



EUROPEAN UNION

OSCE Human Dimension Seminar Media Freedom Legal Framework

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Speaking Points Working Group 3 – OSCE Commitments

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EU RECOMMENDATIONS TO HELP FOSTER THE IMPLEMENTATION OF OSCE COMMITMENTS ON FREEDOM OF EXPRESSION AND FREEDOM OF THE MEDIA

Participating States should:

- reaffirm the existing principles and commitments in the field of freedom of expression and freedom of the media as well as their determination to implement them,
- consider how to enhance the implementation of commitments with regard to freedom of the media as well as to examine the updating and strengthening of those commitments including to reflect technological developments such as the internet,
- extend open invitations to the Representative and her office,
- ensure that media laws are in line with international standards and OSCE commitments and are implemented subsequently,
- strengthen their commitment to ensure freedom of opinion and expression, and especially to protect journalistic activities from an inappropriate application of criminal law,
- ensure that journalists in the OSCE area can work safely and without being threatened by physical violence, persecution, detention, harassment, intimidation, direct or indirect economic pressure or any other form of interference,
- act decisively to investigate thoroughly all acts of violence against journalists and bring offenders to justice, and fight the climate of impunity,
- ensure that press freedom is guaranteed by an independent judiciary to which journalists can appeal in cases of alleged violations,
- ensure the right of journalists to keep their sources of information confidential by enacting appropriate legislation (“shield laws”),

- ensure that these commitments equally apply to journalists who are also Human Rights Defenders.

The OSCE Representative on Freedom of the media should:

- continue to assist participating states in achieving full implementation of the OSCE commitments,

- continue efforts to promote adoption of legislation which is in line with OSCE and other international standards notably in the field of libel and defamation,

- continue to elaborate how comprehensive and non-discriminatory access to information in particular to the internet can be ensured,

- continue to strengthen freedom of the media through capacity building in the framework of training activities and media conferences,

- in coordination with the ODHIR's Point of Contact on Human Rights Defenders, assist the participating states in delivering on their commitments to protect the journalists who are also Human Rights Defenders,

- continue to develop new media, including internet and digital broadcasting, as a focus area,

- continue to cooperate with other regional and international organisations such as the Council of Europe or the United Nations on freedom of media issues.

COMMENTS ON THE MANDATE OF THE OSCE RFOM

Given the relationship between freedom of expression and freedom of the media, it is quite natural that, in adopting PC Decision 193 of 1997, participating States mentioned monitoring and promoting of freedom of expression as a task for the Representative of Freedom of the Media for the OSCE. The EU supports the entire mandate of the RFOM, which is flexible enough to meet both existing and future challenges to the freedom of expression and freedom of the media.