

JR

28.11.2017

Lausunto Ulkoministeriölle

Euroopan Neuvosto; Oikeus ilmaisunvapauteen; esimerkkejä suomalaisista hyvistä käytännöistä

Alla Journalistiliiton esimerkkejä hyvistä käytännöistä Euroopan Neuvoston koosteeseen.

Petri Savolainen
edunvalvontajohtaja

Juha Rekola
kansainvälinen asiamies

14. Please provide good practices in relation to access to information both on- and off-line (legislative and non-legislative measures and so forth):

The legal framework and long traditions combined form a favorable environment to freedom of expression and of the press.

Section 12 of the Constitution states that everyone is entitled to obtain information about official public documents in the public domain. Official documents are public documents unless otherwise regulated. This principle of public access to official documents has in Finland for some 250 years. While freedom of expression ensures that everyone is entitled to publish and receive information, the principle of government openness is to safeguard that the public and the mass media have access to official documents.

Article 20 of the Act on the Openness of Government Activities states: *"The authorities shall see to it that the documents or the pertinent indexes which are essential to the general public's access to information are available where necessary in libraries or public data networks, or otherwise easily accessible to the members of the public."*

Finland was the first country to make broadband internet access a legal right in 2009.

Finland has one of the least corrupt and least secretive governments in the world, thereby lacking the usual reasoning governments have to restrict press freedom.

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"The Government's Communication Recommendation highlights the transparency of the administration's daily work. Open and interactive communication is central to good governance. Reliability is the basis of all activities of the authorities. Transparency and confidence go hand in hand. Without transparency, there can be no confidence." <http://vnk.fi/documents/10616/3541383/Valtionhallinnon-viestintasuositus-2016.pdf/>

16. Please provide good practices in relation to the preceding topic [The role of the media] (e.g. education programmes, campaigns, self-regulation).

Strong media market and pluralistic media: Finns are enthusiastic consumers of media, ranking first in the EU and third in the world for reading newspapers. In a small country, some 4000 periodical magazines are published. Besides a private TV-, Radio- and Internet based media, co-exists a strong and forwards-looking Public Broadcaster YLE. These factors result in a stronger market, promoting healthy competition and better journalism.

Strong self-regulation of the Media. The [Council for Mass Media](#) is an independent organization consisting of media and journalists' organizations, manages to self-regulate the media quite effectively.

Importantly, all the main publishers are committed to the Ethical code and the work of the Council, and see the importance of the self-regulation to the media brand. On the other hand, the Ethical Code, [Guidelines for Journalists](#), is for every individual journalist, not something depending on the supervisors in the editorial office. The Union collective agreements have a safety clause making it possible for a reporter to refuse unethical assignments and prohibiting the employer acting against an employee who does so.

Journalists, publisher's representatives and members of Public are represented in the actual council, interpreting the guidelines, which is adding in to the credibility of the working of the self-regulative body.

The Union of Journalists is very strong in Finland, with over 15,000 members covering more than 90% of working journalists, including freelancers. The Union provides an active and inclusive professional community, training, protection against pressure, and decent working conditions, thus making it much more difficult for an outsider to corrupt a journalist or a journalist to work without any peer review at all. The strong Union (together with specialized journalists' associations) also provides professional support and legal help in individual journalists' fight against authorities who often baselessly refuse information or otherwise complicate journalists work. The Union has also been active in the watchdog role defending freedom of expression against attempts to limit press freedom. <http://www.journalistiliitto.fi/en/>

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Some specific campaigns

- The Union of Journalists had a popular Twitter-campaign against hate speech in social media in 2016 to prepare for the WPF2016 conference in Helsinki (in which the Union was actively involved). Hundreds, maybe thousands, of Union members and others gave the "responsibility of expression oath by tweeting: *"I express myself – mindful of human rights. Hate speech won't silence me. I'm responsible for what I say."* #SANANVASTUUVALA"
- More than 100 of journalists participated in the fall of 2017 in a campaign (Faktana, kiitos! - "As a matter of fact, please!") to promote fact based journalism in schools all over the country. Journalists visited schools nationwide and lectured about journalist work, in purpose to encourage the students in independent evaluation of information and to raise their responsibility: in social media everyone has an influence on what kind of knowledge is spreading. Journalists volunteered their contact addresses, and teachers found them on a website <https://www.faktanakiitos.fi/>. Media literacy materials by Newspaper and Magazine publishers and the Public Broadcaster were used during the campaign, which was supported by the Union of Journalists and several Publishers and Haaga-Helia University of Applied Sciences.

Media Literacy: Media education in general in Finland is diverse and actively carried out by a diversity of actors and organizations. From an international perspective, we are progressive and unprejudiced developers of media education in Finland. <http://www.mediaeducation.fi/finnish-society-on-media-education/> Many schools use newspapers every day, either as teaching material or as a teaching tool. The Finnish Newspapers Association has also published source material for teachers of different subjects and levels. These are provided free of charge and can be obtained from the education staff of the newspaper publishers concerned or from the association. Many newspapers send schools newspapers free of charge for use in teaching. <http://sanomalehtiopetuksessa.fi/fi/etusivu/> The School students also learn to produce journalism themselves, and in the process learn some basics of journalist ethics as well: [Sanomalehtien Liiton Meidän juttu](#) | [Yleisradion Uutisluokka](#) | [Aikakausmedian Koululehtikone](#)

International Solidarity to promote Freedom of Expression: The Finnish Foundation for Media and Development (known by its Finnish acronym 'Vikes') is a journalists' solidarity organization devoted to strengthening democracy and active civil society by supporting freedom of expression, quality journalism and media diversity around the world. The Foundation was set up in 2005 by the Union of Journalists and 25 other organizations, including Magazine Chief Editors, Journalism educators and Media student organizations. Through Vikes, Finnish journalists support their colleagues in other countries and form equal, cooperative relationships for mutual learning. Vikes is the only Finnish development cooperation organization specialized in freedom of expression and

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media. We feel that this role is crucial in a world where independence and diversity of media is threatened and press freedom as well as the civic space are constantly shrinking. Most of Vikes funding comes from the development budgets of the EU and the Finnish Foreign Ministry. Donations from the Union of Journalists and other organizations, as well as individuals and private companies are also crucial in sustaining Vikes activities. <https://vikes.fi/en/>

25. Please provide additional good practices in relation to the preceding topic [The rise of fake news].

The rise of fake news has been recognized in Finland by the whole media industry as a threat to democracy, freedom of expression and the fact-based media credibility. Countless local, national and international meetings have been held to address the situation. Best way for the media themselves to counter fake news is to take care of the quality of their own journalism; check their own facts thoroughly and be committed to a functioning self-regulation. In Finland the self-regulation system functions in the form of the independent Council for Mass Media (JSN), set up by the media publishers and journalists organizations www.jsn.fi (see answer in section16)

Journalists and editors are beginning to understand that to promote their own credibility it is also necessary to be more transparent in the journalistic decision-making in the editorial offices.

33. Please provide good practices on any of the preceding points [Support to victims of hate speech, also in order to encourage them to report violations.] (programmes and policies, including social integration policies, etc.).

In late 2015 and early 2016 Finland experienced some cases of exceptionally egregious threatening and slandering campaigns against journalists. Also a report by the Ministry of Justice found that hate speech had become the most common form of discriminatory behavior targeting minorities. Of the 1475 people polled for the report, 61 per cent said that hate speech had eroded their general sense of safety over the preceding 12 months, indicating that the problem has been getting worse over a relatively short period.

The Union of Journalists has addressed the problem in numerous seminars, meetings, debates and union magazine and website articles.

Already in 2013, after a language row against the Swedish-speaking minority in the country, the Union of Journalists (UJF) together with the Finnish Media Federation had made a recommendation on the actions in editorial offices in case of threats and threatening situations against journalists. These included reporting violations to police.



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Early 2016, the Union Magazine made and published a large survey on threats against journalists. Every one of six journalists had received threatening messages, mainly through e-mail or social media, but some also face to face or over telephone.

The Union of Journalists demanded the police to investigate and prosecutors to prosecute those guilty of illegal threats against journalists. The police started working with prosecutors to investigate the online "alternative news" site MV-lehti, which had been repeatedly linked to hate speech and the defamation of individual journalists. Union lawyers helped members in reporting suspected crimes to the police.

In March 2016, 21 Chief Editors of the most important media houses published a joint declaration in defence of "trustworthy journalism", as opposed to the "fake media" of MV-lehti and other new online magazines using news formats. "We support individual journalists who get to be targets of these campaigns because of their work. We do not allow journalists to be silenced by pressure." The Union of Journalists welcomed the pledge and said it should concern also their freelancers and short timers.

Also in March 2016, the Council for Mass Media adopted and published a statement saying that improper feedback and direct threats may reduce or completely prevent the handling of certain issues in the media. "Self-censorship, either conscious or unconscious, is a threat to freedom of expression and to social debate and thus to the whole democratic social order. The CMM required the police and the prosecutor to have a more active attitude towards such threats to freedom of expression.

MP Timo Harakka (former member of the UJF) proposed in an initiative setting up and resourcing a unit within the police force that could concentrate in internet crimes, especially crimes against freedom of expression. UJF supported the initiative. The unit was set up and started its work in March 2017. It's resourcing is still very low compared to needs.