



EUROPEAN UNION

OSCE Permanent Council No. 1248 Vienna, 21 November 2019

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

The European Union warmly welcomes the Representative on Freedom of the Media, Mr Harlem Désir, to the Permanent Council and thanks him for his comprehensive report. The EU fully supports the autonomy of the RFoM and its mandate, which is flexible enough to respond to existing threats to freedom of expression and media freedom, both online and offline, and to address challenges emerging as a result of the changing media landscape. Freedom of expression and media freedom remain top priorities for the EU, including in the OSCE. We find the relation to the concept of comprehensive security particularly important: there is a clear link between free expression and independent media, and open, peaceful and prosperous societies that contribute to our joint security. Attacks and undue restrictions both online and offline that target journalists and other media actors are therefore not only a violation of human rights and fundamental freedoms, but a threat against our common security.

The monitoring and assistance by the RFoM are more important than ever in light of the negative trend for freedom of expression and media freedom in many parts of the OSCE area. Cooperating with the RFoM and making use of his recommendations is therefore an imperative for all participating States, including for EU Member States, and something that we all have vowed to do. We acknowledge that the Representative highlights issues also in the EU, demonstrating that freedom of expression and media freedom can never be taken for granted. In advancing the

situation for media within the EU, Member States seek to engage fully with the office of the RFoM and deeply appreciate these exchanges.

The EU takes this opportunity to echo some of the many concerns raised by the RFoM in his report. Regarding Turkey, the EU joins the Representative in his position that more needs to be done to ensure a safe working environment for journalists. The deeply concerning trend of violent incidents against journalists needs to be reversed. We also join the Representative in his call on Turkey to release all journalists and media actors imprisoned for their work or their critical views. The re-arrest of Ahmet Altan, a mere week after he was released on probation, is a terrible setback and a reason for serious concern in this regard. We note positively the decision taken in September by the Supreme Court of Appeals in Turkey to release seven former journalists with the daily newspaper Cumhuriyet, but with some 150 journalists currently in detention and pre-trial detention and more than 150 media outlets closed since 2016, the environment for critical and investigative journalism has drastically deteriorated in Turkey.

In Russia, the case of Svetlana Prokopyeva is only one example where anti-terrorism legislation is being used to curb freedom of expression. We echo the RFoM's call on the Russian Federation to drop all criminal charges against her. Reporting on a terrorist attack should not be equated with justification of terrorism. We reiterate in this regard that the legislative framework for restricting freedom of expression is constantly expanding in Russia and journalists are put under increasing pressure there. In this respect, the EU is concerned with the proposed legislative initiative under consideration in the Russian parliament that aims to expand the status of "foreign agents" to private persons, including bloggers and independent journalists. This legislative initiative could have a detrimental impact on the already restrictive environment for independent journalism in Russia. We would also like to join the RFoM in his concern regarding the disproportionate punishment against blogger Vladislav Sinitsa, and we call on the Russian authorities to carefully review the

sentence against him. Five years imprisonment for a tweet is a very harsh and disproportionate punishment.

The EU remains deeply concerned with the dire situation for freedom of expression in the Autonomous Republic of Crimea and the city of Sevastopol, illegally annexed by Russia as well as in areas held by Russia-backed armed formations in eastern Ukraine. We echo the call of the RFoM on the authorities to drop the charges brought against the citizen journalist Nariman Memedeminov, who was sentenced on questionable charges of “publicly calling for terrorism activities”. Furthermore, the EU echoes the RFoM’s call for the immediate release of the illegally detained Ukrainian journalist Stanislav Aseev, who on the 22 October was sentenced to 15 years in prison, as well as the RFE/RL contributor Oleh Halaziuk.

The EU welcomes that the Ukrainian authorities have launched a pre-trial investigation with regards to the death of Ukrainian journalist and blogger Vadim Komarov on 20 June this year. We reiterate that the safety of all journalists and civil society activists must be guaranteed.

The EU deplores the multitude of violations against freedom of expression across the OSCE-region, where journalists are punished in different ways for reporting on public protests and demonstrations. In this regard, we will mention a few of the cases brought up by the Representative. We stand by the RFoM in his call on Azerbaijan to take steps to ensure restraint on the part of law enforcement representatives towards the media after journalists, including Taptyg Guliyev, were obstructed from performing their work when covering public protests. The EU also echoes the RFoM in his concerns regarding the case of the Radio Azattyk correspondent Saniya Toiken, who was repeatedly detained while reporting on a public rally in Kazakhstan. Also, as mentioned before, the EU joins the RFoM in deploring the series of attacks against journalists and the obstruction of media activities during an election-related demonstration on 27 July in Moscow.

The EU welcomes the Central Asia Media Conference held in Bishkek in July, as well as the South Caucasus Media Conference in October organized in Tbilisi. We also welcome the diversity of voices that were heard at the Moscow Conference in November, but we regret that these voices are not allowed to widely reach the general public in Russia. We agree with many of the participants that the media freedom situation in Russia raises serious concerns. We call on Russia to make use of the RFoM's set of recommendations, which will help shape policies in support of media development and pluralism, safety of journalists, sustainable and independent public service media, and a legal environment supportive of freedom of expression and media freedom.

The EU also fully supports the work of the Office of the RFoM on thematic issues such as safety of journalists and other media actors, freedom of expression, both online and offline, internet governance, artificial intelligence, and disinformation and propaganda. Gender-based attacks on women journalists remain a pressing issue. We are pleased that your communiqué on the topic has been included in various journalism curricula and also look forward to your upcoming resource guide on SoFJO and would in this context like to ask what the next step on the topic of safety of female journalists will be. We would also like to ask the Representative what other communiqués, handbooks, non-papers and publications that he plans for the future. We welcome that the RFoM and his team through their outreach play a key role in advocating and promoting full compliance with OSCE principles and commitments regarding freedom of expression and free media, thus contributing to international discussions.

The EU stands firmly by the RFoM as an autonomous institution, in terms of policy and management and as a unique resource of utmost value to participating States. We again thank the Representative and his able team for their tireless work and wish you all success in the months to come.

The Candidate Countries REPUBLIC of NORTH MACEDONIA*, MONTENEGRO* and ALBANIA*, and the EFTA countries ICELAND and LIECHTENSTEIN, members of the European Economic Area, align themselves with this statement.

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