



German Presidency of the Council of the European Union

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Statement of the European Union on Media Freedom in Kazakhstan

Freedom of the media is one of the central OSCE commitments in the human dimension. Indeed, media freedom, including the freedom to criticise those in power, even in an outspoken manner, is a hallmark of and a prerequisite for a functioning democracy.

It is with concern, therefore, that the EU has learnt of the two-year suspended sentence handed down to Kazakh journalist Kazis Toguzbaev on January 22 on charges of infringement on the honour and dignity of the country's president brought against him by the National Security Committee under article 318 of the Penal Code. In July 2006 another journalist, Zharsaral Kuanyshalin, was given a similar sentence on charges under the same paragraph of the Penal Code. This raises fears of a negative trend in Kazakhstan in this regard.

The EU calls on Kazakhstan to take up the offer of the OSCE Representative on the Freedom of the Media to assist in bringing legal practice relevant to the media and freedom of expression in line with international standards and best practice. We hope that any future legal amendments being considered by Parliament in this respect will not lead to a further strengthening of legislation against defamation in Kazakhstan. We also hope that discussions on the new draft media law will soon be resumed by Parliament and will lead to tangible improvements of the media legislation in Kazakhstan. We should appreciate any information the Kazakh delegation can offer

about plans for amending media-relevant legislation, including the draft law on “publishing activities” introducing a licensing scheme for all printing activities.

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

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