

15 May 2013

**Statement on behalf of Sweden
Human Dimension Seminar, 13-15 May 2013
"Media Freedom Legal Framework"**

Dear Madam Chairperson,

Sweden fully aligns itself with the statement made by the European Union, however, I'd like to add some remarks in national capacity and, more specifically, to outline a couple of our points of departure in view of the more specific upcoming discussions. Let me start by joining others in expressing our sincere gratitude to the Representative of Freedom of the Media, ODIHR and the Chairmanship in Office for organizing this seminar with such short notice.

During the course of negotiations for the agenda of this seminar, we've seen that the fundamental freedom of expression and its corollary, freedom of the media, are topics which trigger discussions within the OSCE, and consequently, that these are topics to which participating States attach great importance. This is to be welcomed, not least given that the situation in many participating States is challenging to freedom of expression and media freedom. As noted by the EU, with a deep concern that we fully share, the advancement of these freedoms in OSCE region has stagnated and is on the down-fall. The Representative on Freedom of the Media continues to monitor and raise concerns – and we commend the Representative for her tireless efforts in carrying out her mandated tasks, which are flexible enough to respond to existing as well as emerging threats and challenges to freedom of expression and media freedom in the OSCE region. She is joined by other media watchdogs, civil society organizations and individuals. Too often, however, a high price is paid for merely reminding us, the participating States, of our obligation to fully implement our common OSCE commitments. Individuals continue to be intimidated, harassed, attacked, detained, imprisoned and even killed for exercising their inalienable right to freedom of expression and other fundamental freedoms, online as well as offline. Indeed, this is unacceptable.

Consequently, there is a pressing need to address challenges to media freedom and freedom of expression in the OSCE region – and this year's Human Dimension Seminar presents an excellent opportunity for discussing how we may best further the implementation and development of our common commitments in this field, and how we may best move forward in following-up on recommendations. In this context, we note with satisfaction that civil society is represented here today.

As a point of departure, one may note there are already a number of commitments on freedom of expression and media freedom within the OSCE. Naturally, this is not the place to give a full overview, however, given that the safety of journalists and internet freedom constitute fields which are particularly challenged in some participating States, I'd like to draw the attention to the fact that we collectively condemned attacks on and harassment of journalists in Budapest 1994, and that the role of the Internet in strengthening the freedom of expression was reaffirmed in Sofia 2004.

Moreover, there is already an extensive set of international human rights regulations, providing for benchmarks in the protection of human rights. Accordingly, and referring to our upcoming discussions on international and national frameworks – there is no need for additional international legal standards on freedom of expression or media freedom. The question to be asked is rather how to best implement those international human rights standards which are already in place, including our OSCE-commitments, at a national level. This was reflected in Vienna 1989, when participating States agreed to remove any restrictions inconsistent with the International Covenant on Civil and Political Rights – thus, reflecting the fundamental principle, and one of our common obligations, that national legislation may not be used as a means of restricting international human rights law.

In our upcoming discussions on legislative frameworks, therefore, we look forward to fruitful discussions on how to best safeguard the protection of human rights, online as well as offline, in making sure that legislative tools are not used in order to constrain those human rights they are set to protect. Restrictions to human rights must always be considered the exception, and when allowed, strictly follow the requirements set out in established international human rights law, such as the ICCPR. After all, the purpose of security is to protect open and free societies, including human rights and fundamental freedoms. Looking ahead, the landmark resolutions of the United Nation Human Rights Council on internet freedom and the safety of journalists, from July and November last year, would serve as excellent examples of how to further implement our agreement from Vienna 1989 as well as other OSCE commitments.

Turning to the question of internet freedom, more specifically, it should be noted that international human rights law and other human rights standards such as our OSCE commitments, are neutral as to technology. Making use of a telephone, for instance, does not alter our obligations on the right to freedom of expression. Similarly, the Internet does not alter international human rights law or our OSCE-commitments. Rather, human rights and fundamental freedoms naturally extend into the digital age – and in fact, the Internet presents a golden opportunity in promoting and protecting freedom of expression and freedom of the media throughout the OSCE region, and the implementation of human rights in general. In this context, Sweden would like to reiterate its support as a co-sponsor, for the Declaration on Fundamental Freedoms in a Digital Age, proposed by the US.

Finally, we'd like to reiterate, as another point of departure for this seminar, that freedom of expression and media freedom are two sides of the same coin, representing a cornerstone of an open and democratic society and of our broad concept of security within the OSCE. Free, independent and pluralistic media could not exist without the full enjoyment of freedom of expression, by each and every individual and not just by selected groups. In this context, one may naturally refer to blogging as one of the latest additions to the field of journalism. We look forward, therefore, to further elaborating on how we may best promote and protect the freedom of expression, and more specifically; the safety of journalists within the OSCE region, during the coming sessions.

To conclude, freedom of expression and media freedom, online as well as offline, constitute top priorities in Swedish foreign policy. As expressed by the EU, we will continue to monitor developments in this field within the OSCE region and to voice our concerns. It is our hope that the following days may contribute to reducing these concerns, and that the OSCE may join in reaffirming – and strengthening – globally agreed standards within the OSCE framework, not least through a Ministerial Council decision on media freedom.

Thank you for your attention.