



EUROPEAN UNION

OSCE Human Dimension Seminar Media Freedom Legal Framework

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Opening Statement

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The European Union would like to thank the Representative of Freedom of the Media, the ODIHR and the Chairmanship in Office, for organizing this event with little time available. As one of its top priorities in the human dimension, the EU places great importance on media freedom, and we believe that the following days will provide us with a valuable opportunity to discuss this important topic.

Media freedom goes hand in hand with freedom of expression. In fact, an open and democratic society is dependent on a free, independent and pluralistic media, which, in turn, would not exist without the full enjoyment of freedom of expression by each and every individual. Accordingly, the participating States decided to task the RFOM with the monitoring of freedom of expression, in Sofia 2004. Media freedom goes beyond freedom of expression, in that it constitutes a collective embodiment of the fundamental right to freedom of expression. Accordingly, safety of journalists, plurality of the media, safeguarding fundamental freedoms online, transparency of media ownership and wide public access to information, are all themes which are intimately linked to media freedom and freedom of expression.

In the OSCE, we have a number of commitments dealing with these topics. As regards the safety of journalists, for instance; in Budapest 1994, participating States collectively condemned attacks on and harassment of journalists and took as a guiding principle to safeguard the right to freedom of expression. Furthermore, in Sofia 2004, the role of the Internet in strengthening the freedom of expression was reaffirmed, and at the same time, participating States decided to ensure that the Internet remains an open and public forum for freedom of opinion and expression, as enshrined in the Universal Declaration of Human Rights, and to foster access to the Internet.

Despite these commitments, the OSCE region faces a number of challenges to freedom of expression and freedom of the media, about which the EU remains deeply concerned. Restrictions on the use of Internet are continuously being introduced by some participating States. Numerous incidents of violence and attacks against journalists and editorial offices, which have a chilling effect on the media climate, are regularly reported within the OSCE region. In a number of participation States, journalists are facing criminal investigation, prosecution or imprisonment because of their work. Individuals are being harassed for their exercise of freedom of

expression. The European Union has repeatedly condemned such incidents and such restrictions to freedom of expression and freedom of the media and will continue to do so and to monitor developments of these fundamental freedoms in the OSCE region.

As the title of this year's Human Dimension Seminar Indicates, time will be devoted to the topic of legal frameworks. To this end, the European Union believes that the question to be asked is not whether we need additional international frameworks in the field of freedom of expression and media freedom, but rather how we may best implement, at a national level, those frameworks that are already in place. International human rights law, as well as OSCE-commitments on freedom of expression and media freedom, already provide an extensive umbrella for the protection of human rights and fundamental freedoms – regardless of technology used and whether it be online or offline. What we need is an effective implementation of these frameworks.

In all cases, national legislation may not be used as a means of restricting international human rights and fundamental freedoms, including our OSCE commitments in this field, in manners which are not in accordance with international human rights law. Accordingly, participating States reaffirmed, in Moscow 1991, that restrictions to the right of freedom of expression must be prescribed by law and in accordance with international standards. To this end, the EU would like to reiterate its appreciation for the work of the RFOM, in aiding the participating States of the OSCE to better implement their commitments. We would like to once again call upon all participating States, not having done so yet, to make use of the expertise of the RFOM and to extend invitations to the Representative and her Office.

The EU looks forward to further discussing how we may best implement our common commitments on freedom of expression and media freedom within the OSCE region, during the upcoming discussions. It is also our hope that we may move forward in this field, not least by adopting a ministerial council decision on the topic of media freedom, including the safety of journalists and Internet freedom. In this context, the EU would like to reiterate its strong support for the Draft Declaration on Fundamental Freedoms in the Digital Age, proposed by the US and co-sponsored by all EU Member States. In addition, the landmark resolutions of the United Nations Human Rights Councils on Internet freedom and safety of journalists, from July and October last year respectively, would serve as excellent examples of how we, the participating States of the OSCE, could reaffirm globally agreed standards within the framework of our OSCE commitments.

Thank you for your attention.

The Acceding Country Croatia*, the Candidate Countries Montenegro* 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, as well as the Republic of Moldova, align themselves with this statement.

** Croatia, Montenegro and Serbia continue to be part of the Stabilisation and Association Process.*