



EUROPEAN UNION

OSCE Permanent Council Nr 907 Vienna, 29 March 2012

EU Statement in response to the report by the Representative on Freedom of the Media, H.E. Dunja Mijatović

The EU would like to warmly welcome the Representative on Freedom of the Media, Ms Dunja Mijatović, to the Permanent Council and thank her for her substantial report.

We highly appreciate the work done by the Representative, also in EU Member States, and can assure Ms Mijatović and other participating States that those Member States which feature in the report will study the comments and recommendations carefully.

Regretfully, not all participating States were able to join consensus on Ministerial Decisions in Vilnius on safety of journalists and freedom of expression and pluralism in the digital media. The EU will continue promoting these issues including on the Ministerial Council level.

Existing OSCE commitments relating to freedom of expression and freedom of the media apply to all forms and means of their exercise, including digital media. We agree with the Representative that it is deeply worrying that participating States too often limit access to and use of the Internet. We recall our concern about blocked websites in some participating States, including in Tajikistan and in Kyrgyzstan, where access to Fergana.ru is still partially

blocked. We regret that new regulations in Kazakhstan, which *inter alia* make identification of visitors mandatory in public places that offer Internet access, are expected to come into effect this year.

Journalists who fear for their safety will eventually avoid investigating or reporting about sensitive issues. Participating States must therefore ensure that journalists can carry out their activities without fear of reprisal, including by fighting impunity. It is of utmost importance that those responsible for the murder of Khadzhimurad Kamalov in the Dagestan Republic of the Russian Federation and those responsible for blackmailing the journalist Khadija Ismayilova in Azerbaijan, through the posting of a video of intimate nature on the internet, are swiftly identified and prosecuted. We welcome that criminal charges have been brought against the suspect in the case of the attack on Olivera Lakić, journalist at the newspaper Vijesti in Montenegro, and we urge proper investigation also of previous cases of violence against journalists in Montenegro.

Considering the importance of fighting impunity, it is worrying that many old cases remain unresolved in the region. Amongst these are the murder of Anna Politkovskaya in the Russian Federation and of Elmar Huseynov in Azerbaijan as well as the murder of Georgy Gongadze and the disappearance of Vasyl Klymentyev in Ukraine. We also regret that, in Turkey, five years after the killing of prominent journalist Hrant Dink, the masterminds of the attack have still not been brought to justice.

We welcome that media workers have been released in Azerbaijan and Kazakhstan during the reporting period and that four journalists have been released by an Istanbul court pending trial. Nevertheless, many journalists remain imprisoned on dubious charges or insufficient evidence, not least in Turkey, and we look forward to the updated compilation of imprisoned journalists in the country.

While governments have a legitimate right to fight terrorism, such security challenges must not be used as a pretext to curb media freedom. Therefore, we welcome the two resolutions of the Supreme Court of the Russian Federation, according to which human rights, including freedom of expression, shall be protected in the fight against terrorism and extremism. We hope that this positive example will be followed by others.

We welcome the willingness of Turkmenistan to host the 14th Central Asian Media Conference and of Azerbaijan to host the 9th South Caucasus Media Conference. We also appreciate that the first Master Class on Broadcast Regulation was organised in Istanbul this week and that the Internet Governance Forum will take place in Baku in November. We remind Azerbaijan that freedom of expression and safety of all participants must be ensured before, during and after the meeting and that visas should be issued to everyone who would like to participate.

All participating States are encouraged to make use of the assistance and expertise of the Representative in reviewing draft legislation. Likewise, all participating States, including Belarus where the harassment of independent media and journalists continues, should facilitate a visit of the Representative. We commend Turkey for having done so recently.

Lastly, we regret that freedom of expression continues to be extensively limited in Uzbekistan and Turkmenistan.

In conclusion we would like to commend Ms Mijatović and her excellent team for their work and wish them all the best in their future endeavours.

The Acceding Country Croatia*, the Candidate Countries the former Yugoslav Republic of Macedonia*, Iceland+ and Serbia*, the Country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, as well as the Republic of Moldova and San Marino, align themselves with this statement.

* Croatia, the former Yugoslav Republic of Macedonia 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.