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**Organization for Security and Co-operation in Europe**  
**The Representative on Freedom of the Media**  
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**4 July 2019**

**Regular Report to the Permanent Council**  
*for the period from 22 November 2018 to 4 July 2019*

## Introduction

Excellencies,  
Ladies and Gentlemen,

I have the honour to present to you my latest report to the Permanent Council, which covers the period from November last year until today.

In introducing this report I would like to focus on two key issues that we are facing when it comes to freedom of the media and freedom of expression.

The first and greatest challenge facing journalists and other media actors which I wish to address is safety.

I would like to warn, in particular, against the risk of normalization and indifference.

Just two weeks ago, Vadim Komarov, a journalist from Cherkasy in Ukraine, died from his wounds following a brutal attack in May. His death did not generate much international attention or outrage, but it is no less revolting and sends a clear and sordid message of intimidation to many of his colleagues working on the same issues in the country.

Komarov was investigating corruption and abuses of power in his city for many years and had been attacked in the past.

He was the second journalist killed this year in the OSCE region.

In April, 29-year-old journalist Lyra McKee was shot while covering riots in Northern Ireland, in the United Kingdom. She was a passionate and talented young journalist, known for her investigative reporting on the political history in the region.

Other journalists were also targeted in the wider OSCE region, and luckily survived, such as Hakan Denizli in Turkey, who was shot in the leg outside his home in May, while he was taking his four-year-old grandchild to daycare in Adana.

Of the more than 240 interventions I made in this reporting period, 92 interventions were on issues relating to the safety of journalists, including 3 shootings, 7 arson attacks, 1 bomb attack, and many threats and cases of harassment.

Safety of Journalists is our shared goal, and as this is my first report to you following the adoption of the Ministerial Council Decision on Safety of Journalists, I would like to reflect on it.

By adopting this important Decision all 57 participating States confirmed that we need to urgently act to improve the safety of journalists.

I echo the Ministerial Council's deep concern "by all human rights violations and abuses committed in relation to the safety of journalists, including those involving killing, torture, enforced disappearance, arbitrary arrest, arbitrary detention and arbitrary expulsion,

intimidation, harassment and threats of all forms, such as physical, legal, political, technological or economic, intended to suppress their work”.

The Ministerial Council also recognized that female journalists face the majority of online violence, harassment and intimidation, as women and as journalists. And you, the 57 participating States, urge, I quote: “political leaders, public officials and/or authorities to refrain from intimidating, threatening or condoning – and unequivocally condemn – violence against journalists”.

It’s truly necessary.

Journalists are the targets but it is freedom of opinion and the right of citizens to be informed which are attacked. Fundamentally, what is under assault is the role of the media in democracy. This role is often not accepted by many people, which is a worrying trend. We have even seen crowds attacking journalists during demonstrations. But the States have a particular responsibility to protect journalists and to protect their role in democracy.

Over the past six months, I have made many references to the Ministerial Council Decision in my interventions. I am also looking for practical steps to support the participating States in implementing it.

In February, my Office gathered in this room around 100 journalists and experts to discuss ways to respond to the threats faced by female journalists.

I was particularly pleased that my predecessor in this post and the Council of Europe Commissioner on Human Rights, Dunja Mijatović, took part in this discussion.

Following the conference, I issued a Communiqué with recommendations to the States, Internet companies and media outlets on strategies, tools and legislation to deal with online harassment.

My Office has continued to focus on this issue by organizing screenings and discussions on our documentary called “A Dark Place”, in 11 different countries.

In April, we also organized an important event, here in Vienna, on the physical safety of journalists, with the participation of over 200 journalists, civil society activists, academics and officials to discuss with you, the participating States, about the threats faced by journalists and to enhance our joint efforts in promoting a safe environment for journalists; safe from intimidation, safe from harassment, and safe from violence.

I was honoured that we heard directly from many of the threatened and attacked journalists who continue courageously their work; among them Riss the Director of Charlie Hebdo in France, Matthew Caruana Galizia, the son of Daphne Caruana Galizia who was killed in a car bomb in Malta, Olivera Lakić from Montenegro who was shot in the leg for her investigative reporting, Tatiana Felgenhauer who was stabbed at her office in Radio Ekho Moscow, Paolo Berizzi of La Repubblica in Italy who lives and works under police protection, and many others.

I encourage all participating States to combat impunity for attacks against journalists, to put in place, as foreseen in the Ministerial Decision, national databases of attacks and violence, to ensure all cases are properly, effectively and fully investigated.

I also propose the establishment in all participating States of working groups bringing together prosecutors, police and journalists' organizations to enhance the policies of protection of journalists, as for example in Serbia and the Netherlands.

The Ministerial Decision also addresses the legal safety of journalists, and in my report to the Permanent Council today you will see that over 70 interventions I made were related to prosecutions of journalists, administrative or judicial decisions against the media, closing of media outlets, blocking of websites, search and seizure of journalists' property, requests for disclosure of confidential sources, and denial of entry.

In this reporting period, I raised 121 individual cases of detention and imprisonment of journalists and media workers. This is an alarming situation, which has to be urgently addressed. No journalist in the OSCE region should be imprisoned because of their reporting, investigation, or critical opinion.

The Milan Ministerial Decision also provides guidance on this, when the participating States "urge the immediate and unconditional release of all journalists who have been arbitrarily arrested or detained, taken hostage or who have become victims of enforced disappearance."

We were all shocked by the disappearance and killing last year of Jamal Khashoggi in the Saudi consulate in Istanbul. The recent report by the UN Special Rapporteur, Agnes Callamard, confirmed the horrendous nature of this crime. During my official visit to Turkey last month, I commended the Turkish authorities for their important contribution to this investigation. But I also recalled that the defence of the freedom of journalists must be consistent and comprehensive, as is clearly stated in the Decision.

I hope that the many other cases that I raised with the authorities during my visit will be resolved, and all imprisoned journalists released soon, including those of Cumhuriyet whose colleagues I met.

Here I also want to highlight other journalists who are in jail in the OSCE region, among them Afgan Mukhtarli in Azerbaijan, but also I think about Roman Sushchenko in the Russian Federation and Kirill Vyshinsky in Ukraine. I will continue to work relentlessly for their release.

The implementation of the Ministerial Decision was among the main topics of my discussions during all my visits in this reporting period; in Kyrgyzstan, Belarus, Turkey, when I visited Pristina, and the same issues were also discussed in Moldova, even if before the adoption of the Decision.

In this reporting period my Office continued to support the OSCE participating States in their policies and legal reforms. We provided 8 legal reviews to 7 participating States: Albania, Austria, Kyrgyzstan, Montenegro, North Macedonia, Russia and Slovakia.

We also organised the first Central Asia Judicial Dialogue, in Bishkek, where senior judges from 4 Central Asian States were able to exchange experiences in safeguarding freedom of expression, especially online, while working on cases of terrorism and violent extremism.

We have launched a small but important project in Mongolia to support education on media self-regulation.

And, two weeks ago, we held our 6th South East Europe Media Conference in Sarajevo, in co-operation with the OSCE Mission to Bosnia and Herzegovina, and I thank the Mission for their support. Following the conference, a set of recommendations will be sent to the authorities of the region to support media development and pluralism, safety of journalists, sustainable and independent public service media and a legal environment conducive to media freedom.

The legal environment for media freedom is now increasingly linked to the regulation of the online sphere.

And this leads me to the second issue I would like to address today on the challenges to online freedom of expression.

Since my appointment almost 2 years ago I have issued numerous interventions and legal reviews on Internet regulation.

There is absolutely no doubt about the contribution of digital technologies to expanding global communications, and the possibilities for people everywhere to access information and ideas, to communicate and to be heard.

Digital technologies can contribute to fulfilling the vision of Article 19 of the Universal Declaration of Human Rights;

*“Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”*

The key here is *“through any media and regardless of frontiers”*.

Over the last couple of decades we have seen an astronomical rise in the volume of communication and exchange of information.

Today, just over half of the world’s population is connected and billions of texts, images, and videos are sent or uploaded every day.

It is clear that this abundance of information and sources, without differentiation or prioritisation, has created opportunities but also creates new challenges:

- How do we address the digital dissemination of violent extremist content, terrorist propaganda and the enormous quantity of hateful rhetoric?
- How do we tackle the problems of disinformation and viral deception?
- How do we ensure media diversity in an economic environment that has financially devastated the media landscape and the resources available for professional journalism?

These, and other questions linked to online freedom of expression, including surveillance and the use of Artificial Intelligence, are key issues for the future.

My Office is deeply involved in many of the international debates on these issues in order to provide assistance and guidance to the participating States.

In this reporting period I travelled to the USA for such debates, in particular with experts such as the UN Special Rapporteur, David Kaye, as well as senior executives from Facebook, Google, Twitter, and other Internet companies and NGOs.

Allow me to offer you some initial recommendations we are developing, and that we will present in our next Joint Declaration during the Global Conference for Media Freedom next week in London; recommendations to build and maintain a free, open and secure Internet.

- First, over the coming years, States should recognise the right to access and use the Internet as a human right. Access to the Internet has become a precondition for the exercise of freedom of expression.
- Secondly, freedom of expression requires a digital infrastructure that is robust, universal and accessible to all. States should not disrupt or shutdown Internet or telecommunications networks.
- States should also refrain from adopting national legislation that limits access to the global Internet. There is here a risk of fragmentation of the internet
- States should respect and reinforce the principle of network neutrality.

When it comes to the regulation of online content:

- First, States should protect freedom of expression in accordance with international human rights law, including in their requirements on Internet intermediaries. Article 19 of the ICCPR and Article 10 of the ECHR and the subsequent jurisprudence provide guidance on limitations to free expression.
- Second, social media companies, search platforms and other Internet intermediaries have responsibilities in dealing with problematic content, but they must not become the controllers of our fundamental human rights. We need to find the right balance in the demands to social media platforms. We cannot put them in charge of deleting or blocking of all unpleasant content, especially if we want to effectively combat the worst kinds of violent speech, racism or terrorist propaganda;

In other words it's legitimate to ask them to do more, but we should not ask them to shape the future of freedom of expression. They are and should remain intermediaries, not publishers of every citizen's opinions, who will decide, under many pressures, what can or cannot be said. This would be a very dangerous path. Perhaps there is a need to invent a third category for them, between intermediaries who have no responsibilities and publishers. I think this discussion is very important.

That's why we need processes, rules and laws that tackle unlawful content but preserve freedom of expression. This requires an international shared understanding of what we want

the companies to do, and a dialogue among States, civil society and private actors to ensure interoperability and efficiency in the regulation of the Internet.

In this new and complex domain there are definitively no simple or national answers, and we need to achieve coherence between terms of services, national legislation and international Human Rights law.

That's why we also need to establish an oversight of the Internet intermediaries that would include representatives of the States, academia and the civil society, especially when it comes to the use of machine learning and Artificial Intelligence in the moderation and blocking of content.

And we need judicial appeal mechanisms with, perhaps, in the future, the creation of specialized e-courts, which will establish jurisprudence of online content regulation in line with existing guarantees for freedom of expression and other fundamental rights.

There are many ongoing international discussions on these issues for many years, and my Office has been at the forefront of these debates. That is why, this year, we are launching a project to explore the impact of Artificial Intelligence on freedom of expression and freedom of the media.

Excellencies,  
Ladies and gentlemen,

Today I spoke about the physical safety of journalists and the regulation of our virtual world, two issues which are becoming more intertwined, and there will be more and more examples in the future where information in the virtual world will have real-life consequences for security.

The OSCE, with its comprehensive security approach, is an excellent place for finding solutions that protect human rights and provide more security. We will push forward this discussion in the coming months, including on issues I did not have time to develop today, like manipulation of information, but which present their own challenges.

Lastly, and concluding, I would like to thank my whole team for their dedication and work, and also to address a special thanks to the Director of my Office, Frane Maroevic, who will be leaving us this year. Frane, you have been a strong supporter and champion of media freedom and an incredible asset to the Office since you joined, both for my predecessor and for myself, and I am sure that you will continue this important work and that everybody here has a strong recognition for the contribution you bring to the whole Organization as well as to the Office.

Thank you very much.

## Issues raised with participating States

### Albania

On **18 December**, in a statement from my official Twitter account, I condemned the death threats against Ylli Rakipi, a journalist from News24 TV and the TPZ.al news portal, following his investigative reports. I also welcomed the swift reaction by President Ilir Meta.

On **28 January** I wrote to the Prime Minister, Edi Rama, presenting the legal analysis of the draft Laws on changes and amendments to the “Law on Audiovisual Media” and the “Law on Electronic Communications” commissioned by my Office. The legal review assessed definitions used in the legislation, the procedures such as registration, the role of the broadcast regulator, and foreseen sanctions. It recommended a set of changes to the draft amendments, in order to bring them in line with international standards and OSCE commitments. (For more details, see Legal reviews).

On 15 March, representatives from my Office met with the Deputy Secretary General and Director of Regulatory and Compliance Department of the Prime Minister’s Office, Elira Kokona, and the Director of Communications of the Council of Ministers, Endri Fuga, to discuss legal changes and the analysis provided by my Office. Another meeting with Elira Kokona took place on 7 May, to further discuss the legal review. Both meetings contributed to enhancing mutual understanding of legal issues pertaining to the regulation of online media.

On **6 June** I wrote to the Prime Minister, Edi Rama, sharing the second legal review on the draft laws on changes and amendments to the “Law on Audiovisual Media” in Albania (Proposal of a law on media services). (For more details, see Legal reviews). My Office is currently analysing the latest draft law.

On **1 July**, in a statement from my official Twitter account, I expressed my concern about the physical attack on News24 Journalist Enver Doçi during a police operation in Dibër. I stressed that violence against members of the media is unacceptable, and called on the authorities to investigate and ensure the protection of journalists while reporting.

### Armenia

On **4 February** I wrote to the authorities requesting information regarding the arrest and death of Mher Yeghiazaryan, who was in charge of the news website Haynews.am. Reportedly, on 26 January, Yeghiazaryan died due to a heart attack, following a 44-day hunger strike in a pre-trial detention facility, where he was placed under arrest on fraud and bribery charges in December 2018. I called on the authorities to clarify if the charges brought against Yeghiazaryan were related to his journalistic activities, and to conduct a swift and thorough investigation into his death.

On 4 March I received a reply from the authorities informing me that the preliminary investigation into the criminal case against Yeghiazaryan is still ongoing, and that his detention was not related to his activities at Haynews.am. I was also informed that the law enforcement authorities had launched a criminal investigation into the circumstances surrounding his death.



On **6 February** I wrote to the authorities requesting information regarding an incident in Kapan, in the Syunik province, where a car belonging to the regional newspaper “Syuniats Yerkir” was set on fire on 5 February. The newspaper’s editor, Samvel Aleksanian, claimed that journalists from the newspaper had previously been harassed, including by a former high-level public official.

On 4 March I received a reply from the authorities informing me that, according to the fire brigade, the incident was caused by an engine fire and no evidence of deliberate arson was found.

On **15 February** I wrote to the Minister of Transport, Communication and Information Technologies of the Republic of Armenia, Hakob Arshakyan, conveying my concern over the governmental decision to close down the Gyumri-based “Shirak” public TV-radio company at the end of January 2019. Reportedly, the decision was prompted by difficulties with the digital switchover of Shirak. I encouraged the government to take into account assessments and recommendations made by international and local experts regarding the digitalization process, and to explore mechanisms ensuring the continued functioning of the public broadcaster.

On 10 April I received a reply from the authorities informing me that the governmental decision to close down Shirak is based on regulatory and financial difficulties of the digital switchover, as well as on the fact that the Armenian public TV and radio company ensures digital broadcasting in the whole territory of the country, making the analogue transmission of the regional public broadcaster inefficient and obsolete.

On **7 March** I wrote to the authorities requesting information regarding the notice of the Yerevan Municipality of 21 February, sent to a number media outlets (Hayeli Press Club, Andin magazine, Harparak newspaper, A1Plus media network, Hetq investigative portal and others) to vacate the office’s premises and terminate their lease agreements, justifying it on the grounds of the need for more “efficient use of public property”. I asked the authorities to find a balanced solution to the issue, so that the journalists can continue their work unhindered, and to support media outlets in their sustainability.

On **23 April** I wrote to the authorities requesting information regarding the detention of a person associated with the Facebook page, “Dukhov Hayastan Open Society”, on charges of “inciting national, racial or religious hatred”, following Prime Minister Nikol Pashinyan’s request to the National Security Service to tackle the problem of “fake news”. I expressed my trust that the authorities will carefully investigate this matter before applying any further restrictive measures, so as to avoid any potential setbacks on freedom of expression, including the people’s right to express critical opinions online.

On 7 May I received a reply from the authorities informing me that the law enforcement authorities initiated a criminal case against the Facebook page, “Dukhov Hayastan Open Society”, in October 2018 on the grounds of actions aimed at the incitement of national, racial or religious hatred, at racial superiority or humiliation of national dignity. Subsequently, the person associated with this Facebook page was identified and detained.

## **Austria**

On **2 May**, in a statement from my official Twitter account, I said that insults and threats against the ORF journalist, Armin Wolf, by politicians should stop, and that the comparison of his journalism to a Nazi-era “people’s court” was disgraceful. I also stated that officials threatening consequences for his work is unacceptable and that the independence of public service media must be respected.

On **23 May** I wrote to the authorities, and on **4 June** issued a public statement, presenting a legal review on the draft “Law on Diligence and Responsibility Online”. The review examined the draft law’s conformity with Austria’s commitments on freedom of expression and media freedom. I expressed my readiness to continue assisting the Austrian authorities in the process, as the draft law entails the risk of creating a climate in which the identity and activity of online media actors in Austria are encroached upon, potentially having a chilling effect on media freedom online. The draft Law was proposed by the Federal Chancellery on 10 April 2019 and the legal analysis was prepared by Professor Nikolaus Forgó, Emily Johnson and Katerina Polychronopoulis, of the University of Vienna. (For more details, see Legal reviews).

On **28 May**, in a statement from my official Twitter account, I condemned the attack on Danijel Majić from Frankfurter Rundschau by a group of extremists, on 18 May in Bleiburg. I said that the attack was unacceptable and that journalists must be able to report on public events freely and safely. I also praised the Austrian police for protecting the journalist.

## **Azerbaijan**

On **22 December** I issued a public statement expressing my serious concern regarding the continued persecution of the well-known investigative journalist and former local bureau chief for Radio Free Europe/Radio Liberty, Khadija Ismayilova. This followed the Baku Economic and Administrative Court’s decision ordering her to pay a fine of over 23,000 euros for an alleged tax debt. I called on the authorities to end the harassment and intimidation practices against Ismayilova, as they are detrimental to freedom of expression in the country (see also PC Report of 5 July 2018).

On **27 December** I wrote to the authorities, and issued a statement from my official Twitter account, expressing my concern about reports that the imprisoned blogger and chair of the media NGO Institute for Reporters’ Freedom and Safety, Mehman Huseynov, faced new serious criminal charges just several months before his release from prison. According to reports, on 26 December, Huseynov had an incident with a prison guard. He denied the accusations made against him in connection with the incident and started a hunger strike in protest. I asked the authorities to investigate all the circumstances surrounding this incident in a thorough and transparent manner.

On **4 January** I wrote to the Minister of Foreign Affairs, Elmar Mammadyarov, to express my concern and request information regarding the cases of the editors of the online platforms Bastainfo.com and Criminalaz.com, Mustafa Hajibeyli and Anar Mammadov. Both were facing trial for making public appeals against the state, abuse of power and forgery. These charges, punishable by up to 12 years in prison, reportedly stemmed from allegations that the above-mentioned websites disseminated false and illegal information regarding the power outage and attack on the Head of Executive Power of Ganja city (see also PC Report of 22

November 2018). I urged the authorities to clarify the reasons for bringing such grave crimes against the editors, and to ensure that their fundamental freedoms are not violated.

On 18 February I received a reply from the authorities informing me that both Hajibeyli and Mammadov exceeded their powers and conducted service forgery by violating the legitimate interest of the state, through attempts to disturb sociopolitical stability in the country, and to cause public distrust in the state and in the activities of law enforcement agencies.

On **8 January** I wrote to the Minister of Foreign Affairs, Elmar Mammadyarov, and on **9 January** issued a public statement, calling on the authorities to drop new criminal charges against Mehman Huseynov and to release him as soon as possible. I also asked the authorities to look into reports about Huseynov's health problems, and to grant him urgent professional medical care.

On **10 January**, in a statement from my official Twitter account, I welcomed an important decision by the European Court of Human Rights in relation to a smear campaign in 2012-2013 against the investigative journalist, Khadija Ismayilova. In particular, she was sent a letter threatening her with public humiliation if she did not stop her investigative reporting. When she refused, a video filming her private life without her knowledge was posted on the Internet. She later discovered hidden cameras all over her flat. The Court found that such acts had been an affront to Ismayilova's human dignity which the State had a duty to investigate.

On **22 January** I issued a public statement welcoming the decision to drop new criminal charges against the blogger and chair of the media NGO Institute for Reporters' Freedom and Safety, Mehman Huseynov, and to release him as soon as possible. I also said that the other bloggers and journalists serving their prison sentences on trumped-up charges must be freed as well.

On **20 February**, in response to the introduction of tighter requirements for print media eligible for state funding, I issued a public statement calling on the authorities to revise the state aid system for the press, and to enable an environment favourable to media pluralism. I said that it is important to support media outlets in their sustainability, in a transparent and fair manner, at a time when they are undergoing significant transformation processes related to digitalization and new business models.

On **22 February** I issued a public statement expressing my serious concern over the ruling of the Baku Court on Grave Crimes imposing a 5.5 year conditional sentence on the editor of the Bastainfo.com online platform, Mustafa Hajibeyli. I said that it is a worrying trend for freedom of expression and freedom of the media. I also called on the authorities to carefully review the case on appeal and allow the journalist to work unimpeded in full compliance with the OSCE's media freedom commitments.

On 25 April I learned that the court ruling against Mustafa Hajibeyli was upheld by the Baku Appeals Court.

On **18 March**, in a statement from my official Twitter account, I called on the authorities to review the decision of a court ruling imposing a 5.5 year conditional sentence on the editor of the online platform, Criminalaz.com, Anar Mammadov, and to allow the journalist to work unimpeded.

On 4 June I learned that the court ruling against Anar Mammadov was upheld by the Baku Appeals Court.

On **19 March**, in a statement from my official Twitter account, I welcomed the pardoning of the editor of Jam.az, Fikret Faramazoglu, the editor of azadxeber.net, Nijat Aliyev, and blogger Rashad Ramazanov. I encouraged the authorities to follow this positive step by releasing all other imprisoned journalists.

On **10 April**, in a statement from my official Twitter account, I denounced and called on the authorities to lift a travel ban imposed on Mehman Huseynov, blogger and chair of Institute for Reporters' Freedom and Safety. Huseynov was invited by my Office to attend the safety of journalists' conference in Vienna.

On **12 April**, in a statement from my official Twitter account, I welcomed the lifting of the travel ban imposed on Huseynov and the fact that he could join the safety of journalists' conference in Vienna.

On **3 May**, in a statement from my official Twitter account, I expressed my concern regarding reports of a harassment campaign launched by the Real TV channel against journalist Sevinj Osmanqizi. I said that it is deeply disturbing, dangerous and unethical.

On **18 June** I wrote to the authorities to express my concern over the imprisonment of Ikram Rahimov, the editor of the news portal Realliq.info, for 5.5 years on charges of extortion, on 12 June. I asked the authorities to give due attention to this case in the appeal, to ensure the protection of Rahimov's right to freedom of expression.

On **20 June** I wrote to the authorities and issued a statement from my official Twitter account, conveying my concern regarding the arrest of journalist Polad Aslanov, founder and editor of news websites Xeberman.com and Press-az.com. Aslanov was detained on 12 June at a border crossing on suspicion of committing a high treason and conspiring to sell secret information to foreign intelligence and to publish information discrediting the country's law enforcement. Before his arrest, Aslanov was reportedly preparing investigations into alleged wrongdoing by law enforcement officials.

## **Belarus**

On **13 February**, in a statement from my official Twitter account, I expressed my hope that all charges against the Editor-in-Chief of the TUT.BY news portal, Marina Zolotova, will be thoroughly examined and dropped. Zolotova was under investigation in a case related to alleged "unauthorized access to computer information" of the state-owned BelTA news agency (see also PC Report of 22 November 2018).

On **25 February**, in a statement from my official Twitter account, I said that the hefty fine requested by the prosecution from Marina Zolotova is deeply alarming, and that the journalist should in no way be prevented from continuing her work.

On **4 March**, in a statement from my official Twitter account, I expressed my hope that the conviction and fine against Marina Zolotova will be overturned on appeal.

On **18 – 20 March** I conducted an official visit to Belarus, where I met with the authorities, representatives of the civil society, journalists and media experts, to discuss challenges to media freedom and other related areas and developments, such as the new concept of information security. I met with the Minister of Foreign Affairs, Vladimir Makei, Minister of Information Aliaksandr Karliukevich, and Chair of the Committee on Human Rights, National Relations and Mass Media at the House of Representatives of the National Assembly Andrei Naumovich.

In my discussions with the authorities, I called on the government to undertake the reforms necessary for developing a more favourable and pluralistic media environment, to facilitate the accreditation process for journalists, and to discuss individual cases such as the ones of Marina Zolotova and Belsat TV.

I visited the editorial offices of the news agencies, Tut.By and BelaPAN, and held talks with journalists affected by the BelTA case, including Marina Zolotova from Tut.By, on which I had intervened previously. While positively noting the high level of Internet penetration in the country and its growing role in fostering new media, which provides an important platform for information and public debate, I encouraged the authorities to prioritize freedom of expression and media freedom in any future regulation of online space, and to reconsider existing measures that tighten state control of the Internet, including the broad possibility to interfere with any information posted online. I noted that it is important to refrain from excessive measures and practices regarding Internet intermediaries, imposition of registration requirements and the users' right to anonymity. (For more details, see Visits).

On **10 April** I issued a public statement denouncing the search of the editorial office of the Belsat TV channel in Minsk. I called on the authorities to exercise restraint in bringing libel charges against media and journalists, and reiterated my call on Belarus to decriminalize defamation.

During the search, law enforcement authorities seized data and notebooks, after a public official filed a complaint for libel against one of the journalists of the TV channel in January 2019. The complaint related to inaccurate information that Belsat initially published on 11 July 2018, and which it subsequently corrected on 25 July 2018.

On 19 April I received a reply from the authorities, in response to my public statement of 10 April, informing me that the search was part of a criminal investigation into defamation and was sanctioned by the prosecutor's office of Minsk. It also indicated that the investigative actions were not related to the activities of Belsat TV channel, but were aimed at identifying the persons involved in the commissioning of a crime and obtaining evidence in a criminal case.

### **Bosnia and Herzegovina**

On 14 December, I learned that the Sarajevo Municipal Court confirmed the indictment against two persons for attacking journalists of the portal Klix.ba and Al Jazeera Balkans during a war veteran's protest (see also PC Report of 22 November 2018).

On **25 December**, in a statement from my official Twitter account, I supported the BH Journalists Association and insisted that police must not detain journalists reporting on public demonstrations.

On **15 February**, together with the Head of the OSCE Mission to Bosnia and Herzegovina, Bruce G. Berton, I issued a public statement condemning the recent threats against journalists in the country. Earlier in February, the Editor-in-Chief of a Public Service Broadcaster news programme, Marko Radoja, received a letter with threatening messages, including threats to his life. Furthermore, according to media reports, Adnan Jašarspahić, an FTV journalist and owner of the online portal Visoko.co.ba, filed charges against two persons connected to a local politician, for threatening him on social media. In addition, journalist Milkica Milojević, from the daily newspaper EuroBlic, in Banja Luka, received threats over the phone. Reportedly, a police investigation into this case has already been launched. I called for all threats to be duly investigated and the perpetrators brought to justice.

On **28 March**, in a statement from my official Twitter account, I strongly condemned the physical attack by a politician against Magazin Žurnal photojournalist Adi Kebo, while carrying out his work. I said that violence against the media is unacceptable and needs to be properly sanctioned. I further called on the authorities to swiftly investigate the case.

On **5 April**, together with the Head of the OSCE Mission to Bosnia and Herzegovina, Bruce G. Berton, I issued a public statement expressing our concerns about amendments to the Law on Public Order and Peace in Republika Srpska (RS), Bosnia and Herzegovina. We warned that amendments to the Law on Public Order and Peace adopted by the RS Government on 28 March, which would introduce the offence of unauthorized photographing or recording that impedes officials while carrying out their duties, envisaging fines of up to 1,500 BAM (nearly 767 euros) or imprisonment of up to 60 days, may adversely affect freedom of expression and assembly.

## **Bulgaria**

On **2 April**, in a statement from my official Twitter account, I expressed my concern regarding the verbal and physical intimidation of the Bulgarian investigative journalist, Dimitar Stoyanov, from Bivol.bg, while trying to do an interview on the “Yanevagate” affair about a series of leaks involving alleged influence-peddling by the country’s judiciary. I said that journalists must be free to pursue their job without fear or abuse.

On 7 May I received a reply from the authorities to my letters of 8 and 10 October, as well as my public statement of 12 October, concerning the murder of the journalist, Viktoriya Marinova. The letter provided information regarding the investigation into her murder and the first hearing of the trial (see also PC Report of 22 November 2018).

## **Canada**

On **3 December** I issued a public statement in which I raised my concern regarding a Canada Supreme Court ruling in the case of VICE reporter Ben Makuch, who was forced to hand over his private communications with a source. I said that confidentiality of journalistic material is an important element of media freedom, protected by international standards and Canadian law.

On **15 January**, in a statement from my official Twitter account, I called on the authorities to ensure media access, after journalists were denied access to the Wet’suwet’en First Nation camp on 7 January to cover protests against the construction of the Coastal GasLink LNG pipeline in British Columbia.

On **8 February** I wrote to the authorities expressing my concern that representatives of Sputnik and RIA Novosti were denied accreditation to attend a meeting of foreign ministers of the Lima Group on 4 February. I asked the authorities to share any information on this situation with my Office regarding the accreditation procedures.

On **25 February** I wrote to the authorities to convey my concern about the ban imposed on journalist Thomas Rohner from reporting inside jails in the Nunavut area. I urged them to review the decision and re-administer the journalist's right to access the jails.

On 15 May I received a reply from the authorities explaining that the Department of Justice of Nunavut believed that in-person visits were not in the best interest of inmates, Thomas Rohner remains free to communicate with them by phone, and the Department is working with him on lifting the prohibition.

### **Croatia**

On **28 December**, in a statement from my official Twitter account, I expressed my concern that the Croatian public broadcaster HRT was suing its own journalists for publishing a press release by the journalists association HND.

On **16 January** I wrote to the Minister of Culture, Nina Obuljen Koržinek, in relation to the announcement of a new media strategy. I added that I was informed about a new legislation related to unacceptable behaviour on the Internet, which will hold social media managers responsible for content published online. Additionally, it was foreseen that the revision of the Law on Electronic Media would include an editorial responsibility for published comments. I offered my Office's readiness to engage with the Croatian authorities in developing the new media strategy and in the legal reform of online comments.

On **6 March** I issued a public statement, and on **7 March** wrote in reply to an open letter from the Director General of HRT, expressing my concern at the high number of lawsuits filed against journalists and news outlets by politicians and public officials, and at an ongoing dispute involving the public service broadcaster HRT. I said that both issues could negatively affect media freedom in Croatia. According to the Croatian Journalists' Association, there are more than 1,100 ongoing lawsuits against journalists and news outlets in the country. Many cases were filed by politicians and public figures and include the offence of "shaming", which is still part of the Croatian Criminal Code.

On **7 March**, in a statement from my official Twitter account, I expressed my concern about a police visit to the net.hr media outlet, to verify the identity and home address of journalist Đurđica Klancir, in relation to a potential private defamation lawsuit filed against her by a politician. I stated that this can be seen as pressure on journalists and should not become common practice.

On 26 March I received a reply from the Minister of Culture, Nina Obuljen Koržinek, informing me that, on 13 February, she presented the structure and key topics contained in the new media strategy document, which would soon be presented and open for public consultation. Additionally, regarding the announcement of the new piece of legislation related to unacceptable behaviour on the Internet, I was informed that the authorities are only starting consultations on this topic. The Ministry of Culture is responsible for drafting a new Law on Electronic Media.

The Minister also provided me with exact data related to the court cases under the Criminal Code, highlighting that the statistics provided by the Ministry of Justice contradict the claim that many cases were filed by politicians and public figures and include the offence of “shaming”. She also stressed that the authorities publicly communicated several times about the HRT lawsuits over the preceding months.

### **Cyprus**

On **22 April**, in a statement from my official Twitter account, I condemned the 5-year prison sentence faced, in the areas not under the effective control of the Government of the Republic of Cyprus, by Turkish Cypriot journalists Şener Levent and Ali Osman Tabak from the Nicosia-based Afrika newspaper, for insulting and defaming the Turkish President.

On **17 May**, in a statement from my official Twitter account, I welcomed the decision to acquit the journalists in this same case.

### **Finland**

On **15 April**, in a statement from my official Twitter account, I expressed my concern at the conviction of journalist Johanna Vehkoo for defamation. She was sued by a city councillor, who she referred to as a “racist” and “Nazi clown” in 2016 in comments on Facebook. The politician is an anti-immigration activist with a history of making far-right extreme pronouncements, for which he was previously fined. Vehkoo regularly reports on the far-right, hate speech, writes a fact-checking column for the Finnish public broadcaster and co-founded an investigative website. I called for the charges and fine levied against the journalist to be dropped and stated that politicians must endure a higher threshold of criticism.

### **France**

On **23 November**, in a statement from my official Twitter account, I raised my concern regarding a series of attacks against journalists by groups of protesters, including BFM TV journalist Raphaël Maillochon, TV journalist Céline Durchon, and LCI teams, while covering the “yellow vests” movement. I recalled that journalists must be able to work and inform the citizens on public demonstrations safely.

On **9 December**, in a statement from my official Twitter account, I condemned the violence and confiscation of material against clearly identifiable journalists from the media outlets Le Parisien, Le Journal du Dimanche, The Associated Press, Agence France Presse, the radio agency A2PRL and Libération, and the non-observance by law enforcement of guidelines to respect the press during the protests, on 8 December, in Paris.

On **11 December** I wrote to the authorities to raise the above-mentioned cases, as well as similar incidents that also occurred in other cities on 8 December. Press photographers and other journalists from Parisien, Le Journal du Dimanche, The Associated Press, Agence France Presse, A2PRL and Libération were victims in Paris of rubber bullets and truncheon strikes, resulting in injuries, although they had clearly identified themselves as journalists. Other journalists had their protective equipment confiscated. Similar incidents occurred in other cities. I deplored the non-observance by law enforcement of guidelines to respect the press during protests, and asked if an investigation will be carried out by the Ministry of the Interior to ensure that such serious incidents do not reoccur.



On **16 December**, in a statement from my official Twitter account, I offered my condolences following the death of the young Italian journalist, Antonio Megalizzi, who was killed in a terrorist attack in Strasbourg.

On **20 December**, in a statement from my official Twitter account, I condemned the death and rape threats against the journalist, Zineb El Rhazoui, and called for an investigation to identify and bring to justice those responsible.

On **23 December**, in a statement from my official Twitter account, I condemned the attack against France 2 TV journalists Anne Domy and Audrey Guiraud by a group of protesters at the toll station of Boulou. I recalled that the press must be able to cover public demonstrations without pressure, threats or attacks.

On **11 January**, I published a legal review on the draft “Law on the fight against the Manipulation of Information”, which I had shared with the authorities on 22 November 2018. The review examined the law’s conformity with France’s commitments on freedom of expression and freedom of information. The legal review also included an analysis of the risks related to the scope of the law and the definition of “false news”, which could fail to recognize the nature of the journalistic work, especially within the very short 48-hour deadline for judicial response. It also places greater responsibility on Internet platforms, whose interpretation of the scope of the content to be taken down could be much broader than the previous judgments of the Conseil Constitutionnel and of the European Court of Justice. In its recommendations, the review explored the possibility of introducing a new legal statute for Internet platforms. The review also proposed to enhancing media literacy, and supporting self-regulation efforts of the media community to enhance quality journalism through certification and fact-checking, for example. The law was adopted on 20 November.

On **12 January**, in a statement from my official Twitter account, I condemned the attack by a group of protesters against LCI TV journalists in Rouen while they were covering a “yellow vests” demonstration.

On **15 January** I wrote to the authorities to firmly condemn the above-mentioned violent attack as well as a series of other assaults and serious incidents that occurred on 12 January and in the previous weeks, and that are affecting the work and the safety of journalists covering the “yellow vests” protests in Marseille, Paris, Pau, Rouen, Toulon and Toulouse. I also wrote that, on several occasions in January, groups of people wearing yellow vests blocked the distribution of regional newspapers in various towns so as to protest against the editorial line of the targeted newspapers. I called for investigations to be opened and to bring the perpetrators to justice, and reiterated that journalists must be able to cover public demonstrations safely.

On 4 March I received a reply from the authorities to my letters of 11 December 2018 and 15 January 2019, concerning several incidents against journalists during demonstrations in Paris and other cities. The letter informed me that demonstrations had not always been the subject of prior declarations, and that the security forces had to face, at times, difficult conditions and high levels of violence. On 30 November, after a meeting with representatives of unions of journalists, the Ministry of Interior asked security forces to accept journalists behind the law enforcement perimeter if journalists wish, so as to protect them.

The authorities also informed me that the use of force by the security forces is strictly regulated by law, and that journalists who would have been victims of undue violence are encouraged to file a complaint. They also noted that several such investigations had been opened.

As for attacks against journalists by protesters, the authorities further wrote that such attacks are unacceptable, and informed me that several investigations were also underway (for instance, for the attack against two journalists from LCI in Rouen on 12 January, against a journalist from "C L'info Pau" in Pau on the same day and against a journalist from "La Dépêche du Midi" in Toulouse).

With regard to the blocking of distribution centres for regional daily newspapers, I was assured that France remains fully committed to securing these premises. The authorities reaffirmed France's commitment to providing citizens with access to quality, independent and pluralistic information, as well as to the defence of freedom of expression and the freedom of the media at the national and international levels.

On **28 January** I issued a public statement condemning the arson criminal attack against the studios of the France Bleu Isère radio station in Grenoble, which could have had dramatic consequences for human life, and called for a swift and thorough investigation.

On **4 February**, in a statement from my official Twitter account, I condemned the attempted search by prosecutors and policemen in the premises of the online media Mediapart. I noted that this represents a serious infringement to the protection of journalists' sources.

On **5 February** I wrote to the authorities about the attempted search at Mediapart, and recalled that the protection of journalists' sources is protected by French and international law, which is crucial to investigative journalism on stories of public interest.

On 26 June I received a reply from the authorities to my letter of 5 February, regarding the attempted search by prosecutors and policemen of the premises of Mediapart, in which they informed me that the legislative framework in place in France allowed the journalists to refuse the search, which they did. The authorities also informed me that France was strongly attached to the protection of the confidentiality of journalists' sources and that all rules and procedures were fully respected in this investigation.

On **4 April**, in a statement from my official Twitter account, I condemned the summoning of Bruno Mortier from Le Maine Libre and of a correspondent from Ouest France to legal proceedings, following their story about a portrait of the president being taken down in the city hall of Rouillon.

On **10 April**, in a statement from my official Twitter account, I condemned the death threats by the mayor of Allauch directed at Sylvain Fournier, a journalist from the regional newspaper La Marseillaise.

On **23 April**, in a statement from my official Twitter account, I condemned the ban imposed on the journalist Gaspard Glanz, aimed at preventing him from appearing in Paris during the "yellow vests" protests and during the demonstration scheduled on 1 May. On 29 April, the ban was lifted by the correctional tribunal of Paris due to insufficient grounds.

On **25 April** I wrote to the authorities and issued a statement from my official Twitter account, after the journalists, Geoffrey Livolsi and Mathias Destal from the media project Disclose, and Benoît Collombat from Radio France, were summoned for questioning by police. I stressed the importance of preserving the confidentiality of journalists' sources, especially when journalists report on matters of public interest.

On 26 June I received a reply from the authorities to my letter of 25 April, concerning the journalists from Disclose and Radio France who were summoned for questioning by the police. The authorities informed me that, during the questioning, the right to remain silent and the principle of the confidentiality of journalists' sources were fully respected.

On **22 May**, in a statement from my official Twitter account, I expressed my concern about the summons of Le Monde reporter Ariane Chemin by the police, and recalled the importance of preserving the confidentiality of journalists' sources, especially when reporting on matters of public interest.

On **23 May** I wrote to the authorities after the reporter Ariane Chemin and the managing director of the newspaper Le Monde, Louis Dreyfus, were summoned for questioning by the police. I reiterated the importance of preserving the confidentiality of journalistic sources.

## **Georgia**

On **18 April**, in a statement from my official Twitter account, I expressed my hope that a complaint filed by two members of the Advisory Board of public Adjara TV and Radio calling for the impeachment of the Director of the broadcaster, Natia Kapanadze, will not influence the independence of the broadcaster, and that it will continue to fulfill its important public service mandate. Kapanadze was subsequently dismissed on April 19.

On **4 June** I wrote to the authorities expressing my concern regarding an incident involving journalists with the news channel Rustavi-2. On 23 May, two journalists were attacked by a group of people in Tskaltubo while covering the case of a murdered child. Both journalists were hospitalized with injuries and one of them sustained multiple fractures. I urged the authorities to conduct a speedy and effective inquiry and to ensure free and safe working conditions for journalists.

On 1 July I received a letter from the authorities, in reply to my letter of 4 June, in which they informed me that two suspects behind the attack against journalists from Rustavi-2 in Tskaltubo, on 23 May, were charged with aggressive violence and are awaiting trial.

On **21 June** I issued a public statement denouncing the violent incidents and mistreatment of media workers during a demonstration in Tbilisi on 20 June. more than 30 media workers from various media outlets, including Reuters, Radio Free Europe/Radio Liberty Georgian Bureau, Rustavi 2 channel, Civil.ge, 1TV channel, TV Pirvelli channel, Kavkazsky Uzel, Netgazeti.ge, On.ge, OC Media, Maestro TV, Adjara TV and radio, and Interpressnews.ge, received serious injuries, primarily from rubber bullets fired by riot police, and were assaulted, detained or had their equipment damaged while covering the demonstration.

On 25 June my Office received a non-paper from the authorities, indicating that the General Prosecutor's Office started an investigation into a criminal case of possible excess of authority by law enforcement officers against certain participants of the demonstration. The

authorities also informed me that ten law enforcement officers participating in the dispersal of the rally have already been suspended from duties; and that at this stage, signs of crime have been identified in the actions of two law enforcement officers.

### **Germany**

On **15 January**, in statement from my official Twitter account, I condemned the violent action against the editorial offices of ARD Online, Tazgezwitscher, and Frankfurter Rundschau. I said that such attacks and harassment of journalists by extremist groups are unacceptable and must stop.

On **16 January**, in a statement from my official Twitter account, I welcomed the important precedent set in Germany, after the Federal Court ruled in favor of FAZ.NET, against cease-and-desist letters that attorneys of influential clients send to obstruct the publication of sensitive information of public interest.

### **Greece**

On **17 December**, in a statement from my official Twitter account, I condemned the bomb attack at Skai TV in Athens, welcomed the swift response by the authorities, and called for the perpetrators to be brought to justice.

On **21 January** I issued a public statement to condemn the attack, on 20 January, against Thomas Iacobi, a correspondent of various international media, photojournalist Kostis Ntantamis, and other photographers and camera operators, by extremists groups in Athens, and called for a swift and thorough investigation. I reiterated that journalists must be able to work freely and to cover protests and events of public interest without fear of attack.

On **14 May**, in a statement from my official Twitter account, I expressed my concern that the car of the CNN Greece journalist, Mina Karamitrou, was set on fire the previous night. I called on the authorities to swiftly investigate and bring all those responsible to justice.

### **Hungary**

On **13 December**, I wrote to the authorities to express my concerns about the potential consequences that the recent creation of a media conglomerate and the signature of a related government decree could have on media pluralism in Hungary. This followed the signature, on 28 November, by Prime Minister Viktor Orbán of a decree qualifying the merger of nearly 480 national and regional media outlets as having a “strategic importance at national level”, making the new media conglomerate exempt from the Hungarian Competition Authority’s acquisition inquiries and rules. I recalled that media pluralism is crucial for ensuring the reflection of a diversity of opinions in the public sphere.

On 21 December, I received a reply from the Hungarian Minister of Foreign Affairs and Trade, Péter Szijjártó, in relation to my letter of 13 December, concerning the consequences of the new government decree. The Minister presented the situation of Hungarian media as more diverse than in many Western European countries, and justified the new decree as a way to ensure the future existence of print media and long-term survival of local ones.

## Italy

On **8 January** I wrote to the authorities to convey my concern about the government's 2019 budget decision, which will result in the end of direct subsidies to certain categories of media publications in Italy, with a plan to totally abolish them by 2022. I asked for information about the availability of an assessment on the impact of the measure, including its potential consequences on media pluralism and diversity of the media.

On **9 January**, in a statement from my official Twitter account, I condemned the physical attack on two journalists from L'Espresso magazine in Rome, on 7 January, by neo-fascists who took the journalists' cameras and deleted their material before police intervened. I stated that the attackers must be swiftly arrested and prosecuted.

On **8 February**, in a statement from my official Twitter account, I expressed my concern that a 4-month prison sentence against journalist Davide Falcioni from Fanpage.it, for reporting on a protest in Torino in 2012, was upheld on appeal.

On **14 February**, in a statement from my official Twitter account, I expressed my shock at the physical assault on journalist Daniele Piervincenzi and his team from Rai 2 public TV channel in Pescara, and stated that the perpetrators should be brought to justice.

On **6 March** I wrote to the authorities to convey my concern about the threat of closure of Radio Radicale after a significant reduction of State subsidies. As no alternative to the public service provided by Radio Radicale of broadcasting Parliamentary sessions and important court cases seems to have been foreseen, I asked for any additional information about this issue.

On 13 June I learned that the Parliament's Budget and Finance committees voted on an amendment to allocate 3 million euros to Radio Radicale for the current year, thus saving the station from closure.

On **4 April**, in a statement from my official Twitter account, I expressed my shock at the brutal attack on journalist Valentino Gonzato from the Il Giornale di Vicenza newspaper, while reporting on crime in a park. I welcomed the swift reaction by local police and called for the assailants to be identified and punished.

## Kazakhstan

On **21 December** I wrote to the authorities to express my concern about multiple detentions of journalists in the cities of Uralsk, Almaty and Astana on 16 and 17 December.

On **27 February** I issued a public statement, and on **28 February** wrote to the authorities, raising my concerns about the detention of several journalists and bloggers who were covering rallies in the cities of Almaty, Zhanaozen and Uralsk in Kazakhstan in February.

On **4 April** I wrote to the authorities to express my concerns regarding the administrative case against the correspondent of the Radio Free Europe/Radio Liberty's Current Time TV programme, Svetlana Glushkova, who was covering unauthorised rallies and was charged with allegedly assaulting a student.

On **23 April**, in a statement from my official Twitter account, I expressed my concern at the detention and administrative charges raised against people for taking photos and videos of a banner at a demonstration on the margins of the Almaty city marathon, on 22 April.

On **10 May**, I issued a statement from my official Twitter account, and on **14 May** wrote to the authorities, to express my serious concern, and to request additional information, regarding recent instances of Internet blocking in Kazakhstan, which affected at least ten news outlets and several social networks.

On **27 May** I wrote to the authorities regarding information that the former editor of the Sayasi Kalam.Tribuna, Zhanbolat Mamay, was summoned by police on 22 May and that his moderating of a discussion, which was later uploaded onto YouTube, was a violation of his parole. I expressed my concern about the practice of imposing a ban on journalistic activities.

On **9 June**, in a statement from my official Twitter account, I expressed my concern at the detention of journalists, including from Agence France Press and Radio Free Europe/Radio Liberty, and the confiscation of their equipment in Nur-Sultan and Almaty.

On **21 June** I wrote to the authorities regarding recent cases involving an assault on the journalist, Sholkan Alkhabayev, the detention of journalists of Uralskaya Nedelya, and the reported difficulties in accessing social media networks in the country in June.

### **Kyrgyzstan**

On **19 December** my Office organized the first Central Asia Judicial Dialogue in Bishkek, Kyrgyzstan, a dialogue between judges and prosecutors from Central Asia on protecting freedom of expression while combating violent extremism. Over 20 judges representing higher and appellate courts from Kazakhstan, Kyrgyzstan, Turkmenistan, and Uzbekistan, as well as international experts and judges, discussed national approaches, current legal trends and best practices in cases involving freedom of expression and freedom of the media, including online content, and policies for countering terrorism and violent extremism. It was decided to organize a new Central Asia Judicial Dialogue within a year.

On **22 May** I wrote to the authorities, and on **21 June** issued a public statement, to present the Commentary to the Draft Information Security Concept of the Kyrgyz Republic for 2019-2023, commissioned by my Office and prepared by Dmitri Golovanov, a legal counsel from the Russian Federation. (For more details, see Legal reviews).

### **Latvia**

On **21 January** I wrote to the authorities regarding the case of the editor of the imhoclub.lv web-portal in Latvia, Belarus and Russia, Yuri Alekseyev. According to reports, on 13 November, the Latvian Prosecutor's Office presented Alekseyev with charges of incitement to hatred for online comments, illegal storage of ammunition and dissemination of child pornography. I asked if the charges are related to his professional activities as a journalist, and on what legal grounds the decision was taken to block the website.

On 7 February I received a reply from the authorities informing me that the charges against Alekseev were not connected with his professional activity as a journalist. I was also

informed that the authorities took no legal action against the availability of the website imhoclub.lv.

On **4 February** I wrote to the authorities addressing a recent decision of the National Electronic Mass Media Council of Latvia (NEPLP) to ban the retransmission of the television programmes of channel Rossiya RTR in the country's territory for a period of three months. The Council reportedly made the decision following several instances of hate speech and incitement to ethnic hatred during the Rossiya RTR programmes "Evening with Vladimir Solovyov" and "60 Minutes". I asked for more information on the reasons and the legal basis of this decision.

On 15 March I received a reply from the authorities informing me that the NEPLP took the decision in compliance with national law, as well as in line with the EU Directive on Audio-visual Media Services and Latvia's international obligations on freedom of expression. The response also shared a translation of the copy of the decision.

### **Lithuania**

On **12 December** I wrote to the Foreign Minister, Linas Linkevičius, informing him about the recent proposals made by the commission established by the Lithuanian Parliament to streamline governance of LRT, the national public broadcaster. I suggested to the Government and the Parliament to involve in the discussions all relevant stakeholders, including the media and public associations, experts and journalists, when making conclusions on the proposals.

On 16 May the Constitutional Court of Lithuania ruled that the Lithuanian Parliament breached the Constitution's article on protecting freedom of expression when it set up the commission to investigate LRT.

On **9 January** I wrote to the Foreign Minister, Linas Linkevičius, alerting the authorities on a recent initiative in the Lithuanian Seimas to amend the Law on the Provision of Information to the Public. A bill initiated by the Lithuanian Radio and Television Commission (RTCL) foresaw a ban in the mass media on information that encroached on the independence of Lithuania, weakened national identity and citizenship, or otherwise affected the country's democracy, electoral processes, or party system. It also allowed the RTCL to suspend such broadcasts for up to 72 hours without a court decision. As such restrictions could go beyond internationally recognized standards on freedom of expression. I suggested that the parliamentarians involve all relevant stakeholders in the discussions, including the media and journalists.

On 30 January I received a reply from the head of the Parliamentary Committee on Culture, Ramūnas Karbauskis, saying that, in accordance with existing procedures, the Committee had forwarded to 16 state institutions and media organizations with a request to submit their opinions on the draft law. I was assured that the Committee will only consider the draft law "once all the necessary expert opinions are delivered and discussed with the organisations representing the media".

On 26 April I learned that the Parliament adopted the amendments that allowed the RTCL to stop television programmes broadcast outside the EU/EEA countries for 72 hours, without a court decision, only in case the information disseminated poses a serious threat to public

security, including the safeguarding of national security and defence. At the same time, following the discussions with the relevant stakeholders, the amendments to Article 19 (1) that banned in the media certain new types of information were dismissed because of the threat they posed to freedom of expression.

On **28 May**, in a statement from my official Twitter account, I expressed my concern regarding the entry ban and extradition of the editor for Sputnik Lithuania, Marat Kasem, from Vilnius airport.

### **Malta**

On **12 March**, in a statement from my official Twitter account, I welcomed the significant verdict by an appeals court, which overturned earlier court decisions ordering the Times of Malta journalist, Caroline Muscat, to pay libel damages.

### **Moldova**

On **27 – 30 November** I paid an official visit to Moldova, where I met with the authorities, representatives of the civil society, journalists and media experts. During my official meetings, I encouraged the authorities to foster an enabling environment for the development of a free and pluralistic media landscape and to examine the challenges for media freedom posed by the high degree of concentration of media ownership, which is detrimental to the diversity of voices and the development of independent media.

I met with Minister of Foreign Affairs and European Integration Tudor Ulianoschi, President of the Parliament Andrian Candu, Chairperson of the Co-ordinating Council of Audio-visual Activities Dragoş Vicol, and President of the Teleradio-Moldova National Public Broadcaster Olga Bordeianu. I also met representatives of civil society and the media community, with the Chairperson of the Action and Solidarity Party, Maia Sandu, and with the Chairperson of the Dignity and Truth Platform Party, Andrei Năstase.

In my talks with the authorities and other interlocutors, I also discussed the new Code of Audio-visual Media Services, the legislative amendments on access to information, and the draft law on personal data protection, including the concerns of investigative journalists regarding provisions that may introduce undue restrictions on the legitimate work of journalists who report on corruption issues.

I further encouraged the authorities to refrain from any undue interference in media activities in their efforts aimed at countering disinformation and propaganda, and recalled the need to ensure the free flow of information in compliance with OSCE commitments. I also underlined the important role of a strong and independent public service media, which should impartially reflect the diversity of opinions and serve as an example for all media outlets by offering quality content. (For more details, see Visits).

On **20 February** I issued a statement from my official Twitter account and wrote to the authorities, regarding the denial of entry to the film crews with Russia's NTV and Rossiya-1 television channels into Moldova on 18 and 19 February respectively, after they reportedly failed to explain the purpose of their visit. According to the press service of the President of the Republic of Moldova, the journalists' visit was agreed with the presidential



administration. I encouraged the authorities to allow foreign journalists to pursue their professional activities unimpeded.

On 22 February I received a reply from the authorities informing me that there is a legal procedure to register foreign journalists or media teams, which were not respected by the affected journalists. It was also indicated that invitations from particular politicians or institutions are not substitutes for complying with mandatory legal procedures.

On **14 March** I issued a statement from my official Twitter account, and wrote to the authorities, to bring to their attention, and request more information on, the case of two Greek investigative journalists, Aggelos Provolisianos and Triantis Vangelis, who were shortly detained and questioned by Border Police at Chisinau Airport on 13 March.

On 25 March I received a reply from the authorities informing me that the Greek citizens were not detained at the crossing of the state border and did not have problems entering the country. They were asked to answer a few questions in order to confirm the scope of their travel to the country.

On **8 April** I wrote to the authorities raising the issue of complications with the delivery of print media via Chisinau to Transdnistria, reportedly due to difficulties in reaching an agreement on the postal exchange. I asked the authorities to look into this matter to find a suitable solution, which would restore the timely delivery of media and facilitate the free flow of information.

On 24 April I received a reply from the authorities informing me that the contract regulating postal services between two banks of the river Nistru expired on 31 December 2018, but Chisinau continued the delivery of services to the region. Although Tiraspol had been delaying the process of signing an additional agreement to prolong the relevant contract, on 6 April 2019 the Moldovan national post operator transferred 33 mail and newspaper bags.

On 3 June I learned that the sides reached an agreement to prolong the functioning of the postal exchange mechanism until the end of 2019.

On **12 June**, following reports that several journalists had been verbally assaulted and intimidated on 7-9 June, I issued a public statement calling on the authorities to ensure safe working conditions for journalists. I said that journalists must be able to do their work, including during demonstrations and public actions, freely and without intimidation or violence, and that this was especially important in the context of the country's current political developments.

## **Montenegro**

On **15 January** I wrote to the Minister of Foreign Affairs, Srđan Darmanović, and issued a statement from my official Twitter account, expressing my concern after the journalist, Jovo Martinović, was sentenced to 18 months in prison for "membership of a criminal organization" and "trafficking drugs". I stressed that investigating a criminal organization does not imply membership with that organization, and expressed my hope that this decision will be overturned at the appeals process and that Martinović will be able to continue his journalistic work.

On **16 January** I issued a public statement referring to my letter sent on 15 January to the Minister of Foreign Affairs, Srđan Darmanović, regarding the court sentence against investigative journalist Jovo Martinović.

On 22 January, I received a reply from the Minister of Foreign Affairs, Srđan Darmanović, informing me that the prior journalistic engagement of Jovo Martinović had nothing to do with the findings in this matter. The Minister also stressed that verdicts made on these premises, regardless of the profession of the sentenced person, reinforce the credibility of the Court and add to the public perception of equality before the justice reiterating Montenegro's commitment to continue its numerous efforts in reinforcing all the mechanisms that are guaranteeing the framework for free, professional, sustainable and reliable media.

On **24 January** I wrote to the Minister of Foreign Affairs, Srđan Darmanović, to thank him for his update on the case of Jovo Martinović and other media related cases. I also asked if the relevant institutions could continue providing me with information related to the appeals process.

On **17 January**, in a statement from my official Twitter account, I expressed my alarm at the DDoS attacks on the Vijesti news portal in Montenegro the previous week. I called for an investigation to find those responsible. I further recalled that cyberattacks on media websites are attacks on media freedom.

On **6 February** I wrote to Minister of Foreign Affairs, Srđan Darmanović, to express my concern following the recent cyberattack against the news portal Vijesti. On 4 February, Vijesti was the target of a DDoS attack. This was not an isolated incident against the news portal, as it suffered similar cyberattacks in the period 10-13 January 2019. A police investigation into this first wave of attacks had been launched. I stressed that the magnitude of these incidents against Vijesti is worrying and is a threat to media freedom and access to information.

On **19 February** I issued a public statement commending the arrest of nine persons in Montenegro, who the police said were part of a criminal gang responsible for a series of crimes, including the attack on journalist Olivera Lakić who was shot in the leg in Podgorica on 8 May 2018. I recalled that it is essential that this attack against the journalist is fully investigated and all those involved brought to justice, adding that the announcement by the authorities that several persons allegedly linked to this crime were arrested is an important step.

On **22 February** I wrote to the Minister of Foreign Affairs, Srđan Darmanović, commending the work of the Montenegrin authorities in apprehending nine persons linked to the attack on journalist Olivera Lakić. I added that I will continue to closely follow this case until the motives behind it are clarified, and all those involved are convicted.

On **14 May**, upon request by the Ministry of Culture to revise the current law on Electronic media, I shared a legal analysis with the Minister of Culture, Aleksandar Bogdanović, and on **15 May** issued a public statement announcing the legal analysis. My Office commissioned an expert analysis prepared by Professor Dr Sandra Bašić-Hrvatina, a media expert in Montenegro and the wider region. The analysis includes a general assessment related to the implementation of the EU directive in the national legislation, role of the Agency of

electronic media, licensing process, and requirements necessary to have sustainable and independent public service media. (For more details, see Legal reviews)

On **27 May**, in a statement from my official Twitter account, I paid tribute to the Editor-in-Chief and owner of the daily Dan, Duško Jovanović, who was killed 15 years ago. I urged the authorities to increase their efforts and bring all those responsible to justice, reiterating that impunity for such a horrible crime is unacceptable.

### **Netherlands**

On **18 January** I wrote to the authorities of the Netherlands and Turkey, and on **21 January** issued a statement from my official Twitter account, expressing my concern about the situation of journalist, Ans Boersma. She worked in Turkey as a correspondent for the paper Het Financieele Dagblad. She was detained and later deported to the Netherlands with a ban on entering Turkey for the next 6 years. I asked the authorities to share more details on the case.

On 2 July I received a reply from the Dutch authorities, informing me that the journalist, Ans Boersma, who was deported from Turkey, is a suspect in a criminal investigation in the Netherlands. I also learned that the Dutch police shared an information request with the Turkish police. However, the Netherlands did not ask for the detention or deportation of the journalist. Furthermore, the Turkish authorities informed the Embassy of the Netherlands in Ankara that the Dutch journalist was put on a no-entry list in January 2019, based on the above-mentioned information request from the Dutch police.

### **North Macedonia**

On **14 December** I presented a legal review on the proposed amendments to the “Law on Free Access to Information of Public Character” to the Minister of Justice, Renata Deskoska. The legal review was prepared by Helen Darbishire, Executive Director of Access Info Europe. The analysis states that the proposed amendments will help to improve clarity, provide better time-frames, and improve the oversight and reporting process, as well as provide new sanctions for failing to meet deadlines and non-compliance with the decisions by the Commission for the Protection of the Right to Free Access to Information of Public Character. I also encouraged all steps toward a more open government and greater access to open sources. The legal review was made public on 25 March (For more details, see Legal reviews).

On **21 January** I issued a public statement condemning the physical attack against the Kanal 5 journalist, Mirjana Mircevska-Jovanović, in Skopje, who was assaulted while carrying out her work during an event celebrating the Orthodox Christian holiday of Epiphany. She began receiving verbal and physical attacks by security guards after attempting to pose questions to a participant at the event. Mircevska-Jovanović sustained arm and neck injuries. I stated that journalists must be safe when performing their professional activities without being intimidated, threatened or attacked.

I expressed my hope that the investigation launched by the authorities will swiftly identify and bring the perpetrators to justice. I also welcomed the swift reaction and condemnation by the political parties, SDSM, VMRO-DPMNE and DS, as well as members of the media community.

On **5 February**, in a statement from my official Twitter account, I welcomed the establishment of the Network against Hate Speech in the Media in Skopje. I stated that the joint work of the Council of Media Ethics of Macedonia, the media community and state institutions on this issue is of great importance.

On **18 April** I issued a public statement condemning the intimidation and threats against TV21 journalists in the municipality of Aracinovo, in North Macedonia. On 17 April, a TV21 journalist and camera operator were verbally threatened and intimidated while carrying out their work. After the journalists refused to delete their recorded footage, several people allegedly related to the municipality's mayor took the journalists to the municipal building, where they were faced with the same demands. They were subsequently transferred by force to Skopje.

The Editor-in-Chief of TV21 was also threatened and pressured not to publish the recordings. The incident was reported to the police, and the Mayor of the Aracinovo municipality subsequently publicly condemned the incident and apologized. I stated that journalists are being targeted because of their work and that this was a blatant attack on freedom of the media.

On **7 May** I sent a legal review, and on **16 May** issued a public statement, on the latest amendments to the "Law on Audio and Audio-visual Media Services" in the Republic of North Macedonia to the Minister of Information Society and Administration, Damjan Mancevski.

I welcomed the fact that, after being blocked in the Parliament, the Law had finally been adopted. Moreover, the amended version of the Law is in general accordance with European and international standards in audio-visual media. While it contains numerous positive elements such as strengthening the diversity of representation in various organs and ensuring that the interests of different ethnic groups are taken into consideration, the Law still includes several provisions that need to be addressed. (For more details, see Legal reviews).

## **Poland**

On **8 May**, in a statement from my official Twitter account, I condemned the arrest of Elzbieta Podlesna, for placing posters of the Virgin Mary with a rainbow colored halo, as a breach of freedom of expression and right to artistic expression. I called on the Polish authorities to repeal their blasphemy legislation. I was informed by the authorities on the same day that Elzbieta Podlesna was released shortly after her arrest. I noted that the police investigation into the alleged crime of blasphemy is still ongoing.

On **6 June** I issued a public statement expressing my serious concerns about the sentencing of journalist Anna Wilk in Poland to a 3-year ban on practicing journalism. I called on the authorities to decriminalize defamation, and reiterated that investigative journalism is not a crime and should not be treated as such.

## **Romania**

On **26 March**, in a statement from my official Twitter account, I said that the decision by the Justice Minister not to renew the accreditation of journalists from PRO TV and Realitatea TV on the basis of their critical reporting is an unacceptable restriction on media freedom. I

added that accreditation must not be used as a tool to control editorial content or sanction journalists.

On **27 May**, in a statement from my official Twitter account, I welcomed the resignations of the rector and pro-rector of the Police Academy, after their suspected involvement in death threats sent to reporter Emilia Sercan, who was investigating plagiarized doctoral theses at the Academy.

### **Russian Federation**

On 22 November I received a letter from the Commissioner for Human Rights in the Russian Federation, Tatiana Moskalkova, raising concern about the health problems of the detained bureau chief of RIA Novosti Ukraine, Kirill Vyshinsky.

On 30 November I received a letter from the authorities about the misinterpretation of a weekly briefing statement of the Director of the Information and Press Department of the Ministry of Foreign Affairs of the Russian Federation, Maria Zakharova, by one of the journalists of the Ukrainian Independent Information Agency of News.

On **11 December** I answered to the Commissioner for Human Rights in the Russian Federation, Tatiana Moskalkova, in reply to her letter of 22 November, informing me about the health problems of the detained bureau chief of RIA Novosti Ukraine, Kirill Vyshinsky.

On **13 December** I wrote to the authorities, and on **14 December** issued a public statement, conveying my concerns about a set of draft laws introduced to the State Duma, which imposed administrative liability for online speech that expresses, in an insulting way, disrespect to society, state, official symbols, the Constitution, and public bodies. Another part of the suggested provisions entailed administrative fines for dissemination in the media, and online, of deliberately untrue information that presents threats to life, health, mass public disorder, a break in public services, or has other serious effects. I noted the vague wording of the draft laws, which could result in greater interference by the authorities in online freedom of expression and the free flow of information, and increase the potential for self-censorship.

On 18 January I received a reply from the authorities informing me that the relevant executive bodies did not support the draft laws and returned them to the authors in the Parliament for further consideration. It was also indicated that the Russian legal initiatives are in strict compliance with the country's international obligations and commitments in the sphere of media freedom.

On 31 December I received a letter from the Director of Information and Press Department of the Ministry of Foreign Affairs of the Russian Federation, Maria Zakharova, in which she raised several cases of Russian media outlets being targeted in a number of OSCE participating States.

On **1 February**, following negative developments around the newspaper Novye Kolesa in Kaliningrad in recent years, I issued a statement from my official Twitter account, and on **4 February** I issued a public statement expressing my concern regarding a court verdict to terminate the activity of the media outlet upon the request of the local branch of the Federal Service for Supervision of Communications, Information Technology and Mass Media. Earlier, in April 2018, I also expressed my concern about the seizure of copies of the

newspaper and vendors' refusal to distribute it following the arrest of its editor, Igor Rudnikov, who continued to serve a pre-trial detention since November 2017. Reportedly, the publishing house has also declined to print the newspaper since April 2018 (see also PC Reports of 5 July 2018 and 9 November 2017).

On 6 February I received a letter from the authorities enquiring if my Office could prepare a report on existing norms and practices in the field of countering disinformation. I agreed to provide a legal and comparative analysis of national approaches to countering disinformation in the context of freedom of the media.

On **11 February** I wrote a letter and issued a public statement calling on the authorities to drop the criminal charges against Radio Ekho Moskvyy journalist Svetlana Prokopyeva, and raising concern about the decisions of a court to fine two media outlets in relation to the journalist's case. On 6 February, law enforcement officers searched Prokopyeva's apartment, seized her computers, phones and files. They detained and interrogated the journalist on charges of "publicly justifying terrorism". An investigation and a search were also conducted at Radio Ekho Moskvyy's editorial office in Pskov, and the court fined both media outlets for broadcasting Prokopyeva's comments on the radio, when she expressed her views regarding a terrorist attack in the Russian city of Arkhangelsk, in October 2018, and criticized the authorities.

On 21 March I received a reply from the authorities informing me that, by preparing and distributing information regarding a terrorist attack, Svetlana Prokopyeva acted deliberately. The expert commission concluded that this information publicly justified terrorism. The investigation on the issue continues.

On **14 February** I issued a public statement expressing my concern regarding the vagueness and broadness of the objectives of the amendments to the federal laws on Communication and on Information, Information Technologies, and Protection of Information, which were adopted by the State Duma, in the first reading on 12 February. I noted that the new powers given to the regulator over the routing of Internet traffic, along with the requirements for all Internet service providers to install technical mechanisms to withstand threats, may seriously affect the free flow of information. I called on the Parliament to carefully review the proposed amendments by taking into account the transnational nature of the Internet and its important role for access to information and media pluralism.

On **18 February** I wrote to Maria Zakharova, Director of Information and Press Department Ministry of Foreign Affairs of the Russian Federation, in reply to her letter of 31 January, in which she expressed concerns over the situation with Russian media outlets in a number of OSCE participating States.

On **18 February** I issued a statement from my official Twitter account, and on **19 February** wrote to the authorities, expressing my concern regarding the violent attack on the journalist and editor of the Vash Golos newspaper, Dmitry Kosenko, in the town of Tuapse, Krasnodar Krai. On 16 February, the journalist was beaten by two unidentified people near the editorial office of his newspaper and was subsequently hospitalized after suffering from a concussion, broken nose and bruises. I expressed hope that the law enforcement authorities will do their utmost to identify and bring to justice those responsible for the assault.

On 25 March I received a reply from the authorities informing me that, upon Kosenko's complaint, on 4 March the law enforcement authorities launched an investigation on charges of battery.

On 6 March I received a letter from the authorities, in which they expressed their concern over several cases of DDoS attacks against the Russian NTV-Mir channel.

On **7 March**, in a statement from my official Twitter account, I expressed my concern about the adoption by the State Duma of laws punishing media for news deemed fake, and for tightening the regulation of online information.

On **11 March** I wrote to the authorities in reply to their letter of 6 March regarding the DDoS attack on the NTV-Mir channel. I said that DDoS attacks on media outlets obstruct and hinder news reporting and are detrimental to cybersecurity, and suggested that such intentionally disruptive measures need to be addressed internationally through enhanced co-operation between the OSCE participating States.

On **12 March**, in a statement from my official Twitter account, I condemned the threats by Chechen Parliament Speaker Magomed Daudov against the blogger, Tumso Abdurakhmanov. It was not the first time that speaker Daudov threatened media actors. I said that law enforcement authorities should investigate these acts of intimidation.

On 13 March I received a letter from the authorities regarding alleged discrimination towards Russian media in France and the criticism of a minister against Russia Today and Sputnik. I was also asked to provide my assessment regarding the alleged demand of the French media regulator CSA to cut co-operation between the radio station Aligre FM and Sputnik France.

On **19 March** I issued a public statement expressing my concerns about the laws introduced in Russia imposing excessive restrictions on speech and information on the Internet, and which could further limit media freedom in the country. A set of laws on "disrespect" to the state and the spread of "fake news" passed by the Federal Assembly were enacted into law by President Vladimir Putin on 18 March.

On 21 March I received a letter from the authorities flagging a statement made by the Press Secretary of the State Border Service of Ukraine on the access of Russian journalists to the Presidential elections in Ukraine on 31 March 2019.

On **28 March**, in reply to an official request on 6 February, I sent to the authorities a report prepared by my Office on "International standards and comparative national approaches to countering disinformation in the context of freedom of the media". (For more details, see Legal reviews).

On **1 April** I wrote to the authorities in reply to their letter of 13 March regarding the end of the partnership between the Paris-based radio station Aligre FM and Russia's Sputnik France. I informed the authorities that, based on information available to me, the decision of Aligre FM to end its partnership with Sputnik France was linked to the convention that Aligre FM signed with the media regulator (CSA), on the basis of which it was attributed a FM radio frequency as a non-profit organization, which was not compatible with such commercial arrangements with Sputnik France.

On **1 April** I wrote to the authorities, and issued a statement from my official Twitter account, expressing my concern and asking for information regarding the attack on the editorial office of the Kommersant newspaper in Yekaterinburg. On 31 March, unknown assailants broke into the editorial office, damaged several computers and stole two hard drives. The attackers also left a written note with a death threat on the director general's table.

On **3 April**, in a statement from my official Twitter account, I expressed my concern about the Federal Service for Supervision in the Sphere of Telecom, Information Technologies and Mass Communications (Roskomnadzor) urging media outlets in Yaroslavl, YarCube and 76.ru, to remove reports about graffiti mentioning the name of the president, on the basis of the law banning disrespect towards public bodies.

On 4 April I received a letter from the authorities, in which they thanked me for the report of 28 March prepared by my Office on "International standards and comparative national approaches to countering disinformation in the context of freedom of the media".

On **11 April**, in a statement from my official Twitter account, I reiterated my serious concern regarding amendments to the laws on information ("sovereign Internet"), which were adopted by the State Duma in the second reading, and their risk of restricting access to information and freedom of expression.

On 1 May I learned that the legislative amendments were signed into law by President Vladimir Putin.

On **16 April** I issued a public statement expressing my concern regarding the legislative amendments introducing an administrative liability for distributing foreign print media on the territory of the Russian Federation, without the permission of the authorities, which were adopted in the first reading by the State Duma on 2 April. I encouraged the members of the State Duma to carefully review the proposed amendments, so as to avoid hindering the public's right to access foreign print publications, and to avoid obstructing the dissemination of information from other countries.

On 30 May I learned that the legislative amendments were adopted in the third reading by the State Duma.

On 17 June I learned that the legislative amendments were signed into law by President Vladimir Putin.

On **18 April**, I issued a statement from my official Twitter account, and on **23 April** wrote to the authorities, expressing my concern and asking for information regarding the search conducted at the Rosbalt news agency editorial office in Moscow by the Criminal Investigation Department. The law enforcement authorities blocked access to Rosbalt's editorial office, searched the premises, seized equipment and personal belongings of the journalists, and demanded all computer passwords be handed over. The police also searched the apartment of the Rosbalt investigative journalist, Alexander Shvarev. As a result, the activities of the editorial office were suspended. Reportedly, the law enforcement actions were related to a criminal defamation case. I called on the authorities to exercise restraint, as such restrictive measures obstructed the work of this independent media and raise concerns about the protection of the confidentiality of journalists' sources.



On 25 June I received a reply from the authorities informing me that the search was part of a criminal defamation case, which was launched upon a complaint of one of the businessmen. I was also informed that the case is closed.

On 18 April I received a letter from the authorities, in which they answered to my public statement of 17 April regarding the arrest of several persons involved in journalistic activities in Crimea on 28 March.

On **25 April** I wrote to the authorities in reply to their letter of 18 April 2019, following my public statement regarding the arrest of several persons referred to as “citizen journalists” in Crimea. I said that journalism is a function undertaken by a wide range of actors, including those who engage in different forms of self-publishing on digital platforms, or elsewhere, and who therefore contribute to a public debate.

On 13 May I learned that the district court in Nizhny Novgorod sentenced Dmitry Pankratov to 9.5 years in a high-security prison for murdering Denis Suvorov, a journalist with the Nizhny Novgorod State Television and Radio Company (see also PC Report of 22 November 2018). According to the verdict, the murder was not related to Suvorov’s professional activity.

On **14 May** I wrote to the authorities asking for details regarding the death of a well-known Russian journalist, founder and Editor-in-Chief of the Govorit Moskva radio station Sergey Dorenko on 9 May, as a result of a motorcycle accident in Moscow.

On 17 May I received a reply from the authorities informing me that the preliminary investigation confirmed that the death of Dorenko was due to natural causes. On 25 June I received another reply from the authorities informing me that the medical examination also concluded that the death of Dorenko was due to natural causes.

On **28 May**, in a statement from my official Twitter account, I condemned the attack on Rossiya-24 correspondent Ivan Litomin. On 22 May, Litomin and his camera crew were filming a report on the aftermath of the 2015 land fires in the Khakassia region, Siberia, and the possible abuse of public funds, when he was attacked by a district chief during an interview.

On 28 May I received a letter from the authorities, in which they raised several instances of attacks against correspondents of Russia Today France and RIA Novosti covering the “yellow vests” protests in France.

On **31 May** I wrote to the authorities in reply to their letter of 28 May 2019 regarding different incidents affecting Russian media in France in the context of the “yellow vests” protests. I said that I have raised the issue of attacks against journalists covering the protests on several occasions with the French authorities, and have called for respect by all actors of the work of journalists covering these demonstrations.

On **4 June**, in a statement from my official Twitter account, I reiterated my call on the authorities to free the Ukrainian journalist Roman Sushchenko of Ukrinform. It was one year that day that he had been sentenced to 12 years in jail in Russia.

On **6 June** I wrote to the authorities expressing my concern, and asking for information, regarding the attack on the video blogger, Vadim Kharchenko, in Krasnodar on 1 June. Kharchenko was attacked by two unknown assailants, when he went to meet a potential source. The blogger suffered three gunshot wounds and two knife lacerations, and linked the attack to his blogging activities, including criticism of local authorities and coverage of alleged criminal cases.

On 25 June I received a reply from the authorities informing me that the Interior Ministry had started checking Kharchenko's complaint about the attack.

On **7 June** I issued a public statement, and on **10 June** wrote to the Russian Minister of Foreign Affairs, Sergey Lavrov, raising my concerns over the arrest of the investigative journalist Ivan Golunov from the Meduza news website, in Moscow on 6 June. The journalist was detained on suspicion of "illegal production or sale of drugs", after the police searched him and allegedly found drugs in his bag and apartment. He denied all the accusations and was reportedly beaten by law enforcement officials during his detention. On 8 June, the Nikulinskiy District Court of Moscow ruled to place Golunov under house arrest for two months after he was charged with intent to sell drugs. I called on the authorities to conduct a thorough and transparent investigation into the matter, in full compliance with the principles of the rule of law, to drop all charges against him and to release him.

On **11 June**, in a statement from my official Twitter account, I welcomed the dropping of criminal charges against Ivan Golunov and his release, and said that the accusation was groundless and the journalist should never have been arrested in the first place.

On 25 June I received a reply from the authorities informing me that Golunov had been released from house arrest on 11 June.

On **11 June** I wrote to the authorities and issued a statement from my official Twitter account expressing my concern regarding the attack on the Snob editorial office in Moscow. On 10 June an unidentified man broke down the door of the editorial office and seriously damaged equipment and furniture.

On 25 June I received a reply from the authorities informing me that a suspect in the attack on the Snob editorial office had been detained, and that the investigation is ongoing.

On **12 June** I issued a public statement raising my concerns over the detention of more than 30 members of the media at the demonstration in solidarity with the investigative journalist, Ivan Golunov, in Moscow. At least 11 detained journalists were covering the event upon editorial assignment. I called on the authorities to release all detained journalists and for law enforcement representatives to exercise restraint towards members of the media.

On **17 June** I issued a public statement welcoming the release of journalist Igor Rudnikov, the editor and founder of the Kaliningrad-based Noviye Kolyosa newspaper, and calling on the authorities to drop all charges and fully acquit the journalist. The district court of Saint Petersburg ruled to change Rudnikov's charges from extortion to arbitrariness, and sentenced him to 550 hours of community service. However, the journalist was released in the courtroom on account of the period of 20 months spent in pre-trial detention. In addition, the decision on the seizure of his property was repealed.

On **18 June** I wrote to the authorities, and on **19 June** issued a statement from my official Twitter account, to express my concern over the arrest of journalist Abdulummin Gadzhiev from the independent online newspaper, Chernovik, in Makhachkala, the Republic of Dagestan. On 14 June, law enforcement representatives arrested Gadzhiev on suspicion of “participation in a terrorist organization” and “assisting terrorist activity”. On 18 June, the District Court of Makhachkala placed Gadzhiev under pre-trial detention for 2 months.

On 25 June I received a reply from the authorities to my letter of 18 June informing me that the case is under control of the law enforcement representatives, and other relevant bodies of the Russian Federation.

On 19 June I received a letter from the Russian authorities, in which they expressed their concern over the call by members of the Lithuanian Parliament to block access to the Sputnik Lithuania website. The authorities also recalled the detention and entry ban of the editor of Sputnik Lithuania, Marat Kasem, at Vilnius airport in May 2018.

On 27 June I wrote to the authorities, in reply to their letter of 19 June, that I have been closely monitoring developments in this case, and that I had raised the issue of the detention and entry ban of the editor of Sputnik Lithuania, Marat Kasem, at Vilnius airport.

## **Serbia**

On **12 December** I issued a public statement strongly condemning an attack on a journalist’s home in Serbia, and urging a swift and thorough investigation. The house of Milan Jovanović, a correspondent of the news portal Žig info, was completely burned down together with all of his furniture and his car. Jovanović, who sustained minor injuries, was immediately hospitalized. I recalled that this is not an isolated incident involving journalists from Žig info. In October, Željko Matorčević, the Editor-in-Chief of the same news portal was the victim of a physical attack.

On **13 December** I issued a public statement following a meeting with Olivera Zekić, a member of Serbia’s Council of the Regulatory Authority of Electronic Media (REM), during which we discussed issues related to REM’s operation, including the need for independence. I stressed the important role that a regulator plays in implementing relevant laws and creating a pluralistic and balanced media landscape. I expressed my concern that, for a long time, the REM Council has been functioning with only six out of nine members, noting a large number of complaints by the media organizations regarding the work of the Regulator.

On **28 December**, in a statement from my official Twitter account, I strongly condemned, and urged the Serbian authorities to swiftly investigate, the death and rape threats against journalist Tatjana Vojtehovski and her daughter on Twitter.

On **25 January** I issued a statement from my official Twitter account, and on **26 January** issued a public statement, welcoming the arrest of the President of the Grocka Municipality, Dragoljub Simonović, suspected of ordering the arson attack on the house of Milan Jovanović. I commended the strong stance of President Aleksandar Vučić in saying that journalists will be protected and violence against them punished.

On **5 February** I issued a public statement condemning several threats against N1 TV and its journalists after a politician had accused journalists from the media outlet of recognizing the

independence of Kosovo. A wave of offensive and discriminatory statements on social media portrayed N1 as “traitors” and “anti-Serbs”. In addition, N1 TV received a letter in which unknown perpetrators threatened the safety of their families, and to blow up the outlet’s offices. These threats were shared with the police. I called on the Serbian authorities to do their utmost to identify and punish those responsible for these threats.

On **6 February**, in a statement from my official Twitter account, I commended the progress of the investigation into the threats against N1 TV and the detention of a suspect allegedly responsible for sending the threatening letter.

On **12 February**, in a statement from my official Twitter account, I strongly condemned the death threats sent on Facebook against Nedim Sejdinović and Dragan Janjić. I stated that this is not the first time they face such brutal attacks, and urged the authorities to swiftly investigate and ensure adequate protection for journalists.

On **28 February**, in a statement from my official Twitter account, I expressed my disappointment with a court decision on 27 February, after the person responsible for the horrible death and rape threats sent to the journalist, Tatjana Vojtehovski and her daughter, was handed only a suspended sentence. I stated that such crimes must be severely punished and journalists protected.

On **18 March** I issued a public statement raising my concern regarding an incident that took place in the building of the national public service broadcaster RTS. On 16 March, a group of people entered the RTS premises, demanding more objective reporting on the current political situation in the country. I stated that debate on the pluralism and independence of public service broadcasters is a necessity, but that disagreement with editorial policy should not be addressed through intimidation and pressure against journalists. I also noted that the entrance to the building of RTV Kraljevo was temporarily blocked by the group of protestors.

On **27 March** I wrote to the Prime Minister, Ana Brnabić, and on **29 March** issued a public statement, expressing my concern regarding the threats against journalists of the N1 news channel in Serbia. The Serbia Programme Director of N1, Jugoslav Ćosić, and other journalists had been threatened, including by being portrayed as foreign mercenaries, “anti-Serb” and “traitors”.

Several political figures in the country accused N1 of supporting violence, following its live coverage of protestors storming the headquarters of the public service broadcaster, RTS, on 16 March. I recalled the 2018 OSCE Ministerial Council Decision on Safety of Journalists, expressing my hope that the Serbian authorities will ensure that N1 journalists will be able to do their job without any kind of pressure.

On **29 March**, in a statement from my official Twitter account, I expressed my dismay at the threatening SMS message sent to Dragan Janjić from the Beta News Agency. The incident was reported to the police. I stressed that it needs to be swiftly investigated and those responsible brought to justice.

On **5 April** I issued a public statement welcoming the court decision convicting former state officials for the killing of journalist Slavko Ćuruvija. The High Court in Belgrade sentenced former state security officials Radomir Marković and Milan Radonjić to 30 years in prison, and Ratko Romić and Miroslav Kurak to 20 years in prison, for organizing and taking

part in the murder of Ćuruvija, the former owner of the newspaper Dnevni Telegraf and the weekly magazine Evropljanin, who was gunned down on 11 April 1999 in Belgrade.

I highlighted that this long-awaited ruling is significant, as it shows that there can be no impunity, even for crimes committed 20 years ago, and I urged the Serbian authorities to finally shed light on other killings of prominent journalists.

On **18 April**, in a statement from my official Twitter account, I condemned the online death threats against journalists Sanja Kljajić, Vanja Đurić and Milena Popović, which they received after releasing their documentary “Albanians Are Our Sisters”. I stated that threats of any kind are unacceptable and must be fully investigated.

On **18 April**, in a statement from my official Twitter account, I expressed my shock at a video posted online, which was an open call for violence against journalists of BIRN Srbija and Slobodan Georgiev. I stated that portraying journalists as traitors can seriously endanger their safety, called on law enforcement authorities to urgently investigate this case.

On **7 May**, in a statement from my official Twitter account, I strongly denounced the threats and abuse sent to BIRN Network’s Sofija Todorović, after her Twitter account was restricted following reported hacking attacks. I called on the authorities to swiftly investigate and punish the perpetrators.

On **24 June**, in a statement from my official Twitter account, I denounced the dangerous intimidation against the Indjija Cafe web-portal journalist, Verica Marinčić. I urged the authorities to protect her and bring those responsible to justice, stressing that such intimidation must not be tolerated.

## **Slovakia**

On **6 February** I wrote to the authorities, and issued a public statement, to raise my concerns about the amendments to the Press Act, which would establish a right of reply to legal entities and persons and will, in particular, apply to political actors and public officials.

On **8 February**, in a statement from my official Twitter account, I welcomed the reaction of the Ministry of Foreign Affairs of Slovakia, following my statement of 6 February, in which it took into account my remarks on the right of reply legislation.

On 12 February I received a reply to my public statement of 6 February, which reconfirmed the Slovak Republic’s dedication to all its OSCE human dimension commitments, including those pertaining to the freedom of the media.

On **20 February**, together with the OSCE Chairperson-in-Office Slovak Foreign and European Affairs Minister, Miroslav Lajčák I issued a public statement marking the first anniversary of the shocking murder of Slovak investigative journalist Ján Kuciak and his fiancée Martina Kušnírová.

On **21 February** I wrote to the authorities informing them that a legal review of the suggested amendments to the Press Act would be prepared by my office, and on **5 March** wrote to the authorities to present the legal review of the recent draft amendments on the right

of reply to the Statute on Periodic Press and News Agencies of Slovakia. The review was prepared by my Office.

On **14 March**, I issued a public statement commending the indictment and bringing of charges against the alleged instigator of the murder of journalist Ján Kuciak.

On **18 March** I wrote to the authorities as a follow-up to my letter of 5 March, suggesting that a discussion should take place before the second reading of the amended law passes through Parliament.

On 26 March I received a reply from the authorities in response to my letter of 18 March, concerning the currently deliberated amendments to the Press Act (Law on Periodic Press and News Agencies of Slovakia) informing me that my comments and recommendations had been brought to the attention of all relevant stakeholders.

On **3 May**, on the occasion of World Press Freedom Day, I visited **Bratislava** to pay tribute to the investigative journalist, Ján Kuciak, and his fiancée Martina Kušnírová, who were killed in February 2018. (For more details, see Visits).

### **Slovenia**

On **27 November**, in a statement from official Twitter account, I welcomed the conviction of a senior politician for a Tweet calling two journalists "prostitutes" in relation to their reporting in 2016. I stated that the 3-month prison sentence suspended for 1 year of probation was a strong sign that such abuse should not be tolerated.

### **Spain**

On **12 December** I issued a public statement from my official Twitter account, and on **13 December** wrote to the authorities, expressing my concern regarding the order to confiscate the phones and computers of journalists from Diario de Mallorca and Europa Press Baleares, related to their reporting on money laundering and tax fraud. I highlighted the importance of confidentiality of journalistic sources and its recognition by international standards. I further urged the authorities to refrain from bringing charges against the journalists and to immediately return their equipment.

On **27 February** I wrote to the authorities requesting information regarding the death of Russian media manager Igor Malashenko in Spain.

On 12 March I received a reply from the authorities confirming that they had identified Malashenko's body in San Roque and that a judicial investigation had been launched, which they would share more information on. They also informed me that the Embassy of the Russian Federation in Spain had been duly informed.

### **Switzerland**

Following a letter I had sent to the authorities in October 2018 regarding Mustafa Mamay, a Kurdish journalist held at Zurich airport and allegedly denied the right to apply for asylum despite facing a threat of extradition to Turkey, I learned from a media report that on 2 December the deportation decision had been lifted (see also PC Report of 5 July 2018).

## Tajikistan

On **7 May** I issued a public statement calling on the authorities to reinstate access to numerous web resources, including online media, social platforms and Google services, and to provide citizens with full and unrestricted access to online news media, both national and international.

On **27 June** I issued a public statement, and on **1 July** wrote to the authorities, regarding reports that a journalist's family members were intimidated, and to reconsider the withdrawal of the press accreditation for a Radio Free Europe/Radio Liberty correspondent in Dushanbe.

## Turkey

On **22 November**, in a statement from my official Twitter account, I strongly condemned the death threats on social media targeting Cumhuriyet journalist Mine Kırıkkanat, including a public campaign against her organized by some media. I stressed that these threats are unacceptable and need to be swiftly investigated.

On **27 November**, I wrote to the Turkish authorities to express my concern regarding the situation of journalists Atilla Taş and Murat Aksoy. On 24 October, the 2<sup>nd</sup> Penal Chamber of the Istanbul Regional Court of Justice upheld the first instance ruling, forcing them to serve the remainder of their sentences. I re-iterated that imprisoning journalists for their work is detrimental to freedom of the media and freedom of expression, and impedes citizens' right to be informed on issues of public interest. I called for their release and for the authorities to drop the charges.

On **30 November**, in a statement from my official Twitter account, I expressed my alarm after an appeals court upheld the sentences of journalists Ayşe Düzkan, Ragıp Duran, Mehmet Ali Çelebi, Hüseyin Bektaş and Hüseyin Aykol for "terrorism propaganda" in the Özgür Gündem trial. I noted that journalistic activities and solidarity for journalists are not crimes.

On **13 December**, in a statement from my official Twitter account, I expressed my concern about the conviction of Ece Sevim Öztürk to 3 years and 1 month in prison for "aiding a terrorist organization". She was released after 6 months pending appeal. I expressed hope that her conviction will be overturned.

On **28 December**, in a statement from my official Twitter account, I expressed my concern at the very high fines imposed on the FOX Haber and halktv.com.tr TV channels. I said that disproportionate sanctions restrict media freedom and lead to self-censorship, adding that the authorities must accept criticism without retaliating against independent media.

On **3 January**, in a statement from my official Twitter account, I expressed my dismay about the information released by the Ministry of Interior of Turkey regarding social media activity in the country, whereby, 42,406 social media accounts were investigated and legal action was taken against 18,376 persons in 2018. I stated that freedom of expression online should be respected.

On **8 January**, in a statement from my official Twitter account, I expressed my alarm at the court decision convicting investigative journalist Pelin Ünker to 1 year, 1 month and 15 days

in prison and imposing a fine of 8.660 TL (almost 1,380 euros) for “insulting” and “slandering a public official”. Ünker was sued by the former Turkish Prime Minister, Binali Yıldırım, and his sons for her report on the Paradise Papers.

On **10 January**, I wrote to the Minister of Foreign Affairs of Turkey, Mevlüt Çavuşoğlu, and issued a public statement, expressing my concern over the sentencing of Pelin Ünker. I highlighted that public officials, due to their public role, should endure a higher level of scrutiny, and expressed my hope that the journalist will be acquitted on appeal.

On **18 January**, in a statement from my official Twitter account, I welcomed the release of Mezopotamya Ajansı journalist Seda Taşkın. She had been imprisoned for almost a year and was previously convicted to 7 years and 6 months in prison on terrorism charges. I expressed hope that she will be acquitted on appeal.

On **18 January** I wrote to the Minister of Foreign Affairs of Turkey, Mevlüt Çavuşoğlu, and on **21 January** issued a statement from my official Twitter account, expressing my concern about the case of journalist Ans Boersma, who was deported from Turkey to the Netherlands. Boersma is a Dutch journalist who worked in Turkey as a correspondent for the financial paper, Het Financieele Dagblad. She was deported to the Netherlands on 17 January for reportedly posing a threat to national security. I requested more information about the reason for Boersma’s deportation.

On **19 January**, in a statement from my official Twitter account, I paid tribute to the murdered Turkish-Armenian journalist and writer, Hrant Dink, who was shot 12 years ago in Istanbul in front of the office of Agos, the newspaper he founded. I called on the authorities to redouble their efforts and to bring the masterminds of his murder to justice.

On **28 January**, in a statement from my official Twitter account, I stated that I will closely follow the trial of Erol Önderoğlu, Şebnem Korur Fincancı and Ahmet Nesin, who are being prosecuted for their participation in the solidarity campaign organized by the now-closed Kurdish media outlet Özgür Gündem. I was glad that the arrest warrant for Ahmet Nesin was lifted, but called on the authorities to drop all charges against them.

On **14 February**, in a statement from my official Twitter account, I expressed my concern about the arrests of former Mezopotamya Ajansı reporter Melike Ceyhan, and former reporter for Sputnik Kurdish service Salih Turan, and called on the authorities to release them.

On **19 February** I issued a public statement expressing my deep alarm at the decision of a Turkish court to uphold the convictions and harsh sentences against journalists and executives of the newspaper Cumhuriyet, and urged that they be immediately released and all charges dismissed. Journalists Kadri Gürsel and Hakan Karasınır were sentenced to 2 years and 6 months imprisonment. Cumhuriyet’s lawyer, Bülent Utku was sentenced to 2 years and 4 months in prison. The newspaper’s cartoonist, Musa Kart, was sentenced to 3 years and 9 months in prison. The newspaper’s accountant, Emre İper, was convicted to 3 years, 1 month and 15 days in prison. Güray Tekin Öz, Mustafa Kemal Güngör, and Önder Çelik were sentenced to 3 years and 9 months in prison.

Editor-in-Chief Murat Sabuncu, prominent journalist Ahmet Şık, Akın Atalay and Aydın Engin were sentenced to 7 years and 6 months in prison. Hikmet Çetinkaya and Orhan Erinç



were sentenced to 6 years and 3 months in prison. Ahmet Kemal Aydođdu remains in prison, with a 10-year sentence.

On **27 February**, in a statement from my official Twitter account, I expressed my concern at a prosecutor's request that Erol Önderođlu, Şebnem Korur Fincancı and Ahmet Nesin be convicted to long prison sentences in the Özgür Gündem solidarity campaign trial.

On **4 March**, in a statement from my official Twitter account, I denounced the decision to refuse renewing the accreditation of ZDF Istanbul bureau chief Jorg Brase, Der Tagesspiegel Turkey reporter Thomas Seibert, and NDR's Halil Gülbeyaz. I urged the authorities to reverse this measure, and recalled Turkey's OSCE commitment to facilitate the work of journalists from other participating States.

On **6 March** I wrote to the Minister of Foreign Affairs of Turkey, Mevlüt Çavuşođlu, to convey my concern about information that the Turkish authorities had decided not to renew the accreditation of the Istanbul Bureau Chief of Germany's ZDF public broadcaster, Jorg Brase, Tagesspiegel's reporter to Turkey Thomas Seibert, and Northern German Broadcasting (NDR) journalist Halil Gülbeyaz in Turkey.

I emphasized that press accreditations should not be used as a prerequisite for journalistic work. I also called on the authorities to reconsider the decision, and issue new accreditations to the foreign journalists, to allow them to continue their work unrestricted in Turkey.

On **11 March**, in a statement from my official Twitter account, I deplored the decision forcing German journalists Jorg Brase and Thomas Seibert to leave Turkey, following the withdrawal of their press accreditation.

On **13 March**, in a statement from my official Twitter account, I highlighted an important judgment by the European Court of Human Rights, Gürbüz v. Turkey. The ruling recognized that lengthy court cases could be seen as an intimidation against journalists. The Court also found that Gürbüz's right to freedom of expression has been violated and stated that these proceedings against Gürbüz were "capable of having a chilling effect on freedom of expression and public debate". I stated that silencing journalists on unfounded charges and lengthy court cases inevitably leads to self-censorship, endangers media pluralism and undermines respect for fundamental human rights.

On **27 March**, in a statement from my official Twitter account, I stated that my Office will closely follow the court hearing of the investigative journalist Pelin Ünker in Istanbul. Pelin Ünker was on trial for her reporting on the Paradise Papers.

On **28 March** I wrote to the authorities about the trial of Erol Önderođlu, Ahmet Nesin, and Şebnem Korur Fincancı. I expressed my strong concern regarding the grave charges against them, which include terrorist propaganda and supporting criminal activity, following their participation in a solidarity campaign organized by the now-closed Kurdish media outlet Özgür Gündem. I further informed the authorities that representatives from my Office will travel to Istanbul to observe the next session of their trial.

On **28 March**, in a statement from my official Twitter account, I welcomed the dismissal of the case against Pelin Ünker for her reporting on the Paradise Papers. I expressed hope that

the charges against other journalists, brought in relation to their work, would also be dropped without further delay.

On **3 April** I issued a public statement expressing my disappointment over the court verdicts handed down to a number of journalists and writers in the Özgür Gündem trial in Turkey. Thirteen journalists and writers, who participated in a solidarity campaign organized by the now-closed Kurdish media outlet Özgür Gündem, stood trial on charges related to terrorist propaganda. The Istanbul 14th High Criminal Court convicted Faruk Eren, Ertuğrul Mavioğlu, Fehim Işık, Celal Başlangıç, Öncü Akgül, İhsan Çaralan, Celalettin Can and Dilşah Kocakaya to 15 months in prison. All the sentences, with the exception of those against Can and Kocakaya, were deferred. In addition, former Chief Editor Hüseyin Aykol was sentenced to 3 years and 9 months in prison. I also noted that Mehmet Şirin Taşdemir, Ömer Ağin, Veysel Kemer and Yüksel Oğuz, who were accused of sending letters to the newspaper, were acquitted. I urged the Turkish authorities to stop sentencing journalists to prison as punishment for their views, repeating my call on Turkey to release all journalists who are behind bars for their work.

On **14 April**, in a statement from my official Twitter account, I stated that representatives from my Office will be in Istanbul for the trial of Reporters Without Borders Turkey representative Erol Önderoğlu, freelance journalist Ahmet Nesin, and human rights defender Şebnem Korur Fincancı – all charged for participating in a solidarity campaign with the now-closed Kurdish media Özgür Gündem.

On **15 April**, in a statement from my official Twitter account, I noted that Erol Önderoğlu presented his defense in the Özgür Gündem solidarity campaign case, and reiterated my call for his acquittal. The next hearing was set for 17 July when a verdict is likely to be announced.

On **15 April**, in a statement from my official Twitter account, I expressed my concern about the investigation and several hours of detention of the economist and writer, Mustafa Sonmez, for an alleged insult against the President. I stated that expressing critical views and opinions should not lead to arrest or trial.

On **26 April** I issued a public statement calling for the release of six former journalists and employees of the newspaper Cumhuriyet, after they were returned to prison on 25 April. I stated that this was particularly disturbing as it came just after several Cumhuriyet journalists were released from detention in the past months, and that the trial demonstrated that the accusation of terrorism against the journalists was groundless.

Cumhuriyet's cartoonist, Musa Kart, and other former employees of the newspaper, including Önder Çelik, Mustafa Kemal Güngör, Hakan Karasınır, Güray Öz and Emre İper, were sent back to prison to serve the remainder of their jail sentences, having already spent some time in pre-trial detention. Their prison sentences are between 3 and 4 years. I once again urged the Turkish authorities to stop treating journalism as a criminal activity or journalists as terrorists.

On **2 May** I wrote to the authorities to express my concern about the decision to send former Cumhuriyet journalists back to prison, after their convictions were upheld by the court in February 2019. I called on the authorities to release all former Cumhuriyet staff and drop the charges against them.

On **6 May**, in a statement from my official Twitter account, I welcomed the decision by an appeals court to drop Pelin Ünker's prison sentence, and stated that she should never have been convicted for her reporting on the Paradise Papers.

On **11 May**, in a statement from my official Twitter account, I condemned the attack in Ankara on 10 May against the columnist, Yavuz Selim Demirağ, in which he sustained head injuries and needed hospital treatment. I called on the authorities to quickly identify and prosecute the attackers.

On **12 May**, in a statement from my official Twitter account, I welcomed the arrest of 6 persons allegedly involved in the brutal attack on Yavuz Selim Demirağ in Ankara on 10 May, and stated that there must be no impunity for attacks against journalists.

On **14 May**, in a statement from my official Twitter account, I expressed my shock at the release of 6 suspects allegedly involved in the attack on Yavuz Selim Demirağ on 10 May, reportedly on the grounds that "the state of health of the victim was not life-threatening". I reiterated that there must be no impunity for attacks on journalists.

On **16 May** I issued a public statement condemning a series of physical attacks on journalists in Turkey. On 15 May, journalist İdris Özyol was beaten by an unidentified group of people in front of the office of his newspaper, Akdeniz Yeni Yüzyıl, in Antalya. On 10 May, journalist Yavuz Selim Demirağ of the Yeniçağ newspaper sustained serious injuries after being attacked in Ankara. I noted that, as this was the second physical attack in one week, it was a clear signal that media professionals need stronger protection. I called on the authorities to swiftly investigate all attacks against the journalists and bring those responsible to justice.

On **22 May**, in a statement from my official Twitter account, I expressed my serious concern regarding 7 journalists, editors and human rights lawyer who were convicted to prison for taking part in the Özgür Gündem solidarity campaign in Turkey.

On **23 May** I wrote to the authorities about the verdicts announced, on 21 May, by the 14<sup>th</sup> High Criminal Court in Istanbul, against defendants that participated in the Kurdish daily Özgür Gündem solidarity campaign. The Court handed down prison sentences ranging from 15 to 45 months, to prominent human rights lawyer Eren Keskin, as well as journalists and editors Reyhan Çapan, Hüseyin Aykol, Hüseyin Güçlü, Tahir Temel, Reyhan Hacıoğlu and Ayşe Batumlu. I repeated my call on the authorities to release all journalists sentenced to prison because of their work, views or expressions of solidarity.

On **25 May** I issued a public statement strongly denouncing the shooting of journalist Hakan Denizli in Turkey, who had reportedly been threatened and attacked in the past. I expressed relief that Denizli would recover, but stressed that no effort be spared in finding and bringing to justice the perpetrators of this horrendous crime as soon as possible. I also condemned the physical attack against the Güney Haberci news website's Editor-in-Chief, Ergin Çevik, which took place on 20 May in Antalya, recalling that, earlier this month, journalists İdris Özyol and Yavuz Selim Demirağ were also victims of physical assaults. I emphasized that this worrying trend needs to be urgently addressed and reversed.

On **29 May**, in a statement from my official Twitter account, I was appalled by the news that journalist Kadri Gürsel was sent back to prison to serve the remainder of his sentence, after

already spending 11 months behind bars on groundless charges. I called for his immediate release.

On **29 May**, in a statement from my official Twitter account, I welcomed his release from prison on probation. I underlined that all charges must be dropped. I stressed that journalists should not be prosecuted for their work.

On **11 – 14 June** I paid an official visit to Turkey, during which I met with Deputy Minister of Foreign Affairs Faruk Kaymakçı, Deputy Justice Minister Cengiz Öner, and the Head of the Parliament Human Rights Committee, Hakan Çavuşoğlu, as well as journalists, lawyers and representatives of civil society and media organizations. Discussions centered on the new Judicial Reform Strategy, the situation of imprisoned journalists, safety conditions, and the importance of ensuring full respect for the independence of the judiciary, including to revise several provisions of the Criminal Code, the Internet law and the Anti-terror law affecting the work of the media.

I called on the Turkish authorities to urgently address and reverse current media freedom violations, offering my Office's legal support to bring this legislation in line with OSCE commitments and international standards on freedom of expression. (For more details, see Visits).

On **13 June**, in a statement from my official Twitter account, I expressed my alarm that journalist Yavuz Selim Demirağ, who was attacked in the street in May, was going to be imprisoned for allegedly defaming the President of Turkey. I called for his release.

On **14 June**, in a statement from my official Twitter account, I strongly condemned the physical attack against Yeni Akit journalist Murat Alan, who was previously criticized for insulting Turkish generals. I noted that the police launched an investigation and expressed my hope that perpetrators will be brought to justice.

On **14 June**, in a statement from my official Twitter account, I expressed my concern about the indictment of two Bloomberg journalists upon the request of a Turkish banking regulator, following the publication of an article on the currency shock. I stressed that journalists should be able to publish information without fear of prosecution. If convicted, they face up to 5 years in jail.

On **20 June**, in a statement from my official Twitter account, I condemned the suspension of the news outlet Dokuz 8 HABER's Twitter account and called on the social media company to urgently reinstate the outlet's access. I stressed that the population of Turkey needs access to pluralistic news.

On **21 June**, in a statement from my official Twitter account I welcomed that access to Dokuz 8 HABER's Twitter account was reinstated. I emphasized that social media platforms need to take special care not to restrict accounts of media outlets.

On **21 June** I issued a public statement expressing my concern about the verdict of the Istanbul 26th High Criminal Court, which sentenced journalist Haşim Söylemez on charges of "aiding a terrorist organization without being a member", to 6 years and 3 months in prison. The evidence cited in the indictment was a tweet by Söylemez from 2 June 2016

which, according to the prosecutor, demonstrated the journalists' knowledge about the upcoming coup. I called on the authorities to end their practice of criminalizing speech.

On **2 July**, in a statement from my official Twitter account, I expressed my concern about the new case and terror-related charges brought against prominent journalist and media freedom defender Erol Önderoğlu. I stressed that journalists should not be prosecuted for their views, work and solidarity with the media.

### **Turkmenistan**

On **3 April**, in a statement from my official Twitter account, I offered my condolences to the family and colleagues of the correspondent from Azatlyk Radiosi, the Turkmenistan service of Radio Free Europe/Radio Liberty, Ananmurad Bugayev, who tragically died in a car accident while on duty.

### **Ukraine**

On **11 December** I wrote to the authorities regarding the humanitarian situation involving the bureau chief of RIA Novosti Ukraine, Kirill Vyshinsky, as the journalist had reportedly been experiencing serious heart disease related health problems, and there was a lack of necessary medical assistance in the pre-trial detention facility to treat him with. I asked the authorities to grant Vyshinsky some urgent professional medical care as soon as possible.

On 27 December and 22 January I received replies from the authorities informing me that the medical aid provided to Vyshinsky was duly guaranteed. He was medically examined on many occasions and received treatment as prescribed. In January 2019, as requested by the regional Prosecutor's Office, Vyshinsky was examined by the clinical expert commission, which concluded that his treatment was in line with existing legislation.

On **11 December** I wrote to the Minister for Foreign Affairs of Ukraine, Pavlo Klimkin, to express my concern about the law on the state budget for 2019, adopted by the Verkhovna Rada on 22 November, which implies a significant reduction in the funding of the public service broadcaster. I reiterated my call on the authorities to explore effective mechanisms to ensure the proper funding, and therefore viability, of the public service broadcaster.

On **4 January** I wrote to the authorities asking for information about the refusal of the Security Service of Ukraine (SSU) to prolong the media accreditation of Christian Wehrschütz, a well-known journalist with the Austrian Broadcasting Corporation (ORF), which would allow him to work in the conflict-affected parts of the country. I also expressed my concern that information about Wehrschütz, which had been placed on a website run by the Ukraine-based association, "Center for Army, Conversion and Disarmament Studies", under the heading "Kremlin's agent", could put the journalist at risk and jeopardize his safety.

On 19 February I received a reply from the authorities informing me that the SSU is not mandated to issue media accreditation for journalists to cover the situation in conflict-affected parts of Ukraine, but that the SSU's findings are taken into account in decisions regarding accreditation. According to the SSU, in July 2018 Wehrschütz violated Ukrainian legislation and relevant procedures for entry and exit from temporarily occupied territories when he left Crimea to Russia through the Kerch Bridge. In addition, the authorities said that

this violation, in conjunction with the propagandistic anti-Ukrainian posts displayed on the journalist's Facebook account, could be considered as a criminal offence and a reason for preventing his accreditation.

On **28 February**, I wrote to the authorities, in reply to their letter of 19 February, asking them to consider easing the travel requirements for media professionals in the areas affected by the ongoing crisis in and around Ukraine. I said that, if media workers observe all necessary security regulations, this would facilitate the legitimate pursuit of their professional activity and, therefore, enhance the free flow of information.

On **21 January**, in a statement from my official Twitter account, I expressed my alarm regarding the attack on the office of the Novyi Den newspaper in Kherson, where tear gas and rubber bullets were fired during a press conference on 18 January. I called on the authorities to fully investigate and prosecute the attackers. Reportedly, law enforcement authorities launched a criminal investigation on hooliganism charges.

On **25 January**, in a statement from my official Twitter account, I condemned the attack on the journalist Oleksandr Zolotnyuk, from the news website Stop Corruption, near Kyiv on 24 January. Unknown assailants attacked the journalist's car with an axe, while he was inside, where they proceeded to physically attack him and rob him. Reportedly, law enforcement authorities detained nine suspects in connection with the case.

On **8 February** I issued a public statement conveying my concern regarding the decision of the Supervisory Board of the public service company, UA:PBC, to dismiss Zurab Alasania from the chairmanship post of the organization, based on allegations that some of his actions were incompatible with the mission, purpose and principles of the public broadcaster. I said that this speedy decision is worrying, as it may negatively affect the independence and viability of the public service media in Ukraine, particularly ahead of two major elections, and I expressed hope that the members of the Supervisory Board will ensure the independence of UA:PBC in the future.

On **12 February**, in a statement from my official Twitter account, I welcomed the indictment of the main suspect behind the murder of Kateryna Handziuk, who was attacked with acid on 31 July and died from her injuries on 4 November.

On **15 February**, in a statement from my official Twitter account, I welcomed a court decision to arrest the main suspect behind the murder of Kateryna Handziuk.

On **20 February**, following the district court's decision of 4 February ordering the disclosure of documents of the news portal Novoe Vremya, including some correspondence of its journalist Ivan Verstyuk, I issued a public statement reiterating my call on the authorities to respect the right of journalists to protect the confidentiality of their sources (see also PC Report of 22 November 2018).

On **26 February** I wrote to the authorities expressing my concern regarding reports that journalists with the two well-known investigative media projects, Bihus.Info and the Schemes programme at Radio Free Europe/Radio Liberty, were subjected to surveillance. I asked the authorities to thoroughly look into these cases to ensure a safe working environment for investigative reporters.

On 22 April I received a reply from the authorities informing me that the National Police launched a pre-trial investigation into the case of the Radio Free Europe/Radio Liberty journalists. It was also indicated that the law enforcement authorities have no information regarding the developments around the Bihus.Info journalists.

On **1 March**, in a statement from my official Twitter account, I welcomed the decision by the Kyiv Appeals Court in the case of the media outlet Novoe Vremya, in part securing its email correspondence with journalist Ivan Verstyuk and, thus, ensuring the protection of confidentiality of sources.

On **6 March**, in a statement from my official Twitter account, I raised the issue of investigative actions taken against journalist Vladimir Skachko, a contributor to antifashist.com online platform. Reportedly, on 5 March his house was searched on suspicion of encroachment on territorial integrity in connection with his publications.

On **7 March**, I issued a statement from my official Twitter account, and on **8 March** wrote to the authorities, condemning the physical attack against journalists from the Schemes investigative programme at Radio Free Europe/Radio Liberty by several public officials on 5 March, and the threats received by the well-known journalist and editor Dmitry Gordon, of the news portal Gordonua.com, from a high-level political party representative and the deputy chairman of the Kirovohrad Regional Council on 4 March. I called on the authorities to duly address these cases.

On **8 March** I issued a public statement calling on the authorities to reverse the entry ban of Christian Wehrschütz, a journalist with the Austrian Public Service Broadcaster (ORF). The entry ban followed the denial of an extension of Wehrschütz's accreditation by the Joint Forces Press Centre in Ukraine on the basis of alleged violations of procedures for entry and exit from the temporarily occupied territories of Ukraine. The journalist denied these allegations.

On **22 March**, in a statement from my official Twitter account, I condemned the illegal detention of investigative journalists from the Bihus.info media project for 4 hours by a private security company on 21 March while they were filming the territory of a state resort with a drone. Bihus.info focuses on various investigative topics, including the exposure of corruption and uncovering abuses of power.

On **25 March**, I issued a public statement, and on **27 March** wrote to the authorities, raising my concern over the denial of entry to Ukraine of Marc Innaro, the Moscow correspondent of the Italian Public Service Broadcaster (RAI), and a camera operator, on 24 March. The crew was denied entry by the State Border Service of Ukraine at an airport in Kyiv. The journalists planned to cover the upcoming elections and to film several interviews, including with President Petro Poroshenko. I called on the authorities not to restrict journalists from entering the country.

On 22 April I received a reply from the authorities informing me that Innaro was refused entry into Ukraine as he failed to confirm the purpose of his visit. It was indicated, however, that Innaro was allowed to enter the country on 28 March after meeting all the requirements for foreigners while crossing the state border.

On **16 April**, in a statement from my official Twitter account, on the 4th anniversary of the murder of journalist and writer Oles Buzina, I reiterated my call on the authorities to fully investigate and prosecute the perpetrators and masterminds behind the crime.

On **16 April**, in a statement from my official Twitter account, I welcomed the authorities' decision to reverse the entry ban of Austrian journalist Christian Wehrschütz.

On **17 April** I issued a public statement following reports about the arrest of several persons involved in journalistic activities in Crimea. Reportedly, on 28 March 2019 Osman Arifmemetov, Rustem Sheikhaliyev and Remzi Bekirov were arrested on terrorism charges, along with about 20 other residents of Crimea. I also noted and expressed my concern regarding the continued arrest of another Crimean citizen journalist, Nariman Memedeminov, who remains in custody since March 2018 on charges of “publicly calling for terrorism activities”.

On **23 April**, in a statement from my official Twitter account, I expressed my concern about reports of gunshots fired at a Russian VGTRK TV crew around the Spartak settlement, north of Donetsk city (an area not controlled by the Ukrainian government) on 20 April.

On **6 May** I issued a public statement condemning the attempted murder in Cherkasy of the journalist and blogger, Vadim Komarov, who is known for his reporting on corruption, and called for an effective investigation. The attack left Komarov in a coma.

On **15 May** I wrote to the authorities expressing my concern, and asking for additional information, regarding several cases of attacks against journalists in Ukraine. I raised the violent attack on journalist Vadim Komarov in Cherkasy, Ukraine, on 4 May, which left him in a coma. On April 27, a car belonging to Volodymyr Pesotsky, the Editor-in-Chief of the Zorya newspaper and the head of the press service of regional organization "Opposition platform - For life", was set on fire in Dnipro. On 1 May, the house of Natalya Kamyshnikova, a journalist with the Radar information portal, was set on fire in Novovolynsk in the Volyn region. On 8 May, a crew of the television channel Avers was attacked by several people, when they tried to film a story with the Head of the District Customs in the Shatsk district of the Volyn region. On 12 May, a vehicle belonging to the Editor-in-Chief of the Ukrainian TVi channel, Volodymyr Yehorov, was set on fire in Kyiv.

On **15 May**, on the first anniversary of the pre-trial detention of Kirill Vyshinsky, I issued a statement from my official Twitter account reiterating my call for his release. I said that no journalists should be jailed for their professional activity or expressing dissenting opinions.

On **11 June** I issued a public statement condemning the attack on Vadim Makaryuk, a cameraman for the 24th channel and Visti.News portal. On 7 June, Makaryuk was attacked with tear gas and beaten by unidentified men while filming a business-related dispute in the Barabashov marketplace in Kharkiv. As a result, Makaryuk received serious head injuries and was hospitalized with cerebral haemorrhage. I urged the authorities to do their utmost to bring the perpetrators of this attack to justice.

On 27 June I learned that the Kharkiv district court placed two suspects behind the beating of Vadim Makaryuk under house arrest.



On **20 June** I issued a public statement expressing that I was deeply shocked by the death of journalist and blogger Vadim Komarov, who died in hospital in a coma after suffering a violent attack on 4 May in Cherkasy, Ukraine. Komarov was a well-known media professional who reported about issues of public importance for many years, including by exposing corruption and uncovering abuses of power. I strongly condemned this horrendous attack and reiterated my call on the authorities to complete the investigation in a vigorous and swift manner. I said that it is regrettable that about one-and-a-half months after the attack the law enforcement have not yet identified the perpetrators nor reported any progress on the investigation.

On 25 June I received a letter from the authorities in reply to my public statements of 6 May and 20 June. They informed me that the Cherkassy police investigation department has been carrying out the pre-trial investigation into the attack on the journalist Vadim Komarov, and that it is supervised by the Head Investigation Department of the National Police of Ukraine.

On **20 June**, in a statement from my official Twitter account, I welcomed the court decision in Kyiv to annul the dismissal of Zurab Alasania from the post of Chair of Board of the public broadcaster (UA:PBC). I called for the full respect of the independence of UA:PBC.

### **United Kingdom**

On **26 November**, in a statement from my official Twitter account, I expressed my concerns at the suspension of Freedom of Information requests in Northern Ireland due to the absence of an appropriate Minister there. I highlighted the importance of transparency and access to information at all times.

On **26 November**, in a statement from my official Twitter account, I welcomed a UK court decision recognizing that journalist Michael Segalov was unlawfully barred by police at a 2017 Labour Party conference.

On **26 November** I wrote to the authorities expressing my condolences at the death of the Daily Telegraph freelance journalist Florence Waters, and asked them to share any information regarding the ongoing investigation into her death. While noting that the authorities had stated her death was not suspicious, I asked the authorities if her death could be connected to her work and if she had received any threats in the past.

On **8 February** I issued a public statement welcoming the landmark court decision in Northern Ireland recognizing journalists' rights to protect the confidentiality of their sources. The Northern Ireland Crown Court rejected an application brought against Sunday World investigative journalist Paula Mackin to reveal her sources and hand over journalistic material.

On **19 April** I issued a public statement condemning the killing of the young journalist Lyra McKee in Northern Ireland, when she was covering riots in Londonderry. I stressed that Lyra McKee was a young and passionate journalist known for her investigative reporting on the history of the political turmoil in Northern Ireland. She was killed while doing her job, reporting on riots in Londonderry. I said that her death is a terrible loss, and I called for a thorough investigation into this crime.

On **19 April**, in a statement from my official Twitter account, I welcomed the investigation initiated by the authorities, following my statement earlier that day regarding the killing of journalist Lyra McKee.

On **4 June**, in a statement from my official Twitter account, I welcomed the dismissal of the investigation into the journalists Trevor Birney and Barry McCaffrey in Northern Ireland, who were kept on bail for 10 months (see also PC Report of 22 November 2018).

### **United States**

On **30 December**, in a statement from my official Twitter account, I deplored the cyberattack against US newspapers, which disrupted the printing of the LA Times, Chicago Tribune, Wall Street Journal and the New York Times. I stated that cyberattacks against the media must not be allowed to go unpunished, and called on the authorities to fully investigate and prosecute those responsible.

On **1 February**, in a statement from my official Twitter account, I expressed my concern regarding the death threats and co-ordinated campaign on the extremist platform, 4chan, against journalists from the Huffington Post and BuzzFeed, including Talia Lavin and Nick Wing. I called on the authorities to thoroughly investigate these threats.

On **13 February**, in a statement from my official Twitter account, I urged the authorities to bring to justice the perpetrator who attacked the BBC cameraman, Ron Skeans, during a political rally. I called for a climate of respect and security for journalists at political events.

On **28 June** I issued a public statement paying tribute to the killed journalists of the media outlet Capital Gazette, on the first anniversary of the horrific shooting in Maryland.

### **Uzbekistan**

On **29 March** I wrote to the authorities expressing my concern about reports that online publications, covering social and political developments in the country, remained unavailable and seemingly blocked in the country. Among them were the Fergana Agency,(the Uzbek service of the RFE/RL Ozodlik, Eurasianet.org, AsiaTerra, and others.

On **17 April** I issued a public statement expressing my concern about reports of several websites being blocked, including Asia Terra, Fergana news, Ozodlik, Uzmtronom and EurasiaNet, among others.

On **10 May**, in a statement from my official Twitter account, I welcomed the unblocking of media and information websites in the country, which I previously raised on 17 April. The websites included The Voice of America, The Voice of America Uzbek, BBC Uzbek, Deutsche Welle News, Amnesty International, Human Rights Watch, Reporters Without Borders, Eurasia.net, Asia Terra, Fergana.ru, centre1.com, and Uzmtronom.com. I expressed hope that the Radio Free Europe/Radio Liberty website would also be unblocked soon.

On **15 May** I issued a public statement welcoming the restoration of access to several online media in the country, and called for the Radio Free Europe/Radio Liberty website to also be unblocked. I encouraged furthering the reform of the media sector in the country.

On 16 May a statement by the Agency for Information and Mass Communications under the Administration of the President of the Republic of Uzbekistan was distributed, which referred to my statement of 17 April and announced that full access was restored to a number of online resources.

### **International Organizations**

On **5 March** I issued a public statement and, together with the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, David Kaye, wrote to the European Commission, the European Parliament and the Council of the European Union, to welcome the EU initiative to protect whistle-blowers, but also to express a number of potential concerns about the current draft text. We also urged that any measure the EU adopts in striving to protect and regulate the protection of whistle-blowers addresses these concerns and is consistent with Article 19 of the ICCPR and related human rights obligations shared across Europe.

## Activities since the last report

### 1. Legal reviews

#### Albania

On **28 January** I wrote to the Prime Minister, Edi Rama, presenting the **legal analysis of the draft Laws on changes and amendments to the “Law on Audiovisual Media” and the “Law on Electronic Communications”** commissioned by my Office. The legal review assessed some definitions used in the legislation, the procedures such as registration, the role of the broadcast regulator and foreseen sanctions. It recommends a set of changes to the draft amendments in order to bring them in line with international standards and OSCE commitments.

Representatives from my Office met with the Deputy Secretary General of the Director of Regulatory and Compliance Department of the Prime Minister’s Office, Elira Kokona, and Director of Communications of the Council of Ministers, Endri Fuga, on 15 March, to discuss legal changes and the analysis provided by my Office. Another meeting with Elira Kokona took place on 7 May, to further discuss the legal review. Both meetings contributed to enhancing our mutual understanding of legal issues pertaining to the regulation of online media.

On **6 June** I wrote to the Prime Minister, Edi Rama, sharing the second legal review on the draft laws on changes and amendments to the **“Law on Audiovisual Media in Albania (Proposal of a law on media services)”**. The purpose of the legal review was to ensure that the proposed legislation is in line with OSCE commitments and international standards on freedom of the media and freedom of expression.

#### Austria

On **23 May** I wrote to the authorities, and on **4 June** issued a public statement, presenting a **legal review on the draft “Law on Diligence and Responsibility Online”** that was proposed by the Federal Chancellery on 10 April 2019. The review was prepared by Professor Nikolaus Forgó, Emily Johnson and Katerina Polychronopoulos of the University of Vienna and examined the draft law’s conformity with Austria’s commitments on freedom of expression and media freedom.

The draft law would require certain service providers to collect and verify personal information about all users before it allows them to post content on their online platforms and would thereby revoke online anonymity without judicial oversight. The service providers would be obliged to disclose this personal information to police or prosecutors based on suspicion of a criminal offence committed by virtue of an online posting or to private persons intending to take legal action for defamation. The draft law places a quasi-judicial role on service providers to assess the lawfulness of a request to share personal data of forum users, as well as a quasi-law-enforcement function placed on them to record all suspected posts.

The legal review highlights that, by targeting an Austrian audience differently than other audiences, the draft law puts at risk the commitment to freedom of expression regardless of frontiers and risks a fragmented jurisdiction which would apply to user platforms. Moreover, the draft law entails the risk of creating a climate in which the identity and activity of online

media actors in Austria are encroached upon, potentially having a chilling effect on media freedom online.

### **Kyrgyzstan**

On **22 May** I wrote to the authorities, and on **21 June** issued a public statement, to present the “**Commentary to the Draft Information Security Concept of the Kyrgyz Republic for 2019-2023**”, commissioned by my Office and prepared by Dmitri Golovanov, a legal counsel from the Russian Federation. The review commends the Concept’s focus on establishing of a modern information environment, including the “new media”. It encourages the authorities to present a more balanced approach to solving information security problems and to avoid restrictions on the dissemination of information. The review also recommends an active involvement of civil society in the selection of information security implementation measures.

### **Montenegro**

On **14 May**, upon request by the Ministry of Culture to revise the current “**Law on Electronic Media**”, I shared a legal analysis with Minister of Culture Aleksandar Bogdanović, and on **15 May** issued a public statement. My Office commissioned an expert analysis prepared by Professor Dr Sandra Bašić-Hrvatín, a media expert in Montenegro and the wider region.

Among other things, the analysis recommends that relevant bodies in Montenegro should:

- Implement the provisions of the Directive EU 2018/1808 in an appropriate manner.
- Ensure all mechanisms (general legislative framework, appointment, composition and functioning, financial independence, granting of licenses and accountability) needed for the independent operation of the Agency for Electronic Media.
- Ensure all mechanisms for effective implementation of the law.
- Ensure effective protection of freedom of expression, freedom of media, consumer's rights and public interest.
- Ensure that the provisions in the Electronic Media Law are harmonized with those in the Media Law (draft version of the new Law is already prepared), Digital Broadcasting Law, Law on public broadcasting services of Montenegro (draft version of the Law is in public discussion) and Law on Electronic Communication.
- Prepare a strategy of the media and Audio-visual Media Services sector in Montenegro.

### **North Macedonia**

On **25 March** I published a legal review of proposed **amendments to the “Law on Free Access to Information of Public Character”** in North Macedonia. The review was previously officially sent to the Minister of Justice, Renata Deskoska. The review was prepared by Helen Darbishire, Executive Director of Access Info Europe and an international expert on access to information law.

The review stated that the proposed amendments will help to improve clarity, provide better time-frames, and improve the oversight and reporting process, as well as provide new sanctions for failing to meet deadlines and non-compliance with the decisions by the

Commission for the Protection of the Right to Free Access to Information of Public Character. The review also proposed some improvements and clarifications.

The main recommendations of the analysis include:

- To strengthen the definition of the scope of the Law on Free Access to Information by adding clearly that it applies to bodies operating largely with public funds.
- To take political parties out from the draft as the information about public funding by public bodies should be obtained in accordance with the law directly from the relevant public bodies.
- To conduct a revision of the exceptions to bring them into line with international standards.
- To conduct a review of the information to be published proactively and to establish a protocol for ensuring the publication of information that is in the public interest while ensuring that in certain cases the privacy of individuals is protected.
- To require that public bodies report to the Commission on the time taken to respond to requests, with relevant details on time for acknowledgements, clarifications, refusals, and so forth.

On **7 May** I sent a legal review of the latest **amendments to the “Law on Audio and Audio-visual Media Services”** in North Macedonia to Minister of Information Society and Administration Damjan Mancevski. The analysis was prepared by Professor Dr Katrin Nyman-Metcalf, an international expert in communications law.

I emphasized the expert’s suggestion that each concern can be addressed in the form of new legal amendments, or through sub-legal acts where appropriate.

The main recommendations of the review state that:

- The system by which broadcasters can get a reduced licence fee if they broadcast Macedonian content would be difficult to implement and lead to an additional burden on the Regulatory Agency.
- The provision banning public advertising or public funding for advertising could be more clearly defined to avoid misunderstandings.
- The enumeration of grounds for discrimination has been adjusted to modern European practice.

### **Russian Federation**

On **28 March**, in a reply to a request of the Russian authorities of 6 February, I presented a report prepared by my Office on **“International standards and comparative national approaches to countering disinformation in the context of freedom of the media”**.

The report includes the presentation of different policies and laws in the OSCE region, as well as examples of self-regulation, fact-checking initiatives and media literacy programmes.

The report notes that the problem of disinformation calls upon all stakeholders to address the urgent need of assessing the feasibility and effectiveness of measures to counteract its intentional spread, as well as their conformity to the OSCE commitments. There are many additional political challenges to designing regulation of disinformation, one of them being

the risk to curtail freedom of expression. The problem also relates to issues with the definitions related to the phenomenon, such as their vagueness.

The report underlines that there is no one-size-fits-all solution to the problem of false news. It presents different concrete examples of policies aimed at countering disinformation, at promoting quality information and at fact-checking and developing media literacy, which: 1) avoid chilling effects on freedom of the media; 2) ensure that interferences with free speech are prescribed by a law, which is accessible, precise, clear and foreseeable; 3) pursue the legitimate aims as set in international human rights agreements; and 4) not have an unnecessary or disproportionate impact on the free flow of information. They allow for guarantees of the editorial independence of the media. By contrast, bad practices though they may sometimes be well-meaning, tend to present risks to free expression and other fundamental rights. They can backfire and be not just ineffective, but counter-productive.

## **Slovakia**

On **25 March**, I published a legal review on Slovakia's **amendments on the right of reply to the Slovak Press Statute**. The review recommended keeping provisions of Article 8 that restrict the right of reply of political leaders and public figures, extend the restriction to political and public legal entities, and to preserve the right only in response to "false, incomplete, or truth distortive" factual statements. It also advised the Parliament to revise Article 8, in view of its full compliance with Slovakia's OSCE commitments and obligations under European international human rights standards.

## **2. Visits, meetings and participation in events**

On **23 November** my Office spoke at an expert discussion on synergies between the OSCE, the Council of Europe and the EU in the fields of freedom of expression and freedom of the media, organized by the Austrian EU-Presidency in **Brussels**.

On **26 November** my Office participated in a workshop concerning the involvement of local actors in the development and enforcement of social media content policies and processes, organized by the United Nations Special Rapporteur on the right to freedom of opinion and expression in **Berlin**.

On **27 – 30 November** I paid an official visit to **Moldova**, where I met with Minister of Foreign Affairs and European Integration Tudor Ulianoschi, President of the Parliament Andrian Candu, Chairperson of the Co-ordinating Council of Audio-visual Activities Dragoş Vicol, and President of the Teleradio-Moldova National Public Broadcaster Olga Bordeianu. .

I spoke at the opening of the Media Forum at the invitation of the Press Council of Moldova, the Association of Independent Press, the Independent Journalism Centre and the Association of Electronic Press. I also participated in the award ceremony of the 2018 ADAMI Media Prize for Cultural Diversity in Eastern Europe.

I also met with several groups of media representatives, journalists associations and civil society, as well as with the Chairperson of the Action and Solidarity Party, Maia Sandu and the Chairperson of the Dignity and Truth Platform Party, Andrei Năstase.

As Moldova has engaged in an important and comprehensive process of reforming media-related legislation, I strongly encouraged the authorities to use this opportunity to foster an enabling environment for the development of a free and pluralistic media landscape. This includes strengthening the real diversity of the media, and to effectively limit the concentration of media ownership.

In my talks with the authorities and other interlocutors, I also discussed the new Code of Audio-visual Media Services, the legislative amendments on access to information, and the draft law on personal data protection, including the concerns of investigative journalists regarding provisions that may introduce undue restrictions on the legitimate work of journalists who report on corruption issues.

I further encouraged the authorities to refrain from any undue interference in media activities in their efforts aimed at countering disinformation and propaganda, and recalled the need to ensure the free flow of information in compliance with OSCE commitments. I also underlined the important role of a strong and independent public service media, which should impartially reflect the diversity of opinions and serve as an example for all media outlets by offering quality content.

On **28 November** my Office spoke at the plenary session of the Freedom Online Coalition meeting in **Berlin**. The topic of the session was tackling disinformation in the digital age.

On **28 November** my Office participated in a briefing on media freedom, freedom of expression and digital rights in Turkey, at the European Parliament in **Brussels**.

On **3 – 5 December** my Office participated at the International Forum “Media Agenda-2018: Freedom of Journalism in the Context of Human Rights, New Technologies and International Information Security” in Slovakia, and spoke on international law on disinformation in the media, near **Bratislava**. The event was organized by the Moscow State University, with the participation of the Union of Journalists of Russia and journal “International Affairs”.

On **6 – 7 December**, on the margins of the 2018 OSCE Ministerial Council in **Milan**, I had several bilateral meetings with Ministers to discuss media freedom issues in the OSCE participating States and different co-operation established with my Office. I met with the Minister of Foreign Affairs of Turkey, Mevlüt Çavuşoğlu; the Minister of Foreign Affairs of the Czech Republic, Tomas Petricek; the Minister of Foreign Affairs of the Netherlands, Stef Blok; the Minister of Foreign Affairs of Lithuania Linas Linkevičius; the Minister of Foreign Affairs of Belgium, Didier Reynders; the Minister of Foreign Affairs of the Republic of Azerbaijan, Elmar Mammadyarov; the Director of Information and Press Department of the Ministry of Foreign Affairs of the Russian Federation, Maria Zakharova; the Minister of Foreign Affairs of Kyrgyzstan, Chyngyz Aidarbekov; the Minister of Foreign Affairs of Albania, Ditmir Bushati; the Deputy Minister of Foreign Affairs of Bulgaria, Emilia Krалеva; the Minister of Foreign Affairs of Bosnia and Herzegovina, Igor Crnadak.

On **10 December**, together with the International Press Institute and *This Human World Film Festival*, I hosted a roundtable discussion and premiere screening of my Office’s documentary, “A Dark Place” in **Vienna**. The event was attended by over 200 participants.



On **11 December**, I met with the Director of EU Agency for Fundamental Rights, Michael O'Flaherty, in **Vienna**, to discuss future co-operation on areas of freedom of expression, safety of journalists, the fight against hate speech, and media literacy.

On **14 – 15 December** my Office spoke at the National Congress of Human Rights' workshop on "How to protect safety of journalists", in **Warsaw**. The Congress has been the occasion to discuss and raise awareness about the conditions of civic and human rights in Poland.

On **18 December**, my Office screened our documentary "A Dark Place" at the Museu del Disseny de **Barcelona**, Spain and spoke on the issue of safety of female journalists online (SOFJO) in the context of media freedom. The event was hosted by the public broadcaster of Catalonia and the Catalan Association of Journalists.

On **18 December** I began a two-day visit to Kyrgyzstan by meeting with the Head of the Constitutional Chamber of the Supreme Court, Erkinbek Mamyrov in **Bishkek**. We had a very good discussion on protecting freedom of expression in the fight against extremism and terrorism.

On **19 December** I opened the first Central Asia Judicial Dialogue in **Bishkek**, together with the Head of the OSCE Programme Office in Bishkek, Pierre Von Arx, Chair of Constitutional Chamber of Supreme Court Erkinbek Mamyrov, and Chingiz Essengul of the Cabinet of Ministers. I insisted on preserving freedom of the media while fighting terrorism and extremism.

I also met with Gulkan Moldobekova, Head of Parliamentary Committee of the Jogorku Kenesh, the Kyrgyz Parliament, with whom I discussed the media freedom situation and legislation affecting the media and journalists in Kyrgyzstan.

On **14 January** my Office travelled to **Warsaw** to take part in a briefing of OSCE PA representatives organised by ODIHR.

On **16 – 18 January**, I visited the offices of the European Broadcaster Union (EBU) in **Geneva** where I met with its Director-General, Noel Curran, and various members of his team to discuss the situation of public service broadcasters in the OSCE region and future areas of co-operation.

In Geneva, I also met with the OHCHR Director of the Thematic Engagement, Special Procedures and Right to Development Division, Peggy Hicks, and her team, to discuss the issue of safety of journalists and the need to fight impunity for crimes against journalists, as well as freedom of expression in the digital era. We reviewed ongoing and future opportunities for co-operation, including through my Office's engagement with the UN Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, David Kaye.

I met with the Director-General of the United Nations Office in Geneva, Michael Møller to discuss media freedom issues across the OSCE region.

On **23 January** I attended a meeting in **Paris** to prepare the 3<sup>rd</sup> Global Conference of the Internet & Jurisdiction Policy Network with participants from the Council of Europe, the

European Union, international experts, representatives from governments, Internet platforms and civil society. I participated in discussions on developing international standards for regulating online content and preserving freedom of expression.

On **29 January** my Office attended a discussion hosted by the Member of the European Parliament, Rebecca Harms, and the International Press Institute, at the European Parliament in **Brussels**, on the state of media in Turkey and domestic legal remedies for journalists.

On **29 January – 1 February** my Office participated in a national table-top exercise on Countering the Use of the Internet for Terrorist Purposes, in **Tashkent**, Uzbekistan.

On **30 January** I travelled to **San Francisco** where I met with senior representatives of social media companies, including Head of Global Policy and Communications at Facebook Nick Clegg, CEO of Wikimedia Foundation Katherine Maher, as well as executives at Mozilla and Github. I also took part in a meeting organised by the UN Special Rapporteur on the right to freedom of opinion and expression, Stanford University and ARTICLE 19 on establishing self-regulation for social media companies.

On **5 February** I participated in a panel discussion in **Vienna** on “Media Freedom: Safety in the Digital Space”, organized by the European Commission Representation in Austria and the Delegation of the European Union to the International Organizations in Vienna. We debated challenges to media freedom in the context of safety in the digital space with Reporters Without Borders Austria and other panelists.

On **9 – 10 February** my Office spoke on the role of digital media for freedom of expression at the International Conference “Media Literacy, Media Ecology, Media Education: Digital Media for the Future” organized in **Moscow** by the Higher School of Economics.

On **13 February** my Office took part in launching of the OSCE HCNM “Tallinn Guidelines on National Minorities and the Media in the Digital Age” in **Tallinn** and spoke there on the media freedom aspects of the issue.

On **20 February** I met with the Director General of Canada Human Rights, Democracy, and Inclusion Bureau, Shelley Whiting in **Vienna**, with whom I discussed safety of journalists, media freedom and human rights online in the OSCE region.

On **21 February** I addressed the OSCE PA General Committee on Democracy, Human Rights and Humanitarian Questions on: “The Scope of Legitimate Restrictions on Human Rights in Times of Emergency”, in **Vienna**.

On **26 – 28 February** I paid a visit to **Prishtinë/Priština** and **North Mitrovica/Mitrovicë**, to meet with journalists, civil society organizations and other relevant media stakeholders. I also met with President Hashim Thaçi, Chairperson of the Assembly of Kosovo Functional Committee for Media Nait Hasani, with Kosovo Chief Prosecutor, Prosecutor Coordinator and Judge Coordinator for Cases of Crimes against journalists.

During my meeting with President Thaçi, as well as with other interlocutors, I discussed the media freedom situation and support for pluralistic and independent media. I pointed to the safety situation of journalists, stressing that every single attack needs to be properly

investigated and the perpetrators brought to justice. I called for the cases of missing and murdered journalists between 1998 and 2005 to be fully resolved.

We also discussed the importance of the public service broadcaster (RKT), particularly the draft “Law on the Public Broadcaster”, where I emphasized that the process needs to be inclusive for all relevant stakeholders, and that the highest international standards on media freedom are respected. I noted that this law is supposed to find a solution for the sustainable financing of the RTK, which will contribute significantly to its independence, stressing that financial sustainability is one of the key priorities and reasons why this issue needs to be treated very seriously.

Furthermore, we shared our concerns about the economic status of journalists, who are under pressure by their employers or publishers, and may be forced to self-censor or quit journalism altogether.

I also raised the situation of media outlets affected by a new tax regulation, reiterating that the freedom of the media and all citizens’ rights to access information in their language should be guaranteed.

On **9 March** my Office travelled to **Geneva**, Switzerland to introduce the SOFJO documentary, “A Dark Place”, that was chosen as an official selection at the 17<sup>th</sup> International Film Festival and Forum on Human Rights in Geneva. The screening took place along with a panel discussion.

On **11 March**, my Office spoke on a SOFJO panel in **Budapest**, Hungary, held by the Center for Media, Data and Society and School of Public Policy at the Central European University, on assaults against journalists, and organized a screening of our documentary “A Dark Place”.

On **13 March** my Office participated in a discussion on disinformation and false news in the context of a course on Media Freedom and Human Rights at CEU’s School of Public Policy in **Budapest**.

On **14 March** my Office participated in a workshop hosted by the International Press Institute on Newsroom Recommendations for Countering Online Harassment, in **Vienna**, Austria.

On **18 – 20 March** I conducted an official visit to **Belarus**. During the visit, I met with the Minister of Foreign Affairs, Vladimir Makei; Minister of Information Aliaksandr Karliukevich; and Chair of the Committee on Human Rights, National Relations and Mass Media at the House of Representatives of the National Assembly Andrei Naumovich, to discuss challenges to media freedom and other areas, such as the new concept of information security where my Office may offer legal expertise and assistance.

In my discussions with the authorities, I underlined that the current legislation still contains many provisions that restrict the work of media outlets and journalists, including criminal defamation, insult and excessive accreditation requirements. I called on the government to undertake the reforms necessary for developing a more favourable and pluralistic media environment. I encouraged the authorities to start effectively de-monopolizing state-owned media outlets, and transforming the state broadcaster into a

genuine public service media outlet, as well as introducing mechanisms that will foster transparent competition in the market, and equal access of all media to state support and the advertising market.

I also met with representatives of civil society organizations, as well as journalists and media experts. I visited the editorial offices of the news agencies, Tut.By and BelaPAN, and held talks with journalists affected by the BelTA case, including Marina Zolotova from Tut.By, on which I had intervened previously. I also met with representatives of the Belarusian Association of Journalists and of the Belarusian Union of Journalists.

While positively noting the high level of Internet penetration in the country and its growing role in fostering new media, which provides an important platform for information and public debate, I encouraged the authorities to prioritize freedom of expression and media freedom in any future regulation of online space, and to reconsider existing measures that tighten state control of the Internet, including the broad possibility to interfere with any information posted online. I noted that it is important to refrain from excessive measures and practices regarding Internet intermediaries, imposition of registration requirements and the users' right to anonymity.

On **21 – 22 March** my Office took part in the Council of Europe's Meeting of Committee of experts on quality journalism in the digital age in **Strasbourg**. It contributed to the discussion on the future recommendation of the Council of Europe on the essential role that journalism plays in providing timely, accurate and relevant information, free from undue interference.

On **28 March** I met with the Deputy Minister of Foreign Affairs of the Czech Republic, Martin Povejšil, in **Vienna**, to discuss media freedom challenges in the OSCE region. I said I looked forward to enhancing our co-operation with the OSCE Chair of the Human Dimension Committee.

On **28 March** my Office participated in a UNESCO informational meeting on the monitoring of the situation in the Autonomous Republic of Crimea (Ukraine), at the invitation of Assistant Director-General Firmin Edouard Matoko, in **Paris**.

On **1 – 5 April**, at the Internet Freedom Festival, my Office spoke on a panel about SOFJO and screened our documentary "A Dark Place" in **Valencia**, Spain.

On **3 April** my Office participated in the Civic Solidarity Platform annual meeting in **Vienna**, hosted by the delegations of Austria and Switzerland. During the meeting, the Platform's projects and an overview of civil society recommendations to the OSCE Ministerial Council also in regards to threats to freedom of expression were presented.

On **4 April** my Office travelled to **Brussels** for a meeting with the EU's Western Balkans working group to discuss media freedom in the region.

On **5 April** my Office travelled to **Strasbourg** to take part in the 29<sup>th</sup> meeting of the Co-ordination Group between the Council of Europe and the OSCE.

On **10 April** I addressed the OSCE Human Dimension Committee in **Vienna** on the topic of Freedom of Expression, Free Media and Information.

On **10 April** I met with the Director of the Multilateral Policy Directorate at the Foreign and Commonwealth Office of the UK, James Kariuki, in **Vienna**, to discuss media freedom in the OSCE region, as well as the conference organized by the UK and Canada in London on 10-11 July.

On **11 April** I met with civil society representatives from Tajikistan in **Vienna** to discuss the media freedom situation and challenges in the country and in the region. I said I will continue to support their work, and to monitor and react to issues.

On **14 – 15 April** my Office participated in **Doha** the international conference on the national, regional and international mechanisms to combat impunity and ensure accountability under international law organized by the National Human Rights Committee of Qatar in co-operation with the Office of the United Nations High Commissioner for Human Rights and the European Parliament.

On **18 April** my Office spoke at the conference on Conference on Countering International Terrorism in the session on Preventing Illegal Use of Network Technologies, Mass Media and Social Networks to Spread Extremist Ideas, in **St Petersburg**, the Russian Federation. The Conference was co-organised by the OSCE Parliamentary Assembly.

On **24 April** my Office spoke at the 2019 Ambassador Milton A. Wolf Seminar on Media and Diplomacy at the Diplomatic Academy of **Vienna**, titled “The New Global Media (dis)Order in International Relations: Agonizing Struggles and Elusive Solutions”. It contributed to the session “Beyond the Demands of Skirmishing: Legal Norms and International Challenges”.

On **25 April** my Office met with a member of the national parliament and co-drafter of the amendments to the Slovak Media Law, Miroslav Číž, at the the Ministry of Foreign Affairs in **Bratislava**. The consultations focused on the legal review of the right of reply as prescribed by the Statute on Periodic Press and News Agencies of Slovakia.

On **29 April** my Office spoke on freedom of the media at the Scientific Conference on Media and Journalism “Media: A Tool or a Mirror”, organized by the Youth Association for a Greater Europe with the Higher School of Economics, EU Delegation to Russia, and the Russian International Affairs Council in **Moscow**.

On **29 April** my Office attended the screening of the film “Under the Wire” and spoke in a panel discussion in **Vienna**, organized by United Nations Information Service Vienna in co-operation with the International Press Institute. The film tells the story of war correspondent Marie Colvin and her photographer Paul Conroy on their journey to Syria in 2012.

On **3 May**, on the occasion of World Press Freedom Day, I visited in **Bratislava** the editorial office of Aktuality.sk to pay tribute to the investigative journalist, Ján Kuciak, and his fiancée Martina Kušnírová, who were killed in February 2018. I met with the editorial team and colleagues of Ján Kuciak, as well as with other journalists and the Slovak correspondent of Reporters Without Borders.

On **3 May**, to commemorate World Press Freedom Day, my Office participated at UNESCO’s global conference in **Addis Ababa**, Ethiopia and spoke at a workshop on the safety of female journalists online.

On **7 – 9 May** my Office attended the Contact Group Initiative on capacity building and supporting human rights defenders, co-organized by European Union Agency for Fundamental Rights and ODIHR in **Warsaw**. The discussion addressed strengthening human rights defenders across the OSCE region through increasing the impact of the work of Intergovernmental Organizations, by improving exchange of information, mutual learning, and increased complementarity and co-operation.

On **8 May** my Office presented the work and recommendations from the SOFJO project in **Hilversum**, Netherlands at the Human Rights Festival “van het Vrije Woord”.

On **9 May** I travelled to **Los Angeles** to take part in a meeting of the Transatlantic High-Level Working Group on Online Content Moderation and Freedom of Expression. During the two-day meeting, legislators, senior officials, corporate representatives from Internet platforms such as Twitter and Facebook, as well as other policy experts from Europe and the United States discussed challenges to freedom of expression on online platforms and will, towards the end of 2019, develop a set of recommendations.

On **10 May** my Office spoke on the Representative on Freedom of the Media’s activities at the high-level conference on the dangers of disinformation “Countering “fake news” and safeguarding health in the post-truth era” in **San Marino**, organized by the Ministry of Foreign and Political Affairs of the Republic San Marino.

On **14 May** my Office travelled to **Washington, D.C.**, to take part in a roundtable on online content moderation organised by the German Marshall Fund.

On **16 May** my Office travelled to **Stockholm** to speak at the Stockholm Internet Forum on “The shifting terrain of gender based violence online – what is the future?”. During the Forum, we also screened the documentary “A Dark Place”.

On **21 – 22 May** my Office participated at a roundtable meeting on “preventing sexual exploitation and abuse” in **Kyiv**, Ukraine, hosted by the OSCE Gender Section and Special Monitoring Mission to Ukraine.

On **24 May** I met with the Director General of Global Affairs Canada, Cindy Termorshuizen, in **Vienna**, to discuss media freedom in the OSCE region and the upcoming July media freedom conference to be held in London.

On **28 – 29 May** my Office spoke on SOFJO at a workshop on “increasing diversity and gender equality in the workplace” hosted by the European Federation of Journalists in **Istanbul**, Turkey.

On **29 May**, I met with Austrian Foreign minister, Karin Kneissl, with whom I discussed ways to support media freedom and safety of journalists in the OSCE region.

On **29 – 31 May** my Office participated in a European Platform of Regulatory Authorities meeting in **Sarajevo**, and presented our activities in terms of addressing key challenges for audio-visual media regulation.

On **30 May** my Office participated in the seminar on Cybersecurity in International Relations, organized by the Ministry of Foreign Affairs, under the auspices of the 20<sup>th</sup> Annual

Conference on Information Security Tate International Conference in **Prague**, the Czech Republic.

On **30 – 31 May** my Office participated in a conference on Internet freedom and Development in the countries of Central Asia in **Almaty**, organized by the NGO Media Net, with the support of the OSCE Programme Office in Nur-Sultan and the Konrad Adenauer Foundation.

On **3 June** my Office participated as a speaker at the 3rd Global Conference of the Internet & Jurisdiction Policy Network in **Berlin**.

On **4 June** my Office participated in the international conference on Countering Extremism and Human Rights, organized by the human rights organization, Vesna, in **Minsk**, Belarus.

On **4 – 5 June**, my Office screened our SOFJO documentary and spoke on a panel at the International Press Institute's World Congress in **Geneva**, Switzerland.

On **10 – 14 June** my Office attended RightsCon in **Tunis**, the world's leading summit on human rights in the digital age, and presented on several panels including: a discussion panel on regulation of terrorist content online in Europe and beyond, a discussion panel on Big Tech and Future of Journalism and a meeting organized by Access Now, bringing together experts on the topic of Artificial Intelligence. My Office also organized a screening of the Documentary "A Dark Place", followed by a panel discussion on Safety of Female Journalists Online.

On **11 – 14 June** I paid an official visit to **Turkey**, during which I met with Deputy Minister of Foreign Affairs Faruk Kaymakçı, Deputy Justice Minister Cengiz Öner, and the Head of the Parliament Human Rights Committee, Hakan Çavuşoğlu.

I also met with some very courageous and prominent journalists and media freedom defenders, including Erol Önderoğlu from RSF, Kadri Gürsel, Pelin Ünker, Fatih Polat, Sibel Hürtaş, Faruk Bildirici, Çiğdem Toker, Alican Uludağ, Erdal Güven, Işın Eliçin, Andrew Finkel, Gürkan Özturan, Gonca Tokyol from various media and platforms Cumhuriyet, Sözcü, Evrensel, Arti TV, Diken, Medyascope, bianet, dokuz8haber, T24, P24, Press House of Ankara, as well as lawyers Yaman Akdeniz, Kerem Altıparmak and Veysel Ok.

Discussions centered on the new Judicial Reform Strategy, the situation of imprisoned journalists, safety conditions, and the importance of ensuring full respect for the independence of the judiciary as well as to revise several provisions of the Criminal Code, the Internet law and the Anti-terror law affecting the work of the media.

In my meetings I stressed that reforming the existing legislation that allows for criminalization of journalistic work is a matter of urgency. I noted that a wide array of laws is being used to restrict media freedom and imprison journalists who simply express dissenting voices. I also pointed to several presidential decrees, issued during the state of emergency, that have become permanent measures and could negatively impact freedom of expression and freedom of the media.

I expressed my hope that the Judicial Reform Strategy will contribute to bring the legislation and judicial policy in line with international standards regarding freedom of expression. I also

stated that, for the sake of media freedom, it is of the utmost importance to ensure the full respect of the independence of the judiciary, and to revise several provisions of the Criminal Code, the Internet law and the Anti-terror law affecting the work of the media.

Furthermore, I strongly denounced the practice of detaining journalists for their work and the abuse of pre-trial detentions, recalling several trials and individual cases.

I praised the engagement of the Turkish authorities in the brutal murder of journalist Jamal Khashoggi last year in Istanbul, urging that immediate attention is also needed to resolve all other attacks against journalists in Turkey.

I called on the Turkish authorities to urgently address and reverse current media freedom violations, offering my Office's legal support to bring this legislation in line with OSCE commitments and international standards on freedom of expression.

On **17 June** I met with the Chair of the Federation Council's Commission on Information Policy, Alexey Pushkov, from the Russian Federation, in **Vienna**. We discussed media freedom issues in the OSCE region, in particular in the Russian Federation and in and around Ukraine, including the need to release detained journalists and several individual cases.

On **24 June** my Office spoke on current issues of freedom of speech and safety of journalists in Europe at the intensive training session "A modern Russian journalist working with Western media", organized by the Press-Club Concordia, The Kennan Institute, Irex, and Friedrich Naumann Stiftung in **Vienna**, Austria.

On **25 June** I met with the Deputy Minister of Foreign Affairs of Armenia, Artak Apitonian, in **Vienna**, with whom I exchanged views on issues related to media freedom, pluralism, economic sustainability of media, and media literacy, and discussed a future visit to Armenia.

On **25 June** I met with the Head of the Agency for Information and Mass Communications, Komil Allamjonov, and the Deputy Director of the Agency for Information and Mass Communications, Saida Mirziyoyeva, in **Vienna**, to discuss ongoing media reforms and the opening of the information space in the country, including the recent restored access to multiple Internet-based media in Uzbekistan, after more than ten years of intermittent blocking.

### **3. Conferences and Projects**

#### **Safety of Female Journalists Online (SOFJO) documentary screening**

On **10 December**, together with the International Press Institute and *This Human World Film Festival*, in the framework of the SOFJO project, my Office hosted a roundtable discussion and premiere screening of our documentary, "A Dark Place" in Vienna. The documentary, the first of its kind developed by my Office, uses first-person narratives from women journalists and experts on gender and media to show how the online safety of women journalists directly impacts the quality of our democracies. The premiere was attended by over 200 participants.



## **Central Asia Judicial Dialogue**

On **19 December** my Office organized the first Central Asia Judicial Dialogue in **Bishkek**, Kyrgyzstan, a dialogue between judges from Central Asia on protecting freedom of expression while combating violent extremism. Over 20 judges representing higher and appellate courts from Kazakhstan, Kyrgyzstan, Turkmenistan, and Uzbekistan discussed national approaches, current legal trends and best practices in cases involving freedom of expression and freedom of the media, including online content, and policies for countering terrorism and violent extremism.

## **Safety of Female Journalists Online Conference**

On **12 February** my Office organized an international conference “Increasing Opportunities for Freedom of Expression and Media Pluralism”, at the Hofburg in **Vienna**, Austria. The conference featured a number of panels on topics ranging from policy developments and challenges, identification of counter measures and the nature of offenses against women journalists. The conference included a screening of the recently released SOFJO documentary, “A Dark Place”, and a policy workshop organized by UNESCO and the Global Diplomacy Lab. Building on the work of the last four years, I launched a communiqué in the margins of the Conference, focusing on media pluralism, safety of female journalists and safeguarding marginalized voices online. This document provides concrete recommendations to governments, media outlets and Internet intermediaries concerning aspects ranging from better legislative frameworks ensuring the safety of female journalists online, to capacity building, challenges and opportunities of the digital space, and to political will and leadership from policy-makers. The communiqué is not just a resource guide, but an indication of the continued commitment from my Office to continue to prioritize equal access and participation of women and all marginalized voices online. The event was attended by over 100 international media experts and policy-makers from across the OSCE region.

## **Journalists under Attack Conference**

On **12 April** my Office organized an international conference on safety of journalists, “Journalists under attack: a threat to media freedom”, at the Hofburg in **Vienna**, Austria. The objective of the conference was to provide a forum for journalists who have been attacked, and for their family members and colleagues to discuss how the OSCE participating States can improve journalists’ safety and fulfill their commitments on freedom of expression and freedom of the media, including the 2018 Ministerial Council Decision on the Safety of Journalists.

During the first part of the conference, affected journalists shared their personal stories and experiences, with discussions on how to improve journalists’ safety. In the second part, the conference drew on expertise and discussions with States’ representatives on how to achieve better protection for journalists and to fight impunity.

Prominent speakers included Matthew Caruana Galizia, Investigative Journalist and son of killed journalist Daphne Anne Caruana Galizia (Malta), Katya Gorchinskaya, Journalist/Media Manager and friend of killed journalist Pavel Sheremet (Ukraine), Nadezhda Prusenkova, Head of press service, Journalist and Executive Editor of Novaya Gazeta newspaper (Russian Federation), Svetlana Lukić, Editor-in-Chief of Pešcanik online portal (Serbia), Ine Dippmann, Journalist at regional public service media Mitteldeutscher

Rundfunk (MDR) in Leipzig & Chairwoman of the German Journalist Association of Saxony (Germany), Inga Sikorskaia, Director of the School of Peacemaking and Media Technology (Kyrgyzstan), Gevorg Ghazaryan, Freelance Journalist (Armenia), Saša Leković, Investigative Journalist and President of the Investigative Journalism Center (Croatia), Lukpan Akhmedyarov, Chief Editor of Uralskaya Nedelya newspaper (Kazakhstan), Vladimir Kovačević, Journalist at BN TV (Bosnia and Herzegovina), Elif Akgül, Freelance Journalist (Turkey), Paolo Berizzi, Correspondent for La Repubblica newspaper (Italy), Tatyana Felgenhauer, Presenter at Ekho Moskvyy radio station (Russian Federation), Pavel Dabravolski, Journalist for Naviny.by (Belarus), Leyla Mustafayeva, Journalist and wife of jailed journalist Afgan Mukhtarli (Azerbaijan), Olivera Lakić, Investigative Journalist for Vijesti newspaper (Montenegro) and Riss, Publishing Director of Charlie Hebdo magazine (France). In addition to the journalists, the event was also attended by about 200 international media experts, academics, diplomats and policy-makers from over 30 countries.

### **Self-regulation Education in Mongolia**

My Office supported a project to develop self-regulation education in Mongolia. A media researcher started preparing a five-day curriculum and handbook about media self-regulation and complaints case management for journalism educators.

### **South East Europe Media Conference**

On **18 – 19 June**, my Office, in co-operation with the OSCE Mission to Bosnia and Herzegovina, organized the 6th South East Europe Media Conference in **Sarajevo**. The event gathered around 200 journalists and media professionals from the region and abroad to discuss media developments, safety of journalists, the legal environment for media freedom, and sustainable solutions for public service broadcasters.

The event served as a platform for the exchange of experiences and best practices with local and international experts and civil society organizations, among them RSF, ARTICLE 19, IFEX, the European federation of journalists and the European Broadcasting Union. Another objective was to create better synergies and to contribute to the spirit of co-operation, a crucial component for improving the quality of, and conditions for, free media in South East Europe. The conference, as was the case in previous years, also explored new ways of engaging stakeholders, to improve the situation through practical steps, and constructive and open dialogue.

The participants stressed that all the discussed topics, including the safety of journalists, continue to remain big challenges to media freedom in the region. Following the conference, a new set of recommendations will be sent by my Office to the authorities of the region, to help shape policies which support media development and pluralism, safety of journalists, sustainable and independent public service media, and a legal environment supportive of freedom of expression and media freedom.

## 4. Planned activities for the next reporting period

### Visits and participation in events

On **15 July** my Office will speak at the International Media Law Summer School organized by the Centre for Democracy and Rule of Law in **Kyiv**.

On **17 July** my Office will speak at the second Boris Nemtsov International Summer School of Journalism and Cultural Studies at Charles University in **Prague**.

On **6 – 7 September** my Office will speak at the Donbas Media Forum (DMF-2019) “Time to Choose Journalists’ Standards” in **Kharkiv**, Ukraine.

### Conferences

On **10 – 11 July**, I will be attending the Global Conference for Media Freedom in **London**, co-organized by the governments of the UK and Canada. I will speak on panels and launch the 20<sup>th</sup> Joint Declaration with other international rapporteurs on freedom of expression (the United Nations Special Rapporteur on Freedom of Opinion and Expression; the Organization of American States Special Rapporteur on Freedom of Expression; and the African Commission on Human and Peoples’ Rights Special Rapporteur on Freedom of Expression and Access to Information).

On **17 – 18 July** my Office will organize the 21<sup>st</sup> Central Asia Media Conference in **Bishkek**, Kyrgyzstan, on Media freedom and pluralism in times of digital transformation for over 100 participants representing the public authorities, media, civil society and academia.

In **August** my Office will support the organization of a workshop in **Mongolia** for journalism trainers on a newly developed curriculum on media self-regulation in the digital age.

In **September**, I will participate in the Human Dimension Implementation Meeting (HDIM) in Warsaw, **Poland**, and organize side-events.

In **October**, I will launch in Nicosia a new exchange of journalists in **Cyprus**, within the framework of my Office’s Cyprus Media Dialogue project.

In **October** my Office will organize the 16<sup>th</sup> South Caucasus Media Conference in Tbilisi, **Georgia**.

In **November**, I will pay a visit to **Armenia** on the occasion of the 15th Anniversary of the establishment of the Human Rights Defender’s Institution.

On **18 November**, I will organize in the Hofburg, in **Vienna**, a meeting with the Transatlantic High-Level Working Group on Online Content Moderation and Freedom of Expression.

## **Projects**

### **Cyprus Media Dialogue**

By the end of 2019, my Office will launch a new edition of its exchange of journalists in Cyprus. This project will result in an exchange of 20 Cypriot journalists (ten per community) who will spend a week working at a host outlet (print, broadcast or online). More specifically, selected Greek Cypriot journalists will work in a Turkish Cypriot media outlet, and selected Turkish Cypriot journalists will work in a Greek Cypriot media outlet. The project will be coordinated with the Cyprus Journalists' Union, the Basin-Sen/Press Workers' Union and the Turkish Cypriot Journalists' Union.

### **Artificial Intelligence (AI)**

My Office is launching its project on artificial intelligence (AI) and freedom of expression, which will promote a clearer understanding of policies and practices in the development and use of artificial intelligence and the profound impact they have on the future of Internet freedom and the realisation of human rights, particularly freedom of expression and freedom of the media online. As part of the project, policy recommendations will be developed on most effective ways to safeguard freedom of expression and media pluralism when using AI (and other advanced machine learning technologies) within four thematic areas: (a) security (b) hate speech (c) media pluralism and (d) surveillance.

### **Second Central Asia Judicial Dialogue**

My Office will organize a second edition of the Judicial Dialogue in Central Asia in Tashkent, Uzbekistan, on protection freedom of expression while combatting violent extremism.

## **Publications**

### **Guidebook on Safety of Journalists**

My Office will publish the 3rd edition of the OSCE Guidebook on Safety of Journalists to better assist participating States in their efforts to ensure safe working conditions for journalists in the OSCE region. The Guidebook, to be published in English and Russian, will provide a framework of the current situation of safety of journalists and any developments since publication of the previous edition in 2014, including gender-based violence, and harassment and intimidation of journalists online.

## **Extra-budgetary donors**

Given the many challenges to media freedom as indicated above, and the need for a better understanding on how to safeguard media freedom today and for tomorrow, extra budgetary support on both a short- and long-term basis has become fundamentally important. In particular, long-term funding with little earmarking has proven to give me the best possibility to plan and act in a fast-changing and complex environment.

My thanks go to the governments of Germany, the United States of America, Finland, the United Kingdom, Lithuania, Norway, the Netherlands, Sweden, Switzerland and Czech Republic for their generous contribution to the work of my Office during this reporting period.

I encourage all participating States to consider supporting my Office's efforts to provide expertise, support and the most up-to-date resources for the promotion and protection of freedom of the media and freedom of expression throughout the OSCE region.