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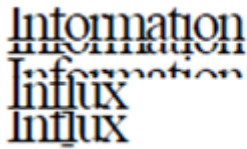
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## Tomorrow's news: bright, mutualized and open?

Panel report by Manon Oostveen and  
Tarlach McGonagle

| Panellist          | Function/Affiliation                                    | Focuses   |
|--------------------|---|---|
| Tarlach McGonagle  | Senior researcher, IViR                                 | Moderator   |
| Aidan White        | Director, Ethical Journalism Network                    | Building trust in a new world of information                                    |
| Susanne Nikoltchev | Executive Director, European Audiovisual Observatory    | European audiovisual industry perspectives: transparency and market information |
| Gill Phillips      | Director, Editorial Legal Services, <i>The Guardian</i> | Legal perspectives: more issues, more jurisdictions, more complexity            |
| Eugenia Siapera    | Dublin City University                                  | Casting a <a href="#">Safety Net for European Journalists</a>                   |
| Luís Santos        | University of Minho                                     | Why should journalism care about Mídia Ninja?                                   |

### Report

As public debate becomes more diversified, crowded, interactive, noisy and technology-dependent than ever before, “the news” urgently needs to develop new survival strategies. Alan Rusbridger (editor-in-chief of *The Guardian*) has predicted that the necessary reconfiguration of journalism will lead to greater engagement with the public and increasingly hybrid, “mutualized” and “open” forms of journalism. The dynamics of these new forms of journalism are captured in *The Guardian*’s award-winning [Three Little Pigs](#) advertisement.

After such a reconfiguration, will tomorrow’s news still be worth tuning into? And what are the likely legal implications of such a reconfiguration? Are existing expressive and communicative rights, and related duties and responsibilities, fit-for-purpose in increasingly digitized and networked democratic societies? The certainties and assumptions of the past are up in the air. Although the European Court of Human Rights has found that States have a positive obligation to foster a climate in which freedom of expression can flourish, the caring hand of the State can all too easily become a clenched fist.

This session therefore set out to explore the importance of news in a reconfigured media ecosystem in which a growing number and diversity of actors contribute to public debate. In this new media ecosystem, news journalism has a particular place and importance because, as Aidan White put it, news journalism is about “telling the story ethically and in context”. News journalism can be distinguished from other types of expression and information by virtue of its adherence to values such as “truth, independence, impartiality, humanity and accountability”. The era of open journalism brings with it new challenges: “the rush to publish; fact-checking and verification; the end of the commercial-editorial divide;

transparency and good governance”. It is not possible to rush *ethical* journalism: fact-checking and validation take time. The increase in information and access creates a paradox of abundance: the amount of information is greater than ever, but necessary and relevant information is often lacking.

Gill Phillips elaborated on the theme of the constant flow of news and information that is offered to digital citizens and explained the legal complexities arising from the shift from print to digital news and the production of news and journalistic content on a rolling basis in numerous jurisdictions at once. The legal expertise required to optimally support such profoundly altered journalistic practices and contexts has grown exponentially. Pressing legal issues that are likely to shape the future of news journalism include data protection, source protection and anonymity, and the criminalization of speech (in particular libel).

Another recurrent theme in the discussion was the emergence and roles of new actors. Citizen journalism is emerging in many different guises, such as *Mídia Ninja* – a case-study of alternative (journalistic) practice - presented by Luís Santos. *Mídia Ninja* is a loose collective of Brazilian citizen journalists that creates narratives with handheld devices and streaming software, published through online public forums. These collectives and other forms of citizen journalism seek to fill perceived gaps in the mainstream media. The angle they take is often very different to that of traditional journalism, for example in focusing stories on people and emotions and being openly subjective. Although the panellists and participants acknowledged the clear value and importance of citizen journalism for the public interest, some reservations were also expressed. In particular, accountability and adherence to traditional journalistic ethics is an issue. Transferring the important values that underlie the notion of journalism into the digital age is a difficult but pressing issue. Furthermore, in the evolving media landscape there is often a lack of transparency, as Susanne Nikoltchev pointed out in her presentation. Since knowing who owns and runs a media outlet and for what reasons affects trust, influence and control, it is important to maintain transparency in the digital age.

Yet it is not only the behaviour of (citizen) journalists that is at stake, but also the behaviour *towards* them. Eugenia Siapera presented an inventory of the threats to media freedom in the European Union, developed in the context of the [Safety Net for European Journalists](#) project. She concluded that legal action is the number one mechanism used to frustrate journalists’ work. This pressure is particularly apparent when it comes to citizen journalists, as they might not benefit from the same legal protection or financial and institutional back-up that traditional journalists have. For example, bloggers are more easily dissuaded from publishing information through SLAPPs (Strategic Lawsuits Against Public Participation) than journalists of established newspapers who enjoy support in terms of legal and financial aid. This problem is particularly pressing in the light of the increasing presence and importance of citizen journalists in global news production. Other obstacles facing journalists when disseminating public-interest information include advertising revenue, employment status and the security of websites (which can, for example, be subject to DDoS attacks). Furthermore, physical violence is an urgent and persistent concern.

The panel session received further stimulation from input from the Office of OSCE Representative on Freedom of the Media (RFOM) and the Council of Europe Media and Information Society Division, in the form of two questions, respectively:

- What is the role of automated news services such as Google or Yahoo and to what extent can they also be considered to be producers of journalistic content?
- With all the pressures of 24/7 multi-platform news reporting, are journalists now increasingly seen as “speed demons”? Or is speed itself the demon - for instance, for quality public debate? Is there still a role for “slow angels”?

The session concluded that tomorrow’s *issues* for tomorrow’s *news* include media literacy, devising good principles and practices for a wider audience of producers and offering all journalists legal and physical protection. Only when journalists are protected and accountable can the public interest be properly served by the news.

#### Resources:

- OSCE RFOM [Open Journalism Project](#).
- OSCE RFOM, Communique 05/2014, [Recommendations by the OSCE Representative on Freedom of the Media on Open Journalism](#).
- D. Kevin *et al.*, [Television News Channels in Europe](#) (Strasbourg, European Audiovisual Observatory, October 2013).
- T. McGonagle, ‘[User-generated Content and Audiovisual News: The Ups and Downs of an Uncertain Relationship](#)’, in S. Nikoltchev, Ed., *Open Journalism, IRIS plus 2013-2* (Strasbourg, European Audiovisual Observatory), pp. 7-25.
- G. Overholser, [Interview](#), OSCE RFOM, 1<sup>st</sup> Expert Meeting on Open Journalism, 5 May 2014.
- G. Phillips, [On Open Journalism](#), OSCE RFOM, 2<sup>nd</sup> Expert Meeting on Open Journalism, 19 September 2014.
- Rusbridger, ‘[The Splintering of the Fourth Estate](#)’, 2010 Andrew Olle Media Lecture, Sydney, 19 November 2010.