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☒ Civil society organisation/NGO

Organisation name: European Centre for Press and Media Freedom

Main Areas of Work
☒ Media Pluralism

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Questions on horizontal developments

The Media Freedom Rapid Response (MFRR) deploys systematic and comprehensive monitoring of press and media violations in all EU member states and candidate countries. The MFRR's monitoring work is led by the European Centre for Press and Media Freedom (ECPMF), the European Federation of Journalists (EFJ) and the International Press Institute (IPI); all alerts can be viewed on the Mapping Media Freedom platform (mappingmediafreedom.org).

In 2020, with the pandemic as background and context for increased state intervention, journalists and media workers across the region have faced near-unprecedented roadblocks and restrictions on their ability to work fully and free from unnecessary administrative hurdles, threats or harassment, legal action, detention or violence.

In the course of the year 2020, we registered 245 alerts of media freedom violations in 22 EU Member States. There is no one single mechanism or motivation for attacks on journalists and media workers and no singular source. Nearly 1 in 4 (23.7%) involved

physical attacks and in 51.8% of alerts, media actors were verbally abused. Nearly one out of three alerts (31.8%) included legal incidents, 16.7% attacks to property and 13.5% included censorship. Media actors were attacked or prevented from carrying out their work by private individuals in more than 4 out of 10 incidents (43.3%); by police or representatives of state security (20%); through actions by representatives of national legislatures (18.8%) or representatives of the judiciary (5.3%).

Nearly 1 in 3 incidents (29.4%) occurred during demonstrations, which are the environment in which media actors were most frequently attacked or harassed. Nearly half of the incidents during protests (48.6%) include physical attacks and more than half (58.3%) involved verbal abuse including threatening, intimidation, insult and harassment.

More than one in four of all alerts (27.4%) were related to the COVID-19 pandemic, either directly, in relation to government responses to the pandemic or public opposition to the situation. Most frequently (58.2%), these incidents happened during protests.

Furthermore, the MFRR's monitoring activities document a growing trend of anti-media rhetoric, both online and offline, resulting in targeted harassment, threats and smear campaigns directed at journalists and media workers. This includes a worrying trend of gendered harassment and abuse including threats of sexual violence directed at women, which likely remains underreported. Online harassment is widespread with social media being used to amplify and accelerate the distribution of targeted messages.

Another Europe-wide phenomenon is the use of legal threats, vexatious legal actions and Strategic Lawsuits Against Public Participation (SLAPPs) to target journalists and encourage them to avoid certain topics of public interest. In most EU member states, SLAPPs are commonly filed by big corporations or businesspeople in pursuit of private interests. However, in other member states including Poland and Hungary, they serve as a means to target political opponents of the government, including independent media outlets, as part of a broader attack on media freedom that also includes turning the public service broadcaster into a propaganda tool for the government, distorting the media market through the weaponisation of state advertising, abuse of regulators and other mechanisms, and dividing the journalistic community.

Overall, the MFRR's monitoring activities map a landscape across the EU in which a weakened national commitment to media freedom is not relegated to states with fragile democracies alone. Indeed, most member states are susceptible to attacks against journalists and media workers, a degraded media environment and inadequate responses from relevant authorities.

Questions on developments in Member States

Member States covered in contribution:

[x] Germany

Media pluralism - Germany

Media authorities and bodies

N/A

Transparency of media ownership and government interference

N/A

Framework for journalists' protection

Rules and practices guaranteeing journalist's independence and safety

In 2020, the MFRR registered 52 alerts of press and media freedom violations in Germany on Mapping Media Freedom, involving 128 attacked persons or entities related to media. A significant majority of incidents (65.4%) happened during demonstrations.

Throughout the year, numerous protests have taken place covering many different political ideologies or focal issues. Demonstrations against the government's COVID-19 responses have been attended by a wide range of actors, including also conspiracy theorists and far-right and extremist groups who have been particularly hostile towards the press. Standing out throughout the alerts is the hostility expressed towards journalists and media workers, revealing a low regard for the profession and an assumption towards political biases. For instance, in late October a human-sized doll was hanged from a bridge over the Weser in Minden by unknown individuals. The doll had a sign saying "Covid-Press" around its neck and was wearing a mask over its eyes reading "blind".

In a majority of cases, private individuals were behind the insults, threats and even physical violence that occurred during protests across the country. In relation to physical violence, for instance, during a May Day protest in Berlin, a camera crew and bodyguard of the ZDF satirical news show, "heute show", were attacked, resulting in four individuals requiring hospitalisation.

Journalists and media workers were also repeatedly harassed and threatened by private individuals during demonstrations. For instance, at a protest against the COVID-19 lockdown and other government measures in August in Berlin, ZDF reporters documented verbal insults and hostility to such an extent that it required them to stop their coverage, and journalists' association Ver.Di stated another TV crew was also harassed during their reporting on the same protest, which resulted in a protester attempting to remove the mask of one of the journalists. In another major example, at a large "Querdenken" demonstration in Leipzig on 7 November, many journalists were repeatedly threatened with violence, while others were chased. Protestors also tried to grab microphones, cameras and other pieces of equipment.

In relation to attacks and harassment by private individuals, German journalists' associations and unions have repeatedly deplored the lack of police support for journalists during demonstrations.

In addition to the actions of private individuals during protests, MFRR partners also documented several instances of obstruction of journalists' and media workers' activities by police or security personnel. For instance, during a May Day protest, an employee of a television crew was allegedly punched by a police officer. On 17 July, a freelance journalist was covering a demonstration in Weiden and in addition to being pushed by a demonstrator, she was also accused of "provocation" by a police officer, who then asked to see her video equipment. As a result, she received a threat of legal action in connection with the Datenschutzgrundverordnung, as well as abuse on social media platforms. In October, during the eviction of an occupied house in Berlin, police impeded the work of journalists on several occasions. And at the before-mentioned Querdenken protest in Leipzig in November, police on several occasions did not intervene or even impeded journalists' work. For instance, it was reported that the police complained about the presence of the press and threatened to use force against journalists if they would not go away as a town square was cleared, saying "we do not differentiate between protesters and journalists".

Law enforcement capacity to ensure journalists' safety and to investigate attacks on journalists

Further to the incidents connected to protests, there is a continued threat of far-right extremism targeting or intimidating journalists and media workers in Germany. For instance, reported to the public on 5 May, nine editorial offices of German media outlets were among the recipients of death threats sent by a right-wing extremist group, who signed their letter with "musicians of Staatsstreichorchester" alongside "sieg heil" and "heil Hitler". In another example, in June a ZDF TV-crew was attacked while reporting on the trial of a right-wing extremist, Sven Liebich. Around 15 people verbally and physically attacked award-winning reporter Arndt Ginzler and his camera operator and attempted to damage their equipment and prevent their coverage. In July, a series of letters signed by someone identifying themselves as NSU 2.0 (in reference to the National Socialist Underground) were sent to Maybrit Illner, journalist and TV host at ZDF, which contained death threats and insults.

Access to information and public documents

N/A

Lawsuits and convictions against journalists (incl. defamation cases) and safeguards against abuse

In 2020, two lawsuits against journalists in Germany were registered on Mapping Media Freedom. Due to the rigorous pre-litigation mechanisms, vexatious lawsuits are rarely reaching the courts.

The first lawsuit was registered on 21 June 2020. The German Police trade union (Gewerkschaft der Polizei - GdP) filed a complaint against journalist Hengameh Yaghoobifarah for incitement. They had published an article in the left-wing, daily newspaper TAZ entitled "Abolition of the police - All cops are incapable of working". Complaints against the journalist and the newspaper were also filed with the German Press Council. Moreover, Federal Minister of the Interior Horst Seehofer also announced that he would file criminal charges against Yaghoobifarah. The CSU politician called the article "unspeakable" and linked it to violence against police officers in Stuttgart. Seehofer was criticised by the German Association of Journalists (DJV) and by the editor-in-chief of taz, Barbara Junge and ultimately backtracked on his threat of litigation.

The second case was initiated in November. On 10 November 2020, Thomas Laschky, the founder of Volksverpetzer, wrote in an article that Wolfgang Wodarg through lawyer Reiner Fuellmich had threatened the outlet with legal action. Wodarg is claiming damages of 250,000 EUR alongside an injunction, plus 3,000 EUR in legal costs. The legal action relates to two articles published on the Volksverpetzer blog, in which the author fact-checks and counters comments made by Wodarg. In one of the articles, Volksverpetzer referred to Wodarg as a "pandemic-denier", because he spread information that had been refuted by various reputable outlets including Tagesschau, Tagesspiegel, CORRECTIV, Welt and MDR. Prior to the publication of these articles, a number of politicians, doctors and epidemiologists had also already condemned Wodarg's statements as "false" and "refutable". Transparency International Deutschland, on whose board of directors Wodarg serves, has distanced itself from his statements.

Other - please specify

N/A