



**Organization for Security and Co-operation in Europe
Office of the Representative on Freedom of the Media**

SECOND OSCE SOUTH EAST EUROPE MEDIA CONFERENCE

**DECLARATION
“Shaping policy for the future”**

The Second OSCE South East Europe Media Conference, organized by the Office of the OSCE Representative on Freedom of the Media in co-operation with the OSCE Mission to Serbia, and with the assistance of the OSCE Presence in Albania, OSCE Mission in Kosovo, OSCE Mission to Montenegro, OSCE Mission to Bosnia and Herzegovina, and the OSCE Mission to Skopje, was held on 20-21 September 2012 in Belgrade, Serbia.

Approximately 100 international and national experts, as well as media members from South East Europe, attended the conference to discuss the latest media freedom developments and challenges in the region.

The conference specifically focused on state policies and laws curbing media freedom, the impact of business interests on editorial policies and the issue of safety of journalists and self-censorship.

The conference participants:

1. *Acknowledge* the importance of the conference as a regional forum on current issues and challenges to media freedom and pluralism as a core OSCE commitment.
2. *Welcome* the fact that specific recommendations were discussed to serve as a plan for follow-up activities and assistance to participating States.
3. *Acknowledge* that although free media and independent journalism exist in the region, media legislation, poor implementation practices and business and political interests still negatively affect media freedom in South East Europe.
4. *Call on governments* to foster an independent public service broadcasting system and to secure the necessary legal, political and organizational conditions for the proper functioning of financially independent and sustainable public service broadcasters.
5. *Reiterate* that public service broadcasters play a central role and, therefore, must be allowed to protect their editorial independence from political or economic interference.
6. *Call on governments* to ensure proper implementation of legislation on public service broadcasting and broadcast regulation through independent judicial oversight and effective public scrutiny.
7. *Call on governments* to bring defamation laws and court practice in line with advanced international standards, namely defamation cases should be considered only in civil and administrative courts and moral damages must be proportionate to the harm caused so they do not lead to media bankruptcies and a chilling effect on journalists.

8. *Express* great concern about attacks against media, including threats against journalists and their families, attacks on media property, and assaults of journalists covering public events.
9. *Urge* authorities to intensify efforts to fight violence against journalists and do everything possible to bring those responsible for the attacks to justice, including intensifying investigations of older murder cases.
10. *Emphasize* that the independence of editorial policies is indispensable for media and should not be tampered with by the state, corporate or political interests, including by the use of state aid, preferential advertising and other practices that might exert control over the media.
11. *Acknowledge* the serious risk of monopolizing media in South Eastern Europe by political and business circles pursuing their agendas.
12. *Call on governments* to recognize this challenge to media freedom and counter it by adopting and implementing transparency of media ownership legislation and sound antitrust laws that encourage media pluralism. Information on media ownership should be made available to the public.
13. *Call* on media owners to respect the editorial independence of the journalists.
14. *Invite* journalists and publishers to negotiate and conclude agreements and by-laws on editorial independence, with references made to such agreements in journalists' and editors' employment contracts, to avoid self-censorship and foster ethical reporting based on voluntarily adopted professional standards.
15. *Insist* on the need of legally formalized employment conditions in accordance with national labour laws.
16. *Reaffirm* the importance of the right to access information as a fundamental human right and call on the authorities to respect that right.
17. *Stress* that media representatives should be able exercise the right to access and disseminate government-held information in the public interest.
18. *Reiterate* that journalists should not be sanctioned for obtaining, storing and releasing confidential data in the public interest.
19. *Urge governments* to facilitate the ability of media to access government-held information to ensure wider public's access to it.
20. *Emphasize* that for better government transparency and full access to government-held information, rules of classification existing in the national laws should be limited in scope and time. Only that data whose release may seriously undermine the national security should be classified.
21. *Note* that investigative reporting in the interests of the society is only possible if journalists' confidential sources can rely on their identity not being disclosed and, thus, *urge* governments to put in place sufficient legal provisions in accordance with international standards to guarantee the right of journalists not to reveal their confidential sources.

22. *Recognize* that in the digital era the issue of licensing terrestrial broadcasters remains a top government priority and should serve as a stimulant to pluralism and diversity. The digitalization process should in no case be used to restrict the ability of existing broadcasters to continue their work after the switchover to digital broadcasting.
23. *Urge governments* to support and speed up the digitalization process of public service broadcasters in order to ensure performance of their public service remit, thus contributing to strengthening democratic debate and values.

Belgrade, 21 September 2012