

17TH SOUTH CAUCASUS MEDIA CONFERENCE
***Media Freedom and Access to Information for Resilient Societies: Challenges
and Ways Forward***

18-19 November 2020

Opening remarks by Jürgen Heissel, Director, Office of the OSCE
Representative on Freedom of the Media

Excellencies,
Ladies and Gentlemen,
Dear colleagues,

It is my great pleasure to welcome you to the 17th South Caucasus Media Conference – a platform for the exchange of information and experiences on media freedom and media development issues in Armenia, Azerbaijan and Georgia.

Normally, the Representative on Freedom of the Media would address this conference. However, as many of you may know, our Office temporarily operates in the absence of an appointed Representative, and, therefore, as the Director of the Office, I have the honour to welcome you and open this conference today.

Although we are holding the event online this year, I hope that the conference will continue a good tradition to, again, reflect on and assess the changes, prospects and challenges in the media landscape across the South Caucasus region that have taken place, particularly in the past year.

And, as always, the conference is a good opportunity to discuss how governments are fulfilling their OSCE commitments on freedom of expression and freedom of the media, as well as to acknowledge achievements and contemplate shortcomings.

Dear participants,

Let me start by saying a few words on the topic we have selected for this year.

We have been living in times when the whole world is affected by a health crisis, with the COVID-19 pandemic having caused serious disruptions to our

everyday lives. While medical professionals and governments have worked tirelessly to develop and implement strategies to protect human health and safety, the effects of the pandemic and their implications for our societies are far-reaching and may very well last into the coming years.

In the course of these efforts, the governments have also undertaken various measures to avoid panic and to combat false information, including through changes in legislation. While public authorities may have a genuine need and legitimate aim to combat information that threatens public health, sometimes such measures clearly derogated from international human rights standards and posed concerns with regard to freedom of expression and freedom of the media.

On several occasions since the OSCE participating States adopted emergency plans of different intensity, the Representative raised his voice and underlined that the media has a crucial role to play in providing important information to the public and to counter “false news” on the pandemic, and that the authorities should avoid undertaking disproportionate steps that would impede the work of journalists and their ability to report on related topics.

To address the issue, on 19 March together with the monitors for freedom of expression and freedom of the media for the United Nations and the Inter-American Commission for Human Rights, the Representative also issued a joint statement with several recommendations for governments. It emphasized in particular that access to accurate, reliable and truthful information about the nature of the threats and the means to protect oneself, one’s family, and one’s community is among the important factors to ensure the protection of human health.

The statement also stressed that the right to freedom of expression, both offline and online, may only be subject to narrow restrictions, which must meet the international standards of necessity and proportionality, and that governments must rigorously protect the individual rights to privacy and non-discrimination.

These are the issues that we plan to discuss together today in **Session 1**, and I look forward to hearing the views and opinions of our distinguished speakers, including on how far the governments may go in controlling the flow of public health information during and after the relevant emergency situations.

Session 2, tomorrow, will traditionally focus on the overview of freedom of expression and media freedom developments in the region, especially those that have taken place since our last South Caucasus Media Conference in October 2019.

On several occasions during the past year, the Representative had to engage with the States' authorities in the region about different cases and alarming situations that infringed on, or had a potential to interfere with, the right of reporters and the ability of media outlets to fulfil their profession and activities freely. The safety challenges and threats faced by media workers remained high among those issues.

As we know, lack of safety means more than threats or violence to individual journalists. It may also include harassment and intimidation of their relatives and friends, or attacks on media property.

In addition, there are legal aspects that may have a serious potential to affect freedom of expression and the public's right to know, including broad and often ambiguous notions of national security and extremism, defamation laws, as well as various exceptions and derogations among others.

In the digital age, a lack of safety also means the online targeting of journalists, by State and non-State actors alike. It means arbitrary surveillance and the violation of their right to privacy; it means a disregard for protecting journalistic sources; a disregard for the crucial use of anonymity tools, or encrypted communications - tools that are a necessity for critical voices in parts of the world where any association with dissent is reprimanded.

We will have an opportunity during this session to discuss some of these issues and challenges, as well as the mechanisms necessary to enhance: 1. protection and promotion of media freedom; 2. media pluralism, diversity and independence; 3. access to information; and 4. media development.

Dear participants,

Our conference is taking place in difficult times for the South Caucasus region as the recent military actions in the Nagorno-Karabakh conflict just ended. On behalf of the Office of the OSCE Representative on Freedom of the Media, I would like to offer my sincere condolences to the families of those killed and injured. As part of the OSCE family, we recall the message of the Albanian Chairmanship that welcomed the cessation of fighting in the Nagorno-Karabakh conflict context. It was furthermore stressed that, to achieve a lasting peace, international engagement should help ensure any agreed solution is sustainable and compatible with humanitarian principles.

As many of you know, the outbreak of hostilities has led to several incidents where a number of media workers reportedly came under shelling attack and, as

a result of which, some of them suffered injuries. In this regard, I would like to recall the OSCE Ministerial Council Decision on the Safety of Journalists, adopted in 2018, which condemns publicly and unequivocally all attacks and violence against journalists, including in conflict situations, and which importantly aligns with the United Nations Security Council resolutions 1738 (2006) and 2222 (2015). These resolutions condemn all violations and abuses committed against journalists, media professionals and associated personnel in situations of armed conflict and underline that they shall be considered as civilians and shall be protected as such, provided that they take no action adversely affecting their status as civilians.

I hope that, despite the complex reality of the challenges related to the current situation, our conference will continue to serve as an expert platform for the exchange of information and experiences, and will contribute to the overall protection of freedom of expression and freedom of the media in the South Caucasus.

I would like to thank all of you who have joined the conference, and I am grateful to the (respective) authorities for working with our Office to make this event happen.

I also want to thank the government of the Netherlands for financially supporting this conference.

I look forward to holding constructive and insightful discussions over the course of these two days.

Thank you for your attention.