



PC.DEL/1107/12
29 November 2012

EUROPEAN UNION

ENGLISH only

**OSCE Permanent Council Nr 933
Vienna, 29 November 2012**

**EU statement in response to the report by the Representative on
Freedom of the Media, Ms Dunja Mijatović**

The European Union warmly welcomes the OSCE Representative on Freedom of the Media, Ms Dunja Mijatović, back to the Permanent Council and thanks her for her comprehensive report.

We highly appreciate the work done by the Representative and her Office and can assure Ms Mijatović and other participating States that those Member States that feature in the report will study its comments and recommendations carefully.

Strengthening freedom of the media, including the safety of journalists, has been a longstanding top priority for the EU. In view of the upcoming Ministerial Council in Dublin, we continue to seek a robust MC decision that reaffirms our commitments in this field and states that all our OSCE freedom of the media commitments apply online as well as offline. The United Nations Human Rights Council has this year adopted resolutions in both of these areas so we hope that it will not be difficult to agree comparable language in Dublin. We also reiterate our strong support for the Draft Declaration on Fundamental Freedoms in the Digital Age, which has been proposed by the US. In this context, all participating States should engage constructively in discussions on these texts and pay due regard to media freedom norms and commitments adopted by all international fora, including those relating to the Internet.

We wish to recall that in June 2012, the EU adopted a Human Rights Strategy and corresponding Action Plan, which include comprehensive provisions on freedom of expression online and offline, such as protecting bloggers and journalists, expanding internet access and openness and addressing indiscriminate censorship or mass surveillance.

We are deeply concerned about restrictions introduced by some participating States on the use of the Internet. Participating States have committed to ensure that the Internet remains an open and public forum. Access to the Internet can only be restricted in exceptional situations and then only in full accordance with relevant provisions of international law. We are deeply concerned that this does not seem to be the case in several participating States, including Kazakhstan, Kyrgyzstan, Tajikistan and Turkey.

We regret that freedom of expression continues to be extensively limited in Belarus, Turkmenistan and Uzbekistan and are concerned by the actions of a local Prosecutor in Kazakhstan in attempting to ban a wide swathe of opposition media and regret that access to Facebook in Tajikistan has once again been blocked. We also recall our previously expressed concern vis-à-vis amendments introduced into the information and communications law in the Russian Federation in relation to the recent law "On the Protection of Children from Information Detrimental to their Health and Development". At the same time, we welcome the recent legal analysis by an expert of the RFoM of the draft laws "On Protection of Children from Information Detrimental to their Health and Development" in Kazakhstan and Kyrgyzstan.

We welcome that a number of regional media conferences have provided an opportunity to discuss issues relating to media freedom and commend Ms Mijatović for her efforts on improving respect for human rights on the Internet through these conferences. We would like to welcome that the Representative will organize an Internet Freedom Conference in Vienna in February 2013. We also hope that the 10th South Caucasus Media Conference will be held in Baku next year.

Ensuring a safe and free environment in which journalists can work without fear of violence or harassment is key to free media. Sadly, also during this reporting period, we have seen numerous attacks against journalists and editorial offices, which have a chilling effect on the media climate. This was the case in Albania, Azerbaijan, Belarus, Georgia, Kazakhstan, the Republic of Moldova, Russia and Serbia. We hope that all of these cases will soon be resolved and the perpetrators brought to justice. We have also seen journalists facing criminal

investigation, prosecution or imprisonment because of their work in a number of participating States.

Imprisonment of journalists remains an issue of serious concern. The Representative has repeatedly raised such cases, including in Azerbaijan, Turkey and Uzbekistan. Detention of individuals for exercising their freedom of expression is another matter of serious concern, and we regret that the Representative's report shows that several people remain detained or imprisoned on dubious charges or because of insufficient evidence. Although we welcome the release of social media activist Zaur Qurbanli in Azerbaijan, we are concerned over his arrest and treatment while in custody. Other specific examples, over which the EU is deeply concerned, include the arrest of editor Hilal Mammadov in Azerbaijan and the 19 September incidents in Minsk, during which reporters covering a protest rally were physically assaulted and arbitrarily detained. We welcome that a training seminar on the safety of journalists during public demonstrations was held in Baku in November.

We urge all participating States to use the expertise offered by the Representative and to extend open invitations to her. We commend, *inter alia*, Kazakhstan and Turkey for having done so recently. We reiterate our commitment to co-operate with Ms Mijatović and her Office.

In conclusion, we would like to once again thank the Representative and her able team for their excellent work and wish them all the best in their future endeavours.

The Acceding Country Croatia*, the Candidate Countries Montenegro* and Iceland+, and the Country of the Stabilisation and Association Process and potential candidate Bosnia and Herzegovina, align themselves with this statement.

* Croatia and Montenegro continue to be part of the Stabilisation and Association Process.

+ Iceland continues to be a member of the EFTA and of the European Economic Area.