

THE OSCE REPRESENTATIVE ON FREEDOM OF THE MEDIA

SAFETY OF JOURNALISTS

www.osce.org/fom



Journalists Memorial, Arlington, Virginia, USA

Photo: darksong

WHY IT MATTERS



Organization for Security and
Co-operation in Europe

The Representative on
Freedom of the Media

Journalism is an important profession. It can be seen as a skill, a talent or even a passion; a passion to tell the truth, to inform, to reach others, to communicate news using any means necessary. So why is this passion, this profession so fiercely attacked, challenged and perceived as controversial?

Because journalists report about issues of public interest, including government policies, and have a vital role to play in democracies by providing objective information to the public. For these reasons, intimidation and violence against members of the media can deprive people of their fundamental right to seek, receive and impart information.

The right of journalists to carry out their work under safe conditions, without fear of being harassed, attacked, beaten and killed is a topic of paramount importance for freedom of the press and freedom of expression.

More than 600 journalists have been killed worldwide since 2005, most of them intentionally or in the line of duty. This figure includes more than 30 journalists in the OSCE region.

The majority of casualties recorded by UNESCO in the years 2008-2009 were not war correspondents, but journalists covering local stories. Non-battlefield deaths continue to rise.

Confronted with forces that are willing to silence them at any cost, journalists too often pay the ultimate price for reporting on corruption, organized crime and purely local issues.

Journalists are not the only ones targeted; Internet activists and bloggers are now also feeling the pressure for expressing their views.



Photo: OSCE/Martha Freeman

Violence against journalists takes various forms including:

- Murder and physical assault;
- Psychological pressure including threats to their lives or their relatives;
- Unfounded detention during demonstrations or other public events;
- Arrests and convictions on trumped-up criminal charges;
- Attacks on media property, including vandalism and arson;
- Arbitrary police raids on editorial offices and journalists' homes.

All these forms of violence amount to censorship that violates OSCE media-freedom commitments.

All 56 participating States claim to uphold the principles of freedom of opinion, freedom of expression and freedom of the media. In fact, the right of journalists to collect and disseminate information is enshrined in most participating States' media laws.

Nearly a decade and a half ago, the participating States created a unique institution, the Office of the OSCE Representative on Freedom of the Media, to "observe relevant media developments in OSCE participating States and [...] advocate and promote full compliance with OSCE principles and commitments in respect of freedom of expression and free media". Since 1975, the participating States have subscribed to media-freedom commitments to ensure that journalists can work in a free and safe environment.



Photo: OSCE/Rashad Huseynov

Yet the ability of governments to uphold these commitments is being increasingly questioned.

Findings by the New York-based Committee to Protect Journalists show that nine out of 10 killers go free worldwide. Sadly, that statistics is repeated across the OSCE region, where only three of the 30-plus murders have been successfully prosecuted.

Impunity is a serious barrier to safeguarding a free press. The failure to properly investigate and prosecute crimes against journalists needs to be urgently addressed. By effectively prosecuting criminals, governments can decrease the number of future attacks.

And having jurisdiction over law-enforcement agencies, governments are in a unique position to help put an end to this violence. The participating States have made firm commitments to achieve this goal.

OSCE COMMITMENTS ON SAFETY OF JOURNALISTS

The Budapest CSCE Summit Declaration (1994):

In 1994 the then-CSCE participating States directly addressed the problem of violence against journalists in the Budapest CSCE Summit Declaration:

(36) The participating States reaffirm that freedom of expression is a fundamental human right and a basic component of a democratic society. In this respect,

independent and pluralistic media are essential to a free and open society and accountable systems of government. They take as their guiding principle that they will safeguard this right.

(37) They condemn all attacks on and harassment of journalists and will endeavor to hold those directly responsible for such attacks and harassment accountable.

The Astana Commemorative Declaration: Toward a Security Community (2010)



Photo: OSCE/Mikhail Evstafiev

Sixteen years later, at the December 2010 Astana Summit, the heads of state of the 56 participating States reaffirmed in the Commemorative Declaration “the relevance of, and [their] commitment to, the principles on which the [OSCE] is based” and acknowledged that “more must be done to ensure full respect for, and implementation of, these core principles and commitments” in the OSCE’s all three dimensions:

(6) The OSCE’s comprehensive and co-operative approach to security, which addresses the human, economic and environmental, political and military dimensions of security as an integral whole, remains indispensable. Convinced that the inherent dignity of the individual is at the core of comprehensive security, we reiterate that human rights and fundamental freedoms are inalienable, and that their protection and promotion is our first responsibility. We reaffirm categorically and irrevocably that the commitments undertaken in the field of the human dimension are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned. We value the important role played by civil society and free media in helping us to ensure full respect for human rights, fundamental freedoms, democracy, including free and fair elections, and the rule of law.

THE VILNIUS RECOMMENDATIONS ON SAFETY OF JOURNALISTS

In June 2011, acting in its capacity of chair-in-office of the OSCE, Lithuania convened a conference, which issued a set of recommendations on the safety of journalists in the OSCE region. This document, drafted in cooperation with the Office of the Representative on Freedom of the Media, emphasizes the role of national governments and legislatures, law-enforcement agencies and the media to ensure safe working conditions for journalists.



Organization for Security and
Co-operation in Europe

The Representative on
Freedom of the Media

Through the Vilnius Recommendations on Safety of Journalists, the OSCE Chairmanship and the Representative:

- Strongly encourage governments of OSCE participating States to treat violence against journalists as a direct attack on freedom of expression, and publicly refute any attempt to silence critical or differing voices in the society;
- Recommend that governments give their full political support to the strengthening of media freedom by promoting safe and unimpeded conditions for journalists to perform their professional duties;
- Encourage legislators to increase safe working conditions for journalists by creating legislation that fosters media freedoms, including guarantees of free access to information, protection of confidential sources, and decriminalising journalistic activities, including defamation and libel;
- Advocate that the authorities make it their priority to carry out swift and effective investigations, sending a message to society that perpetrators and masterminds of violence against journalists will be efficiently brought to justice;
- Urge that law enforcement agencies be given sufficient resources and expertise to carry out effective investigations in the particular field of the media and to develop practices that respect the legal rights of members of the media, including their unhindered access to information during public protests or in cases of civil and public unrest;
- Call for due weight to be given to the public interest in judicial procedures initiated against journalists as a result of their professional duties, and to ensure that such cases are handled without delay and in a transparent manner;
- Call upon law enforcement agencies and media to jointly establish good practices that can increase the safety of members of the media and to engage in joint training activities to promote these practices;
- Support the work of the OSCE field operations in their important role in assisting participating States in this regard and encourage field operations to undertake further projects aimed at capacity building and training for the media, including the promotion of dialogue between the media and law enforcement agencies.

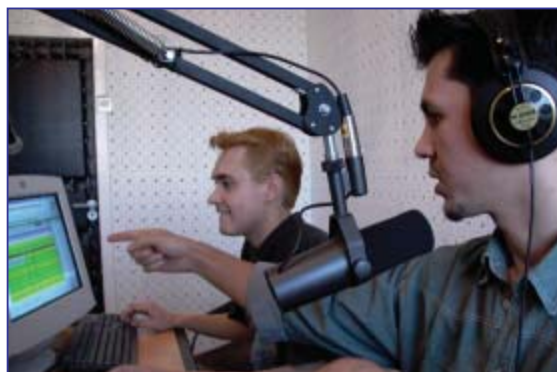


Photo: OSCE/Lubomir Kotek

The full text of the document is accessible here: <http://www.osce.org/cio/78522>

OTHER INTERNATIONAL ACTS RELATED TO THE SAFETY OF JOURNALISTS

UNESCO Resolution 29 “Condemnation of Violence against Journalism” (1997)

Conscious that the assassination of journalists goes beyond depriving people of their lives as it involves a curtailment of freedom of expression, with all that this implies as a limitation on the freedoms and rights of society as a whole,

<...> Calls upon Member states to take the necessary measures to implement the following recommendations:

that governments adopt the principle that there should be no statute of limitations for crimes against persons when these are perpetrated to prevent the exercise of freedom of information and expression or when their purpose is the obstruction of justice; that governments refine legislation to make it possible to prosecute and sentence those who instigate the assassination of persons exercising the right to freedom of expression; <...>

(web link: http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/ipdc_resolution_29.pdf)

UN Security Council Resolution 1738 (2006)

“The Security Council, <...> Condemns intentional attacks against journalists, media professionals and associated personnel, as such, in situations of armed conflict, and calls upon all parties to put an end to such practices”

(web link: <http://www.un.org/News/Press/docs/2006/sc8929.doc.htm>)



“Today, in the 21st century, it is dangerous to be a journalist, a photographer, a member of the media. It is dangerous to be a journalist and to have lunch with your source in a restaurant. It is dangerous to be a friend or neighbour of a journalist. It is dangerous to write about corruption. It is dangerous to investigate stories. In many parts of the world it is dangerous to be a monitor of our times and it is dangerous to be a human being who speaks his or her mind freely.”¹

Dunja Mijatović

OSCE Representative on Freedom of the Media

¹ From an issue paper on safety of journalists delivered at a Council of Europe Commissioner on Human Rights meeting October 2011 <http://www.osce.org/fom/83569?download=true>

For further information, please see the website of the Office of the OSCE Representative on Freedom of the Media at www.osce.org/fom. The Office can be contacted by e-mail at pm-fom@osce.org.