



## EUROPEAN UNION

### OSCE Human Dimension Seminar Media Freedom Legal Framework

Warsaw, 15 May 2013

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### Closing Remarks

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*As delivered by Hendrik Van de Velde, First Counsellor, Human Rights Focal Point,  
EU Delegation to the International Organisations in Vienna*

Mr Chairman,

1. We are grateful for all the hard work done over the last days by the ODIHR, the RFOM and her team, especially given the short time provided by us, the participating States, to prepare for the seminar. We are impressed by the amount and quality of recommendations that came out of the working groups and that were presented to us.
2. The EU is pleased to see that the 6 benchmarks for national legal frameworks it has proposed for consideration received a broad welcome. We are encouraged to see that they found a way in the recommendations of this event. We have duly noted that, while those benchmarks were deemed valuable, this appreciation was clearly accompanied with the caveat that 1) they need proper monitoring in order to work and 2) governments need to create the atmosphere conducive for those benchmarks to be effective.
3. Mr Chairman, we will study in detail the recommendations that were just presented to us. We recognise that none of us are perfect and that all of us can benefit from the advice of the RFOM and learn lessons from others' experience.
4. In the meantime, allow us to share with all of you what the EU sees as the main lessons learned from this human dimension seminar 2013.
  - 4.1. We concur with the RFOM who wondered if we can call ourselves a club of democracy when we still have journalists behind bars; in some participating States, the number is shocking and the seriousness of the problem is not fully recognised.
  - 4.2. International human rights law, fundamental freedoms and OSCE commitments are not altered by technology. In fact, Internet is mostly an opportunity in the promotion and protection of human rights.
  - 4.3. Restrictions to fundamental freedoms must be seen as the exception and strictly follow requirements set out in international human rights law.

- 4.4. In a democracy, citizens monitor and judge governments, not vice versa; in order to fulfil that function, citizens must have free, comprehensive and non-discriminatory access to information. A prerequisite for that is a free and independent press and a free and uncensored Internet.
  - 4.5. It is important to consider decriminalisation of defamation, but at the same time, it was said that civil defamation laws do not automatically constitute a guaranteed safeguard against abuse. In any case, defamation laws must have minimal impact on the exercise of the right to freedom of expression and provide for appeal mechanisms.
  - 4.6. Transparency of media ownership should receive increased attention, to the benefit of media pluralism; recommendations on transparency of media ownership should be developed.
5. Mr Chairman, we would like to conclude by fully subscribing the introductory words of the Ukrainian chairperson of the Permanent Council on Monday: "from Vancouver to Vladivostok, media freedom is a priority as a core element of democracy". We hope this will be translated into a draft ministerial council decision based, inter alia, on the outcome of this seminar.

The Acceding Country Croatia\*, the Candidate Countries the former Yugoslav Republic of Macedonia\*, Montenegro\*, Iceland+ and Serbia\*, the Countries of the Stabilisation and Association Process and potential candidates Albania and Bosnia and Herzegovina, the EFTA country Norway, member of the European Economic Area, as well as the Republic of Moldova, align themselves with this statement.

*\* Croatia, the former Yugoslav Republic of Macedonia, Montenegro and Serbia continue to be part of the Stabilisation and Association Process.*

*+ Iceland continues to be a member of the EFTA and of the European Economic Area.*