



EXPERT MEETING

Central Asia Judicial Dialogue

Friday, 25 June 2021

Concluding remarks

Distinguished guests,

Ladies and gentlemen,

I am glad to have this opportunity to share my impressions and my vision of this forum at the end of the third Judicial Dialogue in the Central Asia region.

This meeting brought together judges, jurists, and experts from across Central Asia and beyond to discuss several topics in the context of decriminalisation of defamation, while upholding freedom of expression and freedom of the media.

I am pleased with the decisions by several Central Asian authorities to decriminalise defamation, and with statements concerning changes in national legislations. However, there are still criminal provisions affecting the journalists' reporting. I hope that the Judicial Dialogue will raise awareness, across the region, of the relevant international human rights standards on freedom of expression and freedom of the media, which must be taken into account when deciding on cases concerning defamation and libel within national jurisdictions.

Such cases may have a chilling effect on media freedom, either due to the high levels of compensation awarded to plaintiffs or to fear of a criminal investigation. We have discussed some cases where an arbitrary application of the law might be contrary to the right of journalists to expose corruption or freely express their views, no matter how satirical or controversial they maybe.

It is my responsibility to assist the participating States in their efforts to protect journalists and to make sure that they are able to do their work safely and without fear of reprisal.

In my May report to the Permanent Council I said:

“I very much believe in an integrated approach, looking into cases in a horizontal and analytical manner, to present findings and recommendations to tackle systemic and systematic problems or emerging trends early on. By addressing problems in a timely manner, we can assess the facts, provide targeted support, and try to contribute to the resolution of issues before they escalate. Integrated also, in the sense that all efforts I make – be it through meetings, letters, seminars, conferences, special reports, resource guides, communiqués, public outreach and all other activities – support the implementation of the mandate. Where and when needed, I will advocate that constitutional guarantees and the rule of law protect the fundamental freedom of expression and media freedom.”...

“In addition to the risk of arbitrary detention, media face growing abuse of other legal procedures to quash any critical, dissident, or independent voices. The attempts to limit media pluralism are both simple and sophisticated, ranging from the justification of taxation aiming to curb independent media or the adoption of social media laws to stifle online speech, to criminal procedures for alleged extremism and defamation or numerous strategic lawsuits (so-called SLAPPs) by companies and public figures to drown media in legal proceedings.”

You will receive the full conclusions and recommendations of this meeting *via* the Delegations of your countries to the OSCE soon after the event.

I believe that those recommendations can play a practical role in your future work and in bringing the legislation regarding freedom of expression and media freedom, as well as its implementation, in line with the pertinent OSCE principles and commitments. The

arduous task of balancing the need to protect personal dignity of citizens with the free voice of strong and independent media is common for the judiciary throughout the OSCE. I am positive that your experience and knowledge will help me in my task of safeguarding media freedom in this region.

In the end, allow me to express my appreciation for the support given to this important event by:

- The staff of the Delegations of the five Central Asian participating States;**
- The staff of the OSCE field operations in Central Asia;**
- The staff of the Supreme Courts of the five Central Asian participating States; and**
- Of course, the staff of my Office.**

Without their dedication and support, this event would not have taken place.

I look forward to seeing you again next year.

Thank you for your attention.