 

**Judicial training activity:**

**JUSTICE AND PRESS IN THE EU**

**(Paris, 8-10 December 2014)**

**I. Background and project description:**

The **Charter of Fundamental Rights of the European Union** is the first legally binding instrument to explicitly recognize freedom of the press. Its article 11§2 provides that “*the freedom and pluralism of the media shall be respected*”.

This solemn recognition falls in line with a long tradition of respect and promotion of press and media freedom in Europe. It is widely admitted that press and media play a preeminent role in democratic societies, as “watchdogs” of democracy. Freedom of speech classically also covers the right of citizens to receive information, as well as that of journalists to communicate information to citizens.

Freedom of the press, on another hand, cannot be regarded as an absolute. It has to coexist with other fundamental rights of the same importance, equally granted by the EU Charter of Fundamental Rights or the European Convention on Human Rights, such as privacy, respect of the reputation of others, the right to an effective inquiry and to a fair trial, partly guaranteed by judicial confidentiality.

Judicial stakeholders are in charge of balancing these sometimes contradictory principles. They have to rule whether a press article libeled a plaintiff or released information about ongoing investigations, and jeopardized their efficiency. They also have to ensure the protection of the **confidentiality of journalists’ sources** and their **deontology**. They have to choose which information can be transmitted to the public in criminal investigations.

These decisions require an extensive knowledge of a complex case law, which originates from the EU Charter of Fundamental Rights and from the European Convention on Human Rights, as well as a good understanding of the work and practices of journalists.

Moreover, **European** **judges and prosecutors** have to realize that full secrecy about investigations is both impossible and worse than anything, that whenever a journalist cannot obtain the information he needs, he will look for it by any means, that releasing information means controlling it and a that **efficient communication** can smoothen the handling of a case, enhance trust between two worlds and finally reassure citizens about their judicial system.

**Strengthening the judiciary’s capacity to interact with the press is therefore a key issue in order to ensure the freedom of the press and enhance understanding and trust of the public towards the Justice system.**

**II. Outline of training activity:**

**During 3 days 50 Judges and Prosecutors will attend plenaries and workshops providing a European and comparative approach to:**

**-Legal frameworks (freedom of the press, privacy rights…etc)**

**-Relation between the judiciary and the media**

**-Best practices on judicial communication skills**

**The training activities will be practice orientated and include visits to a press organs and workshops on media training.**

**Working languages: FR/EN**