.
- a link should be established between claims for ethical journalism and claims for the end of precariousness so that the 5 November can be a day of awareness raising to the European Institutions, governments, and media groups about information to the citizens.

The Annual Meeting **calls on** the Steering Committee:

- To intensify the continental campaign, aiming to ensure the EU and the member-states commitment of support for the Industry,
- To create a network of coordinators from the affiliate unions, who will monitor and inform on developments. They will also work on suggesting ways of securing work for journalists and confronting the media owners' aggressiveness and the erosion of the working benefits.

#### 4. On international framework agreements

*Tabled by SNJ-CGT, France*

The Annual Meeting of the European Federation of Journalists being held in Bergamo, Italy on 15/17 June 2012

Noting that the phenomenon of concentration in the media extends across Europe, transnational groups taking advantage on liberalisation of trade in goods;

Whereas concentrations are combined with the financialisation of the culture and communication industry, and give the dominant groups an exorbitant market power;

Noting that the financial system at the heart of the movement of concentration does not require editorial control but a very high level of competition , leading to social consequences such as increased outsourcing of the collection and the processing of information, in other terms the widespread use of freelancers and 'pigistes';

Noting that transnational groups use countries with lower social standards a laboratories of their overall policies on wages and working conditions;

Noting that the resolution adopted by the 2007 Annual Meeting in Zagreb on international framework agreements has not been followed up;

This Annual Meeting in Bergamo **instructs** the Steering Committee

1 – to identify during the years 2012-2013 transnational groups in Europe;

2 – to seek to start negotiations for signing international framework agreements with the groups identified;

3 – to establish a pattern of agreement based on fundamental ILO standards: freedom of association and recognition of the right to collective bargaining (ILO Convention No. 87 & 98) and prohibition of discrimination (ILO Convention No. 100 & 111).

The framework agreement should also require the employer to recognize the usefulness of organizing campaigns, recognizing the right to strike, the concept of minimum wages, working conditions, high environmental conditions of work safeguarding the health and safety of journalists, and rights based on the Charter of Munich on rights in newsrooms and professional principles to ensure a real ethical journalism.

## **5. On the rights for collective agreements**

*Tabled by FNSI, Italy*

The Annual Meeting of the European Federation of Journalists being held in Bergamo, Italy on 15/17 June 2012

considering the importance of the economic crisis that affects all of Europe and established the absolute failure of all solutions that are causing financial difficulties in all areas of work, on which flow unfair restrictive wage policies and rights;

concerned about the attacks on stability of collective agreements, in the case of journalists, causing an impoverishment not only of people but also of the conditions of freedom and professional autonomy, introducing also new inequalities in the work among employees and freelance journalists;

showed that even in countries with advanced tradition of collective bargaining both wage gaps and differences in treatment of welfare and social protection are emerging, with the consequence of an increase of precarious, and insecurity of employment;

noting the positive work done by the EFJ to deal with these phenomena of injustice, discrimination and undermining of working conditions and independence of journalists;

recalling, besides, the activities of expert groups and the recent meeting in Thessaloniki (19-20 April 2012) on equal rights of all journalists;

engages the Steering Committee and members of the EFJ to defend with every possible action the collective bargaining as a fundamental right, exercised by every union of professional category, as benefits for all represented journalists, both employees and freelance;

**instructs** the EFJ to support, even within the limits of available resources, with creativity, with advice on European legislation and technical support for training trade unions members in addressing the inequalities in contracts and for the definition of contractual and economic standards of decent work;

**asks**, finally, that the cooperation activity with the ILO is enhanced, to weigh on the field of international relations against the most serious violations of labor laws.

## **6.On working with the ILO**

*Tabled by the NUJ, UK*

The Annual Meeting of the European Federation of Journalists meeting in Bergamo, Italy, on 15-17 June 2012.

Welcoming the election on May 28<sup>th</sup> of ITUC General Secretary Guy Rider as the International Labour Organization's tenth Director-general, the first time the ILO is led by a workers' leader;

Condemning the action by the International Organisation of Employers (IOE), in early June, in refusing to discuss the annual report of its Committee of Experts, a 17-member committee of eminent and independent international jurists, that includes the worst cases of worker rights violations following complaints by trade unions;

Believing that in many countries employers have been working to eradicate workers' rights to keep the wealth in the hands of the financial sector and squeeze the poorest with adjustments. To achieve this, they don't need the tripartite structure of the ILO and they would prefer to eliminate it;

Applauding our unions which were involved in complaints submitted by their country's labour federations, such as the General Confederation of Greek Workers GSEE, protesting the withdrawal of collective bargaining rights in Greece, the disappearance of mediation and arbitration and the weakening of labour law.

Unions everywhere have come under increased fire from lawmakers, who are pushing for wage and pension reductions as well as even stronger legislation that would undermine unions and weaken their ability to collectively bargain, and even exist. Now is the time for our unions everywhere to reinforce our solidarity and stand shoulder to shoulder with each other.

Congratulates the IFJ for rekindling their work with the ILO and through the Global Union Federations, and

**Instructs** the Steering Committee to collaborate with the IFJ, in particular in the effort to obtain a convention on atypical workers.



## **7. On media concentration: unemployment and attacks to pluralism.**

*Tabled by SNJ CGT*

The Annual Meeting of the European Federation of Journalists (EFJ), meeting in Bergamo, Italy on June 15-17 2012,

Wants to express its great concern about the situation of French regional group of press GHM and its acquisition at lowest social cost by the Belgian group Rossel.

The sale of several titles belonging to the Hersant empire (Pôle Normand, Champagne Ardennes, and Nice Matin), aiming at offsetting a debt of 400 million Euros, is to be concluded on the back of their employees under the condition of the dismissal of several hundreds of people and the suppression of some newspapers imposed by the Rossel group.

The sale of *Nice Matin* was announced on 17 May and the decision about the Pole Normand is expected on 21 June.

The Rossel group already owns the French daily paper *La Voix du Nord*.

Such a sale will impact pluralism of titles and employment, and will thus have an effect on media democracy which is one of the values enacted by the European Union.

The Annual Meeting of the EFJ

**calls** on the European Parliament to adopt position on a widespread European phenomenon where multimedia groups concentrate newspaper titles and provoke journalists' unemployment. The quality of information suffers from this situation.

**calls** on its French and Belgian affiliates to fight for the opening of real negotiations on this matter.

wants to express its total solidarity and support to journalists threatened to lose their jobs.

## **B. On media policy and authors' rights**

### **8. On campaigning for media pluralism**

*Tabled by the National Union of Journalists, Great Britain*

The Annual Meeting of the European Federation of Journalists in Bergamo, Italy on 15-17 June 2012;

Noting that the attempt by News Corporation to acquire full control of BSkyB in the UK only failed because the 'phone-hacking scandal engulfed the company in July 2011.

Noting that the decision to abandon the BSkyB takeover followed a year-long campaign supported by the NUJ and the establishment of the Leveson Inquiry in the aftermath of the extent of the phone-hacking scandal, to which the union has given evidence and fully participate in.

If the BSkyB bid had been successful the sheer scale, dominance and financial resources of the media group would have threatened the continued existence of other UK media groups. It would also have boosted even more the influence of News Corporation over UK politics.

On the crucial issue of media plurality there are important lessons to be drawn both at a UK and European level. In December 2010, the European Commission swiftly cleared News Corporation's bid for BSkyB stating that there were no competition issues to address. At the UK level there is nothing in media ownership law to prevent the company bidding for BSkyB again.

The EFJ is concerned about the damaging impact of excessive media dominance on the democratic process, journalistic ethics and practice.

The EFJ also believes that media pluralism cannot be guaranteed purely on competition grounds at both the European and national levels.

**Instructs** the EFJ Steering Committee to support and campaign for:

- The implementation of the European Commission's Media Pluralism Monitor (set up by the Directorate-General Information Society and Media (DG INFSO)) to identify threats to media pluralism in the Member States.
- Clear and effective antitrust legislation at EU level to protect media pluralism and public service journalism.

## **9. On authors' rights**

*Tabled by the Danish Union of Journalists*

The Annual Meeting of the European Federation of Journalists (EFJ), meeting in Bergamo, Italy on June 15-17 2012,

Noting that the EFJ engagement in authors' rights was confirmed at the GM in 2004, when it was decided, that these costs should be covered by an increased fee.

Noting that the challenges in the authors' rights field have been increased;

The Steering Committee **is asked to** highlight, confirm and prioritize the tasks for the authors' rights work:

- EFJ should follow and inform the affiliates about new verdicts, EU-directives, EU-green papers etc. and legislation in Europe concerning authors' rights;
- EFJ should strengthen its visibility at WIPO, IFRRO and other international organisations;
- EFJ should ensure that the organisation is represented at conferences and other activities concerning authors' rights;
- EFJ should promote the continental European system of protection of authors' rights through collecting societies.

To achieve the tasks mentioned the EFJ Steering Committee **shall continue** to ensure both political and legal representatives in the Authors' Rights Expert Group and legal assistance from the EFJ-office in Brussels.

## **10. On class action law against buy-out contracts of media houses**

*Tabled by the DJV und dju in ver.di, Germany*

The Annual Meeting of the European Federation of Journalists in Bergamo, Italy on 15-17 June 2012

Noting that nowadays in many EU member states freelance journalists are forced to waive their authors' rights and right to be fairly remunerated for secondary use of their articles or photos through buy-out- contracts.

Noting that the practice of such unfair standard contracts by European media companies has spread throughout Europe in recent years, for example through German subsidiaries in Great Britain and Spain;

Considering that freelance journalists can hardly fight on their own such unfair contracts conditions, fearing they will not get any new assignments in future from the media house.

Noting that only in some EU member states journalists' unions have adequate legal possibilities to sue the media houses against such standard contracts in the interest of its freelance members and to argue in court that such unfair contract clauses are outside of the law.

**Requests** the EFJ Steering Committee and encourage its member unions to support a class action law against standard contracts (GTC) in the Member States of the EU and in EU law, which gives unions the right to sue media houses in court on behalf of their members against such standard contracts.

### **11. On intolerance and media**

*Tabled by the FNSI, Italy and ESIEMTH, Greece*

The Annual Meeting of the European Federation of Journalists being held in Bergamo, Italy on 15/17 June 2012

Believing that maintaining the standard of equality in the coverage of minority-related issues is a criterion of utmost importance in quality journalism and constitutes a non-negotiable term of ethical journalism;

Taking into consideration the conclusions drawn from the report *Getting the Facts Right: Challenges of Intolerance in Journalism* which was jointly produced by the EFJ/IFJ, MDI and ARTICLE 19, in collaboration with journalists' unions from Lithuania, Greece and Slovakia;

Acknowledging the conclusions drawn at the *Ethical Journalism Initiative Conference - Journalism and the Challenge of Intolerance*, which conference endorsed the aforementioned report's recommendations to journalists, editors, civil society organizations, universities and journalists' unions;

Noting the imperative need of improving the press coverage of issues related to any form of discrimination and diversity:

**Calls** on the EFJ member-unions to remind their memberships they have a duty of care to avoid facilitating discrimination based on such grounds as gender, racial or ethnic origin, religion or belief, disability, age, or sexual orientation

**Calls** on the EFJ member-unions to provide training to their membership in order to improve the journalists' ability to uphold the ethical standards that underpin an inclusive society

**Calls** on the EFJ member-unions to integrate –when needed- guidelines related to diversity and discrimination in their codes of ethics

**Calls** on the EFJ member-unions to include these matters in their collective negotiations with the employers and to further their collaborations with authorities and civil society organizations, in order to ensure that the media are held accountable for discrimination-related violations and that the journalists are protected by their employer's or superior's pressures to produce "sensational stories".

## C) On press freedom and safety

### 12. On the freedom of information act (FOIA)

*Tabled by the FNSI, Italy*

The Annual Meeting of the European Federation of Journalists being held in Bergamo, Italy on 15/17 June 2012

Considering the European Convention of the European Council on 18 June 2009, on the right to access to official documents, which guarantees "the right of everyone, without any kind of discrimination, to accede on request on documents held by public authorities";

Whereas the right of access to information of public administration, recognized in many countries under the name of Freedom of Information Act (FOIA), according to the same Convention, "helps the audience to form an opinion on the condition of society and public authorities" and "strengthens integrity, efficiency, effectiveness and responsibilities of public authorities supporting, on this way, the affirmation of their legitimacy";

Whereas the access to information of public management allows any kind of journalism, to exercise more strongly and on behalf of their citizens, its fundamental function of control of institutions;

Whereas the total transparency of documents, including internal ones, of the public administration, is a practical obstacle to the waste and corruption;

**Demands** the European Federation of Journalists to promote in all the Council of Europe States the introduction of rules inspired by the Freedom of Information Act and to strengthen them, where there were already introduced with enough efficiency and effectiveness;

**Requests** the Steering Committee to lobby the European Parliament and the EU Member States for an improved Access of Information Regulation and to fight existing attempts by major Member States to significantly weaken access to information during the recast process of the EU regulation on access to documents.

**Supports** the request of a FOIA advanced on 14 May 2012, in Italy, with the initiative [www.foia.it](http://www.foia.it) signed by associations, journalists, professors and experts in public administration, supported also by the National Federation of the Italian Journalists (Federazione Nazionale della Stampa Italiana – FNSI).

### **13. On detained journalists**

*Tabled by the EFJ Steering Committee*

The Annual meeting of the European Federation of Journalists being held in Bergamo, Italy on 15/17 June 2012

Deplores that aside from the special situation in Turkey with more than hundred journalists in prison, three European journalists are in prison or in captivity, as this Annual EFJ meeting in Bergamo takes place.

These colleagues are:

- Dawit Isaak

Swedish-Eritrean journalist and editor, in prison for almost eleven years in Eritrea, without any trial. His health is undermined and it would be an act of humanity to release him. The IFJ and the EFJ are campaigning for his release.

- Johan Persson, Swedish freelance photo journalist, in prison in Ethiopia
- Martin Schibbye, Swedish freelance journalist, in prison in Ethiopia

Johan and Martin were accused of entering the country illegally and for supporting terrorist activities. For this they were last winter sentenced to eleven years in prison. The hope is the signals from the Ethiopian government that they will be given pardon and be released.

The Annual Meeting demands the immediate release of our colleagues who only have been doing their work to informing the public, as journalists for the public good, and **instructs** the Steering Committee to continue campaigning on this issue.

### **14. On journalists' rights in Hungary**

*Tabled by MUOSZ, Hungary*

The Annual Meeting of the European Federation of Journalists being held in Bergamo, Italy on 15/17 June 2012

Noting the step-by step decline of the Hungarian media environment due to a series of controversial media legislative measures adopted in 2010 and came into effect on January 1, 2011, such as the

- the supervision of the media by one single authority, the National Media and Info-communications Authority (NMHH) whose leader is elected for nine-year term without limits on reelection, and who also chairs the Media Council charged with content regulation, thereby tightening government control of

the broadcast media and extending some of the regulations to print and online media

- the centralization of all public media under one body, the Media Service Support and Asset Management Fund (MTVA), supervised also by the Media Council
- the difficulties the opposition political commentary radio channel *Klubradio* has to face for the renewal of its broadcasting license to continue its operations
- the local reports on manipulated news in public service channels, signs of censorship and self-censorship, repeated layoffs and continuous reorganizations in the public service broadcasts and at the Hungarian National News Agency (MTI) which became the sole official source for all public media news content
- the demonstrations, even a hunger strike to protest the above, accompanied by the „tabloidization“ of the public service programming and the mass layoffs within some dismissals could also be viewed as politically motivated

Regarding that all the above resulted serious criticism by EFJ as well as by the Council of Europe, the European Parliament, the Media Representative of the OSCE, the United Nations Special Rapporteur on Freedom of Expression, and many other press freedom and human rights organizations and international media freedom watchdogs

Regarding that negotiations between Hungarian government officials and the EU media monitoring bodies resulted so far only minor changes, in spite that on December 19, also Hungary's Constitutional Court annulled several pieces of the legislation,

Regarding that most recently the actual status of the Hungarian media was downgraded by international watchdog Freedom House from „free“ to „partly free“, which also shows, that with its existing provisions the Hungarian regulation still hardly corresponds the requirements of the freedom of press and freedom of speech,

**Calls on** the Hungarian legislators to restore at least the pre-2010 level of media freedom, with revised provisions based on consultations with the local professional organizations and human rights watchdogs, in line with the international agreements and the EU regulations earlier accepted also by Hungary, as well as with the consensual standards of democracy and freedom of speech.



### **15. On protection of sources**

*Tabled by Union of Cyprus Journalists*

The Annual Meeting of the European Federation of Journalists meeting in Bergamo, Italy, on 15-17 June 2012.

Considering the attempt which is taking place in Cyprus to abolish the major journalistic right on protection of sources through a draft of law that was submitted to the House of Representatives on June 6, 2012.

Noting and supporting the strong opposition of the Union of Cyprus Journalists which was declared with the announcement to the press against this draft of law and with communications with the relevant government official on June 7, 2012.

Noting that if journalists are forced to disclose their sources, it will have significant consequences, such as losing the ability to obtain information and the targeting of journalists.

Considering that the right of journalistic sources is well recognized in international and European laws.

**Calls** on the Cyprus authorities to respect and maintain the protection of journalistic sources and to stop threatening journalists' sources with draft laws.

## **D) Other**

### **16. On EFJ work**

*Tabled by DJV and dju in ver.di*

The Annual Meeting of the European Federation of Journalists in Bergamo, Italy on 15-17 June 2012

**Requests** the EFJ Steering Committee to initiate discussions with the IFJ Honorary Treasurer and the IFJ General Secretary and EFJ General Secretary about a European staffing plan and its required financial resources. It has to be clarified in particular how to secure a financial sustainable basis.

### **17. On EFJ policy on sexual harassment**

*Tabled by the Union of Journalists in Finland*

The Annual Meeting of the European Federation of Journalists in Bergamo, Italy on 15-17 June 2012

Appreciating the EFJ Policy on Sexual Harassment, distributed by the Steering Committee February 2012;

Considering the ongoing process in the IFJ to strengthen the IFJ Anti-Bullying Policy;

Highlighting that it is extremely important that European contributions to the IFJ process and policy are based on best practices and that they can be taken as a model in any Union and any working place of journalists anywhere in the world;

Underlining the principle that in all harassment cases it is essential that the targeted person's right to a neutral, respectful and professional treatment and process will be safeguarded, and that leaving the responsibility of that treatment or process with one person in an authority position in theory could jeopardize the process and thus the credibility of the whole policy;

Recalling that in the whole process the presumption of innocence of the accused person must also be respected until the contrary is proven,

Noting that the IFJ Gender Council already has proposed to EFJ setting up and training a small panel of people to hear the complaints in harassment cases

**Requests** the Steering Committee, when reviewing the EFJ policy on sexual harassment, to include in that review a discussion of a gender balanced and gender trained group who would be given the responsibility to deal with complaints.

**Requests** the Steering Committee to encourage similar training and initiatives on combatting sexual harassment in national affiliates.

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