



## The OSCE Representative on Freedom of the Media

### Factsheet

---

# Why Free Media Matters

Freedom of expression and freedom of the media are basic human rights.

No nation can hope to develop democratically without the free expression, publication and distribution of ideas and opinions. Democratic societies only can function sustainably when people are well informed, are able to access and share information freely and can debate ideas.

Free media, unfettered by government control, promotes a free exchange of views which can help reduce international tensions and prevent conflicts.

Freedom of the media is indispensable in the digital age. New media, including the Internet, mobile communications and other fast-developing technologies, have supplemented, but not supplanted, traditional media in protecting democracy, peace and stability.

---



---

## History of the Office

During the Cold War, the countries of the Northern Hemisphere recognized the crucial importance of the free flow of information in reducing tensions and maintaining peace and stability. In 1975 they resolved, in the Helsinki Final Act, to act in conformity with the Universal Declaration of Human Rights and, in particular, to co-operate in the field of information and improve access to information and the working conditions of journalists.

Two decades later, the Organization for Security and Co-operation in Europe, which evolved out of the Helsinki Process, established the Office of the OSCE Representative on Freedom of the Media to ensure implementation of the Organization's media freedom principles and commitments.

The Office remains the world's only inter-governmental institution mandated to protect and promote media freedom in 56 OSCE participating States.

It was created in 1997, with Freimut Duve from Germany serving as the first Representative.

In March 2010, Dunja Mijatovic from Bosnia and Herzegovina was appointed the third Representative, succeeding Miklos Haraszti from Hungary.

The Office is based in Vienna and works closely with two other independent institutions established by the OSCE: the Office for Democratic Institutions and Human Rights, located in Warsaw, and the High Commissioner on National Minorities, based in The Hague.

Other partners are national, regional and global organizations working in the field of human rights, as well as media associations and journalists in the OSCE region.



---

## The Mandate

The Representative and her staff observe media developments in the 56 participating States and promote compliance with OSCE media-freedom commitments.

The Representative's responsibilities include responding rapidly to serious nonconformity by participating States with those commitments.

The Representative routinely consults with the Chairperson-in-Office of the OSCE and reports on a regular basis to the participating States at Permanent Council meetings, recommending corrective action where appropriate.

Since its founding, the Office has developed and implemented a wide variety of projects to assist in media protection and the development of free media. This process has helped governments, legislators and NGOs to reform the media landscape in their countries.

## Challenges to media freedom

Freedom of the media is still under threat in the OSCE region. The Office works to counteract this by serving as a media watchdog, monitoring practice of:

- Harassment, intimidation, incarceration and physical attacks, including murder, of journalists and other members of the press.
- Restrictions on media pluralism, especially in broadcasting, by
  - undue governmental control and pressure over broadcasters,
  - favouritism toward state-owned media.
  - bringing criminal defamation charges against journalists for writing critical stories about public officials.
- Legislative attempts to over-regulate traditional media and the Internet.
- Denial of access to information held by government agencies.
- Coercion of journalists to reveal their confidential sources to law enforcement agencies.



- Government attempts to label offending or critical views “extremism” or “hate speech.”
- Administrative obstacles to media operations, including excessive registration, licensing and accreditation requirements.

For example, in the summer of 2011 the Office released the results of the first OSCE region-wide survey of laws and regulations affecting Internet freedom.

The Representative has taken the lead on raising awareness of the continued degradation of journalists’ safety and speaks frequently on the topic. In 2011 in co-operation with the Lithuanian Chairmanship, a practical Guidebook on Safety of Journalists was published.

The Office also provides helpful guides for journalists and government officials on contemporary issues. These include a guide for journalists on how to access government information (2010), The Guide to the Digital Switchover (2010), and The Media Self-Regulation Guidebook (2008).

As well, the Representative and her staff conduct visits and publish reports on the media-freedom situation in a participating State. These visits include consultations with high-ranking public officials, journalists and NGOs.

## How the Office operates

The Office’s main task is acting on behalf of media in trouble. In 2011, the Office intervened more than 140 times in matters involving over 34 participating States. The Representative’s involvement can take various forms, ranging from behind-the-scenes “quiet diplomacy” and through contacts with the participating States’ Foreign Ministers, to raising public awareness through press statements.

The Office provides thorough legal analyses of proposed and existing media laws in participating States.

The Office prepares in-depth reports on substantive issues facing media.



---

## Dunja Mijatovic, OSCE Representative on Freedom of the Media

Dunja Mijatovic, who was appointed OSCE Representative on Freedom of the Media in March 2010, is an expert in media law and regulation from Bosnia and Herzegovina. As one of the founders of the Communications Regulatory Agency of Bosnia and Herzegovina in 1998, she helped to create a legal and policy framework for media in that complex post-war society. She also was involved in establishing a self-regulatory Press Council and the first Free Media Helpline in Southeastern Europe.

Mijatovic was appointed Chairperson of the European Platform of Regulatory Authorities in 2007, the biggest media regulators' network in the world. She held this post until her appointment as the Representative.

From 2005-2007, she chaired the Council of Europe's Group of Specialists on freedom of expression and information in times of crisis. In that role she was instrumental in steering through a Declaration on the protection and promotion of investigative journalism through the Council's Committee of Ministers. She also played a key role in developing Guidelines on protecting freedom of expression and information in times of crisis.

Mijatovic has written extensively on new-media topics. She also has served as a consultant on projects relating to new technologies in Europe and the Middle East.

She is a graduate of the University of Sarajevo, the University of Bologna, and the London School of Economics.



---

## Main Activities

- Protecting journalists in cases of harassment, incarceration and physical attack.
- Promoting pluralism in broadcast, print and new media, with a special emphasis on opportunities afforded by the digital switchover.
- Promoting efforts to decriminalize defamation.
- Advocating media freedom on the Internet.
- Providing legal reviews to assist participating States in reforming media laws.
- Strengthening the role of public service broadcasters.
- Promoting self-regulation mechanisms.
- Promoting access to government-held information.
- Promoting journalists' right to keep sources confidential.
- Conducting annual media conferences in the South Caucasus, Central Asia and South East Europe, offering a unique forum to establish face-to-face professional connections, exchange views on the region's media situation and address topics of interest to journalists.
- Fighting deliberate and violent hate speech while preserving freedom of expression.

## Like to know more?

For further information, please visit the Office's website at [www.osce.org/fom](http://www.osce.org/fom), where you can find a downloadable version of reports, declarations, reviews and press releases. The Office also can be contacted by e-mail at [pm-fom@osce.org](mailto:pm-fom@osce.org).

Additional information also can be obtained in person from the Office at the OSCE Secretariat, Wallnerstrasse 6, A-1010 Vienna, Austria.

Published: 2012