



Vienna, 3 February 2011

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Statement by Ambassador Veronika Bard-Bringéus of Sweden in the OSCE Permanent Council on 3 February 2011 in response to remarks made by the Russian Federation on the media situation in Member States of the European Union on 20 January 2011

Mr Chairperson,

I would like to respond to some of the issues raised by my Russian colleague two weeks ago in the Permanent Council¹. Sweden welcomes that the Russian Federation has initiated a dialogue on media freedom. It reconfirms that Russia regards our Permanent Council as a forum for dialogue on issues relating to democracy, human rights, and fundamental freedoms and for peer review.

Firstly, on the case of the tragic murder of the Russian journalist Anna Politkovskaya; Freedom of the media, generally speaking, has little meaning if the safety of journalists is not intact and solid. Thus, the safety of journalists should be one of our highest priorities when we discuss freedom of the media. And anything that can shed more light on the fate of Anna Politkovskaya is highly relevant to us all. It is a positive sign in itself that our Russian colleague raised the issue of the loss of this highly professional Russian journalist. We welcome that Lithuania has made safety of journalists one of the priorities for its Chairmanship 2011.

Secondly, on the Mohammed Uspaev case mentioned by Ambassador Azimov, I can assure you that the Swedish media is free to report whatever they like. Media in Sweden do not operate under government instructions and this is for us a cornerstone regarding freedom of the media. More technically, extradition requests are in Sweden examined by the General Prosecutor's Office. It determines if the legal conditions for extradition are met. If that is the case, but the person whose extradition is requested opposes extradition, the Swedish Supreme Court will deliver its legal opinion to the Government for use in its examination of the case. In this particular case of Mr Uspaev the Supreme Court has not yet delivered its opinion.

¹ PC.DEL/47/11 of 21 January 2011

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Thirdly, a website in Sweden such as that of *Kavkaz tsentr* (Caucasus Centre) is, like any other media, protected by the Instrument of Government against censorship and prohibitive measures. Notwithstanding this strong protection, there are legal mechanisms in Sweden which allows the bringing to justice of persons committing crimes relating to the freedom of expression. However, our government is constitutionally prohibited from intervening in individual cases. Also, Sweden recognises the limitations stipulated under international law, including through the prohibition of agitation against a national, or an ethnic group.

Fourthly, Sweden's National Defence Radio Establishment (the FRA) does not monitor and does not try to bring order to activities of the media. Moreover, the National Defence Radio Establishment may not access signals without the explicit permission granted by the Foreign Intelligence Court². I can provide more details to my Russian colleague about our Signals Intelligence Act and the implications of the legislation for the FRA if he is interested.

It is also important to add that special representatives for the protection of individual's personal integrity are present at the deliberations of this Court. The inspectorate of Foreign intelligence also has the authority to decide measures for the handling of, or the destruction of, intelligence gathered by the FRA. Swedish legislation clearly states for what purposes signal intelligence may be collected. Finally, the individuals concerned are to be informed of the criteria directly applicable to him or her which have been used, should the intelligence gathered not be deemed secret.

This year we celebrate the 20th Anniversary of the Moscow declaration. This landmark document reminds us that, and I quote; "*commitments undertaken in the field of the human dimension of the CSCE are matters of direct and legitimate concern to all participating states and do not belong exclusively to the internal affairs of the State concerned*".

Sweden looks forward to further discussions on freedom of the media and expression within OSCE and welcomes the fact that the Lithuanian CiO has made this issue one of his priorities.

Thank you.

² Swedish Signal Intelligence Act 2008:717.