

ASSESSING THE RISK OF ISOLATION OF SUSPECTS AND ACCUSED: THE ROLE OF THE MEDIA



OVERVIEW:

The ARISA-2 project

[The ARISA-2 project \(Assessing the Risk of Isolation of Suspects and Accused: The Role of the Media\)](#) is aiming to enhance the presumption of innocence in criminal proceedings and minimise, as much as possible, the negative impact of investigations on the lives of suspects and accused.

- Case Studies Report
- Disclosure of Information on Criminal Proceedings with Respect to the Presumption of Innocence
- News and Resources



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Case Studies Report

The report is based on the review of [twelve criminal cases](#) from Bulgaria, Greece, Italy and Spain, selected as illustrative cases because of the extensive disclosure of information by public authorities as well as the wide media coverage which accompanied the proceedings.

It aims to illustrate the effects of excessive and uncontrolled publicity of criminal cases on basic human rights, such as the right to a fair trial, the presumption of innocence, and the right to private life, and to explore ways in which the latter could be balanced against the freedom of speech and the right to information.

The examination of twelve criminal cases in four different EU Member States has shed light on various patterns and common malpractices of media practitioners and public authorities.

International non-legal instruments providing recommendations and guidance on communicating information about criminal proceedings to the public include standards that address two main audiences:

1) public authorities such as law enforcement agencies and judicial practitioners, and
2) media practitioners and journalists.

The selected criminal cases are analysed in the context of the recommended



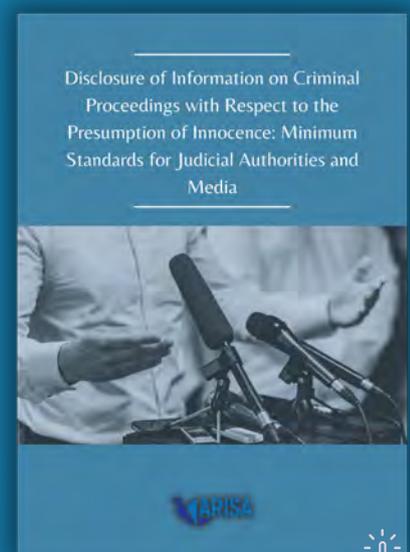
standards for communicating information on ongoing criminal cases with the aim to demonstrate gross and widespread misconducts or negligence in relation to the presumption of innocence.

Available in five languages:
EN, BG, IT, SP and GR.



Disclosure of Information on Criminal Proceedings with Respect to the Presumption of Innocence

The report aims to evaluate the range of existing instruments – both national and international – that set minimum standards and provide recommendations for both judicial authorities and the media when reporting about a suspect or accused in criminal proceedings. Through this analysis, similar themes will be determined, as well as identifying national variations in their application. The issues identified will form the foundation for a new international instrument, which will set out a comprehensive guide for disclosure.





ECtHR: Violation of Article 6-2 Presumption of innocence in BANEVI vs. BULGARIA case

In October 2021 the European Court of Human Rights (ECtHR) ruled that the presumption of innocence had been violated with comments by the Bulgarian Head of the Special Prosecutor's Office and the supervising prosecutor. According to the ECtHR, the statements of the two prosecutors made at a press conference went beyond simply transmitting information about the criminal investigation and conveyed the idea that the two accused persons were perpetrators of the crimes. Therefore, the presumption of innocence was undermined.

The Associated Press new policy on crime reporting practices for minor crimes

One of the world's biggest newsgathering organizations, the Associated Press (AP) pledged to no longer run the names of people charged with minor crimes, out of concern that such stories can have a long, damaging afterlife on the Internet that can make it hard for individuals to move on with their lives. The AP said it will no longer name suspects or transmit photographs of them in brief stories about minor crimes when there is little chance the organization will cover the case beyond the initial arrest. The policy will not apply to serious crimes, such as those involving violence or abuse of the public trust, or cases of a fugitive on the run.



COMING SOON

Communication Guidelines
for disclosure of information
by judicial and police authorities



Ethical Standards
for media practitioners reporting
information regarding criminal cases