

ARGENTINA

A. PROJECT IDENTIFICATION		
1.	PROJECT TITLE	IMPROVING RELATIONS BETWEEN THE JUDICIARY AND THE PRESS IN ARGENTINA
2.	NUMBER	IPDC/59 AR/01
3.	MEDIA DEVELOPMENT INDICATORS' CATEGORY	Professional capacity building and supporting institutions that underpins freedom of expression, pluralism and diversity
4.	IPDC PRIORITY AREA	Capacity development
5.	SCOPE (NATIONAL, REGIONAL, INTERREGIONAL)	National
6.	TYPE OF ASSISTANCE REQUESTED	Training support
7.	TOTAL COST OF PROJECT	25,700 USD
8.	AMOUNT REQUESTED FROM IPDC	18,700 USD
9.	BENEFICIARY BODY	FUNDACION UNIVERSIDAD DE PALERMO, CENTRO DE ESTUDIOS EN LIBERTAD DE EXPRESION Y ACCESO A LA INFORMACION – CELE- (Center for Freedom of Expression and Access to Information Studies), cele@palermo.edu, (54 11) 5199-4500 int. 1213, Mario Bravo 1050, 7° piso, Ciudad de Buenos Aires, Argentina, Eduardo Bertoni, Director
10.	IMPLEMENTING OFFICE	Guilherme Canela Oficina Regional de Ciencia de la UNESCO para América Latina y el Caribe Luis Piera 1992, Edificio Mercosur, 2do piso Montevideo 11200 Uruguay
11.	PROJECT LOCATION	Universidad de Palermo, Av. Córdoba 3501, Ciudad de Buenos Aires, Argentina
12.	PROJECT PREPARED BY	Eduardo Bertoni, Director Centro de Estudios en Libertad de Expresión y Acceso a la Información –CELE- (Center for Freedom of Expression and Access to Information Studies).

B. PRESENTATION

1. PROJECT JUSTIFICATION:

The relationship between the press and the judiciary in Argentina, as in other countries, is one that has historically been marked by tension. In the majority of cases, this tension leads neither to the bolstering of freedom of the press nor to the strengthening of the judicial system. Given these two entities' centrality in the democratic landscape of Argentina, the ongoing conflicts between them adversely affects not just the institutions, but also the exercise of democracy itself.

This tension stems equally from structural factors as from factors rooted in the poor conduct of the actors involved. One example of this sort of conduct relates to access to information on judicial proceedings. Often, members of the judiciary chose not to share information on the decision-making process on issues of significant public interest, which provokes backlash among members of the press. At the same time, journalists must understand that the very function the judiciary performs in many cases makes it impossible for them to offer information in the same way and with the same frequency that other public actors can. The strain between these two institutions arises at a number of junctures, in some instances blocking the free flow of public information and muddying the judicial process.

Nevertheless, considering the shared principles enshrined in these two systems in a democratic society – independence and impartiality, professionalism, and ethical behavior – it is possible to surmount the tensions between them. This project therefore proposes to improve the relationship between the judiciary and the press in Argentina through dialogue and reciprocal learning, diffusing the tensions between them in order to facilitate more open lines of communication and more effective press coverage of important judicial events. While the primary target group is journalists reporting on judiciary actions, judges' participation in the project will bolster their capacity to consider issues related to freedom of expression and access to information when ruling on such cases. It will thereby serve to increase judges' awareness to these issue areas in future decisions.

2. DESCRIPTION OF THE TARGET GROUP:

The immediate beneficiaries of this project are not only print and digital media journalists who cover judiciary proceedings in Argentina but also Judges and courts staff.

At the open conference, approximately 70 individuals working in these themes will be invited to participate, with equal gender representation. At the training workshop, which will involve 20 participants, 8-10 women media professionals and 8-10 men media professionals will participate.

3. DEVELOPMENT OBJECTIVES:

A.- To improve the relationship between the media and the judicial system in Argentina in order to promote a more fluid exchange of information and reduce conflicts that undermine the democratic underpinnings of both institutions.

B.- Increase judges' capacity to consider issues related to freedom of expression and access to information when ruling on such cases.

C.- Increase judges' awareness to these issue areas in future decisions.

4. IMMEDIATE OBJECTIVE:

Enhance, through a specific training the capacity of journalists reporting on judicial proceedings in Argentina to effectively engage with members of the judicial system in a way that upholds the integrity of both institutions and supports freedom of expression, pluralism and diversity of the media.

5. PROJECT OUTPUTS:

CELE will develop the following products to fulfill the project's immediate and development objectives:

- A. An open conference involving 70 participants featuring one journalist from Argentina, one judge from Argentina, and a keynote speaker, yet to be defined. This will be held in a conference space of the University of Palermo in Buenos Aires, Argentina.
- B. 5-10 journalists who report in Argentina and 5-10 members of Argentina's judicial system participate in a workshop and gain tools for improving the judiciary-press relationship.
- C. A guide that synthesizes findings from the project activities and proposes recommendations for improving the judiciary-press relationship in the short and long term that are applicable to both Argentina and other country contexts. This guide will detail best practices for journalists and judges, specifically with regard to freedom of expression and access to information. These guidelines will be distributed throughout CELE's networks and at UNESCO sites.

6. ACTIVITIES:

As the overarching goal of the project is to enhance the working relationship between the judicial system and members of the press in Argentina, the main activities are structured around dialogue and capacity building on this issue.

An open conference, to which members of the public and 70 key stakeholders will be invited, more or else 35 men and 35 women. The conference will feature an expert (CONSULTANT A on the Budget) on matters related to reporting on judicial affairs, who will serve as keynote speaker. CELE plans to extend invitations to the following people and will select the keynote speaker based on his/her availability: **Adam Liptak**, current Supreme Court Correspondent, New York Times; **Linda Greenhouse**, former Supreme Court Correspondent, New York Times (1978-2008), Professor, Yale Law School; **Robert Barnes**, Supreme Court Correspondent, Washington Post; **Joan Biskupic**, Editor in Charge, Legal Affairs for Reuters. Former Supreme Court Correspondent, Washington Post; **Owen Bowcott**, Legal Affairs Correspondent, The Guardian; and **Jane Croft**, Law Courts Correspondent, Financial Times. The keynote speaker will share his or her experiences reporting on and interacting with the judicial system and provide insight into best practices for members of the press. One journalist and one judge, yet to be defined, will also attend the open conference and discuss their experiences in their respective fields with regard to this issue.

A full-day workshop involving 20 participants, specifically targeting members of the press who report on the judiciary, along with members of the judicial system. The goal of this workshop is to bring the groups together to reflect on the lessons and challenges presented during the initial conference, as well as the personal experiences of participants, in order to develop mechanisms to improve the relationship between these two institutions. This workshop will serve as a training activity for journalists, in particular, to enhance their capacity to effectively report on judicial proceedings. It will also touch on international standards related to freedom of expression and access to information in order to broaden participating judges' perspectives on these themes and inform their judicial decision-making. Together

the groups will identify a series of strategies and recommendations to guide press coverage of the judiciary to ensure a more mutually beneficial relationship between journalists and judges.

Drafting of a guide: this document will compile the project findings and outline mechanisms for improving the judiciary-press relationship - 3 months of work involving consultant B.

Uploading and distributing the document mentioned above.

7. PROJECT INPUTS:

- a) One senior legal expert (part-time) with experience working in issues related to freedom of the press. S/he will perform the general supervision of the project and be in charge of the final edition of the guide mentioned in the activities (referred to as PROJECT DIRECTOR in the budget).
- b) A keynote speaker (CONSULTANT A) on the budget - an expert on matters related to reporting on judicial affairs. A facilitator (part-time, referred to as CONSULTANT B in the budget) with experience in the organization of events, leading workshops, compilation of information for the preparation of reports, and other activities that the project requires in relation to the two meetings specified in the activities.
- c) Facilities for hosting the open conference and the workshop.

8. WORK PLAN:

ACTIVITIES / MONTHS	1	2	3	4	5	6
Identification/consolidation of keynote speaker and workshop participants	X					
Preparation of conference and workshop materials and logistics		X				
In-country open conference			X			
In-country training workshop			X			
Preparation and dissemination of final guide				X	X	X

9. INSTITUTIONAL FRAMEWORK:

The “Centro de Estudios para la Libertad de Expresión y Acceso a la Información” (CELE, Spanish acronym for Center for Freedom of Expression and Access to Information Studies) was created within the Law School of the University of Palermo (founded in 1986), in order to provide rigorous research that would be useful to defenders of these rights in civil society and academia, as well as government institutions, particularly in Latin America. The CELE’s director is Professor Eduardo Bertoni, who has renowned experience in the defense of these rights, and is the former Special Rapporteur on Freedom of Expression for the OEA.¹⁶ The CELE was created in March of 2009 by the Dean of the Law School, Professor Roberto Saba,¹⁷ well known for his work defending civil rights, among them, freedom of

¹⁶ Eduardo Bertoni was the Executive Director of the Due Process of Law Foundation (DPLF) until May 2009. He was the Special Rapporteur for Freedom of Expression of the Inter-American Commission of Human Rights at the Organization of American States (2002-2005). He holds a Masters in International Policy and Practice from the Elliot School of International Affairs, George Washington University.

¹⁷ Roberto Saba is a lawyer, a constitutional law and human rights scholar and a civil rights advocate and activist. He received his J.D. from the University of Buenos Aires (1990), his Masters in Laws, LL.M., at Yale Law School (1995), and is a JSD Candidate, also at Yale Law School. Roberto Saba was Executive Director of the Association for Civil Rights (Argentina), 2001-2009, and Executive Director of Citizen Power Foundation, the Argentinean Chapter of Transparency International, between 1995-1998. He is currently the Dean of Palermo University School of Law, Buenos Aires, Argentina.

expression and access to information.

10. SUSTAINABILITY:

Once the project has finished, CELE will maintain contact with workshop participants and monitor their subsequent media outputs in order to continuously evaluate the evolution of the press-judiciary dynamic in Argentina. The expected result of this project, i.e., the improvement of the working relationship between members of the press and the judicial system, will be ongoing and have a long-term impact. Since one of the outputs of the project is a guide for covering judicial matters this guide will later serve as a tool to improve the quality of reporting on judicial issues.

11. FRAMEWORK OF MONITORING AND COMMUNICATION STRATEGY:

Monitoring will be undertaken by the UNESCO Adviser for Communication and Information in consultation with CELE. CELE will produce two medium-term and one final monitorial report. In terms of communication strategy, the open conference will be widely publicized by CELE and within its networks, both before and after. While the workshop will be closed to the public, its principal findings will be made available for public consultation upon completion of the final project report.

12. EVALUATIONS CARRIED OUT:

CELE receives institutional and financial support from the University of Palermo and, in order to develop its various research projects, has received support from the Open Society Foundations, the World Bank, UNESCO, the Konrad Adenauer Foundation and others. These donors undertake periodic evaluations of CELE's activities and have continued providing support for the Center's work based on these evaluations.

13. FRAMEWORK OF BENEFICIARY AGENCY'S REPORTING:

The progress reports will be completed by the CELE's director, Professor Eduardo Bertoni, at the conclusion of each project activity phase.

C. ADDITIONAL INFORMATION

D. BUDGET

BREAKDOWN OF IPDC CONTRIBUTION (in US dollars)

CONSULTANT A Key Note Speaker (1): Includes Honorarium and Travel expenses (Plane ticket from the United States to Argentina for \$2300, hotel \$150/night for 3 nights, per diem \$150/day for 3 days, \$ 4,000 honorarium for the work of a leading expert in the area)	7,200
CONSULTANT B (1): Consultancy fee for 4 hours of work/day during 6 months (\$11.50/hour)	5,500
Interpretation (English and Spanish: Includes translation interpretation for the conference and the workshop)	4,000

MEALS FOR THE TWO EVENTS (Conference and workshop): \$1080 for a welcome dinner (\$18/person for 60 people); \$500 for lunch during workshop (\$25/person for 20 people); \$420 for 2 coffee breaks during workshop (\$10.50/person for 20 people)	2,000
Total IPDC	US\$ 18,700

BREAKDOWN OF THE BENEFICIARY AGENCY'S CONTRIBUTION (in US dollars)	
PROJECT DIRECTOR	5,000
FACILITIES	1,200
COMMUNICATIONS	300
MATERIALS FOR THE EVENTS	500
Total	US\$ 7,000