

Original: ENGLISH



United States Mission to the OSCE
**Response to Report by OSCE
Representative on Freedom of the Media,
Dunja Mijatović**

As delivered by Ambassador Ian Kelly
to the Permanent Council, Vienna
March 17, 2011

The United States warmly welcomes Dunja Mijatović back to the Permanent Council. We express our thanks not only for her thorough and detailed report today, but also for standing watch in the cause of media freedom throughout the OSCE region. Your report today shows again your keen determination and perseverance in protecting journalists in the critical work they do. We all owe you thanks for reminding us of, and holding us to, our OSCE commitments to media freedom.

Your report, however, highlights a number of worrying trends. The first and most troubling is the trend towards violence against journalists. These past 12 months have seen such violent assaults in too many OSCE participating States, including Belarus, Tajikistan, Serbia and Ukraine.

A second, related trend is that of the increasing failure of certain governments to respond adequately to such cases of actual or threatened violence. The governments represented at this table should make it clear, publicly and unequivocally, that such violence will not be tolerated. It is also the obligation of every government to investigate these cases fully and fairly and to bring perpetrators to justice, lest we create a climate of impunity and undermine the rule of law. We continue to be concerned about the situation in Russia, where attacks on and killings of journalists have gone largely unsolved. We continue to urge Russia to fully investigate these crimes.

Another troubling trend is the increasing use of legal mechanisms such as tax codes, defamation laws, registration requirements and other legal or administrative obstacles on free speech in order to prosecute journalists for their work, or to punish, intimidate or even silence those with whom a government may disagree. Your recent reports on the imprisonment of journalists in Turkey and the continued incarceration of journalists in Kazakhstan, Azerbaijan, Belarus, Uzbekistan, and Tajikistan illustrate this trend clearly. The United States also joins with you in calling for the release of all journalists imprisoned for simply exercising their right to freedom of expression.

We are also disturbed by government efforts to shut down independent media outlets through law suits, disproportionate fines, confiscation of materials, closure of printing houses, and blocking of web sites, as has been the case in Tajikistan and Kazakhstan.

We repeat our frequent call and join you, Representative Mijatović, in urging all OSCE participating States to decriminalize defamation laws. This is something that can be done now.

Finally, another troubling trend that deserves the continued attention of your office is the willingness of governments to amend existing media legislation or to draft new laws that are moving in the wrong direction -- away from greater media freedom and towards tighter governmental control. The United States continues to have serious concerns about certain provisions of the existing or proposed media laws in Hungary and Greece, and backsliding on implementation of media laws in Bosnia and Herzegovina.

A word about the state of media freedom in Turkmenistan. We note that your report contains only a very brief reference to Turkmenistan. This should not be perceived as a positive indication, but rather a reflection of the nearly complete lack of media freedom in Turkmenistan. We call upon the government of Turkmenistan to take immediate steps to uphold their OSCE commitments, including those on media freedom, by ending harassment of the few independent journalists in the country and fostering an environment in the country that allows independent media to flourish.

Finally, I'd like to bring to your attention that today four journalists from the *New York Times* – Anthony Shadid, Stephen Farrell, Tyler Hicks and Lynsey Addario – have been covering events in Libya and are missing. The situation is a poignant reminder of the responsibility of all governments – of course in this case the Libyan government – to protect journalists, allow them to do their work, do not harass or in any way detain or use violence against journalists. And of course we pray for their safe return to their families.

Thank you again, Representative Mijatović. I'd also like to thank your staff director Roland Bless for his outstanding service as he wraps up his work in your Office.

Thank you, Mr. Chairman.