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Canadian Delegation to the
Organization for Security & Cooperation
in Europe



Délégation du Canada auprès de
l'Organisation pour la sécurité et la coopération
en Europe

**DELEGATION OF CANADA TO THE OSCE
STATEMENT IN RESPONSE TO REPORT BY THE
OSCE REPRESENTATIVE ON FREEDOM OF THE MEDIA
706TH MEETING OF THE PERMANENT COUNCIL
13 MARCH 2008**

Canada welcomes the Representative on Freedom of the Media (RFoM), Mr. Miklos Haraszti, back to the Permanent Council. We thank him for his presentation of the detailed report of his office's activities over the last year. We congratulate Mr. Haraszti and his staff on this milestone, the 10th anniversary of the creation of the position.

Canada's Governor General, the Right Honourable Michaëlle Jean, was a journalist for close to 20 years, prior to becoming our Head of State in 2005. Addressing members of the Canadian media in 2006, the Governor General recalled growing up in Haiti, during the Duvalier dictatorship, where "journalists were imprisoned or even murdered" and "any attempt to inform the public of the rampant abuse of power meant your own destruction". She went on to say that "in Haiti, I learned such valuable lessons about what journalism could embody. It was then, as I watched those women and men willing to risk everything in the name of justice and freedom, that I came to understand what journalism could be." She concluded that the role of the journalists and their responsibility to inform lie "at the very foundation of our democracy".

This truth is one that we have recognized for many years here at the OSCE. Participating States have committed themselves, repeatedly, to protect the freedom of expression and the freedom of the media as fundamental human rights and essential elements of a free and open society and accountable systems of government.

However, the RFoM called our attention to what he sees as an increased tendency to question their OSCE commitments by some participating States. In some cases, governments will defend their actions as being "consistent with national law". However, this should and cannot be the end of the discussion. Laws can be vague, open to interpretation, abused. National laws can also be contrary to international law, commitments or obligations. And this is where the RFoM can play a useful role, in pointing to these discrepancies between national laws and their application on the one hand, and OSCE commitments on the other, and in working with the concerned States to close the gap between national and international standards.

As the RFoM points out, some states also portray the activities of OSCE institutions as an "intrusion into internal affairs." In this regard, we note that the RFoM's mandate is quite a broad one, giving him the tools to work effectively so as to identify serious problems, bring them to light and seek to address them in a co-operative way with the state concerned. He has the mandate to observe situations, advocate implementation of commitments in the field of freedom of the media, establish direct contact with the relevant authorities, and report to the Chairmanship-in-Office and the Permanent Council. In the process, he is entitled to collect and receive information from all bona fides sources and interested parties, including NGOs. Importantly, the RFoM's mandate calls for providing support to ODIHR in assessing conditions for the functioning of free, independent and pluralistic media before, during and after elections. These are tools we have given him and that he is entitled to utilize. In our view, he is making good use of those tools.

We would like to underline a specific commitment we made in Copenhagen in 1990. This is to respect the right of everyone to seek and impart freely views and information on human rights and fundamental freedoms, including the right to disseminate and publish such views. This is a commitment the implementation of which, under the prevailing circumstances in the OSCE area, warrants closer scrutiny.

Canada is strongly committed to the promotion of freedom of expression and freedom of the media, both at the OSCE and in other international bodies. For example, Canada is presenting before the UN Human Rights Council a resolution to renew the mandate of the UN Special Rapporteur on Freedom of Opinion and Expression.

The RFoM is indeed a unique institution, of which the OSCE can be proud. We fully support the active implementation of his mandate. We wish him and his team all the best as they carry on with their important work.