

**EUROPEAN UNION****OSCE Permanent Council Nr 956
Vienna, 13 June 2013**

**EU statement in reply to the address by the Representative
on Freedom of the Media, Ms. Dunja Mijatović**

The European Union warmly welcomes the Representative on Freedom of the Media, Ms Dunja Mijatović, back to the Permanent Council and thanks her for her comprehensive report. We highly appreciate and fully support the work done by the Representative and her able team across the whole OSCE region and we can assure Ms. Mijatović and other participating States that her comments and recommendations will be carefully studied by all Member States of the European Union, not least by those that feature in the report.

As Ms. Mijatović reminded us at the Human Dimension Seminar in Warsaw last month, it is we, the participating States, that have tasked the Representative to issue early warnings on violations of our common commitments on freedom of expression and media freedom, thereby assisting us to implement in full these commitments. We commend the Representative and her team for their tireless efforts in pursuit of this objective and we encourage the continued use of all the tools at her disposal in carrying out her mandated tasks. In this regard, we reiterate our full support for the mandate of the Representative, which has proven flexible enough to respond to existing as well as emerging threats and challenges to freedom of expression and media freedom in the OSCE region.

As we have stated in the past, strengthening freedom of the media, including the safety of journalists, is a longstanding top priority for the EU. Free, independent and pluralistic media are essential to any open and democratic society. In turn, the full enjoyment of freedom of expression by each and every individual, whether it be online or offline, is indispensable to media freedom. In our shared commitments, we have agreed collectively to remove restrictions inconsistent with the International Covenant on Civil and Political Rights; to condemn and to investigate effectively attacks on and harassments of journalists; to acknowledge the role of the Internet in strengthening freedom of expression; to ensure that the

Internet remains an open and public forum for freedom of opinion and expression; and to foster access to the Internet. We note with deep concern, therefore, that Internet freedom and the safety of journalists continue to be particularly threatened and challenged areas within the OSCE region, as highlighted in the Representative's report.

For free media to exist, it is crucial that journalists can work without fear of violence or harassments. Nevertheless, many continue to be intimidated, attacked, harassment, arrested, detained, imprisoned and even murdered throughout the OSCE region because of their work. Since the last report of the Representative to the Permanent Council, we have seen cases of attacks and harassment against journalists and editorial offices in a number of countries, including Azerbaijan, Armenia, Kyrgyzstan, Turkey, Ukraine and the Russian Federation. In the latter example, we share the RFOM's concern at the death of television reporter Kazbek Gekkiyev, while welcoming the prompt response of the Russian authorities. To avoid such tragic events, we urge all participating States to prevent attacks against journalists by fighting a climate of impunity through undertaking swift and comprehensive investigations of new as well as unresolved past crimes, and to condemn attacks on and harassment of journalists in accordance with our OSCE commitments.

Detention or imprisonment of individuals for making use of their freedom of expression remains a matter of serious concern. Cases of detention during the latest reporting period of the Representative include Belarus, Georgia, the former Yugoslav Republic of Macedonia, Turkey and Azerbaijan. Although we were pleased to learn of the decision to parole a number of journalists and a blogger in Azerbaijan, we remain concerned about several other cases, including that of Avaz Zeynalli, editor of the newspaper Khural, and all other journalists remaining in prison in Azerbaijan. In Turkey, we note that legislative reforms have been undertaken, although we remain concerned at their effective implementation. And, we join the Representative in urging authorities in Uzbekistan to release two journalists - Dilmurod Saiid and Hairullo Khamidov - that have been sentenced to between six and 12-and-a-half-years in prison.

Turning to the issue of Internet freedom, the EU recognises that human rights are inalienable and that they therefore must apply online as well as offline.

Nevertheless, we note with deep concern that some participating States continue to obstruct the exercise of human rights on the Internet. We are concerned by legislative measures taken by some States, including Azerbaijan, Kazakhstan and Tajikistan, to limit free speech. In Kazakhstan, following demands from prosecutors, over 30 media outlets, including online publications, have been closed. Although Tajikistan's new media law does to some extent expand media freedom, the law still allows for excessive control of the media by authorities. Moreover, we regret that websites are still blocked, for instance in Kazakhstan, Kyrgyzstan, Tajikistan and Turkey and we regret that freedom of expression continues to be extensively limited in Turkmenistan and Uzbekistan.

Against this background, the European Union commends recent actions taken in some participating States to address indiscriminate censorship and/or mass surveillance. We welcome Kyrgyzstan's decision to unblock access to a particular news website, fergananews.com, and urge all other participating States to expand Internet access and openness throughout the OSCE region. To that end, we also strongly encourage participating States to thoroughly investigate cyber-attacks against media that have unfortunately continued to occur in participating States during the reporting period.

The European Union warmly welcomes the Representative's continued efforts to create platforms for dialogue, not least on how to best safeguard and expand human rights on the Internet. We were pleased to participate in the conference on Internet freedom organised by the Representative and her team on 14-15 February in Vienna. Furthermore, we warmly welcome the publication of "The 2013 Social Media Guidebook". These guidebooks are valuable in providing advice on how to best implement our OSCE commitments on freedom of expression and media freedom at large.

Finally, and in order to make good use of the expertise that the RFOM can offer, the EU urges all participating States that have not already done so, to extend open invitations to the Representative. In this context, we welcome the recent visit of the Representative, to Minsk on 3 -5 June, at the invitation of Belarus. While we remain concerned about the situation regarding freedom of expression and of the media in Belarus, we welcome the stated readiness of the authorities to intensify cooperation with her Office with a view to improving the situation.

Looking ahead, it is the hope of the EU that we will make progress in this field, not least by adopting a Ministerial Council decision on media freedom, including the safety of journalists and Internet freedom. The landmark resolutions of the United Nations Human Rights Councils last year on Internet freedom and on safety of journalists would serve as excellent examples of how we, the participating States of the OSCE, could reaffirm and apply globally agreed standards within the framework of our OSCE commitments. We hope that the Chairmanship will continue to seek to make progress in this area. In this context, the EU would like to reiterate its strong support for the Draft Declaration on Fundamental Freedoms in the Digital Age, proposed by the US and co-sponsored by all EU Member States, and indeed an overwhelming majority of participating States.

To conclude, we would like to assure Ms. Mijatović of our continued commitment to cooperate fully with her and her able team – and we would like to once again thank them for their excellent work and to wish them all the best in their future endeavours.

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

* Croatia, Montenegro and Serbia 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.