



EUROPEAN UNION

**OSCE Permanent Council N°1163
Vienna, 9 November 2017**

**EU Statement in Response to the Report by the OSCE
Representative on Freedom of the Media, Mr Harlem Désir**

The European Union warmly welcomes the Representative on Freedom of the Media, Mr Harlem Désir, to the Permanent Council and thanks him for his first report. The EU fully supports the mandate of the Representative, which is flexible enough to address emerging issues both online and offline. We share the four priorities that you outlined recently at the HDIM in Warsaw, namely safety of journalists and the fight against impunity; freedom of expression; VERLT; media plurality in the digital age. We also warmly appreciate how the RFoM more specifically works on issues such as safety of female journalists, propaganda and disinformation, access to information and freedom of expression in the digital age, performing a crucial watchdog function, providing early warning and expertise. This is more important than ever in these challenging times, when we clearly see the positive interconnection between security and human rights. The OSCE's comprehensive concept of security is more relevant than ever and the autonomous institutions play a crucial role in assisting us to uphold it.

Cooperating with the RFoM and making use of recommendations is therefore an imperative for all participating States. The RFoM highlights issues across the OSCE region including in EU Member States, demonstrating that media freedom and freedom of expression remain issues that we cannot take for granted and must all continuously strive to guarantee. We remain committed to cooperating with RFoM and making use of his recommendations in order to strengthen freedom of expression and media freedom and trust that other participating States do the same. Cooperation with the office also implies

providing it with the adequate resources to fulfill its mandate, which we fully support.

Mr Chairperson, the EU shares many of the concerns raised by the RFoM in his report. We have joined the RFoM in calling on Turkey to reverse the negative trend and guarantee respect for its OSCE commitments. We remain concerned by the continued arrests of journalists, human rights defenders, academics, writers and members of parliament, further closures of media outlets, and the continued restrictions on the freedom of expression, including in social media. It is with great concern that we continue to closely follow the case of German-Turkish journalist Deniz Yücel, who has been in detention for more than eight months without a formal indictment.

The space for independent journalism in Russia continues to shrink and the detention and reports of violence against the Russian journalist Igor Rudnikov is one recent example. We join the RFoM in calling for his release. Another example is the recent attack on Tatyana Felgenhauer. We welcome the RFoM's public condemning statement and will follow the investigation into this matter closely. In addition, we observe with concern several examples of new legislation that have been elaborated, and in some cases adopted, which could seriously infringe on access to information, freedom of expression and the independence of media: e.g. amendments to the statute of information, information technologies and protection of information, regulating national and foreign online cinemas' content on election campaign material, "extremist material" and obscene words.

We note with concern that at the same time, the Russian government persistently uses disinformation as a destabilising tool. This was evident in Russia's illegal annexation of Crimea and remains so with Russia's destabilisation of east Ukraine and beyond. It is as important as ever that Russian speakers, wherever they are, have a choice in the media they consume and are able to access reliable and objective information. It's also important that local, public and independent media serving Russian-speaking audiences can flourish.

With regard to Ukraine, the RFoM has raised a number of concerns related to legislative developments and safety of journalists. We welcome the recent visit of the Representative to Kyiv, and encourage Ukraine to continue to work with the RFoM to address concerns and challenges. We remain deeply concerned with the dire situation for freedom of expression in Crimea and Sevastopol, illegally annexed by Russia, as well as in areas held by Russia-backed separatists in eastern Ukraine. We welcome the engagement of the RFoM on these serious issues, when he e.g. highlights the case of journalist Nikolay Semena, recently convicted in illegally occupied Crimean peninsula, calling for charges to be dropped.

In connection to the conflict, we welcome the on-going dialogue between the representatives of journalists' associations from Russia and Ukraine, held under the auspices of the Representative's Office. The joint memorandum adopted by the group on 2 November 2017, expressing solidarity with all illegally detained journalists, including Stanislav Aseev, in the area held by Russia-backed separatists, was a positive development in this vein.

In much of Central Asia, the situation regarding freedom of expression continues to be critical. The RFoM has expressed concern over recent cases in several countries, but we also note some positive developments such as the release of journalist Zhanbolat Mamay in Kazakhstan: we underline, however, that he must be free to carry out his journalistic work. We also note a positive development in Uzbekistan and appreciate that Tashkent hosted the 19th regional Central Asia Media Conference "Open Journalism in Central Asia" organized by the RFoM 18 - 19 October. As highlighted by the RFoM, much remains to be done in Central Asian countries, so this conference is a welcome opportunity to discuss issues of fundamental importance for the future of the region.

We reiterate our deep concern about continued pressure put on bloggers and media workers in Azerbaijan due to criticizing the authorities. Some of them are still behind bars. There are also cases of journalists being denied

permission to leave the country. We welcome that the charges in the case of the head of the Turan press agency, Mehman Aliyev, have been dropped.

We remain concerned over the situation of freedom of the media in Belarus. We echo the RFoM's concerns about cases of courts applying administrative fines to freelance journalists and call on the Belarusian authorities to refrain from imposing unnecessary limitations which affect the free flow of information.

In the Western Balkans, political pressure, threats, violence and intimidation against journalists remain an issue of concern. We also note the absence of the appropriate judicial follow-up of the incidents, since investigations and final convictions for attacks on and intimidation of journalists are rare. We call on our partners in the Western Balkans to follow the recommendations of the RFoM.

We take this opportunity to ask the RFoM a couple of questions:

- 1) In the field of accountability, what further steps do you intend to take to ensure that there is no impunity for crimes against journalists?
- 2) We would appreciate hearing from you about cases of positive engagement of participating States with your office in promoting freedom of the media.

Mr Chairperson, in conclusion we would like to express our appreciation to the Austrian Chairmanship for their commitment to the issues of freedom of expression and media freedom throughout the year. We recall the Supplementary Human Dimension Meeting organized last week on the topic of "The role of the media in the comprehensive approach to security." The conference was a useful opportunity for exchanges with civil society and highlighted many important issues such as free media as a basis for European security, the challenges surrounding disinformation and radicalization in relation to media with solution-oriented recommendations, as well as the role of the media in peacebuilding and conflict prevention. We also look forward to engaging in substantial discussions on the draft decision presented by the Chairmanship in this field, and support the Chairmanship's call for adopting a Decision on media freedom, after more than one decade of not having any

Ministerial Decisions on this topic. We look forward to retaining freedom of expression and media freedom high on the OSCE agenda also during next year's Italian Chairmanship, as this is a crucial component of our common security. In conclusion, we once again thank the RFoM for his active engagement and dedication. Our thanks go also to his able team for their tireless work. We wish you all success in the months to come.

The Candidate Countries the FORMER YUGOSLAV REPUBLIC OF MACEDONIA*, MONTENEGRO* and ALBANIA* as well as the Country of the Stabilisation and Association Process and Potential Candidate BOSNIA and HERZEGOVINA align themselves with this statement.

* The Former Yugoslav Republic of Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.