



Organization for Security and Co-operation in Europe
The Representative on Freedom of the Media
Dunja Mijatović

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Regular Report to the Permanent Council
for the period from 13 June through 27 November 2013

Introduction

Mr. Chairman, Excellencies and Ladies and Gentlemen,

Allow me to begin by noting that it was in November of 1997 when the OSCE established this Office recalling, “that freedom of expression is a fundamental and internationally recognized human right and a basic component of a democratic society and that free, independent and pluralistic media are essential to a free and open society and accountable systems of government.”

Those very notions are what I would like to address today.

May I start, however, by expressing my gratitude to Ambassador Ihor Prokopchuk, Chairman of the Permanent Council, and Counsellor Mariana Betsa and the Ukrainian Chairmanship for the support shown on media-freedom issues. On behalf of my Office, let me say that it has been a pleasure working with your entire delegation.

And I also want to take this time to thank those delegations that have generously supported, through extra-budgetary contributions, activities of my Office during this reporting period, including media conferences, training classes and even this event today as we note the 15th anniversary of the founding of this Office. They are Kazakhstan, Lithuania, Luxembourg, the Netherlands, Norway, Serbia, Sweden, Switzerland and the United States.

Finally, I’d like to direct your attention to our interactive website celebrating the 15th anniversary at <http://www.rfom15.org/>. There you can hear from media freedom advocates talk about challenges we face in the 21st century. And feel free to pick up a copy of the newspaper, published to commemorate this event.

Now, on to the matters at hand.

I have come to realize that by speaking on behalf of free media and free expression that I am dealing with issues that touch at the heart of society. I realize that there are people here today who also feel deeply about these issues and who are in total disagreement with me.

But because of my profound belief that we have a challenging task ahead of us and that the subjects on the table, free media and free expression, are key to the very essence of

democracy, I want to take this time, on the 15th anniversary of the founding of the Office I hold, to explain why I do what I do.

All of the regions of the OSCE are faced with media freedom issues. People in all states have seen infringements on free media and free expression and, while they take different forms in different states, in the end, they are violations. Simply put, we all have found our rights to free media and free expression curtailed at one time or another – regardless of where we live.

From the beginning – in 1998 – this Office has been challenged by some who would seek to have its mandate restricted, its influence blunted and its authority diminished. Why? Perhaps it's because of a belief, held in good faith, that there's no need for an Office whose job it is to simply look over how well our participating States are doing in keeping the promises they have made.

Perhaps they think there's no reason to keep score, because we all know that media cannot truly be independent and that the right to express one's self freely is a dream that cannot be realized in the real world. Life gets in the way of those dreams – whether it's unequal allocation of broadcast frequencies or the nature of market economics that often favors large entities at the expense of small ones.

Or perhaps it is the pressing need of the day – and in this time and place, some would argue, that it is terrorism and the threat of terrorism that allows – no, requires – that media must be censored, that reporters must be kept in prison and that free speech must be muzzled.

And we've seen enough of that over the past 15 years. As I speak to you today, there have been well more than 100 journalists who have been detained, spent time in prison or jail or under house arrest since I last reported to you. That is unacceptable and it must change.

And that is why I use the tools given to me by this organization to point out the failings that we have.

It seems to me that, after 15 years, this organization needs to recommit itself to the very basic pledges it has made throughout the years. Only then will we have the trust and confidence of people across the entire OSCE region that we actually mean what we say.

This organization can and must be at the vanguard of the free media movement. This organization can and must always stand for the principles of the freest of expression, worldwide. It should understand and truly believe that the free exchange of ideas strengthens democracy, strengthens nations and strengthens the bonds among people.

Let me cite a recent example. Earlier this month I was in Tbilisi for our Office's 10th South Caucasus Media Conference. I had the opportunity to see, first-hand, the interaction among journalists among all three nations, in conference halls and cafeterias. It was a perfect example of how the free exchange of ideas not only strengthens the bonds among people, it strengthens security.

This movement must start with deeds, not just words. I call on participating States to end their prosecution and persecution of media and to empty the prisons of those who have been put in prison for holding unpopular or critical opinions or views that offend the ruling and powerful.

Because you can't put people in jail for expressing their thoughts and still consider yourself a democracy.

I do not believe there can be any compromise on the issue of free media and free expression. There can be no watering down of media freedom commitments – in practice – because of perceived threats from within or without.

And to those who say we are making too much of the issue of free media and free expression – that the time's not right, that we have bigger problems to face in the OSCE region – I say this: that we are 38 years too late in fulfilling our obligations.

The issue of journalists' safety has been a cornerstone of this office from the beginning. Freimut Duve came before this council in April of 1998 to rail against the murder of journalists, which he called censorship by killing. Miklós Haraszti, in his last report to the Permanent Council in March 2010, said that all participating States must provide safety to journalists, not just for the sake of justice also for the sake of democracy.

And when I was here in June I reminded this council that the situation must change – immediately. And I asked you to muster up the political will to make it happen.

The threats against journalists, though still profound, are decreasing, as our evidence shows. UNESCO has reported that 69 media members have been killed this year. One – do I dare say it this way – only one in the OSCE region. We need that number to drop to zero.

Now.

Perhaps as important as the numbers, however, is the growing awareness among politicians and police and prosecutors of the magnitude of the problem. That is a hopeful sign.

And we have seen a gradual tightening of the rope around the necks of those who assault journalists. For the big problem that goes hand-in-glove with violence against the media is the virtual impunity that also goes with it.

And I am pleased to be able to present to you today a campaign sponsored by my Office and produced by Commission for the Investigation of Murders of Journalists in Serbia. Please join Ambassador Vuk Žugić and me after the report this morning for a screening in the cafeteria and an introduction by Veran Matić, chairman of the Commission and co-founder of B92 radio.

But first, please join me for a few minutes of reflection about your Office and the role it plays presented by media freedom advocates worldwide.

Issues raised with participating States

Albania

On **17-18 September** I paid an official visit to Tirana where I had the opportunity to discuss the media environment with the newly elected government. I met with Prime Minister Edi Rama, Speaker of the Parliament Ilir Meta, Foreign Minister Ditmir Bushati, Innovation and

Public Administration Minister Milena Harito, Chair of the Democratic Party Lulzim Basha, and Ombudsman Igli Totozani, as well as parliamentarians from the governing and opposition parties. I welcome the readiness of the government to introduce the much-needed reform of the public service broadcasting system, ensure independence of the broadcast regulator and restate its commitment to the digitalization process.

I greatly value the interest of the government to co-operate on media freedom reforms and look forward to continuing our dialogue and working together.

On **18-20 September** Foreign Minister Ditmir Bushati and I opened the 3rd South East Europe Media Conference in Tirana, which primarily focused on public service broadcasting, broadcast regulators and the digital switchover. The conference participants engaged in a range of thematic areas considered to be media freedom priorities in the region including Internet freedom, investigative journalism, the safety of journalists, legislation and its implementation, self-regulation and media transparency.

On 8 November my Office received a letter from the Minister Harito, requesting expertise to assist in the digitalization process of the country. My Office will provide a legal expert to assist in the process.

On 9 December my Office will organize, in co-operation with the Albania Media Institute and the OSCE Presence in Albania, an expert roundtable meeting in Tirana to discuss and share best practices on reforming the public service broadcasting system in Albania.

Armenia

On **21-22 October** I visited Armenia to participate in a high-level conference on combating racism, xenophobia and intolerance in Europe organized by the Armenian authorities and the Council of Europe. I spoke on combating intolerance on social media.

I met with the Foreign Minister Edward Nalbandian to discuss our co-operative efforts and the latest media freedom developments. I acknowledged some significant steps that Armenia has taken to create a better environment for media freedom, including improvements in the area of journalists' safety and the decriminalization of defamation.

I encouraged the authorities to continue reforms in media-related legislation to come in line with OSCE commitments, including amendments to broadcast legislation which would ensure media pluralism.

I offered my Office's further support for this process, including the ongoing digitalization of terrestrial television. Digitalization is vitally important and represents a great chance for media pluralism. A transparent and all-inclusive process should be carried out and should lead to greater diversity in electronic media.

I welcome the readiness of the authorities to continue our constructive dialogue.

Azerbaijan

On **6 August** I wrote to the authorities asking for additional information regarding the arrest of journalist Sardar Alibeyli, editor-in-chief of the newspaper P.S. Nota, who was reportedly

held on charges of hooliganism. I expressed hope that the accusations against him would be thoroughly investigated and that the alleged incident will not result in another journalist being put in prison.

On 18 September I wrote to the authorities and requested information regarding the arrest of Parviz Hashimli, a journalist of Bizim Yol newspaper, who was arrested and is being held on charges of smuggling and illegal storage of firearms. He faces up to eight years in prison if convicted.

On 27 September I issued a public statement calling on the authorities to stop the prosecution of journalists following the handing down of a prison sentence on Hilal Mamedov, chief editor of the Tolishi Sado newspaper, whom I visited in prison during my last visit to Baku in November 2012. He received a 5-year prison sentence on 27 September on charges of drug possession, high treason and incitement of hatred.

On 4 October I issued a public statement condemning an attack in the Sabirabad region on several journalists which resulted in serious injuries and damaged equipment. I requested a swift investigation and I said I found it unacceptable that the attack took place in the presence of police officers who are responsible for assisting and protecting journalists.

I was pleased to receive a letter from the authorities on 28 October regarding the above-mentioned incident and was also pleased to learn that the Sabirabad Police Department has launched an investigation, which is being held under the supervision of the Ministry of Internal Affairs. I look forward to the results of the investigation.

On 15 November I wrote to Foreign Minister Elmar Mammadyarov sharing my concern over the convictions of journalist Sardar Alibeyli, editor-in-chief of the newspaper P.S. Nota and Rashad Ramazanov, an independent blogger on 13 November. Alibeyli was sentenced to 4 years in prison on charges of hooliganism and Ramazanov to 9 years on the charges of illegal storage and sale of drugs. I called the convictions extremely severe and expressed hope that the appeal courts would overturn them.

I also expressed hope that the court will carefully review the case of Nijat Aliyev, editor-in-chief of www.azaxeber.net, who is facing a 10-year prison sentence on various charges, including drug possession and incitement of hatred.

I again raised the fate of the newspaper Azadliq, which has ceased operation because of payment demands by the state-owned printing house, as well as damage awards from civil defamation judgments. I was pleased to learn that a solution was found and the newspaper will resume publication shortly.

I am disappointed to see that the hostile environment for free media in Azerbaijan has not improved but, rather, is getting worse. Ten members of the media are in prison. Seven of them are serving sentences including freelance journalists Faramaz Novruzoglu and Fuad Huseynov, Avaz Zeynalli, editor-in-chief of Khural newspaper, Araz Guliyev, editor of www.xeber44.com, Hilal Mamedov, chief editor of Tolishi Sado, Sardar Alibeyli, editor-in-chief of the newspaper P.S. Nota and Rashad Ramazanov, an independent blogger. Three are under investigation including Nijat Aliyev, editor-in-chief of www.azadxeber.net, Tofiq Yagublu, a correspondent for Yeni Musavat newspaper and Parviz Hashimli, a journalist with Bizim Yol newspaper.

I hope to continue working with the authorities to improve the media-freedom environment, including the organization of joint events such as the upcoming master class on the digital switchover and similar projects.

Belarus

On **10 June** I wrote to the authorities about Natalya Leonova, who was detained for two hours by a Minsk District police unit for distributing the newspaper Nash Dom. Police confiscated 700 copies of the newspaper. I said that the short-term detention of journalists has a chilling effect on media and that the practice must stop.

On **19 July** I issued a public statement welcoming a Minsk court decision to lift the restrictions imposed on Novaya Gazeta reporter Irina Khalip, who received a two-year suspended sentence in 2011.

On **2 September** I presented to the authorities a legal review commissioned by my Office regarding proposed amendments to the law On information, information technologies and protection of information. I appreciated their efforts to increase the transparency and accountability of government institutions, but noted that the draft amendments do not reflect the principle of maximum disclosure of information and contain provisions that might result in arbitrary and unjustified restrictions on disclosure in practice.

(See Legal reviews)

I welcome the readiness of the authorities to work with my Office on the draft law. I was pleased that on 29 October I received an invitation from the authorities to send experts representing my Office to a parliamentary session to discuss the draft amendments. An expert attended the expanded joint session of the House of Representatives Standing Commission on Industry, Fuel-Energy Complex, Transport and Communication and the Standing Commission on Human Rights, National Relations and Mass Media on 18 November in Minsk and presented his findings and recommendations.

On **24 September** I issued a public statement welcoming the dismissal of charges against Andrzej Poczobut, a journalist for Gazeta Wyborcza, who received a three-year suspended prison sentence in 2011 for insulting the President.

I closely followed the cases of Khalip and Poczobut and raised them several times with the authorities. I am pleased that both journalists can now continue their important work. I hope that these are the last cases of criminal prosecution of members of the media because of their work.

On **21 October** I wrote to the authorities to call attention to another case of short-term detention of journalists in Minsk. At least 10 journalists and media community representatives, including Boris Goretskiy, Press Secretary of the Belarusian Association of Journalists, Ales Piletskiy and Vitaliy Rugain, journalists with Euro Radio, Alexander Vasyukovich, photojournalist with Nasha Niva newspaper, Andrey Korsak and Zakhar Sherbakov, reporters with BelaPAN news agency, Yegor Mayorchik, a journalist with Radio Svaboda and others were detained by police on 19 October while covering the arrival of

Pavel Sevyarinets at the central railroad terminal. The journalists were reportedly released after 50 minutes, once police checked their identification documents.

On **30 October** I wrote a letter to authorities bringing to their attention yet another case of short-term detention of journalists in Minsk. This time five journalists, including Natalya Volokida, Sergei Kravchuk, Natalya Kostyukevich, Denis Nosov and Alexander Korsakov were detained on 29 October while reporting on a group of civil activists at Calvary Cemetery. The journalists were reportedly taken to the Frunze District Police Department in Minsk and released after one and a half hours. On the same day, Belsat TV reporters Alyaksandr Barazhenka and Mariya Artsybashava were detained while interviewing people on the streets of Minsk. They were reportedly taken to the Leninskiy District Police Department and released after approximately three hours.

The several cases of short-term detention of members of the media confirm a troublesome situation with an enormous chilling effect on the media community. During my official visit to Belarus I asked the authorities to do their utmost to prevent such cases in the future. I suggested that the authorities provide law enforcement agencies with specific guidelines to stop detaining and harassing members of the media.

I also offered my Office's assistance in organizing a training event for law-enforcement agencies and journalists on their professional interaction.

I hope that the dialogue and co-operation between my Office and the authorities will soon result in some specific steps to end the trend of short-term detentions and contribute to the much-needed improvement of the media freedom situation in the country.

On **8 November** I presented to the authorities a review commissioned by my Office regarding the Decree of the President of the Republic of Belarus "On introduction of amendments and changes to some Decrees of the President of the Republic of Belarus" of 7 October 2013. The review positively notes the proposed regulation on licensing of the broadcast media, which establishes an ordered system of regulation with regard to circulation of information. However, it also states that the proposed amendments introduce disproportionate restrictions on citizens' rights to freedom of expression and information.

(See Legal reviews)

Bosnia and Herzegovina

On **13 September** I issued a public statement expressing concern over a criminal indictment sought by a group of journalists against other journalists in Bosnia and Herzegovina. This prosecution deeply undermines the already fragile professional solidarity among journalists. I said that such issues should be resolved by open dialogue. The trial started 11 November. The Mission to Bosnia and Herzegovina and my Office are following the matter closely.

On **20 September** I issued a public statement condemning two attacks on the media. The night before, the front door of the editorial office of the weekly newspaper Slobodna Bosna was set on fire and, at the same time in Mostar, graffiti appeared containing threats against local journalist Nermin Bise. I called on the authorities to swiftly and fully investigate such

acts of intimidation which can create a chilling effect on free media if they remain unpunished.

On 27 September I received a letter from the directors of the three Public Service Broadcasters raising concern over a decision by the Communications Regulatory Authority to reduce advertising time for the PSBs. The directors said this would negatively affect their already fragile financial sustainability. They asked my Office to analyze the decision.

On **17 October** I wrote to Minister of Communications and Transport Damir Hadžić to indicate that my Office had commissioned a legal review of the proposed Law on Electronic Communications which was open for public consultation and comments.

On **18 October** I issued a public statement expressing serious concern over three negative media freedom developments. First, a damage award was handed down against a journalist for defaming the president of Republika Srpska. Second, a political party had chosen to ban contacts with a critical television station and third, the director of the State Information and Protection Agency requested telephone wiretaps on the editorial offices of the daily newspaper Oslobodjenje and weekly magazine Dani.

On **23 October** I delivered a comprehensive legal review of the draft Law on Electronic Communications to the Ministry of Communications. In a letter and a public statement the following day, I raised particular concern about the risk of reducing the independence of the regulatory agency if the law is not amended to accommodate the recommendations.

On **30 October** I wrote to the directors of the three Public Service Broadcasters in response to the letter of 27 September. I urged them to use the opportunity to intensify efforts to implement all necessary reforms needed to make the work of the broadcasters more effective. I also indicated that my Office commissioned a comprehensive legal review in September 2012 assessing the Laws pertaining to the Public Service Broadcasting system and I said that the recommendations contained therein should be followed.

Bulgaria

On **8 July** I issued a public statement expressing concern over the intimidation of journalists by parliamentarian and Ataka Party leader Volen Siderov after members of the party and he assaulted a crew from SKAT TV that was trying to interview him. I urged the authorities to ensure that such behavior is not tolerated.

On **17 June** I wrote to Minister of Foreign Affairs Kristian Vigenin concerning various cases of intimidation and attacks on the media. I called for a swift investigation of an attack on prominent television journalist Ljuba Kulezich on 14 June and of the severe damage caused to a minibus of TV 7 and News 7 during a public rally.

I also expressed concern over the intimidating statements of Volen Siderov, in line with my public statement from 8 July.

On 16 July I received a letter from Rossen Rufevev, Chief of Political Cabinet, on behalf of the Minister of Foreign Affairs, in response to my June letter. I was pleased to learn that the authorities have taken several steps to bring the perpetrators of attacks against Ljuba

Kulezich, TV 7 and News 7 to justice. I was equally pleased to hear that my concerns regarding to the conduct of Volen Siderov has been brought to his attention.

On **17 September** I issued a public statement urging a swift investigation of an arson attack on the car of television journalist Genka Shikerova. It is not the first time that a car of a journalist or media member has been intentionally damaged in Bulgaria. In May 2012 I wrote to Tsvetan Tsvetanov, Deputy Prime Minister and Minister of Interior, and Nickolay Mladenov, Minister of Foreign Affairs, to express concern about an incident involving investigative journalist Lidia Pavlova, whose car was set on fire twice.

I hope to receive news of investigations on the attacks against journalists, including a bomb placed under the car of Sasho Dikov in October 2011, as well as unsolved murders and other acts of violence against journalists.

Denmark

On **21 November** I made an official visit at the invitation of the Ministry of Foreign Affairs. I met State Secretary Kim Jorgensen, Director of the Danish Institute for Human Rights, Jonas Christoffersen, Speaker of the Parliament Mogens Lykketoft and two members of Denmark's Delegation to the OSCE Parliamentary Assembly. I also met with civil society representatives and journalists. Among other issues, I discussed Denmark's new public information law as well as other legislation related to defamation and blasphemy. I was encouraged by Denmark's active and vibrant civil society and noted their interest in continuing to engage in monitoring of media freedom and freedom of expression.

(See Visits and participation in events)

France

On **17 July** I wrote to Laurent Fabius, Minister of Foreign Affairs, and expressed concern about the size of fines on media outlets Mediapart and Le Point following a ruling of the Court of Appeals in the so-called Bettencourt affair.

I found the court ruling to be disproportionate, considering the high degree of public interest involved. While acknowledging the right to privacy as a basic right, I stressed the importance of media freedom and freedom of expression in particular when it comes to matters of public interest.

On 30 July I received a response from the authorities which stated the judgment was based on the illegal recording of a conversation and went on to note, among other things, the importance of protection of the right to privacy with reference to the penal code and Article 8 of the European Convention of Human Rights.

On **18 November** I issued a public statement strongly condemning a gun attack at the Paris headquarters of the daily newspaper Libération, in which an assistant photographer was injured. I welcomed the immediate launch of an investigation and the fact that the incident was strongly condemned by authorities.

Georgia

On **17 September** I wrote to Maia Panjikidze, Minister of Foreign Affairs, to express concern over recent developments regarding the Georgian Public Broadcaster (GPB) and the dismissal of Director General Giorgi Baratashvili on 6 September. I expressed trust that the dismissal of Baratashvili followed standard procedures and that the selection of the new director general would be in line with rules and regulations governing the activities of the GPB. I also expressed hope that GPB would continue reflecting the diversity of the entire population, offer quality content with credible information and practice editorial independence free of direct and indirect political and commercial pressures.

On **11-13 November** I visited Tbilisi for the 10th South Caucasus Media Conference: Reflecting on OSCE Media Freedom Commitments.

During the visit I met Chair of the Parliament David Usupashvili and Foreign Minister Maia Panjikidze, and discussed the broadcast media freedom situation. I was pleased to learn that media freedom remains high on the agenda and that the authorities are ready to continue working with my Office.

I raised my concern over the developments at the Georgian Public Service Broadcaster (GPB) and the way the election of the Board of Trustees of Ajara TV and Radio was held. I expressed hope that a fair solution would be found for the GPB crisis, so that the broadcaster can continue playing its important role in the society. I raised the need to ensure autonomy of the Georgian National Communications Commission to ensure the efficiency and impartiality of its work, as this is vitally important in the country's run-up to digitalization. I also urged the authorities to outline a timeline and take practical steps for the upcoming digital switchover with involvement of all stakeholders, including civil society.

During the visit I also met with the civil society representatives and journalists, including the Media Advocacy Coalition, as well as with members of Parliament, the board and management of the Public Service Broadcaster and representatives of the Economy Ministry.

During the visit, my Office and the Tbilisi-based NGO Resource Centre, held a training course "Citizen Journalism Capacity Building" for young reporters at Ilia State University.

(See Media conferences and Training)

Germany

On 24 July I received a reply to my letter of 6 June (See Regular Report to the Permanent Council of 13 June) from Jörg-Uwe Hahn, Minister of Justice, Integration and Europe and Deputy Prime Minister of Hessen, regarding police treatment of the media on 1 June during a "Blockupy" demonstration in Frankfurt and police raids on the homes of eight photojournalists on 6 February. The Minister said that the prosecutor's office in Frankfurt is investigating the events. He said the judicial system would hold accountable those responsible for violations. He said the constitutional rights to press freedom and freedom of assembly would be protected.

Regarding the raids of the homes of photojournalists, the Minister said the prosecutor's office in Frankfurt publicly announced that the rights of these photojournalists would be respected.

Greece

On 2 August I received a letter from the authorities related to the public statement I issued on 12 June (See Regular Report to the Permanent Council of 13 June) about the closure of the public service broadcaster, ERT.

The authorities said that ERT had been overstaffed, had high operating costs and that the management of its economic and intellectual property was not transparent. They also informed me that the government had pledged to re-launch a new public service broadcaster, modeled on the most successful public broadcasters in Europe, with a planned starting date of September 2013. A Deputy Minister position was also established which would be responsible for the new broadcaster.

My Office continues to monitor the developments related to the closure of ERT and opening of the new public broadcaster, EDT, with special attention to the unique role that public service media should play in informing the public in an objective and pluralistic manner.

My Office also continues to monitor the lawsuits against Muslim minority newspapers Gudem and Millet in Thrace. In 2011 a lower court ordered the newspapers to pay €150,000 and €120,000 respectively, in moral damages relating to published articles.

In October the Court of Appeals of Thrace lowered the fines for both newspapers to €30,000, and a potential prison sentence for the two editors from 10 months to three months. On 15 November the newspapers filed an appeal with the Supreme Court of Appeals.

On **27 November** I publicly welcomed the acquittal of investigative journalist Kostas Vaxevanis. The journalist was arrested in October 2012 for having allegedly violated privacy laws by publishing the names of Greek nationals holding accounts in Swiss banks for alleged tax evasion purposes. He was acquitted in November 2012, but the decision was overturned by the state prosecutor and a new trial was ordered.

I noted that the positive decision of the Court ended a year-long ordeal that had restricted investigative journalism in Greece. I emphasized that privacy can never be the reason to prevent reporting on issues of public interest and it was essential that journalists are able to work without fear.

Hungary

On **6 November** I issued a public statement warning that increased prison sentences for defamatory video or sound recordings pose another potential threat to freedom of expression and media freedom in Hungary. On 5 November Parliament adopted changes to the Criminal Code on the preparation and distribution of defamatory video or sound recordings, which now can be punished with up to three years in prison. I noted that the longest prison sentence relates to materials published to a wide audience, which directly targets the media.

I emphasized that these measures are excessive as they can have a chilling effect on investigative journalism and prevent critical points of view from being disseminated. As several elements of the changes are vaguely worded, they could be politically misused to penalize those with opinions that run against the views of the authorities.

My Office currently monitors several cases where public officials turn to the prosecution to initiate criminal charges against journalists for alleged defamation. These include the recent reopening of the trial of investigative journalist Jozsef Spirik. OSCE good practices and international standards promote the decriminalization of defamation charges and I hope that this important form of protection of free speech will be adopted by Hungary as well.

Iceland

On **4 November** I issued a public statement expressing concern about a proposed law that would criminalize certain forms of expression directed toward minorities or any group that might be considered vulnerable. The proposed law could limit free expression.

I also noted that penalties for violating the law include fines and prison sentences of up to two years. The sanctions are too harsh for a bill that is vaguely worded and subject to interpretation. I asked members of the Icelandic parliament to reject the amendment.

I am pleased that the authorities and my Office continue to work in constructive manner on media-freedom issues.

Ireland

I was pleased to note that in mid-November governmental authorities withdrew a proposal that would have increased fees assessed in fulfilling Freedom of Information requests. Opponents of the proposal said the new charges would make requests unaffordable.

Italy

On **17 July** I wrote to Minister of Foreign Affairs Emma Bonino calling for a swift investigation of the threats against journalist Luigi Centore, whose car was set on fire outside his home. This was the second time Centore suffered such an attack as his car was set on fire in 2005. On 2 August I received a reply from Foreign Minister Bonino condemning attacks against the media and noting that the case of Centore had been brought to the attention of the Chair of the Senate, who had also met with Centore in person.

On **11 October** I wrote to Foreign Minister Bonino calling for the immediate release of journalist Francesco Gangemi, who stood to serve a two-year prison sentence following charges of defamation and perjury. Gangemi was released from jail and is serving his sentence under house arrest.

On **16 September** I issued a public statement expressing concern that defamation would not be fully decriminalized by amendments to media laws under consideration by the legislature and urged lawmakers to fully decriminalize defamation. On 24 October I commissioned a legal review of the draft amendments. I presented the review to the Foreign Minister on **11 November** and issued a public statement the next day outlining my concerns with the draft law. I noted that the Chamber of Deputies decision to retain criminal liability for insult and defamation was a missed opportunity to comply with international standards and best practices and that fines set out in the current law are excessive and add to the chilling effect on journalists and media professionals. I remain available to offer the assistance and expertise of my Office in this regard.

On **14 October** I issued a public statement condemning the delivery of a parcel bomb to the Turin office of newspaper La Stampa. This was the second time the Turin office of La Stampa was targeted and in my last report I condemned a very similar attempted attack on 9 April. I was pleased to learn that Italian President Giorgio Napolitano was among many who spoke out against the attack.

Kazakhstan

On **5 July** I wrote to the authorities and requested clarification and additional information regarding reports that the Internet sites guljan.org and nuradam.kz were blocked and that the magazine Adam reader's and the newspaper Pravdivaya gazeta were refused printing services.

On 17 September I received a reply from the Prosecutor's Office and the Ministry of Transport and Communication and the Ministry of Culture indicating that the block on guljan.org has been removed based on a court order of the Almaty district court on 6 June and that no measure had been taken relating to nuradam.kz. Regarding the cases of the magazine Adam reader's and the newspaper Pravdivaya gazeta, the authorities said no pressure was imposed on printing companies, which are private entities and make their own commercial decisions.

On **18 July** in a letter to the authorities, I expressed concern regarding the case of Alexandr Kharlamov, a correspondent for Flash and Riddersky Vestnik, who was charged with incitement of religious hatred based on postings on his personal blog. Kharlamov was arrested on 14 March after his apartment had been searched and he was forced to undergo a psychiatric examination. I said that publishing opinions, even if they are controversial, should never subject someone to criminal prosecution and urged the authorities to release Kharlamov from detention pending trial.

On 17 September the Prosecutor's Office indicated that on 18 August the court has returned the case to the prosecution for further investigation. I learned that on 4 September Kharlamov was released from detention and placed under house arrest.

I welcomed his release. I will continue to closely monitor the pending trial.

On **21 August** in a public statement I condemned an attack on Igor Larra, a correspondent for the newspaper Svoboda slova, who was assaulted on 20 August and called on the law enforcement authorities to swiftly investigate the case.

I welcomed on social media the swift investigation by the police in this case. On 22 August a suspect was arrested who admitted having taken part in the assault with the aim of robbery.

I was saddened to learn that on 14 October Igor Larra died as a result of a chronic illness.

In a letter on **22 August** and in a public statement on **3 September** I presented to the authorities a legal review commissioned by my Office of proposed amendments to the Criminal Code and the Administrative Code.

I expressed concern regarding the amendments. While there are some positive changes regarding the protection of professional journalism as an institution, the amendments still contain and even strengthen sanctions that could limit free expression and free media.

The recent suspensions of Pravdivaya gazeta and Pravda Kazakhstana for several months for purely administrative violations of law are examples of such disproportionate sanctions.

I was also disappointed to note that criminal defamation provisions remained and have been, in fact, toughened, despite pledges of the authorities to decriminalize defamation.

(See Legal reviews)

On **27 September** in letter to Minister of Foreign Affairs Erlan Idrissov and in a public statement I criticized a series of three-month suspensions imposed on Pravdivaya gazeta, Ashik alan and Pravda Kazakhstana for minor, technical violations of the Administrative Code.

These cases once again showed the urgent need for legislative reform, in particular the abolishment of the punishment of suspension from remedies permitted in the Administrative Code. I hope that the legal review and the recommendations provided by my Office will be taken into account when considering amendments to the criminal and administrative codes. This would ensure the compliance with OSCE media freedom commitments and international standards. In this regard I welcome that the civil society is engaged in the dialogue on the legal reform. I hope that this opportunity to strengthen media freedom and pluralism will not be missed.

My Office stands ready to assist Kazakhstan to that end.

On 8 November I received a letter from the authorities replying to my 27 September letter. It set out the legal basis for the verdicts handed down by the administrative court. It restated that the three months suspensions were based on false data in the imprint and not informing the authorities about a change in the publication schedule.

My Office received reports that the series of administrative cases opened against newspapers on minor, technical irregularities is continuing. Pravdivaya gazeta was accused in a protocol received on 20 November for selling an issue of its paper earlier than at the regular publishing date, and for unclear imprint information. On 21 November the newspaper Pravda naroda was called to the administrative court alleging it had not informed the authorities on a pause in publishing.

Kyrgyzstan

On **26-28 June** I visited Bishkek on the occasion of my Office's 15th Central Asia Media Conference. I was honoured to have the opportunity to meet and share views on the media-freedom situation in the country with President Almaz Atambaev and Prime Minister Jantoro Satybaldiev. I also met Deputy Foreign Minister Erines Otorbaev and Parliamentarian Natalia Nikitenko as well as a number of journalists and representatives of civil society.

While reiterating that those responsible for the death of Alisher Saipov, who was murdered in 2007 in Osh, must be brought to justice, I am relieved to note that in recent years there have been no violent attacks on journalists.

It is important that Kyrgyzstan continues to create conditions to promote media pluralism, setting a positive example for other countries in the region. In this regard I welcome the expressed commitment by the authorities to continue on this path.

We agreed to continue our joint work on several projects, which includes providing legal expertise in drafting laws dealing with digital broadcasting, organizing a regional conference on public service broadcasting and training journalists.

On **27-28 June** my Office organized the 15th Central Asian Media Conference in Bishkek. The conference topic was “Fifteen years of the CAMC: Reflecting on OSCE media-freedom commitments.” This was celebrated as a special event to mark the 15th anniversary of the conference, the first of which also took place in Bishkek in 1999. More than 100 representatives of the authorities, media, academia and international experts attended and examined the changes in the media landscape that have taken place in the region since then. Attendees also were able to participate in a master class on media regulation

I appreciate the assistance of the authorities of Kyrgyzstan and staff of the OSCE Centre in Bishkek in preparing for the conference. Representatives from Afghanistan and Mongolia also took part in the conference.

Lithuania

On **10 October** I issued a public statement expressing concern about the Radio and Television Commission’s decision to suspend broadcasting of the First Baltic Channel’s Russia-produced programmes for three months. This action followed the channel’s broadcast on 4 October of the “Man and Law” documentary on the tragic events on 13 January 1991 in Vilnius. The Commission also advised cable operators to suspend the broadcasts.

I called on the Commission to reconsider the matter because any decision which limits media pluralism can negatively affect freedom of the media and expression. Such an excessive measure must be restricted to instances of intentional and dangerous incitement to violence. I said that any restriction and suppression of controversial and differing views on historical events, even if based on law, could eventually affect freedom of the media.

On 14 October the Vilnius Administrative Court upheld the Commission’s decision.

On **18 October** I responded to Radvilė Morkūnaitė-Mikulėnienė, a Member of the European Parliament, who earlier expressed her concerns over my statement. I noted that I am very much aware that historical debates can be very sensitive and painful and I have full understanding and respect for Lithuanian society. However, as someone who is mandated by all 57 OSCE participating States, including Lithuania, to promote and protect freedom of expression and media pluralism, I cannot support suspending or banning broadcasts.

On **15 November** I wrote to Foreign Minister Linas Linkevičius expressing my concern about reports on the Special Investigation Service summoning and interrogating reporters of

Baltic News Service, one of the largest news agencies in Lithuania, to disclose their confidential sources.

The investigation reportedly was launched after publication of a BNS article on 31 October about a warning issued by the State Security Department on a negative publicity campaign planned against Lithuanian leaders, which the agency received from confidential sources.

I expressed hope these investigation methods will be carefully reconsidered, as this attempt might have a chilling effect on journalism.

I welcomed the fact that President Dalia Grybauskaitė and Speaker of the Seimas Loreta Grauziniene also expressed concern over the developments around BNS, and the President proposed amendments to legislation that would provide additional protection for journalists and their sources.

The former Yugoslav Republic of Macedonia

On **28 June** I wrote to Minister of Foreign Affairs Nikola Poposki to express my concern about the decision of the Skopje Criminal Court to extend the detention of journalist Tomislav Kezarovski for an additional 30 days because he may be a flight risk and he may influence other witnesses in an ongoing murder case he wrote about in 2008 for Reporter 92 magazine.

On **8 July** I provided Minister Poposki and Minister of Information Society and Administration Ivo Ivanovski with a second comprehensive legal review of the draft Laws on Media and Audiovisual Media Services based on a revised version of the draft. I welcomed the greater engagement of civil society during the consultation period and referred to some remaining issues addressed in the legal review.

(See Legal reviews)

On **10 July** I held a full-day meeting in Vienna with Minister Ivanovski and the expert working group on the law. All provisions highlighted as problematic in a recent legal review commissioned by my Office were discussed. I am pleased that we were able to spend this amount of time on the issue and I appreciate the co-operation shown by the authorities on this matter.

On **18 July** at the request of the authorities a third legal review commissioned by my Office was provided on the third version of the draft Laws on Media and Audiovisual Media Services. In the letter and a public statement issued on **22 July** I noted that although the law had overall improved, and despite many efforts and positive steps toward harmonizing the law with EU and international standards, as well as OSCE commitments on media freedom, problematic provisions remained. My Office stands ready to continue supporting the authorities.

On **25 July** I issued a public statement condemning the continued pre-trial detention of Tomislav Kezarovski for another 30 days.

Upon invitation of Minister Ivanovski, on 13 August my Office participated in public consultations on the draft Laws on Media and Audiovisual Media Services organized in Skopje by the Ministry of Information Society and Administration.

On **29 August** I wrote to Prime Minister Nikola Gruevski raising concern over another court decision to continue the detention period of Kezarovski for another 30 days and indicating that it was unacceptable. I asked for permission to visit Kezarovski in detention. I also urged the authorities to do their utmost to ensure that he be set free pending trial.

On the same day, I issued a public statement together with Frank La Rue, UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, on the same issue.

On 2 September I received a letter from Prime Minister Gruevski in response to my letter of 29 August. I was informed that the principle of separation of powers does not allow the executive branch to intervene in and overturn court decisions. I was also denied assistance to accommodate my request to visit Kezarovski in detention because such visits are strictly regulated by the Law on Criminal Procedure.

On **5 September** I wrote to Minister Ivanovski once again to reiterate a number of remaining concerns about the draft laws on Media and Audiovisual Media Services, including inconsistent terminology and the fact that the question who is a journalist is subject to a statutory definition.

On **27 September** I wrote to Minister of Justice Blerim Bexheti to reiterate my official request to visit Kezarovski in the detention center, within the scope of the Law on Criminal Procedure, as indicated by Prime Minister Gruevski.

On **21 October** I issued a public statement in reaction to the sentencing of Kezarovski to four and a half years in prison. Kezarovski has been in detention since 28 May and is the only journalist in detention in South East Europe. I reiterated my call to the authorities for Kezarovski's release; and also reminded them of my official request to visit him in the detention center where he is held.

I was pleased to note that on 8 November Kezarovski was released from the detention center and is under house arrest pending the outcome of his appeal.

Moldova

On **14 October** I issued a public statement welcoming a decision of the Parliament to amend the Code on Administrative Offences lifting sanctions on the dissemination of information on "non-traditional family relations." I commend the Parliament for the step it has taken. This action will allow for an inclusive discussion on this topic without restrictions on any group. It will contribute to freedom of expression and media freedom.

The right to express opinions is a universal and basic human right and as such it must be upheld and protected. I hope that this will serve as a good example for other OSCE participating States.

Montenegro

On **12 August** I wrote to Deputy Prime Minister and Minister of Foreign Affairs and European Integration Igor Lukšić and Minister of the Interior Raško Konjević to express my great concern about another attack on journalist Tufik Softić of the daily newspaper Vijesti and the weekly Monitor. In the letter and a public statement of the same day, I asked for further information on this incident and also conveyed my concern that many other attacks on journalists have still not been resolved. I urged the authorities to immediately provide Softić with appropriate protection to ensure his safety and to launch a thorough investigation into this and other pending cases.

On 1 October I received a reply from Minister Lukšić assuring me that the police directorate has taken specific actions to bring the culprits to justice and that the government condemns all such attacks against journalists as unlawful and undemocratic.

On **14 November** I wrote to Deputy Prime Minister Lukšić and Minister Konjević raising concern once again about the safety of journalists in Montenegro, specifically regarding two further attacks on journalists and the property of the daily newspaper Vijesti. I reminded the authorities that such developments represent a clear assault on free expression and, if the incidents are not swiftly condemned and investigated, would create a chilling effect on media and lead to self-censorship.

Russian Federation

On **26 June** I issued a public statement voicing my concern over the initiative of the State Duma to criminalize speech which negatively portrays the role of the Soviet Army in World War II.

I called on the authorities to carefully review the proposed changes as they go beyond the mere banning of the glorification of Nazism. I indicated that in practice the law might be used to suppress political and critical speech on issues of history which could affect freedom of the media. I emphasized that laws criminalizing speech should avoid vague language and should be restricted to instances of intentional and dangerous incitement to violence. The public has the right to be informed about differing views of history even if it is painful or provocative.

I also voiced concern over a law banning the promotion among minors of “non-traditional sexual behavior” as well as another banning speech harming the religious feelings of believers through media, both of which went into effect on 30 June.

On **3 July** I issued a public statement commemorating the 10th anniversary of the death of prominent Russian investigative journalist Yuri Shchekochikhin. I indicated that my Office closely follows the work of the Investigative Committee and acknowledges the progress made, especially in the case of the murder of Anna Politkovskaya, but much more needs to be done.

On **3 July** the Information and Press Department of the Ministry of Foreign Affairs issued a statement saying “We are in puzzle when we perceive the aspiration of Ms Mijatović to interfere, especially in public, with the law making process in Russia, which is effected in accordance with democratic standards and the principle of separation of powers. We view these actions as incorrect and outside the mandate of the Representative.”

On **9 July** I wrote to Sergey Lavrov, Minister of Foreign Affairs, regarding the above-mentioned statement. I indicated that I issued the press release strictly in accordance with my mandate which states the Representative should “observe relevant media developments in all participating States,” and exercise an “early warning function” with regard to legislative initiatives that may affect media freedom in a positive or negative way.

On 9 July the Constitutional Court of the Russian Federation adopted a Resolution concerning the constitutionality of several paragraphs of Article 152 (Defamation) of the Russian Civil Code. The case was raised by a citizen who complained that the Civil Code does not oblige the Internet service providers (ISPs) to remove defamatory statements made by third parties.

The Constitutional Court noted with concern that in cases like this the plaintiff can only obtain a court decision on the defamatory and untrue nature of information disseminated online and has no other means to protect his honour and dignity or privacy, as would be available in the case of defamation offline.

On **9 July** I issued a public statement condemning the murder of journalist Akhmednabi Akhmednabiyev in Dagestan. Akhmednabiyev, the deputy editor-in-chief of Novoe delo newspaper and a contributor to the online media outlet Kavkazkij uzal, was gunned down by unknown assailants outside his home. I welcomed the fact that the investigation into the murder had been started.

On **26 September** I wrote to Alexander Bastrykin, Chairman of the Investigative Committee, and issued a public statement expressing my concern about the arrest of photojournalist Denis Sinyakov on piracy charges brought by the Investigative Committee. Sinyakov was detained on 18 September while covering a Greenpeace action at the Prirazlomnaya oil platform in the Barents Sea.

On **27 September** I followed with another public statement to call on the Russian authorities to release UK freelance videographer Kieron Bryan, who also was arrested while covering the same event.

On **30 September** I wrote to the authorities asking for additional information about the refusal to renew a visa for Dutch photojournalist Rob Hornstra and expressed hope that his case would be reviewed.

On 9 October I received response from the authorities informing me that Sinyakov was “arrested along with other Greenpeace activists on legal grounds for taking part in the attack on the mooring oil rig Prirazlomnaya.” I was assured that an impartial investigation of the incident was being conducted.

With full respect for the need for security forces to ensure safety at the oil rig, Sinyakov and Bryan were not taking part in the Greenpeace actions, but were only covering the events as journalists. I noted that on 18 November the Kalininskiy District Court in Saint Petersburg released Sinyakov and Bryan on bail. I hope that the charges will be dropped.

On **22 October** I issued a public statement condemning a fiery attack on the editorial office of the Moskovskiy komsomolets newspaper in Moscow which resulted in several people

requiring medical assistance. I asked for a swift and thorough investigation and to ensure the safety of media.

On **24 October** I issued a public statement condemning an attack on journalist Sergei Reznik in Rostov-on-Don. Reznik, a well-known investigative journalist and blogger, was attacked by two assailants on the evening of 22 October and suffered serious injuries. I asked the authorities to conduct a thorough and swift investigation of this case and bring those responsible to justice.

On **28 October** I wrote to Alexander Zharov, the Head of the Federal Service for Supervision in the Sphere of Telecom, Information Technologies and Mass Communications (Roskomnadzor), to express concern regarding developments around Rosbalt Information Agency, one of the biggest online news portals in Russia. On 23 October, Roskomnadzor filed a complaint in Moscow City Court requesting to invalidate the Rosbalt's certificate of registration after warnings sent to Rosbalt for violation of the law on mass media and posting materials that allegedly contain obscene language. The materials in focus constitute a third-party content, videos posted on the YouTube video-sharing portal. Upon becoming aware of Roskomnadzor's warnings, Rosbalt deleted these videos from its website.

I learned that a Moscow City Court ruled against Rosbalt on 31 October.

On **31 October** I wrote to the authorities asking for additional information on the attacks on Maksim Novikov, a well-known independent journalist in Tverskaya oblast, and Tayir Achitayev, a correspondent for the newspaper Komsomolskaya pravda in Khakassia. I expressed hope that these and other cases of violence would be thoroughly investigated and urged the authorities to do their utmost to bring assailants to justice.

I noted that my Office stands ready to support the Russian Federation with all means available to prevent violence against and ensure the safety of journalists.

On **4 November** I issued a public statement criticizing the court decision to strip Rosbalt of registration. I called this decision an excessive measure and I urged the Russian authorities to carefully reconsider the application of media law from the point of view of proportionality.

Serbia

On the occasion of a Council of Europe conference, I visited Serbia on **6-8 November**. I discussed implementation of the media strategy and the prompt adoption of key media laws with Prime Minister Ivica Dačić and Minister of Culture Ivan Tasovac. The main focus of the meetings was the laws on public information, public broadcasting and electronic media and that they should be in line with international standards and OSCE commitments. I also welcomed the government's support and the establishment of a national commission for investigation into the murders of journalists, stressing that there must be no impunity for crimes committed against the media. I hope that the efforts of the Commission will contribute to successful prosecution of those involved in these crimes.

My Office also supports a public information campaign, organized by the Commission, to end impunity for crimes against journalists.

Spain

On **13 September** I issued a public statement expressing my dissatisfaction that the draft law on transparency, access to information and good governance would, in fact, restrict access to information. The law is the first of this kind in Spain.

Last year I corresponded with Secretary of State for the Relations with the Parliament, Jose Luis Ayllón, regarding the legal review I commissioned in April 2012 on the modified draft law, emphasizing that the law does not meet international standards and would obstruct journalists from carrying out their role as watchdogs *vis à vis* the executive authorities.

I have learned that the Senate passed the law earlier this week without amendments and the bill will go to Congress in its current form.

Switzerland

On **12 September** I issued a public statement welcoming a court decision calling for an end to the investigation of journalist Ludovic Rocchi. The decision came following the actions of a Swiss prosecutor in seizing source material and searching the home of Rocchi, a journalist for the newspaper *Le Matin*. My Office has learned that there has been an appeal and the Federal Court will reopen and examine the case. I will continue to follow the case.

Tajikistan

On **3 July** I wrote to Hamrokhon Zarifi, Minister of Foreign Affairs, asking for more information on the 26 June detention of Mahmadyusuf Ismoilov, a journalist in the Asht district.

On **5 November** in a letter to Minister Zarifi, I raised the issue of the excessive sentence handed down to Ismoilov. On 28 October he was sentenced to 11 years in a high-security prison by a district court on charges of “extortion” and “fraud causing significant harm to a citizen by a person using his official position.”

I am worried about Ismoilov’s condition. He was subjected to criminal prosecution by the authorities before. In 2010 he was arrested and convicted in 2011 on several charges including criminal libel and insult of public officials, extortion and incitement of “regional hatred.” I personally intervened with the authorities several times in this matter and was pleased that he was later partially amnestied and set free.

Turkey

On **17 June** in a public statement I warned that the recent detentions and intimidation of journalists endanger the right to free expression in Turkey. At the time of the statement, approximately 20 journalists had been injured, some seriously, while reporting about the wide-scale protests in the country. Numerous Turkish and international media members had been briefly detained, some reportedly beaten or injured for doing their work.

I urged a swift and transparent investigation into the cases of social media users who were detained then released, emphasizing that steps to restrict communications should only take place if there was a direct incitement to violence. I said that political messages, including those critical of the government, must not only be tolerated but protected by the authorities.

I also noted with concern the fines assessed against four television channels, Ulusal TV, Halk TV, Ce TV and EM TV, by the Radio and Television Supreme Council on 11 June for incitement to violence and violating broadcast principles.

On **28 June** I wrote to Foreign Minister Ahmet Davutoglu, expressing concern about the high number of social media users detained during the protests and asking for information about the status of investigations initiated. More than four dozen Twitter and Facebook users were reportedly detained in various regions of Turkey and faced possible prosecution for alleged misinformation about the protests.

I noted the information I received from the authorities on 12 June, saying that no one was being prosecuted for messages sent on social media and that those detained faced charges relating to physical violence as seen on CCTV footage and by police eyewitnesses.

I asked for information on a reported study launched by the government on 17 June on social media users and on a draft by the Justice Ministry in relation to social media. I offered my Office's assistance in case legislation was being considered that could affect media freedom.

On **19 July** I issued a public statement expressing concern about the prison sentence handed down to journalist Ahmet Altan for insulting the Prime Minister in an article. I emphasized that public figures are automatically the focus of public attention and must not only tolerate but protect the right of the citizens to criticize them, in order to ensure that pluralistic debates can thrive.

On 18 July Altan, former editor-in-chief of the newspaper Taraf, was sentenced to 11 months and 20 days in prison; the court commuted the prison term to a fine of 7,000 liras. I expressed hope that during the appeals procedure the court would take into account the right to free expression and the indispensable role that journalists play in informing the public.

On **5 August** I issued a public statement expressing alarm about the convictions and sentences handed down to dozens of journalists and writers in Turkey, which were of unprecedented length and severity in the OSCE region.

The media members were sentenced for being members of or for aiding an alleged terrorist organization called Ergenekon, in the context of a larger trial. The sentences ranged from six years to solitary confinement for life. Among those convicted, journalist Tuncay Özkan was sentenced to life in a solitary cell, Mustafa Balbay, Hikmet Çiçek, Mehmet Haberal, Yalçın Küçük, Turhan Özlu, Ergün Poyraz and Deniz Yildirim are also among the journalists who were convicted.

I warned that the damage of the verdicts to free expression and media freedom was immeasurable and reiterated my call to the authorities for fundamental legislative reforms to improve media freedom and carry out a transparent and swift trial for all imprisoned journalists.

On **12 September** I issued a public statement indicating that the authorities must ensure that police violence against journalists be stopped. Several journalists reportedly were attacked by police during protests on 10-11 September.

On **5 November** I issued a public statement expressing alarm over the latest life sentences handed down to journalists and urged for the reform of the Anti-Terror Law. That morning, journalists Füsün Erdoğan, Bayram Namaz, and İbrahim Çiçek were sentenced to life and Sedat Şenoğlu was given 7 and a half years in prison. They were charged as senior members of a Marxist organization banned under the Anti-Terror Law.

I warned that sentencing journalists to life imprisonment for their work will further deteriorate media freedom. I emphasized the legitimate right of governments to fight terrorism but, at the same time, I noted that the fight against terrorism should not be misused to silence provocative or opposing voices. I recalled that the Anti-Terror Law has systematically been used to silence critical voices. Together with the Criminal Code, the law allows for the arrest, detention and sentencing of journalists on terrorism charges for doing their legitimate work.

I repeated my call for the immediate and fundamental reform of these laws in order to ensure that they will no longer be used to suppress critical views.

I trust that our dialogue and constructive co-operation with the authorities will continue as we seek to address the issues of concern.

Turkmenistan

My Office continues to support the reform of online media legislation as reflected in the upcoming roundtable in Ashgabat. I hope that our joint efforts will lead to a better media-freedom environment.

(See Visits and participation in events)

Ukraine

On **12 July** I issued a public statement welcoming a decision by the Verkhovna Rada to adopt, in a first reading, a law on public television and radio. I emphasized the indispensable role of public media in ensuring pluralism and the free flow of information.

I expressed hope that discussions about the draft law will include opposition parties and civil society organizations and that their recommendations will be considered before final adoption. I encouraged the authorities to create a broadcasting structure with guaranteed editorial autonomy and sustainable financing, giving it independence from both political and commercial interests.

In the same statement, I also welcomed a decision on 4 July by the Verkhovna Rada to adopt a law that provides for transparency of media ownership, as it is of paramount importance to avoid abuse of media power and to ensure a pluralistic media environment.

On **16 July** I wrote to the authorities conveying my concern regarding the denial of entry for Yuriy Barabash on 15 July. Barabash is a Russian photojournalist who has been working in Ukraine for several years. I expressed hope that the authorities would reconsider this decision and allow the journalist to continue his work.

On **23 July** I issued a public statement condemning two attacks on journalists. On 21 July Oleg Bogdanov, a journalist with Internet newspaper Dorozhnyi kontrol, was attacked by two people near his house in Donetsk. He suffered serious injuries. On 18 July several journalists of 5 Kanal TV were reportedly attacked by police and suffered injuries while covering a demonstration in the centre of Kyiv, in spite of having presented their press cards. I welcomed the fact that the Interagency Working Group on analysis of Compliance with the Legislation on Freedom of Speech and Protection of Journalists is overseeing the investigation of both incidents.

On **30 July** I wrote to Daria Chepak, Press Secretary of the President of Ukraine and Head of the Interagency Working Group on analysis of Compliance with the Legislation on Freedom of Speech and Protection of Journalists, bringing to her attention an attack on Sergey Ostapenko, an investigative journalist with the Lugansk-based TV channel IRTA, which took place on 29 July. According to media reports, Ostapenko was attacked near his house by two assailants and was severely injured.

On **12 August** I wrote to Volodymyr Manzhosov, Chairman of the National Television and Radio Broadcasting Council of Ukraine, asking for information on the developments regarding the Chernivtsi Regional TVA Channel, which halted broadcasting on 23 July due to a fire that damaged its equipment. I had been informed that members of Chernivtsi Regional Rada brought the TVA case to its attention, requesting to consider the possibility of announcing a tender on the TVA's broadcasting frequency or transferring it to the regional state-owned television channel.

On **3 September** I presented a legal review to the Ukrainian authorities of a proposed law on public service broadcasting. I wrote to Chairman of the Verkhovna Rada Volodymyr Rybak noting the positive basic provisions, but also indicating some weaknesses of the draft law. My Office suggested reviewing the document, as it does not seem to take into account best practices in the OSCE region.

The letter was followed by a public statement on **9 September**.

(See Legal reviews)

On 9 October I received a reply to my letter of 16 July concerning the denial of an entry visa for photojournalist Yuriy Barabash. The authorities indicated Barabash was denied entry because he had engaged in illegal activities.

On **23 October** I wrote to Press Secretary Chepak bringing to her attention an attack on two journalists with the ATV channel and one journalist with Inter TV channel in Odessa. Reportedly, the journalists were attacked by law enforcement officers while covering the public unrest near a regional police department. I welcomed the fact that the Working Group swiftly reacted to this incident and would oversee the course of the investigation. I asked the Press Secretary to keep me updated on the course of the investigation on this case, as well as on the previous cases of attacks on journalists.

On 19 November I received a reply from the authorities regarding the cases mentioned above.

Regarding the attacks on Oleg Bogdanov and journalists from 5 Kanal TV, I was informed that investigations are in progress and the case of Bogdanov is being overseen by the Ministry of Interior.

In the case of Sergey Ostapenko, I was told that an investigation into the matter disclosed that the attack was not related to his professional activities.

I was also pleased to be told that on 14 August TVA resumed its broadcasts and the short-term interruption was caused by technical problems.

United Kingdom

On **23 July** I issued a public statement indicating that proposals by Prime Minister David Cameron to impose default Internet filtering for adult and sensitive subjects is ineffective and subject to abuse.

I said that governments have the responsibility to protect children and minors. There are many ways to do this, including through the criminal justice system, through education and Internet literacy.

On **19 August** I wrote to the authorities to express concern about the detention, questioning and seizure of equipment of David Miranda, a partner of columnist Glenn Greenwald. I said that his detention could be interpreted as pressure on Greenwald due to his reporting.

I indicated that the fight against terrorism is a sensitive issue, but it must not be abused to hinder the work of journalists.

On **28 August** I wrote to Prime Minister David Cameron and the next day issued a public statement to express concern about events related to the Guardian newspaper.

According to media reports, government officials demanded that Guardian staff destroy electronics in their possession upon threat of legal action.

I said that it is difficult to fathom that civil servants acting under political instructions would threaten the editor of a major newspaper in the UK with this penalty.

I also again raised the issue of the treatment of Miranda. I repeated my call that the fight against terrorism must not be used to hinder the work of journalists.

On 12 September I received a reply to my letter of 28 August from Home Secretary Theresa May. She indicated that a pending lawsuit by Miranda limited her ability to comment on his case. She also stated that data recovered by police from Miranda's equipment contained more than 58,000 highly classified UK intelligence documents and that to date none of the information has identified a journalist source or contained any items prepared by a journalist with a view to publication. She wrote that she refuted any suggestion that his detention was an attempt to intimidate journalism.

The Home Secretary also said that the terrorism legislation under which Miranda was detained is lawful and complies with European Convention rights and international obligations.

On **30 October** I issued a public statement commenting on the issuance of a Royal Charter that established a press regulatory body. I said that politicians should not tell journalists how they should act and that self-regulation, not government-influenced regulation, is the best way to deal with ethical issues.

On 4 November I received a letter from the authorities responding to the public statement. It indicated that the Royal Charter does not represent statutory regulation of the press and that newspapers were free to be part of or choose not to be part of the regulatory system. The authorities also indicated the new system does not change activities of newspapers and they would remain free to investigate and report as they see fit.

United States

On 24 June I received a reply to my letter of 28 May from Senator Benjamin Cardin, Chairman of the U.S. Helsinki Commission. I wrote to the Senator urging Congress to pass a federal shield law to protect journalists and their sources in light of recent subpoenas issued to reporters for the production of confidential information. Cardin responded by indicating the Justice Department would review guidelines for the issuance of subpoenas and that he would take the OSCE's position on a shield law under consideration when formulating an opinion.

On **19 June** I wrote to the authorities to express concern about reporter Tim Funk who was arrested and charged with trespassing by police in North Carolina while reporting on a demonstration taking place in the State Capitol building.

I was pleased to learn that charges against Funk were dropped later in the summer.

On **11 July** I wrote to the authorities to enquire about the automobile accident that caused the death of Michael Hastings, a prominent investigative reporter and asked for more information on the case when it was available.

On **23 July** I wrote to U.S. Attorney General Eric Holder and issued a public statement expressing concern about continued attempts by the U.S. Department of Justice to force New York Times reporter James Risen to disclose his confidential sources as a witness in a criminal espionage trial. I said that the move goes against recently published Justice Department guidelines that see forcing testimony from a reporter as "an extraordinary measure... and to utilize such tools only as a last resort."

I once again called on the Congress to pass a shield law that would protect reporters and their sources.

On **28 August** I issued a public statement saying I was concerned that the Justice Department asked a federal appeals court to affirm a ruling requiring Times reporter Risen to testify in the espionage trial. I once again said the action runs counter to Justice Department guidelines on calling journalists as witnesses and compelling the disclosure of confidential sources.

On **3 October** I wrote to the authorities requesting additional information about the refusal to allow Bulgarian-German author Ilija Troyanov to travel to the United States. Troyanov was

not allowed to board a flight from Brazil to Miami. I said that I hoped his denial of entry was not connected to his writing.

On **18 October** I wrote to the authorities asking for additional information about the prolonged pretrial detention of freelance journalist Barrett Brown. Brown has spent more than a year in federal prison awaiting trial on various charges.

On 18 October I received a reply from the authorities to my letter of 3 October regarding Troyanov. I was told that “Privacy regulations prohibit U.S. Customs and Border Protection personnel from providing information on individual travellers.” I also was told that the exercise of free expression is not a ground of inadmissibility under U.S. law.

On **22 November** I issued a public statement expressing concern about restrictions placed on photojournalists covering White House events. I said I supported an appeal by 38 news organizations which petitioned the president’s press secretary to remove the restrictions. To arbitrarily deny photojournalists the right to cover events strikes at the heart of the public’s right to know.

Uzbekistan

On **23 September** I wrote to Foreign Minister Abdulaziz Kamilov and issued a public statement expressing concern about the disappearance of Sergej Naumov, an independent journalist and contributor to fergana.ru and the Institute for War and Peace Reporting and a winner of several awards.

I asked the authorities to provide information on the location of Naumov and the disturbing circumstances of his disappearance.

On 22 September Naumov was sentenced to 12 days in prison on charges of hooliganism.

On 14 October my Office received information from the authorities confirming the conviction and assuring me that there was no misconduct toward Naumov on the part of law enforcement officers or the court.

I will continue to follow his case and hope that he will be able to continue his important work without interference.

On **17 October** I appealed to President Islam Karimov to reconsider the case on humanitarian grounds of 62-year-old Solijon Abdurakhmanov, a journalist who has served five years of a 10-year prison term and recently had to be hospitalized.

In my letter I also once again asked the President to pardon two additional imprisoned journalists, Dilmurod Saiid and Hairullo Khamidov, who are also serving long sentences.

On **5 November** I issued a public statement calling for the immediate release of Abdurakhmonov. I have received worrying information that, despite his deteriorating health, he has been placed in solitary confinement and his relatives were denied a scheduled visit and not allowed to bring him essential medication.

On 12 November I received a response regarding Abdurakhmonov. I was disappointed to learn that the authorities believe there are no grounds to review the sentence and release Abdurakhmonov.

In the response the authorities also indicated their willingness for a dialogue on media freedom issues, which I appreciate.

Projects and activities since the last report

Legal reviews

Belarus

On **2 September** I presented to the authorities a legal review commissioned by my Office regarding the proposed amendments to the law On information, information technologies and protection of information prepared by Dmitry Golovanov, a well-known media law expert from Russia.

The analysis indicates that the draft law improves the transparency and accountability of government institutions and establishes prerequisites for adequate legal protection of personal data of citizens.

However, the review also notes that the draft law does not reflect the principle of maximum disclosure of information and contains provisions that might result in arbitrary and unjustified restrictions on disclosure in practice.

The expert offers a number of recommendations to improve the draft law. The full text of the legal review is available in Russian at <http://www.osce.org/ru/fom/104709>.

On **8 November** I presented to the authorities a review commissioned by my Office regarding the Decree of the President of the Republic of Belarus “On introduction of amendments and changes to some Decrees of the President of the Republic of Belarus” of 7 October 2013.

The review positively notes the proposed regulation on licensing of the broadcast media, which establishes an ordered system of regulation with regards to circulation of information. However, it also states that the proposed amendments introduce disproportionate restrictions on citizens’ rights to freedom of expression and information.

This in particular applies to the licensing procedure of printing activities, as well as to certain aspects of the licensing of broadcast media, which substantially limits the rights of licensees.

The review indicates that the legislation should ensure sufficient guarantees for freedom of expression and dissemination of information in the broadcasting field and should abandon the licensing requirements for printing activities.

It also offers a number of other recommendations that would improve the regulation of broadcasting and printing activities in the country. This would ensure the compliance of the legislation with the OSCE media freedom commitments and international standards.

The legal review is available in Russian at: <http://www.osce.org/fom/108133>.

Bosnia and Herzegovina

On **23 October** I presented to the authorities a comprehensive legal review of the draft Law on Electronic Communications, commissioned by my Office and prepared by Professor Katrin Nyman-Metcalf, a well-known international expert in communications law.

In the letter and in a public statement the following day, I raised particular concern about the risk of reducing the independence of the regulatory agency if the law is not amended to accommodate the recommendations of this review.

The main concerns addressed in the review relate to the tasks of the Council of Ministers. They need to be more strictly defined in order to avoid the risk of reducing the independence of the regulator. The independence of the regulator is also affected by the rules regarding dismissal of council members and the director. Therefore these rules should be more clearly defined in the law.

As this law would replace the Law on Communications, it is important that audiovisual matters are safeguarded and preserved, and that relevant legislation is harmonized with this law in order to enable the regulator's continued functionality. Inconsistencies between the two laws could have a negative impact on the media environment.

Key recommendations in the review are as follows:

- Independent regulators play a key role in ensuring media pluralism and media freedom in any country. Therefore it is essential to safeguard and strengthen their independence.
- The tasks of the Council of Ministers need to be more strictly defined in order to avoid the risk of reducing the independence of the Regulatory Agency.
- The independence of the Agency is also affected by the rules regarding dismissal of council members and the director of the Agency. Therefore these rules should be more clearly defined in the Law.
- As this law replaces the Law on Communications, it is important that audiovisual matters are safeguarded and preserved, and that relevant legislation is harmonized with this law to enable the regulator's continued functionality. Inconsistencies between the two laws could have a negative impact on the media environment.

The legal review is available in English at: <http://www.osce.org/fom/94107>; in Bosnian at <http://www.osce.org/fom/94108>; in Croatian at <http://www.osce.org/fom/94109> and in Serbian at <http://www.osce.org/fom/94110>.

Italy

On **11 November** I presented to the authorities a legal review of the draft amendments to the Law No. 925 on defamation in Italy. The analysis was commissioned by my Office and prepared by Boyko Boev, Senior Legal Officer of Article 19 and a well-known international expert on defamation.

The purpose of the analysis was to offer support and expertise in order to ensure that the proposed legislation is in line with OSCE commitments and international standards on defamation as well as the further development of media freedom in Italy.

Here are some of the main concerns expressed in the analysis:

- The Senate should consider carefully the calls and arguments of international bodies for decriminalization of defamation and abolish criminal defamation in its entirety. Criminal defamation is retained the fines for defamation should be reduced and the set minimum should be removed.
- The prohibition of journalists from exercising their profession should be abolished as it is incompatible with international standards.
- The period for filing a defamation suit should be no more than one year from the date of publication.
- The Defamation Law should set out that the overriding goal of providing a remedy for defamatory statements is to redress the harm done to the reputation of the plaintiff, not to punish those responsible for the dissemination of the statement.
- A ceiling on the compensation awards should be fixed.
- The criminal liability for insult of the President, and defamation of the Republic, the constitutional institutions, armed forces and the Italian nation should be repealed.

At the same occasion, I welcomed the efforts by the Italian authorities in abolishing prison sanctions for insult and defamation.

The legal review is available in English at: <http://www.osce.org/fom/108108> and in Italian at <http://www.osce.org/fom/108248>.

Kazakhstan

On **22 August** in a letter to the Chairman of the Committee on Legislation and Judicial and Legal Reform of the Majilis, Rakhmet Mukashev, I presented to the authorities a legal review of proposed amendments to the Criminal Code and the Administrative Code. The legal review was commissioned by my Office and carried out by Dmitry Golovanov, a well-known media law expert from Russia.

The review found that the proposed amendments to the Criminal Code would better protect the rights and legitimate interests of the media making "interference with the lawful professional activities of journalists" a criminal offense. Golovanov also indicated that proposed amendments to the Administrative Code eliminate many reasons for the application of administrative sanctions which currently infringe on media freedom.

The expert stated, however, that proposed amendments to both codes still would permit the application of disproportionate sanctions in a number of cases. For example,

- The amendments fail to take into account the media's role in representing the public's interest; they also contain problematic language regarding extremism.
- The amendments also introduce criminal liability for publishing or assisting in the publication of extremist materials and administrative liability for the failure to fill quotas on media content in the official state language.
- The amendments allow for the suspension or even halting the activities of mass media in cases of insignificant or technical offences that do not infringe directly upon rights and interests of a person or the public in general.

The analysis shows that the proposed amendments reflect an ambiguous policy. While the Criminal Code contains positive changes regarding the protection of professional journalism as an institution, it still also contains and even raises sanctions that have the effect of limiting free expression.

Instead of decriminalizing defamation, the amendments actually provide for tougher sanctions in defamation cases.

The reviews offer a number of recommendations that would improve the draft law. The reviews are available in Russian at: <http://www.osce.org/ru/fom/104489>.

The former Yugoslav Republic of Macedonia

On **8 July** I presented to the authorities a second comprehensive legal review, commissioned by my Office and prepared by Professor Katrin Nyman-Metcalf, a well-known international expert in communications law, on the draft Laws on Media and Audiovisual Media Services based on a revised version of the draft. I welcomed the greater engagement of civil society during the consultation period and referred to some remaining issues addressed in the legal review. However, among some other remaining issues the legal review proposed the following recommendations:

- A general comment of the review is that although several improvements have been made, many concerns remained. The way the amendments have been made is one of detailed and often small amendments, when a complete overhaul of the Law – resulting in a new Law that would be much shorter and differently structured – would have been better.
- Drafting a law focused on audiovisual media services only and following in most cases the provisions in the Audiovisual Media Services Directive, as relevant for the former Yugoslav Republic of Macedonia, would have been a better strategy.

The draft Law still states obvious principles of democratic rule of law societies and micro-manages media in some cases or contains detail that should be better included in secondary legal acts.

The Law should be drafted so that what is not prohibited is self-evidently permitted. This includes the right of journalists to express their opinion, which has not been changed as well as the idea of self-regulation.

The legal review is available at: <http://www.osce.org/fom/103488>.

On **18 July** I shared with the authorities a third legal review, commissioned by my Office and prepared by Professor Katrin Nyman-Metcalf, a well-known international expert in communications law, on a third version of the draft Laws on Media and Audiovisual Media Services.

Some of the main comments in this third legal review were as follows:

- One of the previous comments was that the draft law was long and complex and by having all matters in one law, it gave an impression that all media were dealt with in the same manner, even if there should be different rules for different types of media. From this viewpoint the division into separate laws is positive. However, it is still essential to ensure that print and electronic media are not overly regulated, as the reasons that exist for regulation of audiovisual media do not apply to other forms of media.
- The Media Law is short, whereas the Audiovisual Law is still rather long. It was explained in the meeting that in the national legal framework, matters need to be in law that in some countries can be in secondary legal acts, which explains the length of the law. In any case, each country has its own legislative style and there is no uniform international standard, so this matter must be made in the way suitable for the country.
- In general, many concerns have been taken into consideration and improvements made. Even if the basis for the analysis is further explained in the first report, as mentioned, it may be repeated here that many comments made are recommendations based on best international practice rather than binding obligations, which means that there is flexibility in exactly how to interpret such standards as best suits the country in question. This report highlights where there is still room for improvement or where additional question marks arise.

The review is available at: <http://www.osce.org/fom/103791>.

Ukraine

On **3 September** I presented to the authorities a legal review of the proposed law on public service broadcasting, which was prepared by the Director of my Office, Professor Andrey Rikhter, an expert on media law.

The review notes positive basic provisions of the proposed act, including the principles and tasks of the future National Public Television and Radio Company of Ukraine (NSTU) and its licensing procedures, which will help establish legal and institutional frameworks to protect the independence and accountability of public service broadcasting.

However, the review also indicates that the draft law does not exclude a dangerous possibility of parallel state and public broadcasting, which would contradict European standards of freedom of expression and freedom of the media.

The draft law also envisions dependence on the Cabinet of Ministers, which impinges on its independence from the government.

The expert suggests reviewing the whole system of financing the future broadcaster, as the proposed mechanisms do not seem to take into account best practices in the OSCE region.

The expert offers a number of recommendations aimed at improving the draft legislation. The full text of the legal review is available in Russian at: <http://www.osce.org/fom/104652>.

Visits and participation in events

On **13 June** my Office participated in a conference in **Sarajevo** on challenges and achievements in the implementation of the Law on freedom of access to information in Bosnia and Herzegovina co-organized by the OSCE Mission and the Institution of the Human Rights Ombudsman.

On **17-18 June** I attended the third Freedom Online Coalition conference in **Tunis** and participated as a panelist in the workshop *Cyber Security and Human Rights*.

On **20 June** I addressed the Speak Up!2 conference in **Brussels**, organized by the Commissioner for Enlargement and European Neighbourhood Policy, on freedom of expression and media in the Western Balkans and Turkey.

On **26-28 June** I visited **Bishkek** which hosted the 15th Central Asia Media Conference. I was pleased to have the opportunity to share views on the media situation in the country with President Almaz Atambaev and Prime Minister Jantoro Satybaldiev. I also met Deputy Foreign Minister Erines Otorbaev, Parliamentarian Natalia Nikitenko as well as a number of journalists and representatives of civil society.

On **8-9 July** my Office took part in the 2013 Eastern Europe Regional Heads of OSCE Field Operations Meeting in **Chisinau**.

On **8 July** the Director of my Office delivered a lecture at the **Budapest** Summer School on the role of civil society in advocating for a free Internet. The school is organized by the Center for Media and Communication Studies at the Central European University, the Center for Global Communication Studies at the Annenberg School for Communication at the University of Pennsylvania and the Center for Democracy and Technology.

On **24 July** I addressed by video conferencing, participants of the Second Freedom for Journalists Congress in **Istanbul**, organized by the Turkish Journalists' Association, on the current media situation in Turkey.

On **13 August** my Office participated in public consultations on the draft Laws on Media and Audiovisual Media Services organized in **Skopje** by the Ministry of Information Society and Administration.

On **2 September** I gave the keynote speech at the 2nd Academy on Media Law in South East Europe in **Sarajevo** implemented under the auspices of the Regional Cooperation Council and in cooperation with my Office, OSCE field operations in South East Europe, the European Broadcasting Union, the European Association of Public Service Media in South East Europe and Article 19.

On **3-4 September** my Office participated in the Regional Meeting of Heads of OSCE Field

Operations in the South Caucasus in **Tbilisi**.

On **18-19 September** my Office participated in the conference *The Hate Factor in Political Speech – Where do Responsibilities Lie?* in **Warsaw** organized by the Council of Europe and the Polish Ministry of Administration and Digitization focusing on societal responses to populist speech and discriminatory or derogatory statements.

On **23-25 September** I attended the Human Dimension Implementation Meeting in **Warsaw**. On 25 September I introduced the working session dedicated to fundamental freedoms, including freedom of expression, free media and information and best practices for protection of journalists. On the same day I spoke at the side event titled *The role of social media as opinion-former*, convened by EMISCO, the European Muslim Initiative for Social Cohesion.

On **24 September** my Office participated in and moderated a side event in **Warsaw** titled *Understanding and implementing the obligation to prohibit incitement in the OSCE*, convened by the Center for Media and Communications Studies of Central European University and Article 19.

On **29 September-2 October** my Office participated in the 17th Festival of Journalists “All Russia” organized by the Russian Union of Journalists in **Sochi**.

On **2-3 October** my Office participated in a meeting in **Strasbourg** of the Committee of Experts on Rights of Internet Users organized by the Council of Europe.

On **2-4 October** the Director of my Office participated in the 38th annual meeting of the European Platform of Regulatory Authorities in **Vilnius**.

On **7-8 October** I attended and gave a keynote speech at the South East Europe Media Forum in **Sarajevo**, titled *Journalism in South East Europe: Monopolies, business models and the struggle for quality*, organized by SEEMO, the Central European Initiative and Konrad Adenauer Stiftung.

On **16-17 October** my Office participated in a conference entitled *Addressing online hate speech in South East Europe: The Role of Media Accountability* in **Sarajevo** organized by UNESCO.

On **21-22 October** in **Yerevan** I participated in a high-level conference on combating racism, xenophobia and intolerance in Europe, organized by the Armenian authorities and Council of Europe. Together with Nils Muižnieks, Commissioner for Human Rights of the Council of Europe, I delivered speeches at the introductory session and in the session on combating hate speech on social networks.

On **25-26 October** my Office participated in regional consultations on freedom of expression and self-regulation on the Internet in **Kotor, Montenegro**, organized by the OSCE Mission to Serbia, the Embassy of the Netherlands in Belgrade and the SHARE Foundation.

On **28-29 October** my Office participated in the 2013 OSCE Mediterranean Conference on *Enhancing the Role of Women in Public, Political and Economic Life*, in **Monaco**.

On **29 October** I spoke at an event, *My life as a diplomat*, organized by FH Wien University of Applied Sciences in **Vienna**.

On **29-30 October** my Office participated in a national conference on media development in Mongolia, held in **Ulaanbaatar** and organized by UNESCO.

On **30 October** the Director of the Office gave a guest lecture and discussed the activities of my Office, Internet freedom and the state of online media and media law in Russia today in **Philadelphia**, Pennsylvania, organized by The Center for Global Communications Studies at the Annenberg School of the University of Pennsylvania.

On **31 October** the Director of the Office gave a guest lecture on the legal regulation of online media in Russia in **New York** organized by Columbia University.

On **31 October** I attended a roundtable discussion in **Budapest** on media freedom in Hungary organized by Heinrich Böll Stiftung and The School of Public Policy at Central European University.

On **6-8 November** I participated at the Council of Europe Conference of Ministers responsible for Media and Information Society titled *Freedom of Expression and Democracy in the Digital Age*, in **Belgrade**.

I gave a keynote speech in the Serbian Parliament on protection of media freedom in Europe, in the joint meeting of the Committee on Culture and Information of the National Assembly of the Republic of Serbia and the Sub-Committee on Media and Information Society of the Council of Europe Parliamentary Assembly. I also delivered the introductory speech at the plenary session of the Council of Europe Conference, titled *How do we address the current threats to journalism?* I participated in a panel discussion on the same issue.

On **12-13 November** my Office participated in the OSCE regional Heads of Mission meeting in **Bishkek**.

On **13 November** my Office participated in a joint forum in Brussels organized by the Global Network Initiative and the Telecommunications Industry Dialogue on Freedom of Expression and Privacy on challenges facing the ICT sector.

On **14-15 November** the Director of my Office attended 5th International Media Readings in **Moscow** conference to moderate the conference's plenary session and present a research paper entitled *The notion of freedom of (the media) in international law and policy*.

On **18 November** an expert commissioned by my Office to provide a legal review participated in a panel discussion at the Parliament in **Minsk** on the draft law On information, information technologies and protection of information.

On **18 November** I gave a speech on security and freedom of expression at a conference in **Stockholm** organized by the Swedish OSCE Network. I also participated in a panel discussion at the same conference where keynote speakers reflected on the importance of free media to support the peace process.

On **21 November** I made an official visit to **Denmark** at the invitation of the Ministry of Foreign Affairs. I met State Secretary Kim Jorgensen, Director of the Danish Institute for Human Rights, Jonas Christoffersen, Speaker of the Parliament, Mogens Lykketoft, and two members of Denmark's Delegation to the OSCE Parliamentary Assembly. I also met with civil society representatives and journalists.

On **21-23 November** my Office took part in the conference *Building a culture of safety, rights and independent standards for journalists in the Former Soviet Union* organized by the International Federation of Journalists in **Kyiv** and attend the discussion on Safety of Journalists in the Former Soviet Union and present my Office's activities in this area.

On **26-27 November** my Office participated in and contributed to, in co-operation with the OSCE Center in Ashgabat, a roundtable on online media legislation in **Ashgabat**. The event discussed best practices in the implementation of international standards and OSCE commitments in the area of freedom of the media and expression, with a focus on freedom of expression online and brought together international experts, members of the Mejlis, representatives of relevant ministries and institutions, as well as representatives of national print, broadcast and online media.

Conferences

Central Asia Media Conference

On **27-28 June** my Office organized the 15th Central Asia Media Conference which was held in **Bishkek** and centered on media developments in the region. More than 100 representatives of the authorities, media, academia and international experts attended and examined the changes in the media landscape that have taken place in the region since the first conference, also in Bishkek, in 1999. Mark Johnson, community editor for The Economist, spoke on the topic of The Age of Mass Intelligence. Michigan State University professor Eric Freedman presented a retrospective of major developments in the region and prospects for the future of media freedom.

Douglas Griffin and Jem Thomas of Albany Associates led a master class on media's changing role in society on the second day, focusing on changes in media and media regulation.

Representatives from Afghanistan and Mongolia took part in the conference.

The Conference Declaration is available at <http://www.osce.org/fom/104110>.

South East Europe Media Conference

On **18-20 September** my Office organized the 3rd South East Europe Media Conference which was held in **Tirana** where participants mainly discussed issues around public service broadcasters, regulators, and the digital switchover. Further sessions addressed media developments in the region, including independence of the media, legislation, Internet freedom, investigative journalism and the safety of journalists. The event was attended by more than 200 participants.

The Conference Declaration is available at: <http://www.osce.org/fom/106105>.

Master class on the Digital Switchover

During the South East Europe Media Conference, my Office held a two-day master class on the digital switchover led by Douglas Griffin and Dieter Loraine of Albany Associates, an issue facing almost all participating States in South East Europe. This master class was attended by more than 25 high-level experts and public officials involved in the digitalization process in their respective countries.

This master class was fully funded by Norway, and supported by the OSCE Presence in Albania, OSCE Mission to Bosnia and Herzegovina, OSCE Mission in Kosovo, OSCE Mission to Montenegro, OSCE Mission to Skopje and the OSCE Mission to Serbia.

South Caucasus Media Conference

On **11-12 November** my Office held the 10th South Caucasus Media Conference “Reflecting on OSCE Media Freedom Commitments” in **Tbilisi**.

More than 80 participants, including international media experts, government officials, academics, journalists and civil society representatives from all three South Caucasus states convened for the two-day event.

To mark the 10th anniversary, the focus of the conference was a retrospective look at OSCE media freedom commitments and their implementation across the region.

The conference participants addressed some of the most pressing media freedom issues in the region, such as the safety of journalists, Internet freedom, access to information and the independence of public service broadcasters and regulators.

Conference participants also explored international standards and national practices regarding issues related to the digital switchover and media self-regulation at a master class and roundtable led by Douglas Griffin and Dieter Lorraine of Albany Associates, attorney Katrin Nyman-Metcalf and Ljiljana Zurovac, Executive Director of the Press Council of Bosnia and Herzegovina.

The Conference Declaration is available at: <http://www.osce.org/fom/108524>.

Publications

During the current reporting period my Office published the 2012 Yearbook of the Office of the OSCE Representative on Freedom of the Media. It is available at <http://www.osce.org/fom/104366>.

My Office also contributed support to the Bosnian and Serbian-language versions of The Guide to the Digital Switchover and The Online Media Self Regulation Guidebook in Bosnian.

Training

On **13-14 November** my Office and the NGO Resource Centre held a training course “Citizen Journalism Capacity Building” at Ilia State University in **Tbilisi**. The event brought

together more than 20 Georgian journalists who were trained on how to effectively use modern media instruments and investigative journalism.

Planned activities for the next reporting period

Speaking engagements and visits

On **3 December** I will speak at the conference *Western Balkans: Highs and Lows*, organized by the Friends of Europe to be held in **Brussels**.

On **6-7 December** I will attend the Ministerial Council meeting in **Kyiv**.

On **9 December** my Office will organize, in co-operation with the Albania Media Institute and the OSCE Presence in Albania, an expert roundtable in **Tirana** to discuss and share best practices on reforming the public service broadcasting system in Albania.

On **10-11 December** I will participate in an International Workshop on Freedom of Expression on the Internet in **Berlin** and speak on the *Challenges in regards to protecting freedom of expression and other human rights online*. The workshop is organized by the German Commission for UNESCO and the Hans Bredow Institut.

On **11 December** the Principal Adviser of my Office will participate in a roundtable discussion on media regulation principles and will chair a session *The governance principle of accountability* in **Budapest** organized by the Directorate General Human Rights and Rule of Law of the Council of Europe.

Publications

During the next reporting period my Office will publish the 2nd edition of the Safety of Journalists Guidebook and the 2013 Yearbook of the Office of the Representative on Freedom of the Media.

Extra-budgetary donors

I would like to thank the governments of Lithuania, Luxembourg, the Netherlands, Norway, Sweden, Switzerland and the United States for funding training classes and media conferences during this reporting period.

I also would like to thank Kazakhstan, Sweden, Serbia, Switzerland and the United States for funding the 15th anniversary project.

I encourage all participating States to consider supporting my Office's effort to provide classes and regional meetings to improve the media landscape.