

Report of the Annual Conference of the AIPCE 2021

Alexander Warzilek (ed)

Preface

During times when freedom of the press is severely under pressure, self-control institutions such as Press and Media Councils are an essential instrument in strengthening the credibility of legacy media. The Annual Conference of the Alliance of Independent Press Councils (AIPCE) is the most relevant event for representatives of Press and Media Councils of Europe to exchange information and coordinate with each other. This report is a summary of the most important speeches and panels during the AIPCE Conference in Ayia Napa (Cyprus) in 2022. However, let me point out that the views and opinions expressed are those of the speakers and panellists and do not necessarily reflect the views and opinions of the AIPCE. As an annex to this report, you will find a list of all the experts who are mentioned in this report and who shared their views with the delegates from the Press and Media Councils at the Conference. Further information on the AIPCE is available at www.presscouncils.eu.

Dr. Alexander Warzilek (ed), Director of the Austrian Press Council and Member of the Coordination Committee of the AIPCE

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The Challenges of Digital Media in Age of Extremes

Demetris Demetriou, president of the Cyprus Online Publishers Association, stated that digital media grows much faster than the understanding by governments and regulators of the changes involved. To his mind, the legal framework is lacking. In Cyprus, the State's law does not recognise digital media, which poses a major problem. He is of the view that the new EU-laws concerning the safety of the internet are creating an unstable digital media environment because of the lack of technical and digital experience of the State. At this point in time, online-media are left alone to evolve in the digital space without any guidance from the State. This is problematic because online media outlets are obliged to run their business properly, but there are no guidelines from the legislator. There is also the danger of getting a fine for any inaccurate implementation, e.g. the GDPR or cookie policies.

Nicholas Nicoli, associate professor at the Department of Communications of the University of Nicosia, stressed that we are indeed living in a world of extremes. Depending on one's interlocutor, the reasoning for those circumstances varies. Different social disciplines have different reasons. For example, sociologist Arlie Hochschild in her ethnographic study "Strangers in Their Own Land" carried out a deep investigation into the anger of America's right. She came across millions of people who wanted to tell their side of the story. According to them, they were let down by their own government, in that they were not able to own a home or even purchase a small car on account of, in their words, immigrants and people of colour.

The Harvard philosopher Michael Sandel describes in the "Tyranny of Merit" the growing resentment of people who despite all their efforts to fit into the structures of contemporary life fail to do so. He depicts the widening of monetary and cultural inequalities after four decades of globalisation. Those on the top are feeling they are there on merit and those below have themselves to blame. In Nicoli's view, it is within this context that populist leaders tap into people's frustrations and illicit democratic deficits around the world. So unsurprisingly, different social sciences emphasise different reasons why the world is in such a state. What makes this moment in time different from others is that all this is set against the digital background: a technological genie has been let loose. Yet, even at this stage, this situation endangering democracy must be examined and fixed before we move on to the next web, Nicoli asserts. The research he conducts recognises causes identified by other disciplines but emphasises the impact of digital platforms combined with a disempowerment of news media as a core component of why we are living through such extreme societal change. In his opinion, there is a lot that can be said here of course and Demetris has identified here one reason on a local level but he would like to widen the lens a little and highlight two points which are a bit overlapping – just to conceptualise the challenges arising from the digital age within a neo-liberal framework.

First, Nicoli would like to mention failures of platform regulation. On the face of it, with the advent of digital technologies, techno-optimism seemed justified. A conviction transpired very quickly that these technologies would develop into a deliberative digital democratic landscape emancipating and enabling participants to partake in public spheres the world over. Now at the third web environment after years of sanctioning platforms into becoming new gatekeepers of information he thinks that quite the opposite has happened. They have become internet intermediaries protected by laws offering them far too much immunity for so much editorial control. The EU, as a bastion of digital quality, seems to be doing the most in reigning in big tech by means of new sector-specific anti-trust policies. Recently the EU Court

of Justice sided with the Commission on the Google-android-case. Yet the consolidated power multisided network effects of big tech have made the job of regulators tremendously hard. “Meta” apparently has more lobbyists in the EU than all European broadcasters together.

The second point regards disinformation in a post-pandemic era, he adds. Intentionally misleading information – what we call disinformation – is not a new phenomenon. According to many historians the practice became prevalent during the Cold War by means of legacy media. Ominously, today’s version of disinformation has intensified on account of a plethora of digital channels. Digital disinformation agents, many coming from authoritarian regimes, detonate misleading information online and rely on unsuspecting recipients to disseminate that content to their own networks. This is an approach we know as disinformation. Today we have millions of disgruntled online users and an unregulated information landscape. To add to this, populist discourses scapegoat mainstream news media for being misleading, turning millions more to self-regulated alternative sources – spaces that facilitate misinformation. Nicoli thinks that users find what they want to hear in these spaces, confirm their own biases, consume more of the same and spread it. It is a process that we call “selected exposure”. It has become a vicious circle that has turned spirals of silence into spirals of distrust and lies.

Therefore, during the pandemic, political and health disinformation were enmeshed, aggravating an already precarious situation by adding more distrust, Nicoli points out. Now, two years after the start of the pandemic, early studies show that disinformation has metastasised. There are more disinformation agents, even from legitimate sources, and more gullible recipients. When it comes to digitalisation, its transformation and its challenges, it is important, in a world of moral panic and heightened social events such as that which we are going through now, to be cautious with new digital communication technologies, he concludes. In his opinion, it would be necessary to celebrate digital innovators less and to focus on the public interest more and to place citizen welfare above consumer welfare.

The Fallout of the Scoop: Predator - Gate - The Use of Pegasus-Spyware against Journalists

Elisa Triantafyllou, Greek investigative journalist of the online news site “Inside Story”, stated that back in 2016, at the height of the debt crisis, Greek politics but also Greek society at large were very polarized. Unfortunately, in her opinion, many Greek news outlets chose to take a side instead of being impartial. However, “Inside Story” introduced two new things – the “slow news model” and the subscription-based model. She emphasizes that the online news site publishes each day one long-format story. Original reporting and investigative journalism are their strong cards. The respect of their readers is another one. Triantafyllou points out that the reason why they have chosen to be economically supported by individual subscribers is simple. To her mind, this is the only way to back up their independence.

At the beginning, it was not easy to convince the Greek audience to pay for something which they usually got for free. They gained ground, however, each time they published a story another Greek media source could not or did not want to report. The most recent example was “predator-gate” - a spying scandal. “Inside Story” was the first medium reporting about the new spyware called “predator”. A Greek journalist was the first confirmed victim of this spyware used by the Greek authorities. Triantafyllou stresses that this meant that someone had full control of and access to his mobile phone, including his camera and his microphone for at least ten weeks. First, the story made it only to some media outlets (depending on their position towards the Greek political parties). However, many media organisations like the

International Press Institute issued statements of concern and sent letters to the Greek government. In response to this, the spokesperson for the Greek government denied that the government had anything to do with illegal spying on a journalist. Nobody bothered to provide evidence for this claim, Triantafyllou highlighted.

She noted that the use of spyware is totally illegal in Greece, including spying on behalf of the government or any law enforcement agency. A few days later, after another news outlet reported that, the same journalist was checked by the Greek national intelligence service for national security reasons without any further justification. It should be noted that the Greek government recently amended the law that citizens who were the subject of such a check will not get any notification about it, Triantafyllou informed the audience. Still, this story did not make big headlines. Many months and many reports later – without capturing the attention of most of the Greek media – a story broke that the opposition leader of the social democrats was targeted by this spyware too. Again, at the same time, Triantafyllou found out that he was also legally checked by the intelligence service.

Finally, this story made it to the headlines all over Greece. Afterwards two people had to step down: the head of the national intelligence services and the secretary general of the Prime Minister. Later on, a parliamentary inquiry committee was formed. On the day of the conference the Greek parliament was discussing the findings of this committee, Triantafyllou added. According to the government majority, however, there was no harm. This leads her to one conclusion: Greek citizens and European citizens who want to learn what had actually happened and who was or still is under surveillance by the government have to rely on the independent media outlets who broke the story. Besides that, we all have to rely also on the conclusions of the European Parliament's Committee which investigated the use of spyware in EU member states, including Greece. Furthermore, the independent Greek justice system is of importance as well, but as usual it is moving extremely slowly and therefore crucial time is passing by. Against this background, in her opinion, many questions will probably remain unanswered. The spyware scandal or predator-gate, in her view, is a strong example why it is crucial to have sustainable and independent media outlets in Greece which are not reliant on advertising or government support.

George Georgiou, a Cypriot journalist, MEP and vice-president of the European Parliament's Committee investigating the "predator scandal" called the spyware issue "diabolical". He pointed out that without the contribution of the journalists we would not know about this scandal at all. He strongly wanted to thank Ms Triantafyllou and her colleagues for bringing the scandal to light. Unfortunately, Cyprus was also involved in the scandal when, in 2017, a mysterious black van performed surveillance by using the specific spyware and collected data from thousands of Cypriot citizens. The black van was run by two former Israeli spies, now owner of a company which provides data through spyware. This company was cooperating with the Cypriot State, Georgiou emphasized. In his opinion, this spying continues to take place because the national as well as the European legal framework is insufficient. Today we know for sure that the surveillance of Greek journalists and politicians started in Cyprus. In his opinion, a parody trial against the two Israelis took place here. The only result was that the two men transferred their spying company to Greece and the pegasus spyware was used there. In both countries, in Greece and Cyprus, Georgiou thinks that the governments tried to conceal the gathering of information through pegasus spyware from the public eye. For this reason, the European Parliament had launched its own investigation and introduced this special committee to cover up the political dimensions. Georgiou is convinced, even after the mission on European level, that the spying is going on because there is a lot of money and profit

involved. In his opinion, the only way to solve the problem once and for all would be to change the legal framework. In any case, investigative journalism, which was decisive in discovering the scandal, has to be facilitated. However, in his view, we have to pile on the pressure on governments and politicians to change the insufficient legal situation. Finally, Georgiou stressed that the “pegasus scandal” was a violation of privacy and (concerning the journalists) at the same time a violation of freedom of expression.

Discriminatory Statements by Politicians - Reporting the Unreportable

Dimitris Trimithiotis, lecturer on journalism and media at the University of Cyprus, reflected on the moral and ethical practices of journalism in the reporting activities related to the news coverage of discriminatory statements by politicians, in particular xenophobic comments. He raised the question how should journalists deal with “official” anti-migrant and xenophobic discourses. He is of the opinion that the context of this phenomenon is the growth of right-wing populist parties with xenophobic positions all over Europe. Journalists are inevitably required to report on the positions of those right-wing populist parties.

Another important aspect is the growth of “churnalism”, e.g. by recycling news content from established sources like press releases from political parties without reflection. In this regard, the demand of online media for a 24/7 flow of information and the decreasing standards in working conditions for journalists have to be mentioned as well (lack of time, multitasking etc.). As a consequence, media and news journalism has become instrumental in the process of mainstreaming xenophobic discourses and populist parties’ agendas. Therefore, journalists – intentionally and unintentionally – take part in the process of normalization of xenophobic rhetoric within society.

Concerning this issue, journalists often refer to the requirements of professional journalism: Reporting on political issues would involve a balancing act between disparate political positions and mentioning the extreme point of views of populist parties. All this would serve freedom of expression. However, this has a significant negative social impact according to Trimithiotis. In his opinion, a “balanced” reporting on xenophobic positions also contributes to the normalization of racism. Hence, journalists become facilitators of discriminatory perceptions and prejudices. He recommends that, from an ethical point of view, journalists should have in mind in this regard that journalism should be critical rather than neutral, particularly in terms of negotiating the boundaries between legitimate and deviant positions. When reporting on xenophobic statements, there is a need to bring to the light the discriminatory character of these statements, Trimithiotis pointed out. Furthermore, to his mind, journalists should also acknowledge that discriminatory rhetoric cannot be classified as an opinion. If it is impossible to critically comment on xenophobic statements due to working conditions and time pressures, he recommended to abstain from reproducing them at all. Xenophobic statements are not part of, but rather obstacles to, freedom of expression, he finally stated.

Silencing the Crime Reporting Gender-Based Violence

Miranda Christou, associate professor in sociology of education at the University of Cyprus, raised the question about how we could report on gender-based violence (IPV – intimate partner violence, femicide) in ways that do not reproduce stereotypes and unequal gender relations. She asserted that sexism in the media works in two ways: we can find overt sexism in topics like “women and beauty” (where women are treated as objects) as well as “female

hysteria". In contrast, covert sexism is to be found in news on crimes where women often have only a passive voice, are silenced or are blamed as victims. For example, to call the murder of a woman a "crime of passion" is to romanticise the criminal act, Christou stressed. In Cyprus, the Press Council will probably include a new clause on not romanticising crimes against women into its press code.

Professor Christou is also of the view that another problematic approach of journalists is to cover only the perspective of the male perpetrator. In this regard, the news article is somehow creating a cover for his crime. Sometimes female victims are presented as overly sexual women, e.g. when a journalist refers to the "extravagant life" and "parallel love affairs" of the murder victim. Journalists should also avoid using sexualized pictures of the victim (which they often copy from social media platforms without consent of the victim or their relatives). In her opinion, all of this creates a justification for the committed crime.

Finally, journalists should avoid creating sympathy for the perpetrator. In this regard, she referred to two technical terms: Himpathy is "the inappropriate and disproportionate sympathy powerful men often enjoy in cases of sexual assault, intimate partner violence, homicide and other misogynistic behaviour". Herasure allows for men's stories to be rewritten in order to uphold "certain men's innocence, to defend their honour and to grant them a pardon prematurely".[1]

List of Speakers and Panellists

Christou, Miranda, associate professor in sociology of education at the University of Cyprus

Demetriou, Demetris, president of the Cyprus Online Publishers Association

Georgiou, George, Cypriot journalist, MEP and vice-president of the European Parliament's Committee investigating the "predator scandal"

Nicoli, Nicholas, associate professor at the Department of Communications of the University of Nicosia

Triantafyllou, Elisa, Greek investigative journalist of the online news site "Inside Story"

Trimithiotis, Dimitris, lecturer on journalism and media at the University of Cyprus

[1] See Kate Manne, *Down Girl: The Logic of Misogyny* (2017).