



Organization for Security and Co-operation in Europe
The Representative on Freedom of the Media
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Regular Report to the Permanent Council
for the period from 27 November 2015 through 9 March 2016

Introduction

This is my 15th report to the Permanent Council as the Representative on Freedom of the Media. I assure you there will be no grand pronouncements, no call to civil disobedience and no heartfelt pleas to any of you to live up to the scores of commitments to free expression and free media that you have made, in one way or another, during the past 40 years.

I took office in March 2010. Since then, I have had the opportunity to visit 47 participating States, which experience which has given me a deep understanding of the media environment in the OSCE region by meeting with members of civil society, government and law enforcement officials. Also, during this time, I have, in accord with my mandate, reported to you on more than 1,000 events that I determined were important enough to alert you about regarding developments in your countries. The vast majority of those incidents were negative in tone, not because I wanted them to be but because it was my job as you laid it out for me.

There are some here today who find that number disturbing. There are some who believe that the figure is far too high, not because events that gave rise to the alerts did not happen, but because it was none of the business of the Representative to get involved in purely domestic affairs. Or that I should turn a blind eye to events because I don't understand local customs or culture.

I am aware that with my work I made many of you, not to mention your governments, uncomfortable, but I did it because I respect the mandate. I sincerely thank you for your understanding and support.

Attempts to be secure vs. free expression

Today free expression and free media are under attack and our attempts to protect our States from terrorist attacks have become one of the biggest threats to our freedoms.

I am not by any means suggesting there were no threats to free media and freedom of expression in 2010; there indeed was. At all times, the freedom to express ourselves has been questioned and challenged from many sides, often blatant, sometimes more concealed.

Still, I would dare to say there was another atmosphere in Europe – one of optimism, trust, hope and expectations. Europe was in many ways going in the right direction.

Today, as we all know, this has changed dramatically. We are living in more dangerous times.

I understand that these are trying times. If not the threat of terrorism, many of our States are struggling to cope with a migration issue that is overwhelming and has strained the resources of nations and relations among neighbors.

As a result, human rights defenders, journalists and the media generally often find themselves in opposition to their governments. But you cannot label journalists and media as terrorists simply because they report on events that challenge us or they may hold dissenting opinions on solutions.

For the sake of convenience we appear to be determined to attack our fundamental rights to express ourselves and express ourselves in private. And the attacks are taking place throughout the OSCE region, which my Office is tasked to monitor.

Without doubt, the terrorist attacks in France in 2015 seem to have created momentum for lawmakers and policymakers to rethink the concept of security, which is so important to discuss in the context of the OSCE as a security organization.

Questions are being raised: Is enough information being gathered? Are the police powers to search and analyze data great enough? Should there be restraints on the use of encrypted and anonymous communication?

The Internet is exploited by terrorists to glorify terror, to incite acts of terrorism, to radicalize and recruit terrorists and to disseminate illegal content and help terrorists communicate. Should intelligence and law enforcement agencies get better access to our digital communications in order to prevent this? Should we be willing to give up a little bit on our fundamental rights, such as privacy and freedom of expression, in order to feel safe and secure?

These are issues included in my mandate and they deserve to be seriously and thoroughly explored. We are doing that now through a variety of initiatives with various structures of the OSCE Secretariat and Institutions, including the Transnational Threats Department and the Gender group, among others.

Governments are applying criminal or national security laws to bypass protections traditionally offered to journalists by conducting searches of editorial offices and journalists' homes to seize unpublished material stored on digital devices. These developments have a chilling effect on investigative journalism and cannot be justified on the grounds of national security.

Surveillance activities may fundamentally alter the way the state protects the freedom to seek, receive and distribute information. Legislation that allows government snooping must be narrowly drawn, proportionate and include guarantees, as a basic condition precedent for investigative journalism, that confidentiality of journalists' sources would not be compromised.

As I have said before, we need to stop thinking that security and liberty should exist in some sort of balance with each other, meaning that a gain in one come at the expense of the other. Security and human rights should not be looked upon as opposite or contradicting values.

Governments and societies must recognize that there is no reason or excuse to justify the erosion or violation of fundamental human rights which form the bedrock of modern democracies.

The safety of journalists and impunity from prosecution

Since I took office six years ago, at least 34 members of the media have lost their lives in the course of their work. By my count, at least another 1,000 have been physically attacked on the job. These are real people with names which we have. Since my last report only three months ago, 11 attacks have taken place.

Of those murders, only a precious few convictions have been obtained.

I have recommended on more than one occasion that participating States commit the financial resources necessary to train local law enforcement officials and prosecutors on the need to successfully prosecute those responsible for attacks on journalists. That, of course, takes money and political will.

Criminal defamation laws, once on the retreat, are raising their ugly heads again and this time with a cruel twist – politicians and public figures being the main beneficiaries of laws that allow them to entrust compliant prosecutors to bring charges against media they see as the enemy.

Finally, I want to address an issue today that could effectively damage and then destroy the functionality of this Office. I am talking about funding.

The decision to freeze, and in real terms cut the budget of this office, has affected our ability to work. We have found it necessary to cut €50,000 from our budget, which was only €120,000 to begin with, for necessary consultancies and conferences in the current year. We are doing more with less – year after year after year.

If the budget does not reflect the real cost of the real job that needs to be done, the task of carrying out the mandate will be difficult to complete – now more than ever.

As we all know, this concludes my second term as Representative. I would say this: Only by working together can we achieve the high goals that we have set for ourselves and this Office, regardless of whom is leading it.

I want to thank the Chairperson-in-Office, the Secretary General and Secretariat, Field Missions and my dear colleagues Astrid Thors and Michael Georg Link, you Ambassadors and my staff.

Allow me to direct your attention to an exhibition here today which I hope you will enjoy.

In February a group of nine young journalists from Ukraine and the Russian Federation came to Vienna to discuss professional ethical standards and to work together on a number of projects.

One such project is the photo exhibition presented here, which is part of an ongoing dialogue between journalists' unions from the two countries under the auspices of my Office. The exhibition presents the work of my Office, Naschmarkt here in Vienna, refugees from the Middle East in Vienna and the Spanish Riding School in Vienna and the collective work of the young journalists themselves.

Beginning in May 2014, senior representatives from the Independent Media Trade Union of Ukraine, the National Union of the Journalists of Ukraine, and the Russian Union of Journalists have met in Vienna to discuss ways to improve professional standards and the safety of journalists in the context of the crisis in and around Ukraine. My Office also has prepared a publication on the project, "Two Countries - One Profession," which you will find in the exhibit area, as well as several recent publications. I hope you enjoy the presentation.

I am very pleased that today we have with us: Ashot Dzhazoyal, Executive Secretary of the Russian Union of Journalists and Chairman of the Board of Mediacongress commonwealth of journalists and Sergiy Tomilenko, Acting Chairman of the National Union of Journalists of Ukraine.

Issues raised with participating States

Albania

On **19 February** my Office wrote to Minister for Innovation and Public Administration Milena Harito replying to a request for expert advice and information about best practices of OSCE countries on subsidies and other financial support toward operators that need to position themselves in digital networks.

My Office continues to stand ready to provide additional support and assistance to the authorities of Albania on the issue of digitalization.

(See Legal reviews).

Armenia

On **9 December** I issued a public statement expressing concern over incidents of obstruction and threats against journalists covering the 6 December referendum on constitutional reform, including ones involving journalists with the iLur.am news website, Radio Liberty and the online newspaper Hetq.am. I urged the authorities to thoroughly investigate all incidents and stressed the right of journalists to cover public events in a free and safe manner.

On **20 January** I wrote to Minister of Foreign Affairs Edward Nalbandian presenting a legal analysis of the Law on Making Amendments and Supplements to the Law on Television and Radio, which was adopted by the National Assembly in December 2015.

(See Legal reviews)

I learned on 1 March that the Investigative Committee announced the completion of an investigation into the case involving a Radio Liberty journalist that I raised in my 9 December statement.

Austria

On **22 December** I issued a public statement warning that a recent court ruling ordering an online news portal to pay €2,000 to the landlord of an asylum centre for trespassing could affect the media's ability to cover events of public interest. I said that the use of private property rights to punish journalists trying to report on facts directly related to a public debate could not be justified.

Azerbaijan

On **26 November** I issued a public statement condemning attacks on journalists during a police raid against members of a group in a village on the outskirts of Baku. According to reports, assailants attacked a cameraman with the ITV public broadcaster during the operation. A crew with the private ATV channel also was assaulted and the crew's car was attacked and its driver beaten. I said I trust that the authorities would do their utmost to investigate the assault thoroughly and bring the perpetrators to justice.

On 6 January I received a response to my letter of 18 September 2015 about the arrest of freelance journalist Shirin Abbasov, a contributor to online media platform Meydan TV, as well as the questioning by police of other journalists with the same outlet (See Regular Report to the Permanent Council of 26 November 2015). I was advised that Abbasov was arrested for aggressively interfering with police activities and disrupting their work. He was reportedly provided with a legal representative and rejected a personal lawyer. As for other journalists, the authorities said that they were questioned as witnesses in the case against the management of Meydan TV on various charges.

On **8 December** I wrote to the authorities expressing concern about the arrest of Ilkin Mamedli, acting editor-in-chief of the portal www.azadxeber.net. According to reports, on 1 December Mamedli was arrested by police officers in the Bakixanov settlement of suburban Baku and held for 22 days on charges of petty hooliganism. The reasons for such action were unclear.

On 21 January I received a response from the authorities indicating that Mamedli was arrested for using offensive language and disobeying police orders.

On **29 December** I issued a public statement raising concern about the sentencing of Rauf Mirkadyrov, a journalist with the newspaper Zerkalo, to six years in a high-security prison on charges of high treason. Mirkadyrov was detained in April 2014 and held in pre-trial detention by the National Security Service. I said that the lack of transparency in the investigation and the trial are worrying. Mirkadyrov's sentence is the latest in a string of troubling developments in the field of media freedom in the country, where more than 10 members of the media and free expression advocates are in prison.

On 16 February I learned that the Supreme Court upheld the sentencing of Rasul Jafarov, a free expression and free media advocate and human rights defender. Jafarov was found guilty

on various charges and sentenced to more than six years in a penal colony (See Regular Report to the Permanent Council of 18 June 2015).

Belarus

On **27 January** I issued a public statement condemning an attack on Pavel Dabravolski, a journalist with the Tut.by news website, and called on the authorities to ensure journalists' safety. Dabravolski was beaten by police officers while reporting from a court building in Minsk. He sustained several bruises and was detained and fined by the court on charges of hooliganism and disobeying the police. Police officers reportedly also erased data from his mobile phone.

I also reiterated my call on the authorities to stop persecuting freelance journalists, following new cases where journalists received administrative fines for working for foreign media outlets without accreditation.

Bosnia and Herzegovina

On **22 December** I issued a public statement urging the authorities to immediately address the long-standing issue of funding for the country's public broadcasting system. I reminded the authorities that the system for collecting taxes via telephone bills to pay for the Radio and Television (RTV) service would expire on 31 December and that with no replacement system in place, the nationwide Radio and Television (BHRT), and the public broadcasters in the country's two entities – Radio and Television of the Federation of BiH (RTV FBiH) and Radio and Television of Republic Srpska (RTRS), would face financial collapse. In 2013 my Office commissioned a legal analysis on the laws relating to the public service broadcasting system. The recommendations, which remain relevant and are yet to be implemented, stressed the need to:

- Ensure necessary financial means for public service broadcasters;
- Establish mechanisms for regular reviews of broadcasters' financial needs;
- Provide public funds to enable broadcasters to operate in the digital environment.

The recommendations also stated that the RTV tax should be set following consultations with the public service broadcasters to reflect the revenue needed to fulfill the public service remit.

I also reminded the authorities that my Office is closely monitoring the process of the appointment of the Director of the Communications Regulatory Agency, which has been stalled for many years.

On **26 January** I publicly expressed concern over the police raid on the editorial office of the newspaper Dnevni Avaz. I warned that, even though the raid was not related to the work of this media, the presence of the armed policemen at the premises of the daily newspaper can have negative consequences on free media.

I urged the authorities to allow the journalist and media to operate freely and to ensure transparent judicial oversight of the process.

Bulgaria

On **19 January** I issued a public statement condemning the beating of investigative journalist Stoyan Tonchev with baseball bats outside his home in the town of Pomorie a few days earlier. The attackers reportedly threatened Tonchev, asking him how long he would continue to write. I welcomed the swift reaction by the authorities who had detained two people suspected of carrying out the attack and expressed my hope that they would investigate the case and bring the perpetrators to justice.

Croatia

On **10 March** I issued a public statement calling on the authorities to respect the independence of the public broadcaster and the broadcast regulator. It followed a decision by the government proposing that Parliament reject a regular report of the Croatian Agency for the Electronic Media, to terminate the Agency's mandate and to dismiss its director.

This development followed last week's government proposal and subsequent dismissal by the Parliament of the director general of Croatian Radio-Television. I called on the authorities to take immediate action to reverse this trend.

France

On **7 January** in a public statement I remembered the first anniversary of the murder of eight staff members of the French satirical magazine Charlie Hebdo in Paris, the worst single attack on journalists in the OSCE region since the establishment of my Office, and I called for an end to all forms of pressure, harassment or violence aimed at preventing opinions and ideas from being disseminated.

Georgia

On 27 November I received a letter from Deputy Foreign Minister Khatuna Totladze regarding several media freedom issues which I raised during a visit to Tbilisi in September (See Regular Report to the Permanent Council of 26 November 2015). Minister Totladze stressed that the protection of media freedom, ensuring media pluralism and a free and transparent media environment in the country represents one of the top priorities for the authorities.

On **9 February** I wrote to the Chairman of Parliament, David Usupashvili, to convey concern about a draft law making “insult of religious feelings” an administrative offense. I said that, if adopted, such a vaguely defined law might limit free expression and that any restrictions to prevent intolerance should be limited in scope to advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence. I expressed hope that the proposed changes would be carefully reviewed by the members of Parliament so that the law does not place undue limits on free expression and free media.

On 12 February I received a response from the Chairman indicating that, due to the critical reaction of various groups, the draft legislation had been withdrawn on 10 February.

Germany

On **4 March** I wrote to Minister of Foreign Affairs of Germany and OSCE Chairperson-in-Office Frank-Walter Steinmeier expressing concern about the 33 attacks on journalists in the Free State of Saxony during political demonstrations in the years 2015-2016.

Greece

On **8 February** I issued a public statement calling for the perpetrators of an attack on journalist Demitrios Perros be brought to justice. According to media reports, on 4 February the freelance radio journalist was covering a public protest in Athens when he was attacked by a group, after having identified himself as a journalist. He sustained severe head injuries that required emergency medical attention. I noted that violence against journalists for their work was unacceptable and called on the authorities to find the perpetrators and bring them to justice. I was alarmed that riot police were nearby and did not intervene. I said that it was the responsibility of law enforcement to ensure that journalists can carry out their work freely and under safe conditions.

Hungary

On **4 March** I wrote to Foreign Minister Peter Szijjarto to share the legal review my Office commissioned on the country's Freedom of Information Act. The review, prepared by Helen Darbishire from Access Info Europe, examined new provisions which went into effect in October 2015. It noted that certain new elements of the law can discourage and create obstacles to requests for information; these include the introduction of arbitrary fees for the time dedicated by public officials to respond to requests, the right to refuse copies of certain original financial documents; an overbroad protection of any information linked to governmental decision-making processes as well as data serving as the basis for further future decisions, the refusal to provide information that has already been provided in the past, and an identification requirement that runs against international standards encouraging the permission of anonymous requests. I emphasized the need to reform the legislation.

(See Legal reviews).

Italy

On **19 January** I wrote to Minister of Foreign Affairs Paolo Gentiloni to express my concern about judicial proceedings that compromise journalists' and publishers' rights and obligations to protect the confidentiality of their sources. A prosecutor in Rome sought to obtain footage of a television interview with a police officer (whose identity had been hidden) who revealed defects in safety equipment during jubilee celebrations in Rome. After the broadcast, the prosecutors ordered the submission of the original footage from the publisher, TV7, not the journalist who authored the interview. I warned that such conduct may create a precedent which could endanger investigative journalism. I urged the authorities to ensure the right of the media to maintain their confidential sources.

Kazakhstan

On **26 December** I issued a public statement concerning the detention of journalists Guzal Baidalinova and Rafael Balgin, who had been in pre-trial detention since 18 December on

charges of spreading “deliberately false information which may cause damage to the bank and disturb public order.”

On 11 January I learned that Balgin left the detention centre on bail and on 12 January he held a press conference where he admitted charges and named an alleged customer who paid him for spreading false information. Baidalinova remains in detention. I also learned that the editor of the Nakanune.kz website, Yulia Kozlova, had been charged with the illegal acquisition, production and storage of drugs.

On 21 January I learned that blogger and activist Bolatbek Blialov pleaded guilty to incitement to racial, social and religious hatred and was sentenced to three years of house arrest. (See Regular Report to the Permanent Council of 26 November 2015).

On **26 January** I issued a public statement criticizing prison sentences handed down to two bloggers, Serikjan Mambetalin and Ermek Narymbaev, following a controversial trial in Almaty. The bloggers have been in custody since October 2015 for their posts on social networks, which quote and comment on an excerpt from an unpublished book by Murat Telibekov, head of Association of Muslims of Kazakhstan.

On 29 January Mambetalin published a statement in which he repudiated his activities and admitted the charges against him; he left custody the following day. Narymbaev remains in custody and is on a hunger strike.

On 8 February I learned that the court of appeals held a closed session in the case of the convicted editor Yaroslav Golyshkin. (See Regular Report to the Permanent Council of 18 June 2015).

On 4 February I learned that news portals Ratel.kz and Zonakz.net could be accessed in Kazakhstan. They had been blocked in late 2015.

On **24 February** I wrote to Minister of Foreign Affairs Erlan Idrissov to express my concern about the arrest of the president of the National Press Club, Seitkazy Mataev, the secrecy of the judicial procedure and accusatory tone of the Anti-Corruption Bureau statement of 22 February holding Mataev responsible for serious crimes ahead of the trial.

On 22 February Ermek Narymbaev was released under house arrest after publishing an apologetic statement on Facebook.

On 3 March I received a letter from the authorities replying to my letter of 24 November on disproportionate damages imposed on the newspaper Jas Alash and detention and trials of bloggers Bolatbek Blialov and Igor Sychev. It stated, among other things, that the activities of some bloggers may have a negative effect on public order. It also provided information on the court decision in the Jas Alash case.

Kyrgyzstan

On **16 December** I issued a public statement calling on the authorities not to impose disproportionate and excessive fines for defamation, following a case in which Dayirbek Orunbekov, editor-in-chief of Maalymat.kg, was ordered to pay 2 million Kyrgyz Soms (approximately €24,000) to the president for insulting his honour and dignity.

On 18 December I learned that in response to my statement the Ministry of Foreign Affairs distributed a statement saying it was “an unfounded and subjective attempt to exert a certain influence on the judiciary branch of power in the state.” A few days later the President Almazbek Atambaev referred to my statement during his annual press conference in Bishkek, expressing dissatisfaction with my request to keep financial sanctions of Kyrgyz journalists proportionate.

On 28 December I received a letter from the head of staff of the Jogorku Kenesh, Radbek Eshmambetov, regarding the denial of accreditation to Dariya Podolskaya, a journalist for the news agency 24.kg. The letter stated the decision was issued by the Accreditation Commission of the parliament. It further stated that four other journalists of 24.kg received parliamentary accreditation.

On **29 December** I wrote to the authorities bringing to their attention reports that 24.kg journalist Podolskaya was assaulted on the doorsteps of her house in Bishkek on 25 December.

In response to the comment of the Foreign Ministry, on **8 January** I wrote to Minister of Foreign Affairs Erlan Abdyldaev reiterating my stance that politicians and public figures voluntarily stand in the spotlight of public attention and are thus open to comments and critical review of their activities to a much higher degree than other citizens, in line with international standards.

On **22 February** I wrote to the authorities drawing attention to the assault on Turat Akimov, editor of Den’gi I Vlast’ newspaper in Bishkek. I expressed hope that the incident would be fully investigated.

The former Yugoslav Republic of Macedonia

On 16 December I received a letter from the Director of the Agency for Audio and Audiovisual Media Services in which he informed me about discussions on media laws which my Office helped draft. He expressed concern about the effect of potential amendments suggested by some parties to the negotiations.

On **23 December** I replied to the Director saying that my Office could not engage in the political process, led by the European Commission, which is the result of Przhino agreement between the Government and the opposition and that the substance of the political parties’ proposals needs to be discussed within the Working Group.

I also expressed concern about the need to implement the existing media laws in an effective and non-politicized way, which is crucial for improving the situation of free and independent media in the country.

On **13 January** I wrote to Minister of Internal Affairs Oliver Spasovski to express concern over the recent breaking and entering in to the premises of the Kurir News Agency. On 10 January perpetrators broke into the building and stole two laptops. The incident was recorded by security cameras and reported to police.

I urged the authorities to ensure a swift and transparent investigation into the matter and to send a clear message to society that media must be able to work free from intimidation.

Montenegro

On **11 February** I wrote to Prime Minister Milo Đukanović about journalist Jovo Martinović, who was arrested in October 2015 on charges of membership in a criminal organization and drug trafficking. I said I hoped the charges were not related to his work.

On 2 March I received a reply from the Prime Minister to my letter of 11 February. The letter states that the charges against Martinović are not related to his work as a journalist.

On **3 March** I presented the Prime Minister with a report commissioned by my Office “Recommendations for improving the work of Commission to monitor actions of the competent state authorities regarding investigations of old and recent cases of intimidation and violence against journalists, murders of journalists and attacks on the media property of the Government of Montenegro.”

My Office continues to work, in co-operation with the Council of Europe, with the informal Working Group on Self-Regulation in Montenegro to produce an updated Journalists’ Code of Ethics and support them in hosting an upcoming roundtable in Podgorica to launch the new Code, which will be published in the near future. Additionally, my Office will continue to engage with the Working Group and all stakeholders in Montenegro to ensure unanimous implementation of the Code, with the aim to strengthen media self-regulation, professional standards and journalists’ solidarity in the country.

Moldova

On **23 December** I issued a public statement expressing concern about reports that Russian journalists are being repeatedly denied entry into Moldova. I called on the authorities to reconsider the use of restrictive and selective measures in relation to media outlets affected by the ban and to allow all journalists to pursue their professional activities unhindered. I also urged all members of the media to adhere to the highest professional standards, particularly when reporting on sensitive issues in the public interest.

Norway

On **18 January** I was invited by the Ministry of Foreign Affairs to take part in the launch of a strategy to promote freedom of expression and independent media. The strategy was presented by Foreign Minister Børge Brende and David Kaye, the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and me. Following the event I issued a public statement welcoming the strategy and said it should serve as an example for other states.

Poland

On **30 December** I issued a public statement urging the government to withdraw proposed amendments to the Broadcasting Act giving the Treasury minister the power to appoint and dismiss members of the public service broadcasters’ management and advisory boards. I said that it is vital that public service broadcasters are guarded against any attempts of political and commercial influence and that I feared that the hastily introduced changes would endanger the basic conditions of independence, objectivity and impartiality of public service

broadcasters. The amendments were later approved and signed into law by President Andrzej Duda on 7 January.

Russian Federation

On **23 November** I replied to a letter from the authorities of 9 November raising issues of Russian media outlets and journalists working in other countries, including Latvia and Moldova. The authorities again expressed concern that these matters, among them the Latvian authorities' decision to deny Rossiya Segodnya the right to register a representative office in Latvia, were not publicly raised by me.

I said that while I am monitoring the developments around the Latvian case, the cases in Moldova already have been, and similar cases would continue to be addressed in the publicly available reports to the Permanent Council, as well as subsequent correspondence with the authorities in question.

On **3 December** I wrote to the authorities expressing concern regarding reports of an attack on Rossiya 24 channel journalists Artem Kol and Vladimir Bragin by public officials in the city of Ulan-Ude in the Republic of Buryatia. I also drew the authorities' attention to reports of attempts to intimidate Yevgenii Titov, a Krasnodar journalist with the Novaya Gazeta newspaper. I asked the authorities to swiftly and thoroughly investigate both cases and ensure the safety of the journalists.

On **8 December** I wrote to the authorities regarding draft amendments to the Law on Mass Media and the Administrative Code. The legislation would require Russian media outlets to report the receipt of foreign funds, except for advertising revenues and funds provided by their founders, to the governmental media regulator within 30 days of their receipt. Those outlets that fail to comply with the provision would face a fine equivalent to the acquired funds and their management and publishers also would be fined. Repeated violations could lead to the closure of the media outlet. I said that, if enforced, the law might open the door to discrimination and stigmatization of certain media outlets, which could narrow the space for free expression and diversity of opinions.

On 30 December I learned that the President of the Russian Federation signed the amended law. Reportedly, the provision envisaging the closure of the media outlet was removed and a provision was substituted imposing large financial penalties.

On **15 December** on the occasion of Remembrance Day for Killed Journalists in the Russian Federation I issued a public statement reiterating a call on the authorities to investigate all killings of journalists and to end impunity. I also wrote to the Chair of Russian Union of Journalists, Vsevolod Bogdanov, marking the day, expressing solidarity with the Union and the families of media members who sacrificed their lives performing their professional duties.

On **10 January** I issued a public statement raising concern about the multiple inspections of the independent television channel Dozhd by various state institutions. I said that such inspections could hinder Dozhd's operations and broadcasts and called on the authorities to allow the channel to continue its important work.

On 22 December I received a letter on the case from the authorities providing the detailed information on the inspections and indicating that they were carried out in full compliance with laws.

On **21 January** I wrote to Minister of Foreign Affairs Sergey Lavrov to convey concern about various intimidating public statements by high-level officials of the Chechen Republic against Echo Moscow, Dozhd and RBC media outlets. I said these statements can be seen as threats to the safety of journalists and employees of targeted media companies. I expressed hope the respective authorities will give their due assessment, as such statements can easily lead to violence.

On **28 January** I wrote in response to a letter of 22 January from the authorities raising travel limitations on Russian journalists in Moldova. I said that while such incidents are regrettable, I am also concerned that overbroad restrictions are applied on the travel and work of foreign journalists pursuing their professional activities in Russia. Sometimes it amounts to harassment by the authorities as in the case of Esa Tuominen, a Finnish freelance journalist.

On 24 January Tuominen was stopped from interviewing a former mayor of Petrozavodsk, detained, interrogated by the authorities in this city and threatened with extradition and a travel ban to Russia. The journalist was reportedly fined on charges of “labour activity” without special accreditation.

On **16 February** I wrote in response to a letter of 8 February from the authorities raising various issues, including those involving Russian media outlets and journalists in countries other than the Russian Federation. The authorities expressed concern that some of these matters were not publicly raised by me.

Replying to my letter of 28 January, the authorities indicated that Esa Tuominen, a Finnish freelance journalist, did not have special accreditation in accordance with local legislation. I said that the exclusively permissive function of accreditation constitutes a violation of journalists’ rights and is inconsistent with OSCE commitments. I also expressed my readiness for meaningful and constructive co-operation with the authorities.

On **17 February** I wrote to the authorities in response to a letter of 10 February concerning Ivan Blagoy, a Pervyi Kanal correspondent in Berlin. I said that the journalist could perform his professional duties without any obstacles, and that my Office is monitoring the situation.

On **2 March** I wrote in response to another letter from the authorities of 26 February raising various issues involving Russian media outlets and journalists in countries other than the Russian Federation. The authorities also described their vision of accreditation requirements for members of the media.

On **10 March** I issued a public statement condemning an attack on six journalists at an administrative boundary of the Chechen and Ingush Republics. On 9 March a minivan carrying eight members of a press tour organized by a Russian nongovernmental organization was stopped, the passengers were beaten and the van was set on fire. At least four passengers sought medical attention, some for severe injuries.

I welcomed the swift reaction of police and authorities to the attack and the protective measures that were started.

Tajikistan

On **10 December** I wrote to Minister of Foreign Affairs Sirodjidin Aslov to express my appreciation in having the opportunity to meet and exchange views on freedom of the media in a frank and open manner. I also reiterated my concern that my interventions about attacked, arrested and convicted Tajik journalists had remained unanswered.

I expressed my concern about several issues including

- criminal prosecution of those who report on high-level officials;
- laws which create opportunities for undue control by media owners and the authorities; and
- blocking Internet and social media sites.

Taking note of preferential access to official information granted to the Khovar news agency by the presidential decree of June 2015, I encouraged the government to ensure that all journalists have unhindered access to official information of public interest. In view of the recent amendments to the law ‘On combatting terrorism,’ I asked for additional information on provisions which allow security services to block access to websites without judicial approval.

On 10 February I received a letter from Minister of Justice Rustam Shokhmurod. Referring to my letter of 10 December, the Minister said that journalists Amindjon Gulmurdzoda and Makhmadyusuf Ismoilov were tried and convicted in cases which were not connected with their professional activities. He also said that the decision to distribute official information primarily through the Khovar news agency was not intended to restrict other media’s access to information. He also said Internet sites of “extremists and terrorists” were blocked based on decisions of the Supreme Court. Finally, he assured me that amendments to the law “On combatting terrorism” were not designed to restrict media freedom.

On **2 February** I learned that the prison sentence to Gulmurodzoda was reduced to one year.

On **16 February** I wrote to Minister of Foreign Affairs Aslov about draft amendments to the law “On periodical press and other mass media.” If adopted, the amendments would impose restrictions to freedom of the media by allowing the registering body and the prosecutor’s office to suspend the operation of a media outlet for a significant time without a judicial decision. I also shared my concern about the establishment of a single gateway for incoming and outgoing international electronic traffic, which may reintroduce state control over the Internet in the country.

Turkey

On **27 November** I issued a public statement warning that criminal charges of life imprisonment against two journalists further degrades the already critical media freedom situation. The previous day, a court ordered the arrest of Can Dündar, editor-in-chief and Erdem Gül, Ankara Bureau Chief of the daily newspaper Cumhuriyet, over the newspaper’s reporting and footage of the content of trucks belonging to the National Intelligence Agency.

The journalists were accused of obtaining information related to state security, political and military espionage, publishing confidential information and carrying out propaganda activities for a terrorist organization. I warned that the possibility of life in prison for reporting deemed dangerous by the authorities is unacceptable and that even the prospect of such harsh punishment sends a chilling message to society.

I urged the authorities to release the journalists. A week before his arrest, Dündar received the prestigious Reporters Without Borders award on behalf of Cumhuriyet for the newspaper's contribution to defending press freedom.

On 9 December I wrote to Foreign Minister Mevlüt Çavuşoğlu, asking for information regarding the detention and deportation of Russian reporters from Turkey two days earlier. I recalled that in the Helsinki Final Act, participating States committed themselves to improve the conditions under which journalists from one State can exercise their profession in another State. According to information published by the Ministry of Foreign Affairs of the Russian Federation, a film crew of the channel Russia1 was detained in Hatay province in southeastern Turkey, and then deported from the country due to violation of rules of work for foreign journalists in the country. The Russian Foreign Ministry also said that the Embassy of Turkey in Moscow announced the new requirements to be introduced for Russian journalists to work in Turkey.

On 29 December I again wrote to Foreign Minister Mevlüt Çavuşoğlu, asking for information about the killing of journalist Naji Jerf in southern Turkey. The Syrian journalist and filmmaker was shot on 27 December in the town of Gaziantep near the Syrian border. He was known for his extensive work in training journalists and for documenting terrorist activities in Syria. In November he won an International Press Freedom Award from the Committee to Protect Journalists for a documentary on Raqqa. I welcomed the fact that the authorities opened an investigation into his killing.

On 4 February I received a reply of the authorities informing me that Daesh was suspected of carrying out the murder of Naji Jerf. The letter said that one prime suspect, four other suspects, as well as further unidentified persons suspected of involvement in the crime are currently under investigation. Three of these suspects were arrested on 8 January.

On 19 January commemorating the ninth anniversary of the assassination of the Turkish-Armenian journalist Hrant Dink, I reiterated my call for a transparent judicial procedure to identify the masterminds behind the murder. I expressed hope that the December 2015 decision of the Istanbul Chief Public Prosecutor's Office, which approved an indictment by prosecutor Gökalp Kökçü to investigate 25 public officials on charges of negligence and misconduct related to the murder, will soon move the investigation forward. I reiterated that exposing the masterminds of the murder would demonstrate to the entire society the importance of freedom of expression and the continued need to fight violence against journalists.

On 28 January in a public statement I expressed my deep concern about the serious charges against journalists Can Dündar and Erdem Gül. The previous day, indictments prepared by the Istanbul Deputy Chief Public Prosecutor called for an aggravated life sentence, an additional life sentence, as well as 30 years in prison for Dündar and Gül for revealing state secrets in a May 2015 report. I noted that the prospect of such extreme and disproportionate punishment could further increase pressure that opposing voices face in the country. I

recalled the continued protests of Turkish and international human rights organizations and media NGOs against the arrest of the journalists and their calls for increased protection of freedom of expression in the country.

On **29 January** I wrote to the authorities to request the right visit to editor-in-chief Can Dündar and Ankara bureau chief Erdem Gül of the daily newspaper Cumhuriyet, both imprisoned on 26 November and now facing aggravated life sentences if convicted. I recalled that focusing on cases of journalists facing serious criminal charges remains among the most important elements of my job. I expressed hope that I could exercise this role by visiting the journalists before the end of my mandate.

On **11 February** in a public statement I called for swift investigations into the attacks that took place that day against newspapers Yeni Akit and Yeni Şafak. Early in the morning, assailants opened fire and launched explosive devices at the buildings of the two newspapers in Bayrampaşa, Istanbul. The building of the Akit Media Group in Küçükçekmece, Istanbul, was also attacked. I welcomed that the authorities have started an investigation into the attacks and urged them to bring to justice the perpetrators of these attacks, as well as those responsible for the two attacks against the headquarters of the daily newspaper Hürriyet in September 2015. In light of the numerous recent challenges to media freedom and freedom of expression in the country, I called on the authorities to increase their efforts to guarantee safe and free working conditions for journalists.

On **26 February** I welcomed the decision of the Constitutional Court to release journalists Can Dündar and Erdem Gül. I emphasized that the charges against them must also be dropped and Turkey must embark upon the reform of the laws that can currently criminalize journalism work. Cumhuriyet editor-in-chief Dündar and the newspaper's Ankara bureau chief Gül were released early in the morning that day, following a ruling by the 14th Heavy Penal Court that the journalists' rights to "freedom of press and expression, right to personal security" had been violated. I repeated that criminal punishment for journalism work, especially the prospect of life in prison, does far more than threaten individual journalists and their families, as it can diminish essential pluralistic debates in the society on issues that the public needs to be informed about. My Office continues to follow the case.

On **4 March** following the decision of the Istanbul Sixth Criminal Court of Peace to appoint trustees to manage the daily Zaman newspaper, I issued a public statement indicating this move as the latest in a string of measures initiated by the authorities to intimidate media. I called on the authorities to urgently engage in efforts to reverse this trend to guarantee constitutionally protected freedom of expression.

I recalled the appointment of trustees to the media outlets Bugün TV and Kanaltürk in October 2015, noting that both media outlets, known for their critical editorial policies, went bankrupt earlier this week. I continue to follow with concern the latest developments in this case.

Turkmenistan

On 5 January I received a letter from the Secretary of the Working Group on Arbitrary Detention of the UN High Commissioner for Human Rights informing me that on 2 December the Working Group adopted decision No. 40/2015 holding that the arrest of Saparmamed Nepeskuliev of Azatlyk Radiosy and the Alternativnie Novosti Turkmenistana

news portal was arbitrary. I had raised the issue of his arrest with the authorities in September. (See Regular Report to the Permanent Council of 26 November 2015).

Ukraine

On **24 November** I wrote to the authorities expressing concern and requesting information over reports about attacks on journalists. On 21 November Gulsum Khalilova, a journalist with the TV channel ATR, was hit by a law enforcement officer while she was reporting on an incident between police and activists in Chaplynskiy Raion, Kherson Oblast. On the same day, a group reportedly threatened and physically assaulted a media team of the Khersonskiye Vesti website at the same location.

I noted that on 26 December the President of Ukraine signed the law “On reforming state and communal print mass media.” Earlier in November I welcomed the law’s adoption by Verkhovna Rada (See Regular Report to the Permanent Council of 26 November 2015).

I noted reports that on 31 December the military prosecutor’s office cancelled criminal proceedings into the attack and detention of two journalists with Radio Liberty by Security Service officials. I conveyed my concern over the case to the authorities in October (See Regular Report to the Permanent Council of 26 November 2015). On 19 January I also learned that in an administrative proceeding the district court of Kyiv ruled that the detention of the journalists was illegal.

I learned that on 11 February the National Television and Radio Broadcasting Council of Ukraine removed several Russian television channels from the list of foreign programs retransmitted in Ukraine. The decision was reportedly enacted in line with the legislation that allows suspending broadcasts which include individuals who have been determined to threaten national security of the country. Earlier I raised concern about this legislation as it restricts free media and hinders media pluralism (See Regular Report to the Permanent Council of 18 June 2015).

On 18 February I learned that the court extended Ruslan Kotsaba’s detention until 16 April. Kotsaba is a freelance journalist who was arrested by the Security Service of Ukraine in Ivano-Frankivsk on 8 February 2015 on charges of high treason and espionage (See Regular Report to the Permanent Council of 18 June 2015). The term of his detention has been extended several times.

On **19 February** I wrote to Minister of Foreign Affairs Pavlo Klimkin regarding the decision of the National Television and Radio Broadcasting Council of Ukraine to propose that the National Security and Defence Council introduce sanctions against 38 entities which own major Russian media outlets. The decision also affects entities owning media outlets registered or operating in Crimea and certain areas of Eastern Ukraine. This includes television and radio channels and information agencies. According to reports, by proposing the sanctions, the broadcasting council *inter alia* wants to introduce limitations on the work of Ukrainian Internet Service Providers and ban the access to and online broadcasting of all the media in question.

I said this decision raises concern about proportionally because, if enacted, it would curtail the free flow of information, including the transmission of information over the Internet. I

asked the authorities to carefully review the broadcasting council's proposal to avoid an excessive response that would unduly limit media activities and endanger pluralism.

On **26 February** I issued a public statement expressing concern about several media freedom developments affecting the work of media and journalists, including the National Television and Radio Broadcasting Council's decisions about media outlets originating from the Russian members of the media while they were doing their jobs and I objected to Federation (see above) and restrictive policies in relation to Russian journalists that go far beyond its broadcast regulation activities.

On 24 February journalist and producer Maria Stolyarova was expelled and banned from entering the country for three years for allegedly causing damage to the national security and the territorial integrity of Ukraine. The decision reportedly followed behind-the-scenes obscene remarks by Stolyarova captured by live microphones and broadcast live on Inter TV on 21 February.

On 25 February a group of about 50 people identifying themselves as members of the Azov Civil Corps protested in front of the editorial office of Inter TV in Kyiv, demanding changes in the channel's editorial policies. Reportedly, protesters blocked the exits to Inter TV's office and attempted to enter the premises. I said these types of actions against media outlets compromise journalists' safety and constitute a dangerous trend affecting free media. I called on the authorities to take effective measures to prevent such attempts at intimidation and ensure that members of the media can do their job freely and safely.

I learned that on **1 March** the President signed into law amendments to the Criminal Code which increase protections for professional activities of journalists. The amendments include sanctions for illegal seizure of materials and equipment, unlawful denial of access to information, as well as other intentional activities obstructing journalists' legitimate professional activities.

On **2 March** I wrote to the authorities regarding a number of incidents involving media outlets and journalists in Ukraine.

According to reports, on 21 February the editorial office of the online news broadcaster Channel 17 in Kyiv was attacked by a group of masked people. A security guard was reportedly beaten and several pieces of equipment were damaged or stolen. Further, I have noted reports about threats received by Olena Adamenko, a journalist with the Dankor online newspaper in Sumy and the UA:Sumy television channel, on 23 February by e-mail and by Khrystyna Berdynskykh, an investigative journalist with the Novoye Vremya magazine, on 12 February by sms. I requested additional information.

I have also noted reports that the Security Service of Ukraine (SBU) in Mykolayiv Oblast had requested the editor-in-chief of the community newspaper Visnyk Zhovtnevshyny provide various documents related to the work of the editorial office, citing provisions of the laws on fighting organized crime, counterintelligence and national security. Reportedly, no justification for such a request has been provided. I expressed hope that the authorities would carefully consider the issue so that the actions of SBU do not compromise the independence and safety of the media outlet.

United States

On **2 March** I wrote to the authorities to raise the issue of an incident at Radford University in Virginia on 29 February involving a U.S. Secret Service agent and a photographer covering a political rally. I said that law enforcement officers have an affirmative duty to protect members of the media when carrying out their professional duties. I said I was pleased to learn that Secret Service authorities would investigate the incident.

Communiqués

On **29 January** I issued my Office's Third Communiqué on Open Journalism in follow-up to the working meeting of 9 December in Vienna on the role of intermediaries in the process. Among other things, the communiqué stated:

- Public authorities should protect freedom of expression, media freedom and the free flow of information in all the facets and areas of the online world. The important presence and role of intermediaries should not endanger the openness, diversity and transparency of Internet content distribution and access.
- Excessive and disproportionate provisions regarding content takedown and intermediaries' liability create a clear risk of transferring regulation and adjudication of Internet freedom rights to private actors and should be avoided. States should also discourage intermediaries from automatizing decisions with clear human rights implications.
- International documents on human rights responsibilities for non-state actors, as well as multi-stakeholder debates and initiatives such as the Manila Principles, should be given due consideration in this area.
- The legitimate need to protect privacy and other human rights should not undermine the principal role of freedom of the media and the right to seek, receive and impart information of public interest as a basic condition for democracy and political participation.
- Making private intermediaries more transparent and accountable is a legitimate aim to be pursued by participating States through appropriate means. However, this must not lead to excessive control by public authorities over online content.
- Decisions addressed to intermediaries establishing restrictions or ordering the takedown of Internet content should be adopted according to law, by judicial or other independent adjudicatory authorities, following due process and with full respect to the principles of necessity and proportionality.

The document is available at <http://www.osce.org/fom /219391?download=true>

On **3 March** I issued a communiqué on the use of by journalists for newsgathering purposes. In the communiqué I stated that the right to use drones falls under the right of the media to publish news as well as the public's right to receive information and ideas.

Deploying drones for the purpose of journalism should be put under the dynamics of the exercise of freedom of expression and freedom of information. It is a tool like any other for a journalist and it is part of gathering news.

I recommended that OSCE participating States:

- Recognize that the use of drones by journalists for newsgathering purposes is within the right of the media to publish news as well as the public's right to receive information and ideas;
- Accept that it is not akin to other civilian uses of RPAs because the publication of news is an exercise of freedom of the media;
- Encourage a legal and regulatory regime for the deployment of RPAs nationally which recognizes the unique and legitimate function of drones for the purpose of newsgathering in the public interest.

The document is available at www.osce.org/fom/225721

On **4 March** I issued a communiqué on the rights and safety of members of the media reporting on refugees in light of the current migration crisis affecting Europe.

I noted that there have been a number of cases where journalists reporting on the refugee situation in Europe have been threatened and obstructed by law enforcement agencies and said it was imperative that members of the media are able to report freely and safely on issues of public interest.

I recommended that the OSCE participating States:

- Instruct immigration and other law enforcement agencies to respect the right of members of the media to report on issues of public interest and to ensure their safety.
- Facilitate journalists' access to areas and locations where stories related to the crisis develop: border areas, refugee camps and other relevant facilities.
- Allow journalists to interview or have contact with refugees in order to report on personal stories and current living conditions.
- Respect and promote media self-regulatory mechanisms in order to avoid the stereotyping of refugees.

The communiqué on the rights and safety of journalists reporting on refugees is available at www.osce.org/fom/225896

Projects and activities since the last report

Legal reviews

Albania

On **19 February** the Director of my Office wrote to Minister for Innovation and Public Administration Milena Harito replying to a request for expert advice and information about the digital switchover.

My Office said that digital terrestrial broadcast services require the use of an electronic communications infrastructure which enables the transmission and reception of the signal. Pre-existing analogue networks need, therefore, to be adapted or replaced. In some cases the new digital scenario implies important changes and new requirements in terms of coverage, which may also have a clear impact in the transmission grid. Apart from the costs derived from the provision of audio-visual media services, operators also face the costs of the technical transmission of the signal.

Operators can create and manage their own infrastructure or use the electronic communications services provided by a third party. Best international practices mostly focus on the second option, which also facilitates a further (if not in progress yet) process of liberalization of telecommunications (electronic communications services in the most-used terminology of the European Union). The first recommendation in this area is to achieve a complete functional and economic separation between broadcast and transmission services, no matter who is providing such services. In countries the size of Albania it can be particularly irrational (from an economic, technical and also environmental point of view) to deploy more than one or two transmission networks at the national level.

The second issue to look at is competition. Abuse of the dominant position needs to be prevented and punished by State authorities in order to avoid the imposition of excessive prices. Regulatory measures in order to guarantee fair and non-discriminatory treatment between different operators might be needed. State authorities may also consider granting direct or indirect subsidies to operators to alleviate the burden of high transmission costs and to foster pluralism in the broadcasting arena. However, such subsidies need to be provided through clear and non-discriminatory rules and avoid creating inadequate distortions in the market.

Armenia

On **20 January** I wrote to Minister of Foreign Affairs Edward Nalbandian presenting a legal analysis of the Law on Making Amendments and Supplements to the Law on Television and Radio, which was adopted by the National Assembly in December 2015. The analysis was carried out by Professor Katrin Nyman Metcalf of Tallinn Law School at Tallinn University of Technology, an independent communications law expert. The expert positively assessed the law as it enables private entities to participate in the digital broadcasting market and to provide digital transmissions.

However, the expert also noted that some provisions might deter potential market participants and hinder the development of a diverse digital broadcasting environment.

The expert offered several recommendations to bring the law in line with OSCE media freedom commitments:

- To develop a diverse digital broadcasting environment, it is important to have an attractive and realistic market for private multiplexers. Restrictions on how they operate should be kept to a minimum and fit the Armenian reality. Special requirements to ensure sustainability can be made as licensing criteria by the regulator.
- Any limitations imposed on private operators need to be very clear (so for example “communications network” must be defined in law). The need to own all infrastructure components could be re-evaluated.
- The proposed definitions should be reviewed to fit with the existing law and to not make any normative presumptions in definitions.
- There should not be any possibility to delay the call for tenders.
- If the transitional period is short – as it should be – there should not be any new competitions arranged but local TV and radio stations should be allowed to continue operating until the digital multiplexes start operation.

Hungary

On **4 March** I issued a legal review commissioned by my Office and carried out by expert Helen Darbishire, executive director of Access Info Europe on amendments to the Freedom of Information Act. The review found that the law, as amended, could discourage and create obstacles to requests for information.

These include the introduction of arbitrary fees for the time dedicated by public officials to respond to requests; the right to refuse copies of certain original financial documents; an overbroad protection of any information linked to governmental decision-making processes as well as data serving as the basis for further future decisions; the refusal to provide information that has already been provided in the past and an identification requirement that runs against international standards encouraging the permission of anonymous requests.

Visits and participation in events

On **November 18-19** my Office participated in the conference “Medios libres e independientes en sistemas mediáticos plurales y diversos,” organized by the Relatoría Especial para la Libertad de Expresión of the Inter-American Commission on Human Rights in **Bogota, Colombia**.

On **30 November** my Office gave a lecture on media freedom in Southeast Europe at Central European University in **Budapest**.

On **3-4 December** I attended the Ministerial Council in **Belgrade**.

On **4 December** my Office took part in an expert meeting on freedom of expression and defamation organized by ARTICLE 19 in **London**. The meeting brought together freedom of expression, defamation and media law experts from around the world, representing different regions and legal systems, to discuss the updated version of “Defining Defamation Principles” and developments in defamation laws globally.

On **7 December** I gave a guest lecture on media freedom on the Internet at the University of Sarajevo School of Science and Technology in **Sarajevo**.

On **10 December** my Office participated in a conference on Human Rights of Internet Users in **Sofia** organized by the Applied Research and Communications Fund and the Council of Europe. International experts, business representatives, human rights activists and journalists presented and discussed trends, developments and perspectives in the field of protection of fundamental human rights of Internet users. My Office presented our ongoing activities on countering online abuse of female journalists.

On **10 December** I spoke at the annual press freedom award ceremony organized by Reporter ohne Grenzen in **Vienna**.

On **11 December** my Office participated in an expert workshop in **Strasbourg** on “The grey areas between media regulation and data protection” organized by the European Audiovisual Observatory in collaboration with the European Platform of Regulatory Authorities.

On **17 December** my Office gave a lecture on “Access to Information and Privacy in the Digital Age” organized by Lawtrend in **Minsk**.

On **18 January** I participated in an event in **Oslo** at which the Norwegian Ministry of Foreign Affairs launched a new strategy for the promotion of freedom of expression and independent media in its foreign and development policies. I also participated in a panel discussion on “Freedom of expression in the age of surveillance” hosted by Norwegian PEN, the Association of Norwegian Editors, the Norwegian Press Association and the International Commission of Jurists, Norway.

On **20 January** my Office participated in the German Chairmanship’s conference on cyber security in **Berlin** entitled “Three dimensions of Information and Telecommunication Technology.”

On **21-22 January** I participated in a discussion on combating intolerance, negative stereotyping and stigmatization of, and discrimination, incitement to violence and violence against, persons based on religion or belief, and freedom of expression; organized by the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, at the University of California, Irvine School of Law, **California**.

On **25-26 January** I participated in the launch of a project to explore the responsibilities of the ICT sector to protect and promote freedom of opinion and expression, organized by the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, in the University of California, Irvine School of Law, **California**.

On **26 January** my Office participated in a meeting on media freedom in Kazakhstan at the European Parliament in **Brussels** organized by the Open Dialogue Foundation.

On **29 January** I spoke at the EU Council Working Party on the OSCE and the Council of Europe in **Brussels**.

On **2-3 February** I participated in a regional conference in **Vilnius** on “Propaganda and freedom of expression” which was organized by the Lithuanian Union of Journalists, the Radio and Television Commission and the Ministry of Culture. During the event I was awarded a medal of valour by the Lithuanian Union of Journalists for my advocacy in decriminalizing defamation. I discussed media freedom issues with Foreign Minister Linas Linkevičius. I also visited Minister of Culture Šarūnas Birutis to discuss efforts to advance media literacy in the country.

On **5 February** my Office participated at a global conference at UNESCO’s Headquarters in **Paris** “News organizations standing up for the safety of media professionals” where media owners and executives met with international organizations and Member States to examine ways to improve the safety of journalists and address impunity for crimes against media.

On **19-20 February** I participated in a high-level conference on the future of democratic principles and practices and a panel discussion on media and illiberal governance exploring the relationship between illiberal governments and journalists and how this influences their societies. The event was organized by Central European University in **Budapest**.

On **18 February** my Office participated in roundtable on women's online safety issues hosted by Facebook at its headquarters in **Dublin**.

On **23 February** I gave the 2016 Annual Harriman Lecture at the Harriman Institute of Columbia University in **New York City**.

On **4 March** my Office participated in a seminar at **Oxford** "The Rule of Law on Trial – A Conversation between EU Academics and Practitioners" on best practices to protect and promote the rule of law as a fundamental European value.

On **1-6 March** my Office participated in the Internet Freedom Festival in **Valencia**, Spain, organized by IREX and the Open Technology Fund. This year's festival has the overarching theme "Joining Forces to Fight Censorship and Surveillance."

On **8 March** my Office participated in an expert workshop on Internet policy in Eastern Partnership Countries at European University Viadrina in **Frankfurt**. The workshop was organized by the Centre for Internet and Human Rights to research Internet policies in countries which are at the borders of large geopolitical systems.

Publications

"Media freedom on the Internet – an OSCE guidebook"

In March my Office published a new online guidebook outlining the major issues and developments in freedom of expression on the Internet in the OSCE region. The publication "Media freedom on the Internet – an OSCE guidebook," was written by Professor Yaman Akdeniz of Istanbul Bilgi University in Turkey. It is part of my Open Journalism project, designed to assist OSCE participating States in safeguarding freedom of expression and media freedom online.

A number of short and useful do's and don'ts for policymakers are included in the guidebook.

The guidebook is available at www.osce.org/fom/226526

"Two countries – one profession"

Materials from meetings with representatives of Russian and Ukrainian journalism organizations under the auspices of the OSCE Representative on Freedom of the Media

In February my Office produced a publication about the series of round-table meetings between senior representatives of the Russian Union of Journalists, the Independent Media Trade Union of Ukraine and the National Union of the Journalists of Ukraine held by my Office beginning in May 2014 to discuss ways to improve professional standards and the safety of journalists in the context of the crisis in and around Ukraine

"New Challenges to Freedom of Expression: Countering Online Abuse of Female Journalists"

In February my Office issued the publication "New Challenges to Freedom of Expression: Countering Online Abuse of Female Journalists" (available at www.osce.org/fom/220411)

which reflects and expands on the recommendations I issued following my Office's expert meeting held in Vienna in September 2015. The publication presents research, discusses the damaging effects on journalism and free speech, outlines the international human rights framework and state obligations, and identifies key factors in the effective prevention of and response to online abuse of female journalists. It also puts the issue into a broader context of misogyny and violence against women in our societies, calling for responses at all levels of decision and policy-making to address the root causes of this problem.

In March the Georgetown Journal of International Affairs published my article "A Threat to Free Speech: The Online Abuse of Female Journalists." It is available at <http://journal.georgetown.edu/a-threat-to-free-speech-the-online-abuse-of-female-journalists>

"Propaganda and Freedom of the Media"

In February my Office published the Russian language version of my non-paper "Propaganda and Freedom of the Media."

"Propaganda and Freedom of the Media Leaflet"

In March my Office published leaflets summarizing my non-paper on propaganda in Russian and English.

Training

Study visit for the National Television and Radio Broadcasting Council of Ukraine

On **14-15 December** my Office organized a study visit for a group of seven representatives of the National Television and Radio Broadcasting Council of Ukraine to the Communications Regulatory Agency of Bosnia and Herzegovina. The purpose of the visit was to give an opportunity to the Council members and professionals to learn about media regulations practice in times of conflict and post-conflict environment.

Workshop for the Media Council of Mongolia

On **11-13 December** my Office supported a workshop on awareness raising and strategic planning for members of the recently launched Media Council of Mongolia in Ulaanbaatar. The trainer was Ljiljana Zurovac, Executive Director of the Press Council in Bosnia and Herzegovina.

Workshop for young journalists from the Russian Federation and Ukraine

On **1-5 February** my Office organized a practical workshop in Vienna for young Russian and Ukrainian journalists titled "Made in Vienna." Nine young journalists from both countries jointly produced video and photo reports on various topics. The event was organized in collaboration with the Independent Media Trade Union of Ukraine, the National Union of the Journalists of Ukraine and the Russian Union of Journalists.

Round-table discussions between Ukrainian and Russian media trade unions

On **27 November** and **11 February** my Office organized the 8th and 9th round-table discussions among senior representatives of the Russian Union of Journalists, the Independent Media Trade Union of Ukraine and the National Union of the Journalists of Ukraine. Participants discussed ways to improve journalists' professional standards and safety in Ukraine. Topics also included current and upcoming projects of common activities between journalists of the two countries.

Former Representative Miklós Haraszti spoke on international journalists' exchanges. Professor Reingard Bettzuege of Germany spoke on the past efforts to involve journalists in the international co-operation process.

Representatives of the International Federation of Journalists, the International Press Institute and Reporters without Borders also participated in the meetings.

Seminars for judges and prosecutors

As a follow-up to last year's activities, on **12 February** and **26 February** my Office conducted two more seminars in Vienna, organized and hosted by the Permanent Mission of Turkey to the OSCE for 80 Turkish judges and prosecutors. The seminars focused on freedom of expression and media freedom in the OSCE area, including Turkey, and on OSCE commitments and international standards on free expression and free media.

Conferences

Open Journalism: The role of Internet intermediaries

On **9 December** my Office held the third meeting of the series of conferences on Open Journalism on the topic of the role of Internet intermediaries in freedom of expression at the Hofburg in **Vienna**. Intermediaries have become one of the main platforms facilitating access to media content as well as enhancing the interactive and participatory nature of Open Journalism. There is also a risk of intermediaries automatizing decisions with clear human rights implications. On the other hand, the emerging importance of intermediaries as content hubs has also caused, in some cases, a higher level of intervention by state authorities. As a conclusion of the discussions I issued a set of recommendations in **Communiqué No.1/2016**.

Expert meeting on propaganda for war and hatred and freedom of the media

On **12 February** my Office co-organized with the German OSCE Chairmanship an expert meeting on propaganda for war and hatred and freedom of the media. More than 100 journalists, media experts, diplomats and key policy-makers from throughout the OSCE region discussed human rights and the legal implications of propaganda on freedom of the media, best practices to protect media freedom and challenges propaganda brings for traditional and online journalism. International experts from Austria, Bosnia and Herzegovina, the Netherlands, Russian Federation, Ukraine and United Kingdom gave presentations. The event also served as a platform to discuss my Office's non-paper "Propaganda and Freedom of the Media."

Based on the discussions, I prepared a list of recommendations to OSCE participating States, media organizations and journalists and civil society organizations. The document is available in English and Russian at <http://www.osce.org/fom/225351>

Planned activities for the next reporting period

On **14 March** my Office will participate in an IdeaLab workshop on media freedom, legal protection and best practices for attendees from the former Soviet Union in **Prague** organized by the Prague Civil Society Center.

On **19-22 March** my Office will take part in the International Press Institute World Congress and World Media Summit to be held in **Doha**, Qatar, under the overall theme, "Journalism at Risk: Safety and Professionalism in a Dangerous World," touching upon topics of covering terrorism and violent extremism; threats to online journalism and cyberattacks on journalists; covering the refugee crisis; and funding models for quality journalism, among others.

On **23 March** my Office will participate in the debate "Responses to hybrid threats, attacks and disinformation" at the European Parliament in **Brussels**. The event is organized in the course of the Euronest Parliamentary Assembly meeting.

On **28-29 March** my Office will participate an expert meeting on freedom of expression and privacy in **San Francisco** organized by Article 19.

On **30 March – 1 April** my Office will participate in the Rightscon.org 2016 Internet conference in **San Francisco** organized by Access Now.

On **31 March-2 April** my Office will take part in the 9th Annual Monroe E. Price Media Law Moot Court Competition to be held at the University of **Oxford**, U.K.

On **4-5 April** my Office will take part in the third Global Annual Freedom of Expression Conference at Columbia University in **New York City**. The 2016 Conference will focus on the yearly freedom of expression and freedom of information jurisprudence.

On **25-26 April** my Office will participate in a meeting of European Union and Russian journalists on the issue of the safety of journalists in the digital age in **London** organized by the EU Delegation of the Russian Federation, the Association of European Journalists and the Russian Union of Journalists.

On **4 May** my Office will take part in the World Press Freedom Day event in **Helsinki** organized by UNESCO.

On **13-15 June** my Office will take part in the 2016 Global Media Forum organized by Deutsche Welle in **Bonn**. The Forum will discuss the intricate links between media, freedom and values.

Extra-budgetary donors

I would like to thank the governments of Germany, Lithuania, the Netherlands, Sweden and Switzerland for their contributions that made possible the conferences and trainings during this reporting period.

I encourage all participating States to consider supporting my Office's effort to provide classes and regional meetings to improve the media landscape.