



Organization for Security and Co-operation in Europe
The Representative on Freedom of the Media
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Report to the Permanent Council

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Madame Chairperson, Ladies and Gentlemen,

First of all, I would like to extend on behalf of my staff our condolences to the Austrian government on the tragic events in Kaprun. Our thoughts are with the families of those who have perished.

During the previous four months since my last regular report my Office had to act and react to quite a considerable number of challenges. Over the past months we have seen dramatic changes in our region - elections in the Federal Republic of Yugoslavia that have brought to power democratic forces. We have seen moderate forces win elections in Kosovo.

We have also witnessed major shortcomings in Kyrgyzstan and Belarus where the recent elections could hardly be described as free and fair according to international observers. I will now give a general overview of our activities in the OSCE participating States since July including the projects we are currently implementing.

On the Federal Republic of Yugoslavia: I visited Belgrade on 11-12 October where I met with leading officials from the now-governing Democratic Opposition of Serbia and with journalists. The subject matter of my visit was the freedom to speak, the freedom to write, the freedom to broadcast without any government pressure. In my meetings and at the press conference that I held there I underlined the need for support for media in the Federal Republic of Yugoslavia after the elections. Among other things, I suggested providing European programme packages to RTS and establishing a media board consisting of journalists and media experts, who fought for freedom of expression in Serbia for many years, to help the country's media during transition. Goran Svilanovic, president of the Civic Alliance of Serbia and now FRY Foreign Minister, supported the idea of a media board.

My Office will continue monitoring the media situation in FRY where most of the developments I see as being very positive and if there are problems we will try to help to overcome them. All of us were extremely pleased to see Miroslav Filipovic, a Serbian journalist sentenced under the previous regime to seven years in prison for espionage, Flora Brovina, a leading Kosovo poet and doctor, and Zoran Lukovic, a reporter for Dnevni Telegraph, all finally freed from jail. I welcome their release and our thanks go to FRY president Vojislav Kostunica.

During the Yugoslav election campaign my Office issued fourteen bulletins Serbia: Journalism and Elections drawing attention to the plight of journalists prior to election day. This project received a positive response from your delegations, NGOs and journalists. That is why we decided to continue with this effort and have issued several bulletins on Journalism and Elections in other countries.

Regarding Kosovo: The results of the first democratically held elections in the province are a reason for optimism. The victory of Ibrahim Rugova's moderate forces suggests that we might see a change in the media landscape - hopefully ethnic hatred will cease and the media will start transforming more quickly with the support from the OSCE Mission in Kosovo. On several occasions I have defended the work of the Mission on media matters and will continue doing so. In conversations and written communications with Aidan White, Secretary-General of the International Federation of Journalists, I and my advisers have underlined the need for an international oversight mechanism for media during the

transition phase to democracy. I have not changed my position, however, and I believe that any such international mechanism is only a temporary measure with the accent on the word "temporary." I would also like to add that recently I was informed of increasing pressure against any critical article on illegal business practises. This is a worrying tendency with which the OSCE Mission, I understand, is trying to deal.

I would like to use the opportunity to thank the Government of Norway for its generous financial support for the distribution of Serbian independent publications in Kosovo.

We were pleased to hear that Claude Moisy was elected the Chairperson of the Media Task Force at the meeting of the Stability Pact for South Eastern Europe in Bucharest. He is a well-known French journalist and editor who has actively worked for the defence of press freedom and protection of journalists. The co-operation of the Media Task Force and my Office has been further strengthened by the fact that Mark Thompson was by consensus elected the first Media Task Force Executive Secretary. Mark Thompson is the author of an extensive report on media activities of international organisations in post-Yugoslavia published by my Office this year.

On 18-20 July, I visited Albania where I held talks with members of the OSCE Presence, senior government and parliament officials, journalists and media owners, representatives from NGOs. On 19 July, I chaired a round-table of leading media owners and editors on *The Albanian Media: New Laws, New Rights, New Responsibilities*. On 20 July, together with Ambassador Geert-Hinrich Ahrens, I held a press conference that was widely reported in the Albanian media. One of the issues that struck me in Albania was that although the media field was generally free, there was a worrying lack of professionalism among many journalists and editors. I suggested to the international NGOs present in the country to start providing training sessions for media professionals and in this way to try to lift the level of journalism in Albania.

My Office continues to co-operate with Ukraine where we are successfully working on two projects together with the OSCE Project Co-ordinator and the State Committee on Information Policy. These projects were agreed between the Government of Ukraine, the OSCE Project Co-ordinator and our Office following our Round Table in Kiev in December 1999. The first project is a television programme recorded in October on the subject of European standards regarding freedom of expression and the current state of media affairs in Ukraine. The programme was conducted as a round table and involved one of my advisers, the OSCE Project Co-ordinator, Ivan Drach, a prominent Ukrainian politician and Chairman of the State Committee on Information Policy, and a leading Ukrainian media lawyer. The programme is supposed to air today. However, I am slightly concerned with the delay since the recording took place five weeks ago. The second project involves publishing a brochure in Ukrainian with relevant reference materials on media matters that can be of use to both journalists and judges.

On the other hand, we have focused on the disappearance of prominent journalist Georgiy Gongadze, on *Silski Vesti*, which is being continually pursued by tax authorities, on *Svoboda* that is refused printing facilities and whose case one of my advisers mentioned orally to the Government in Kiev. We have asked the Government for clarifications on these matters. On *Silski Vesti*, we received a reply from the Foreign Ministry on 30 April stating that the reasons for administrative measures taken against the newspaper were of strictly financial nature.

As to the Russian Federation, one of my senior advisers took part in a round table in St Petersburg of Ombudsmen from the CIS and Baltic States held in October. This was a first-time event organised by the Commissioner on Human Rights for the Russian Federation, Oleg Mironov. One of the major themes of the round table, attended by 50 representatives from the CIS and Latvian governmental human rights specialists, concerned the interaction of these institutions with NGOs and mass media.

We have read with great interest the report on media in Russia submitted by the Russian Delegation to the Implementation Meeting on Human Dimension Issues held in Warsaw in October. This report stated that "some representatives of the state power structure, especially at the regional level, are trying to restrict the independence of the media through administrative and financial pressure." This phenomenon, which I have described as

"structural censorship," is present in many states in transition. I hope that regional leaders will come to the conclusion that for the Russian Federation to be a democratic country, it needs freedom of expression like any other democracy. There is no other known way for a democracy to develop.

My Office has noted with concern that an arrest warrant has been issued for the main shareholder of Russia's only independent, nation-wide television network NTV, a respected, professional media establishment. Therefore, I would like to underscore our hope that the independent journalistic media, one of Russia's greatest achievements, will continue to develop and function in an unhindered way.

Turning to Central Asia: The conduct of the October 29 presidential election in Kyrgyzstan, according to international observers including ODIHR, did not fully comply with OSCE commitments. We were particularly disappointed to note the strong government pressure on the independent media in the run-up to the election in light of the previous media freedom that the country had enjoyed. Therefore I decided to issue bulletins Kyrgyzstan: Media and Elections on October 25 and 31 to underscore this regrettable turn of events.

In Kazakhstan, the case of the newspaper SolDat is still troubling us. I have already voiced my concern regarding this case several times this year. The last two issues of the newspaper have again been seized by the authorities. Furthermore there are three outstanding criminal investigations initiated against the newspaper for "insulting the honour and dignity of the president." These cases have been filed by "concerned citizens." The problem of misuse of libel legislation is another issue I have brought up again and again in Kazakhstan as well as in some other OSCE participating States.

During the past months, we have also started the implementation of four projects within the Central Asian Media Fund, two in Kyrgyzstan and two in Kazakhstan, and we are currently identifying a suitable project in Tajikistan as well.

In Azerbaijan, we note as to the 5 November parliamentary elections that the media provided for a diversity of political views, although the state media clearly favoured the incumbents. The Azeri editor Rauf Arifoglu was released from prison as a result of the intervention by the OSCE, among other organisations. I had intervened in this case with the Minister of Foreign Affairs. On the other hand, we continue to be concerned about the situation of the independent, foreign-owned television station SARA which has been closed by the authorities for over one year.

On Georgia: The good news is that the independent press is active, with some 200 independent newspapers in circulation, and increasingly, they appear to be gaining in popularity among Georgians over the government-controlled press. Most Georgians get their news from television of which there are eight independent television stations in Tbilisi alone. However, we are concerned that independent newspapers and television stations continue to be pursued by state tax authorities. The regions have special problems and media there often practice self-censorship.

My Office is currently supporting the establishment of a newspaper in one of the high schools in Tbilisi, as we have already done last year in Kazakhstan and Uzbekistan. By the way, my Office arranged a presentation of these school newspaper projects during the Human Dimension Implementation Meeting in Warsaw. The well attended presentation generated considerable interest, and therefore I have decided to build on this successful beginning by supporting school newspaper projects in other countries, to introduce young students to the working of a free media.

At the end of October I wrote a letter to Italian Foreign Minister Lamberto Dini expressing sorrow at the recent death of the Italian radio journalist Antonio Russo, murdered on a road near Tbilisi. The winner of two Italian journalism awards, Mr. Russo worked for Radio Radicale and had been reporting from the Georgian capital on the conflict in Chechnya. Appeals have been made to the Georgian president to insure a thorough investigation so that the perpetrators of this terrible crime are found and punished.

Belarus failed to meet European standards in its recent Parliamentary Elections and did not satisfy the four established criteria, including the one that would allow the democratic opposition access to the state-controlled media. The regime seized 100,000 copies of an edition on an election boycott of the independent trade union newspaper Rabochy. Given the deplorable state of democracy in this country, and continued harassment of the independent press, including the principal printing company Magic, I have decided to start issuing on a regular basis a bulletin on elections and the media in Belarus as that country prepares for next year's presidential elections.

As to Journalists in Conflict Areas: On 6 November leading media professionals and officials from OSCE participating States, from the United Nations and the Council of Europe met in Berlin at a round table organised by my Office and the Ministry of Foreign Affairs to discuss this matter. The participants agreed that the reality of conflict has changed considerably over the past years. During the last two decades most of the journalists killed became casualties of non-international conflicts. This type of "terror warfare" has considerably changed the conditions on the ground not only for military personnel but also for civilians, including journalists. We should focus on what OSCE, including OSCE Missions, could do in terms of practical steps to ensure higher degree of safety for journalists covering conflict zones. UN and Council of Europe will do the same within their organizations.

I have just returned from Dushanbe where the second regional media conference for Central Asia took place this week, organised jointly by my Office and the OSCE Mission in Tajikistan. The conference was attended by more than 90 journalists from four Central Asian States who participated actively in the very interesting sessions highlighting the different aspects of freedom of speech and media. A productive exchange of views was held on topics related to libel, the role of new technologies, censorship and access to information. The conference ended with the adoption of the Dushanbe Declaration highlighting the need for free journalistic media that can play a corrective role in the major political and economic decision-making processes. Journalists from the region decided in Dushanbe to set up a working group to organise further co-operation. As has happened last year, no representatives from Turkmenistan took part in the conference.

I also want to take this opportunity to thank the Chairmanship and the Governments of the United States and Germany for their voluntary contributions to make the conference possible.

Together with Ambassador Heidi Tagliavini, Representative of the CIO for the Caucasus, we are now finalising a joint publication entitled "Defense of the Future" along the lines of the book, which I published last year together with Nenad Popovic on former FRY. This publication will contain contributions from writers and journalists from the Northern and from the Southern Caucasus - from Russia, Georgia, Azerbaijan and Armenia. It will be presented by the Chairman-in-Office in a side meeting during the OSCE Ministerial Council and later in the region. This book will be available in Russian, English and German. I would like to thank the governments of Austria, Switzerland, Norway, Liechtenstein, Germany and the Austrian NGO KulturKontakt for their financial support, which made this project possible.

For the fifth anniversary of the Dayton Agreements, I am planning to unveil next week the project Defence of Our Future - the Mobile Cultural Container for south-east Europe. This project will be implemented within the framework of the Stability Pact. It was initiated by my Office in line with my mandate that deals with security, co-operation and countering ethnic intolerance.

On 4 December, my Office will conduct a Round Table in Prague on "Corruption and Professional Journalists". Prominent investigative journalists from both Eastern and Western Europe have been invited, as well as academic experts in the field.

This is only a brief outline of our activities. Early next year my Office plans to publish the third edition of our yearbook Freedom and Responsibility. As previously, it will provide an in-depth look at our work as well as subjective contributions on freedom of expression.