



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

Statement at the Permanent Council
(Review of Current Issues)

Vienna, 11 March 1999

Mr. Chairman, Ladies and Gentlemen,

I would like to draw your attention today to three country related issues:

The first one concerns Turkey. My Office received information that the Turkish Minister of Justice recently instructed the authorities to strictly implement all laws and decrees leading to the interdiction of the so-called "separatist propaganda" within an otherwise liberal and pluralistic media landscape in Turkey. These laws and decrees are often used to restrict the freedom of media to cover major political issues, including debates and conflicts within the country. Since the arrest of Mr. Öcalan, certain issues have become of great public interest in Turkey and in the international community. Under the given circumstances, excessive interpretation of constitutional and legal prescriptions concerning the use of media could only lead to problems with the national and international media community asked to cover events and incidents in connection with the trial against Mr. Öcalan.

I would therefore urge the Turkish Government to adopt a more liberal attitude in order to facilitate the public debate on the above-mentioned issues.

The second issue is Azerbaijan. At the end of February, I have paid an official visit to Baku following an earlier invitation of the Government.

The situation in Azerbaijan is more complex than it might be assumed. Censorship was officially abolished six months ago. The hunger strike of editors late last year, in which then Chairman-in-Office of the OSCE, Minister Geremek, and myself intervened, was settled peacefully.

I had occasion to address this question to a large class of aspiring journalists at Baku State University: Is there media freedom in Azerbaijan? One third said yes; one third said no, and one third said "Yes-and-No." This is not the time to go into the details of why these journalist students said what they said, but I rather bring it to your attention to emphasise the complexities of how an emerging democracy comes to grips with the idea of freedom of the media. Even the fact that one third of the journalists were willing to publicly declare that there was, in their opinion, no media freedom, is enlightening as well. If it is not clear to those involved in the profession whether media freedom exists or not, it is difficult to draw easy and definite conclusions.

President Aliyev told me that he is deeply committed to freedom of the media, the media has total freedom to express their opinion, but it is not easy, he said, to implement this process.

I have encouraged the Government to take steps in order to change the libel laws which are still used to punish critical journalists and to transform the state television into a public broadcast station. Furthermore I have promoted the idea of establishing press councils as a useful instrument of self-regulation.

These issues will be part of the continued co-operation between the Government of Azerbaijan and my Office. In this respect, I would like to commend the Azerbaijan government for the effective dialogue it has already established with my Office.

Finally, Mr. Chairman, I am very glad to give you an information this morning which was not included in my statement originally. In Baku, I had the opportunity of visiting the only journalist in prison. I appealed to President Aliyev to release this young man. This morning, I was informed that President Aliyev is favourably considering my appeal and that I am free to inform you about it now. I would like to thank the President and the Government for this gesture.

The third issue is Serbia. I have received information that on 8 March the owner and two journalists from the daily Dnevni Telegraph were sentenced to five-month prison terms for publishing an article against Serbian Vice-Prime Minister Milovan Bojic. I have intervened with Yugoslav Foreign Minister Zivadin Jovanovic urging the Belgrade authorities to use their influence to ensure that the three journalists are not incarcerated and that their sentences are overturned.

Finally, I would like to draw your attention to two special country reports which my Office has produced with the support of external experts: one is on the media situation in Croatia, the other one on the media situation in Kyrgyzstan. These are two of series of periodic reports we have commissioned to provide a broader perspective on how particular countries deal with freedom of the media in their particular environments. Both reports are available to you as of today. I look forward to your comments and suggestions.