



## **United States Mission to the OSCE**

# **Reaction to Threats to the Freedom of the Media in Slovakia and Azerbaijan**

As delivered by Ambassador Julie Finley  
to the Permanent Council, Vienna  
April 17, 2008

Thank you, Mr. Chairman.

Mr. Chairman, in our view, one of the most effective and important OSCE institutions is the office of the Representative for Freedom of the Media. Miklos Haraszti and his small staff work tirelessly to help participating States meet their OSCE media freedom commitments and defend the rights of media professionals everywhere in our region, and we greatly appreciate their efforts.

In January, the Slovak Government introduced a draft press law that sparked concern among journalists, media experts, and international bodies such as the OSCE. Although the final version of the law, approved by the Slovak Parliament on April 9th, addressed some of the issues raised by critics, it contains a very broad "right of reply." This provision does not compare favorably with legislation found elsewhere in Europe, by granting the right to respond to any statement of fact that "touches on the honor, dignity, or privacy," of a person or legal entity. There is no requirement that the original statement be false or misleading, or that the response be true, or that the complainant have a legitimate or "justified interest" in the correction. Nor are publications permitted to publish any counter-response that contains a "value judgment." Unlike many other right of reply laws in Europe, the Slovak law provides the right to governmental entities, not just individuals.

The U.S. shares the concern of the OSCE and others that the new law could limit editorial freedom and offer "politicians undue influence over the opinion content of the newspapers." We note that the Government of Slovakia has stated its willingness potentially to amend the media law in the future if problems arise.

Mr. Chairman, on a separate but related issue, we must again express our concerns about the media situation in Azerbaijan, where Mr. Haraszti has addressed an "unfortunate trend" of pressure, physical assaults and persecution of Azerbaijani journalists and what appears to be a propaganda campaign against "Azadliq" journalist, Agil Khalil. Mr. Haraszti has found Azerbaijani authorities engaged in "fabricating cases against journalists." At the same time, as he has repeatedly done in the past, he has called on President Aliyev to pardon imprisoned journalists.

Mr. Chairman, the Representative's actions are not "interference in Azerbaijan's internal affairs," as some charge. We all decided in Moscow in 1991 to "categorically and irrevocably declare that the commitments undertaken in the field of the human dimension of the OSCE are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned." Living up to OSCE commitments that have been freely accepted by each and every participating State is our common endeavor. When Mr. Haraszti shares findings about unacceptable media conditions, those conclusions merit urgent study and constructive action by the affected country. Ad hominem attacks on the whistleblower are unacceptable and no substitute for adherence to OSCE commitments.

The United States appeals to the Government of Azerbaijan to address constructively the issues that Mr. Haraszti has raised and to take serious, credible measures to implement the OSCE principles which it has pledged to uphold.

Thank you, Mr. Chairman.