



**Organization for Security and Co-operation in Europe
The Representative on Freedom of the Media
Harlem Désir**

Interparliamentary Conference

**Upholding the freedom of expression, including media freedom, in the EU and beyond
Organized by the European Parliament and the Chamber of Deputies in the Parliament
of the Czech Republic**

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Keynote Speech

Dear Mr. Speaker,

Dear Members of Parliament,

Ladies and Gentlemen,

I thank you for your invitation to this Interparliamentary Conference. It is a great pleasure for me to speak in front of members of the European Parliament and of national parliaments of the EU and of pre-accession countries, and representatives of the media and media organizations.

Parliaments are the guarantors of democracy and human rights and that is why your initiative to hold a conference on safeguarding freedom of expression and freedom of the media is particularly timely and important today.

Throughout its history, the European Parliament has a strong record when it comes to the defence of human rights, the fight against discrimination, torture, or the death penalty, honouring human rights defenders and free speech advocates with the Sakharov prize.

Today we are gathered in Prague and we think of Václav Havel and his extraordinary destiny from dissident to president.

Václav Havel believed in the continued enlargement of freedoms in the countries of Central and Eastern Europe as everywhere else.

He believed in the strength of ideas, of debate, of open discussion which are the main road to democracy. He once spoke, in 2002, of "an irreversible process towards democracy and freedom of expression."

Irreversible. The word resounds heavily today as we see the tide of populism and illiberalism.

Where do we stand today?

We see, among those who are supposed to be the heirs of these historic battles for democracy, some who try to create an absurd and dangerous opposition between the democratic legitimacy of leaders who have won elections and the legitimacy of the press to do its work.

Everywhere in the world, populists are trying to oppose the legitimacy based on the support of a majority to the democratic rights of the others and to the critical role of the press.

This is not just an attack against a profession, or against the media, it is an attack against the right to information, the right to know, the right to discuss, the right of citizens to hold government to account.

It is in fact an attack against the principles of pluralism, of accountability, and of checks and balances which are the foundations of any democracy.

It is an attack against democracy itself, and it's a dangerous one in a dangerous time.

Recently, a president has been heard joking that some journalists have to be "liquidated" and brandished a fake Kalashnikov at a press conference with the inscription "for journalists" on it.

A Prime Minister called journalists "hyenas," and "prostitutes".

These statements are part of a toxic environment, where real violence may be the next step.

What we see with this smear campaign against the media in many countries around the world including in OSCE Participating States and in Europe, notwithstanding the strong commitments to respect freedom of the media, is that more and more journalists are being attacked, harassed, and detained for their work.

In Turkey more than 120 journalists are in jail under accusation of terrorism or complicity in the Coup attempt of 2016.

In too many countries, national security arguments are used to silence dissenting voices.

In other countries, libel law and economic fraud are widely used to prosecute journalists and close independent media.

In several European member states and Western Balkan States we see journalists and media under political, judicial and economic pressure.

In Hungary and in Poland we have seen governments cutting state advertisement to independent newspapers such as Nepszabadsag and Gazeta Wyborcza, and imposing their control on Public Service Broadcasters. This is a problem we also see in the Western Balkans.

In Poland, only widespread protests could lift a ban on access of journalists to the national parliament, in December 2016.

In Hungary, a new law will limit access to a broad zone around the national borders; the law may well handicap the media in their role to report on migrants and refugees.

And now, in the past months, we have even seen journalists killed in Europe for their work. In most cases, this was followed by impunity.

The murder of Ján Kuciak and his fiancée Martina Kušnírová happened only four months ago, and those responsible for the horrible assassinations have yet to be identified.

Last year, Daphne Caruana Galizia was killed in Malta. She had no protection despite the fact that she had been threatened many times before. She was instead called a "hate blogger" and the masterminds of her assassination are still running free. Meanwhile, her sons and husband still face libel suits by members of government. Her relatives have to face the absurdity that they have inherited her lawsuits.

Last month, in Montenegro, Olivera Lakić, a journalist of the newspaper Vijesti, was shot and wounded outside of her home in Podgorica. She too had been attacked and threatened before. Her assailants have not been found, just like the aggressors against many other journalists in the Western Balkans including Slavko Ćuruvija in 1999, Milan Pantić in 2001, and Duško Jovanović in 2004.

Yesterday, we learned about the very alarming disappearance of Stefan Cvetković in Serbia. He is an investigative journalist, reporting on corruption and investigating the murder of Oliver Ivanović, a politician assassinated in January this year.

For Europe, to accept this erosion of safety of journalists, of media pluralism and of freedom of the press, would be a defeat of democracy in front of populism.

This is a battle at the heart of the future of Europe. This deserves the same attention and energy as the battle for the respect for the rule of law.

Democracy is not only about elections. There are no strong democracies without a free media, as there is no democracy without the rule of law and an independent judiciary. This is a vital test, and it is not by accident that populists are attacking the independent media. Free journalists are an obstacle to their plan.

A free media is an institution of democracy. And it is important that you, the Parliament, as a founding institution of democracy, take care of it as such, because the media is a fragile institution. Unlike the government, the Parliament or the Judiciary, the media is not an institution within the State. It has neither police nor army. It is not a single organisation but a plurality of thousands of individuals and of hundreds of media, independent from one another. It is by nature diverse and not unified; as it is the nature of this institution, the press, to criticise those in power and even other institutions, to question, to investigate, to scrutinise,

to inform citizens and to push for discussions on issues of public interest, even on sensitive and divisive ones.

Democracy is not about uniformity and official truth. It is about diversity of opinions, open discussions, critical thinking and free choice by citizens.

And it is the responsibility of the State and of the governments to protect journalists not because they like what they say, but precisely because they are independent and because they play an indispensable role in democracy.

The investigations, the questions of a journalist -whether you like it or not - can be key for the whole of society. And a murder of a journalist is an attack and a crime against the whole of society.

That is what young people, and many others, have said in Bratislava and all over Slovakia in the past months, after the murder of Ján Kuciak, calling for justice and an end to corruption.

Today, we need to form a new coalition for the safety of journalists and for media freedom.

This is even more necessary in a context which is marked by two elements having a strong impact on the situation of media pluralism.

The first one is the security context.

As parliamentarians, you have a key role to play in ensuring that any legislation aimed at combating terrorism and violent extremism, is not to the detriment of freedom of expression and media freedom at large.

This is particularly important when it comes to internet regulation. I fully understand the need to combat terrorist propaganda and hate speech, but when drafting legislation it is essential to ensure that this will be proportionate and necessary and will not restrict freedom of expression as a whole.

We must refuse to oppose freedom of expression and media freedom to security, especially in the fight against terrorism.

It is one of your important responsibilities to demonstrate that it possible to combine the two objectives and to preserve fundamental freedoms while combating the enemies of freedom.

The second challenge is the impact of digitalization on the media and particularly on media pluralism.

Digitalization has created many new opportunities for access to information, and for the creation of online independent media in countries, where a free and independent media hardly existed in the past. Bloggers, citizen journalists, and international online investigation websites - for example in the Western Balkans - could develop thanks to the existence of an open internet without border control or restrictions.

We have to protect this open internet to avoid its fragmentation, through different national regulations. Legislators must be very careful with any laws or regulation that would restrict access to the internet, control social media, block websites, or introduce unlawful surveillance of users.

That is also why we must continue to defend net neutrality, following the European Union in its decision to defend this important character of online pluralism. We should not accept commercial arrangements by internet intermediaries which would restrain a free and equal access to media, with unfair revenue for content producers.

The digital transition of the media landscape has further accelerated the concentration of media ownership. In rural areas, print media disappear, or they are forced to merge with other media and are no longer capable to cover local news.

This is a growing problem for local democracy. A recent survey even shows that without a local newspaper, the cost of governance rises. That is why in Denmark the state supports new media initiatives with subsidies. Norway has also developed strong support in order to ensure media pluralism at local and the national level. The Netherlands and Belgium have started subsidies for investigative journalism. These countries decided to invest in the role of independent media. It is important to support innovation for those traditional forms of media, in their transition and the adaptation toward new digital business models. But state aid to the media must be designed and implemented through transparent criteria and procedures, aimed

at strengthening media pluralism, without political interference, and with full respect for the independence of the media.

In this context, I want to underline the essential role of Public Service Broadcasters, in their role to contribute to a balanced media landscape, to provide quality information, and to give voice to all viewpoints. But they can only play this role if they are fully independent and receive sustainable financing. That is what is at stake, in the Western Balkans, but also in some EU member States.

Ladies and gentlemen,

Your mobilization today in this conference is key for the future of media freedom. You will have to legislate in the coming months on many of these issues. And your decisions can make a difference; a difference for the future of the media but also for the future of democracy. For the quality of governance, for the respect we owe to each citizen, for their right to information, for the resilience of societies confronted with many challenges - like the migration crisis, terrorism - and to resist to populism.

Here in Prague, I would like to say that making irreversible the dream of Václav Havel, the process towards democracy and freedom of expression, that is our responsibility and that is the true meaning of the battle for media freedom today.

I wish you a very successful conference today and am very much looking forward to the discussions.

Thank you very much.