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United States Mission to the OSCE

Response to the Report of the Representative on Media Freedom, Miklos Haraszti

As delivered by Chargé d’Affaires Carol Fuller
to the Permanent Council, Vienna
October 29, 2009

The United States warmly welcomes Mr. Miklos Haraszti to the Permanent Council and thanks him for his thorough and sobering report.

Your report highlights the dangers faced by journalists, the methods of intimidation and violence used to censor and silence dissenting voices and also it highlights the worrisome trend towards – rather than away from – the criminalization of journalism. This should be a clarion call to action for all of us.

Your report is simply stunning in recounting the level of violence directed at journalists, including violent physical assaults, stabbings, death lists, campaigns of intimidation, attempted murder and even several murders in some participating states. These are crimes visited upon those who fulfill a critical role in the democratic process. These troubling statistics are too often accompanied by case after case where authorities choose to look the other way—no charges are filed, no perpetrators are found—or, instead, charges are brought against the victimized journalists. You have previously cautioned against the dangers emanating from the climate of impunity that develops when these crimes remain unresolved.

Your report correctly draws attention not only to physical intimidations, but also to the increasing use of legal intimidation by government officials and public figures. The numbers of civil lawsuits and criminal charges being brought against journalists on trumped-up charges of violating state secrets laws, for defamation or hooliganism, for “moral damages” or, as you point out, even for “defaming the honor of a village”, these demonstrate an unhealthy and negative trend in some participating States to use the law as a way to restrict media freedom. In the rare cases, where penalties are deemed necessary to be levied upon media outlets, they should be commensurate with the offense and not simply designed to crush the outlet by “fining them out of existence.”

We believe it is also important to consider the impact of shifting technologies on the freedom of the media. In my country, many news outlets, particularly print, are coming under financial stress with the rise of the Internet. This paradigm shift presents opportunities along with challenges and we need to remain vigilant on both counts that freedom of media and freedom of expression are adequately preserved.

Finally, we want to express our thanks to you again, Mr. Haraszti, for your invaluable work. You are in the final months of a term that has seen remarkable growth for the institution of the OSCE’s Representative on Media Freedom. We urge your office to continue the extremely high quality that has been the standard of your tenure. And we will hope that your

next report will bring evidence that participating States have heard your messages and taken measures to address their implementation of our shared OSCE commitments. Thank you.