



## EUROPEAN UNION

### OSCE Permanent Council Nr 1003 Vienna, 5 June 2014

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## EU Statement on Recent Amendments to the Criminal Code of Kyrgyzstan

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Mr. Chairman, the European Union would like to express our sincere concern about the recent adoption of amendments to the Criminal Code of Kyrgyzstan on 'False Accusation', which appears designed to provide officials with stronger protection against accusations of corruption.

We share the concerns expressed by the OSCE Representative on Freedom of the Media in her statement of 23 April 2014. The amendment is a setback to freedom of expression in Kyrgyzstan and appears to reintroduce criminal defamation.

We call upon the Kyrgyz authorities not to impede but to facilitate the free flow of information and, by that, to ensure transparency and accountability in public institutions and by public officials. The EU reiterates that free and independent media constitutes one of the cornerstones of a democratic society. This may allow for protection against defamation and libel through civil proceedings. But threats of criminal charges intimidate journalists as well as civil society and prevent efforts to investigate and hold accountable public officials. These sorts of investigations, and proper scrutiny of the actions of public officials and institutions, not only help efforts to tackle the scourge of corruption, but also strengthen the authority and effectiveness of the government.

We therefore remain concerned with regard to the chilling impact of the amendments on 'False Accusation' to the Criminal Code on freedom of expression

and consider this to be a wrong signal. The EU calls upon the Kyrgyz authorities to abide by their international commitments, including the respective OSCE decisions on Human Rights as well as on Good Governance.

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, and the EFTA country NORWAY, member of the European Economic Area align themselves with this statement.

\* 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.