



Organization for Security and Co-operation in Europe
The Representative on Freedom of the Media
Miklós Haraszi

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Regular Report to the Permanent Council

Mr. Chairman, Excellencies, Ladies and Gentlemen,

I begin my last report of the year to the Permanent Council with a commemoration of a young journalist whose promising career was cut short by an act of brutality. On 24 October, Alisher Saipov, who had worked for the reputable media outlets *Ferghana*, *Radio Free Europe* and *Voice of America*, and had run an Uzbek-language newspaper, was murdered in downtown Osh in southern Kyrgyzstan. Mr. Saipov was 26 years old and left behind a newborn child.

My Office immediately issued a statement condemning the murder of Saipov. In a letter to Kyrgyzstan's Foreign Minister Ednan Karabaev, I expressed optimism for a vigorous and transparent investigation by the authorities, particularly in light of the welcome fact that President Kurmanbek Bakiev took the investigation under his personal auspices.

However, I was disheartened to hear that the Ministry of Interior of Kyrgyzstan, immediately after the death, instead of reporting on the perpetrators, had issued a statement practically blaming the victim for having done what in fact was his vocation: covering sensitive issues in his region of the world.

You will find that in the more than two dozen cases where my Office intervened in the last four months, one in five incidents involved violent attacks against journalists.

After the tragic deaths of Georgy Gongadze, Paul Khlebnikov, Elmar Husseyinov, Ogulsapar Muradova, Anna Politkovskaya and Hrant Dink, I repeatedly asked the participating States to bear in mind that violence against journalists is not crime as usual. It is also meant to terrorize democracy's basic institution, the press.

Violence imposes censorship far beyond the context of the actual controversy; it impedes the press in performing its most important social service, covering human rights abuses and corruption.

Violence against the press should be put visibly high on the national agenda.

The investigations should be given a public-friendly handling.

Governments must be aware of the linkage between the lack of their own respect for media, and societal violence against the media.

Not allowing impunity for assaults against journalists; ending criminal handling of professional mistakes by the media; stopping discrimination against the independent press; tolerating media coverage of demonstrations; these are all measures by which Governments can contribute to eliminate this plague.

My Office will prepare a special report on violence against journalists and will present it to the Permanent Council.

The following report provides details of issues raised with participating States; it reviews our co-operation on recent and planned project activities.

It also presents a special report on "examination of modalities for media twinning" in response to PC Decision (PC.DEC/759) of 5 December 2006 in Brussels.

Issues Raised with Participating States

Armenia

In my 28 June letter to the Chairman of the National Assembly, the Minister of Foreign Affairs and the Minister of Justice, I shared my concerns about the draft laws “On Introducing Amendments to the Republic of Armenia Law on Television and Radio”, and “On Making Amendments to the Republic of Armenia Law on State Duties”. These proposals could potentially ban re-broadcasting of foreign public-service programmes’ in Armenia, including *Radio Liberty*. The first law would have affected the Armenian state TV and radio, and the second law, via higher duties, would have concerned private broadcasters. I asked the National Assembly to prevent the adoption of the two bills.

I was glad to learn that the amendments were not adopted. However, shortly after their rejection, the Council of the Public Television and Radio Company notified all foreign broadcasters that their programmes would no longer be retransmitted on public frequencies. As a result, *Radio Liberty* had to sign a contract with a private radio station in order to continue its broadcasts in Armenia.

Azerbaijan

I remain concerned with the grave situation of the independent media in Azerbaijan. Two more media workers were arrested last week, thus increasing the number of Azerbaijani journalists who are currently in prison to nine.

On 6 November, Nazim Guliyev, the editor of *Ideal* newspaper, was sentenced to two and a half years of imprisonment for libel and defamation. As in many previous cases, the lawsuit was initiated by the Ministry of Interior.

On 11 November, Genimet Zahidov, chief editor of *Azadliq* newspaper, was sentenced to two months of pre-trial detention for hooliganism. Genimet’s brother, Sakit Zahidov, a sharp-tongued critic of the government, has been in prison since October 2006 for alleged drug possession.

On 30 October, one of the seven already jailed media workers, Eynulla Fatullayev, was sentenced to a new, combined prison sentence of eight and a half years for libel, insult, incitement to ethnic and religious hatred, threat of terrorism, and even tax evasion. Additionally,

he was ordered to pay an exorbitant fine of approximately 164,000 euros, and the computers of his papers, *Realny Azerbaijan* and *Gundelik Azerbaijan*, were confiscated.

The trial was a textbook example of the arbitrary use of repressive laws, aiming to criminalise journalism and silence critical voices. It completed the campaign that was started to silence Mr. Fatullayev and to eliminate the country's two most-read newspapers.

Several fresh defamation cases against journalists, all initiated by public officials, are currently pending, and they might result in further incarcerations.

I reiterate my call on the Azerbaijani authorities to release the imprisoned journalists, decriminalise speech offences in general, and defamation in particular, and transfer their handling into the civil-law domain. Progress in quality journalism should not be a pre-requisite to relieve journalists from fear of criminalisation. On the contrary, responsible journalism can only develop under guaranteed freedom to debate and to criticise.

Continuing my Office's co-operation with the relevant authorities, I fulfilled the request for assistance from Nushiravan Maharramli, Chairman of the National Television and Radio Council, regarding the regulation of Internet-based broadcast media. In my letter on 8 October, I offered recommendations on the topic, and the support my Office could provide when drafting legislation on this subject.

I hope to be able to continue the dialogue with the Government of Azerbaijan on how to improve the situation of the independent media and its legal environment.

Belarus

In my letter of 22 August to the Head of the Permanent Delegation of Belarus, I welcomed that some of my Office's recommendations on the draft "Law On Information, Informatization and Protection of Information" were taken into account by the drafters. The law would define rules of classification of - and journalists' access to - governmental information, and it may ensure compliance with relevant commitments regarding the working conditions of independent journalism in the country.

Additionally, in a letter written on 28 September to Yuri Kulakovsky, head of the parliamentary committee responsible for media issues, I offered assistance in the planned drafting of Internet regulation.

I was glad to receive his response on 24 October, assuring that the draft law will be forwarded to my Office for review.

Belgium

I welcome the 18 June court decision in the case of journalist Ms. De Graaf of *De Morgen* newspaper, which reaffirmed the right of journalists to protect their confidential sources. The rejection of the prosecutor's claim shows that Belgium's 'shield law' of 2005 on the protection of journalists' sources works as planned.

Croatia

I sent a letter to the Minister of Foreign Affairs on 25 October, raising concern about the case of journalist Zeljko Peratovic. He was detained on 17 October for one day, in connection with his alleged revealing of state secrets. If charged, Peratovic will face up to three years of imprisonment. I asked the Minister for details of this case, and reiterated the need for new laws that can secure that criminal liability for disclosing secrets applies only to officials in charge of protecting classified information.

Czech Republic

On 26 July, I sent a letter to the Minister of Justice of the Czech Republic about the new draft Criminal Code. I regret that the proposed changes failed to decriminalise defamation. The draft even maintains imprisonment as a form of punishment for defamation, in spite of the clear jurisprudence of the European Court of Human Rights. I reminded the Minister that, if appealed to Strasbourg, any potential imprisonment sentence for journalists by the Czech judiciary would be ruled out by the Court.

Georgia

On 8 November 2007, I expressed concern about the suspension of the work of *Imedi TV*, Georgia's most watched independent broadcaster, and *Kavkasia TV*, which transmits in Tbilisi.

The closure took effect late on 7 November, before a presidential decree announcing a state of emergency entered into force.

I urged the Georgian authorities to cease the selective silencing of *Imedi TV* and *Kavkasia*, as pluralism in broadcasting is essential for a democracy. Introducing a state of emergency may be in accordance with the country's Constitution, but the media must also be able to fulfill its constitutional responsibility to inform the society about the developments in the country.

My Office, together with our colleagues from the OSCE Mission to Georgia, will continue to closely follow the situation in the country. We are also in touch with Peter Semneby, the EU Special Representative for the South Caucasus, who is currently in Tbilisi.

Germany

On 9 August, I wrote to Federal Minister of Justice Brigitte Zypries, asking Germany to cease criminal proceedings against 17 journalists of the country's most prestigious newspapers. The journalists published allegedly classified information on German intelligence activities, and on the Parliamentary Committee examining them.

I was pleased to receive the reply of the Minister about the suspension of the court proceedings against most of these journalists. I hope to hear soon about the termination of the still ongoing litigations.

The Minister also sent to me a draft law on court proceedings, with the planned list of exemptions from the duty to testify, including the right of journalists to protect their sources. In my reply, I asked her to ensure that the journalists' privilege falls into the strongest protection category. Unfortunately, when the law was adopted on 9 November, a general provision offering a more robust protection to media professionals was not included. However, electronic data found with journalists by coincidence may not be used by judicial authorities.

Greece

On 11 July, I wrote to President Karolos Papoulias, expressing my concerns about his promulgation of a new law on 'Concentration and Licensing of Media Enterprises and other Provisions' in Greece.

The law sets unnecessarily high requirements for obtaining a radio broadcasting license, for example in terms of a minimum number of employees, or a deposit for radio stations. These provisions may make it difficult for minority, community, alternative, and other low-cost broadcasters to put their programs on air, potentially diminishing effective pluralism.

In her reply, conveying the government view, the Permanent Representative assured me that the new law in question was aimed solely at a necessary regulatory overhaul of the media landscape, and that the Government will continuously monitor the ensuing situation with regard to safeguarding media pluralism.

Hungary

On 22 June, the brutal attack against a Hungarian journalist investigating the so-called "oil deals" of the 1990s prompted me to turn to the authorities, urging them to take resolute action to prevent similar assaults in the future. However, five months into the case, I am still waiting to see the concrete results of the investigation.

My Office was consulted by the Government on the ongoing reform of the classification rules, and the relevant Criminal Code provisions on 'breach of secrecy'. I hope that the upcoming legislation will serve the cause of journalists' access to governmental information in a fashion to match the most advanced standards.

Ireland

In September 2007, an independent press council was established in Ireland. I welcome the creation of this self-regulatory body that will accept complaints on the media from the public as of 1 January 2008. I hope that its creation will offer additional incentive to the legislators to fully decriminalise defamation in the pending reform bill.

During my visit in Dublin 9-10 November, on the occasion of the Congress of the Association of European Journalists, I discussed with the authorities the prospect of making the new defamation bill fully compatible with OSCE commitments, CoE standards, and Strasbourg case law.

I also discussed the option of passing a statutory rule on the protection of journalists' confidential sources that could guide the courts in the future. The topicality of the issue was provided by the worrying ruling of the Irish High Court in Dublin of 23 October. It ordered the leading journalists of *The Irish Times* to testify before a tribunal on the source of their story about cash payments to Prime Minister Bertie Ahern in 1993, when he was the Finance Minister.

I also met the newly appointed Press Ombudsman of the Press Council, and was glad to see the new body's devotion to increasing fairness and professionalism in the press.

Kazakhstan

Since I took office in 2004, I have been following the preparations aimed to reform the country's media and other laws regulating speech rights.

Currently, upon a request of the Delegation of Kazakhstan to the OSCE, my Office is reviewing the draft Media Law submitted to the Parliament in April of this year. The review will be completed soon. Please also see this report's section on legal reviews.

On 8 October, I expressed my concerns in a letter to the Ministry of Internal Affairs regarding its amendments to the defamation provisions of the Criminal and Civil Codes. If tabled with the Parliament, these proposals would have substantially reduced the scope of decriminalisation proposed in the April draft Media Law. In the letter I also noted that these new amendments were at variance with the intention of relieving journalists of the burden of criminal defamation, as declared by the Minister of Information and Culture, Yermukhamet Yertysbayev, at the 26 July 2007 meeting of the Permanent Council.

In his response early November, the Ministry of Culture and Information and the Ministry of Internal Affairs prepared a new, jointly drafted version of the Criminal and Civil Code amendments, which the Kazakh Delegation to the OSCE also submitted to my Office for a review.

In order to handle all these proposals in a transparent way, my Office, with the help of the OSCE Centre in Astana, will send a legal expert to Kazakhstan on 16 November, in order to discuss the

different drafts with all stakeholders, including the NGOs that have drafted the law, and the representatives of the authorities.

The former Yugoslav Republic of Macedonia

On 25 and 26 September, when covering public events, Lirim Dullovi and Igor Ljubovceviski, journalists of local TV stations, were physically abused by a bodyguard of a political party and by police officers.

The OSCE Spillover Monitor Mission to Skopje intervened with the Prime Minister. I remain confident that both investigations will be conducted with the necessary determination, and will help prevent such incidents in the future. I discussed these cases with the Head of the Permanent Mission to the OSCE, stressing that such cases need a public-friendly and resolute handling in order to prevent their spreading.

Moldova

In my letter of 19 October, written to the Deputy Prime Minister and Minister of Foreign Affairs Andrei Stratan, and to the Chairman of the Audiovisual Coordination Council, I asked for information about the sudden revocation of the re-broadcasting licence for the Romanian public television channel *TVR 1*. As viewers' statistics demonstrate, the channel is a popular choice in Moldova, thus, its removal may effectively damage the pluralism of the media scene.

On 5 November, I received a response from Minister Stratan. He informed me that the Audiovisual Coordination Council was looking into the matter, and that he would provide me with results soon.

Montenegro

In my 4 September letter to the Minister of Foreign Affairs of Montenegro, I shared my concerns about the brutal attack on Zeljko Ivanovic, the director of the daily newspaper *Vijesti*. The attack by three men took place on 1 September, and as a result, Ivanovic suffered a fracture. I was glad to learn that the case was solved following the confession of two persons of having committed this attack.

However, another attack on a journalist occurred in the meantime. Tufic Softic, a journalist working for *Radio Berane* and the daily newspaper *Republika* was attacked and severely beaten by two masked assailants on 1 November, in front of his home in Berane.

This new attack shows how easily the violent intimidation of journalists can spread if it is left unpunished. I call on the Montenegrin authorities to treat such attacks not as ordinary crimes, but as acts targeting a basic institution of democracy and exercising censorship. Proactive measures are needed to ensure a safe working environment for media workers.

Poland

Unfortunately, within the last several months, with a series of prosecutorial and court decisions, Poland has become the only nation in the European Union that imprisons journalists for defamation. By doing so, Poland disregards the established jurisprudence of the European Court of Human Rights, which has been consistently rejecting even suspended prison sentences for verbal violations of personality rights. Furthermore, Terry Davis, the Secretary General of the Council of Europe, has called on all member states to decriminalise these offences.

Since 2004, I had to intervene with the Polish authorities in three defamation cases, and asked the authorities to decriminalise defamation.

It is against that background that, in a letter written to the Minister of Justice of Poland on 2 August, I expressed concern about a fourth case, the sentencing of Jacek Brzuszkiewicz, a journalist of *Gazeta Wyborcza*. He was sentenced to a suspended six-month prison term and a hefty fine for criminal defamation against a judge in a series of articles. In these pieces he argued that the judge and a defender, who won a case in that judge's court, were acquaintances.

In his 4 October response to my intervention, the Polish Deputy Attorney General presented general arguments against the decriminalisation of libel and insult, referring to the Polish Constitutional Tribunal's decision on the constitutionality of criminal prosecution of defamation. However, he did not address my major concern of sanctioning defamation with imprisonment, practically ignoring the above mentioned case law of the European Court of Human Rights, and upholding a clearly outdated standard by heeding the call for decriminalisation by the Council of Europe.

Finally, I regret to report about a new case of media criminalisation. On 30 October, a Warsaw court ordered two journalists of the weekly *Gazeta Polska* to be arrested prior to their upcoming libel trial in December. Treating journalists as criminals, who are likely to escape their court appearance, is the latest in a chain of prosecutions against Polish journalists.

I hope that the new Government of Poland will realise that 21st-century democracy has to liberate the media from fear of imprisonment for possible professional mistakes, and let those offences be handled between citizens, via civil-law courts.

Russian Federation

In my 19 June letter to the Head of the Permanent Mission of the Russian Federation to the OSCE, I raised the libel case initiated by the Chechen President Ramzan Kadyrov against the *Kommersant* newspaper, citing the standard that, for the sake of freedom of debate in society, public officials need to exercise self-restraint in suing for personal damages.

I also addressed the violent attacks against journalists Andrei Kalitin, Vadim Guzinin and Mikhail Afanasyev.

In his response on 31 July, the Head of the Permanent Mission informed me that local prosecutors have started investigations into the three cases of violence, but no results were available yet.

In a letter to Minister of Foreign Affairs Sergey Lavrov written on 26 July, I expressed concern regarding a series of amendments to the 'extremism' laws, signed by President Vladimir Putin on 26 July. I asked the Russian authorities to re-examine the legal framework on 'extremism', especially the parts that touch upon the media's right to report on controversial issues.

I criticised the lack of a clear definition of 'extremism'. I pointed to the heterogeneous and wide array of offences that are termed as extremist, such as 'public justification of terrorism', 'mass distribution of knowingly extremist materials', 'libellous accusations of extremism against public officials', and 'provision of information services to extremists'. Such provisions may hold the

media back from reporting on issues of public interest out of fear to be labelled as engaging in 'extremism'.

The Head of the Permanent Mission informed me that Minister Lavrov received my letter, and it is being given due consideration. In the meantime, my Office is monitoring 'extremism' cases pending in Russia's courts.

In my letter of 22 August to Boris Boyarskov, Director of the newly established federal service supervising media and communication ('Rossviazokhrankultura'), I expressed my concerns regarding the suspension of the re-broadcasting of *BBC* on the Moscow FM Radio Station *Bol'shoye Radio* in August 2007. *Bol'shoye Radio* was *BBC's* last FM distribution partner station. I asked "Rossviazokhrankultura" to review this decision that damages information pluralism in the country. To date, I have received no response.

On 10 September, I commended the recently announced partial progress in the cases of murdered journalists Anna Politkovskaya and Igor Domnikov, but warned that violence against journalists can end only if those ultimately responsible are identified and prosecuted without political interference.

The welcome announcement in the Politkovskaya case was, unfortunately, accompanied by unsubstantiated political allusions, and followed by news of procedural mistakes. I called for vigorous and independent investigation of the cases of murdered journalists.

In this regard, I was glad to learn that on 28 October the investigation into the death of Yuri Shekhochikhin, another *Novaya Gazeta* journalist, was re-opened. He died in 2003.

In a similar development, on 10 November the criminal case into the case of murdered *Novaya Gazeta* journalist Igor Domnikov was also re-opened, with the intent to bring the behind-the-scene organisers of his murder to justice. He was killed in 2000, and the actual perpetrators were convicted this year.

These developments may bring some relief to the staff of *Novaya Gazeta*, which has witnessed the deaths of three of its journalists since 2000.

Slovenia

A 'Petition against Censorship and Political Pressure on Journalists in Slovenia', signed by more than 400 journalists, has been widely distributed and it has also reached my Office. The Slovenian Ambassador to the OSCE, in his response to my request to present the Slovenian Government's view on the concerns raised in the petition, refuted them as baseless. My Office will continue to monitor the media situation in close contact with the NGOs involved.

Spain

I raised the case of the *El Jueves* magazine with the Head of the Permanent Mission of Spain in a letter on 24 July. A High Court judge ordered the seizure of copies of the weekly because it had published a cartoon of the royal couple, which was considered by the judge as violating their honour and dignity. The two cartoonists were fined 3000 euros each on 13 November.

Recently, judicial proceedings were started against three other journalists for publishing a photographic collage disrespectful of the King.

These cases highlight the importance of abolishing all antiquated insult provisions that lend special protection to officials and dignitaries. Those rules do not fit with democracies proud of their freedom of public debate.

Switzerland

On 4 July, I sent a letter to the Head of the Swiss Delegation to the OSCE about an appeal court conviction of a Turkish politician for refusing to call the killings of Armenians in the Ottoman Empire in 1915 a genocide. I reminded the Swiss Government that, according to the case-law of the European Court of Human Rights, only denial or belittling of genocides recognized by international courts or by relevant international legal instruments should be exempt from legal protection as free speech. Other historic events should be open to debate.

Tajikistan

On 21 September, I called on Tajikistan to revoke the amendments to Articles 135 and 136 of the Criminal Code that were recently signed into law by President Emomali Rahmon. I noted that under this provision any factual mistake or strong opinion published, re-published, reported or discussed on the Internet can be penalized. I therefore asked the Majlisi Oli, Tajikistan's

Parliament, to bring the legislation in line with the country's OSCE commitments to protect the free flow of information. Regardless of whether such content is published on the Internet or in any other media, I reiterated that only explicit incitement to violence or discrimination should be criminalised. Judgement on other verbal offences should be in the realm of civil courts.

I was glad to meet Deputy Foreign Minister Erkin Kasimov during the Central Asia Media Conference in Dushanbe this month. I raised the importance of not letting precedent decisions be created based on the new defamation provisions. He assured me of Tajikistan's readiness to study international best practices and standards. We also discussed future co-operation on projects and legal advice.

Turkey

Congratulating Prime Minister Recep Tayyip Erdogan on his re-election, I asked him to seize the moment and repeal Article 301 of the Turkish Penal Code, which makes it an offence to "insult Turkish identity" and which continues to target journalists and writers with dissenting views on history. I referred to the proliferation of cases launched under this article which allows it to criminalize a broad range of critical opinions, given its vague wording.

Soon after my 18 September letter, on 11 October, a suspended one-year jail sentence was handed down on Arat Dink and Serkis Seropyan, the editor and the owner of the Armenian and Turkish language weekly *Agos*. The two were convicted for reprinting remarks of murdered journalist Hrant Dink, the father of Arat Dink, in which he called the 1915 killings of Armenians a genocide.

In a 17 October letter, referring to the fate of Hrant Dink, I emphasized that the failure to abolish Article 301 continues to expose persons with dissenting views to prosecution and may single them out for violence.

I welcome the announcement by Justice Minister Mehmet Ali Sahin of 7 November that Article 301 will be changed.

The United States of America

I welcome that the House of Representatives approved their version of a "Free Flow of Information Act" on 16 October. This decision is the first step towards the adoption of a

comprehensive federal 'shield law', one that can prevent the jailing of journalists for refusal to disclose their confidential sources. Since then, the Senate Judiciary Committee has also recommended for consideration a Federal journalists' privilege to safeguard the freedom of the press.

As the version of the Act approved by the House provides for relatively wide exemptions, and the definition of a "journalist" is too narrow compared to the wide variety of modern forms of journalism, I look forward to the debate of this bill with the hope that the Senate will adopt an improved version.

In a letter written to the Chief of the United States Mission to the OSCE on 6 August, I requested additional information regarding the murder of Chauncey Bailey. The editor of the *Oakland Post* was killed on 2 August. I was informed that a suspect in this case had been detained who had confessed to killing the journalist.

Twining: Special Report

At the Brussels Ministerial Council in December 2006, the Permanent Council adopted PC.DEC/759 on "Media twinning: Capacity building in support of professional media through peer-to-peer exchanges". The task of my Office to examine the modalities of media twinning was conducted by using the method of a detailed questionnaire to the OSCE executive structures.

Twinning is a very valuable instrument in the toolbox of media development, and it is widely practised within the OSCE. However, compared to the overall twinning activities carried out by other organisations, especially NGOs throughout the OSCE area, those of the OSCE executive structures are rather small.

The report concludes that the co-ordination of peer to peer exchanges within the OSCE is and should remain in the realm of the OSCE field presences, while the RFOM and the CPC should continue to be notified of such activities.

A change of responsibilities is not recommended. Furthermore, stronger centralisation of twinning activities would be rather counterproductive, as Field Presences are best suited to initiate and implement media twinning, incorporating their needs assessments.

Based on the feedback from the field presences, the report also concludes that in case twinning activities are to be increased within the OSCE, additional resources are imperatively needed.

The report is attached to this report and is available for download at my Office's website at <http://www.osce.org/doc>

Projects & Activities since the last report

Regional Media Conferences

This year, my Office organized another round of the Regional Media Conferences in the South Caucasus and in Central Asia. The participants included journalists, representatives of media organizations, state officials, as well as local and foreign experts.

As in previous years, these conferences provided a unique platform to exchange views on cutting-edge media topics, and to create new professional bonds between the media professionals of the participating countries. This year the focus of both events was media self-regulation.

The discussions clarified that the two areas face substantially different challenges in the domain of media self-regulation.

I would like to express my gratitude to the donor countries, **Austria, Germany, Ireland, Sweden and the United States**, for making these two events possible.

Let me also thank the Government of Georgia and the Government of Tajikistan for their hospitality.

The Fourth South Caucasus Media Conference in Tbilisi

The event, held in Tbilisi on 11 and 12 October, was organized jointly by my Office and the OSCE Mission to Georgia. 70 journalists from Armenia, Azerbaijan and Georgia discussed recent media developments in the three countries.

The special focus on media self-regulation was praised for both its relevancy and timeliness. The need to increase the quality of journalism while preserving editorial freedom was evident from various requests coming from civil society groups and Field Presences.

Renowned international experts shared their knowledge and experience regarding the development of media accountability mechanisms, while local experts provided information on the current state of media self-regulation in the three countries.

The conference welcomed the recent creation of the prototype of a self-regulatory body in Armenia. However, it also highlighted the many obstacles standing in the way of the effective functioning of self-regulation in the area. Lack of independence, lack of public awareness about the right to complain, and lack of journalistic professionalism were reported as the major problems for the press council of Azerbaijan, which was created in 2003. In Georgia, the Media Ethics Observatory has ceased to operate due to the lack of financial resources. At the event, strategies for the sustainability of self-regulatory bodies were also discussed.

A declaration on the findings and tasks was adopted at the end of the conference. It is accessible on the RFOM website (<http://osce.org/item/27325.html>).

The Ninth Central Asia Media Conference in Dushanbe

The latest of our media conferences in Central Asia was jointly organized by my Office and the OSCE Centre in Dushanbe, on 1 and 2 November. The event gathered journalists from Kazakhstan, Kyrgyzstan and Tajikistan.

I regret that colleagues from Turkmenistan and Uzbekistan were unable to attend the conference. I hope that they will be able to participate next year, enriching both their and their colleagues' experiences.

As no effective or sustainable self-regulation mechanisms have yet been established in Central Asia, the participants learned of the merits of media accountability systems and the various models of media self-regulation that have been already successfully functioning elsewhere in the OSCE area.

International experts put emphasis on how media self-regulation can guarantee the quality of information for the public, and how it can also prevent lengthy court procedures by quickly resolving legitimate complaints. Experts also underlined the fact that while media self-regulation promotes ethical standards, it also preserves editorial independence.

The fact that Governments seem to utilise the creation of self-regulation mechanisms as a precondition for reform prompted a few participants to caution against a too early introduction of self-regulated ethics. However, others have pointed to the fact that self-help in cultivating professionalism provides a valuable moral base in the fight for media freedoms.

The conference contributed to an increased understanding of the role of media self-regulation in Central Asia. The declaration adopted at the conference can be found at the RFOM website (http://www.osce.org/documents/rfm/2007/11/27937_en.pdf).

Access to Information

The results of the survey on media access to information in the 56 OSCE participating States, outlined in my last report, were used in the recommendations for the Council of Europe's Committee on Human Rights, which is in the process of elaborating a "European Convention on Access to Official Documents".

Let me kindly remind the Delegations that the database on this survey is constantly updated; new information received by my Office is entered and can be consulted at <http://osce.org/item/24251.html>.

Co-operation with other international organisations

I welcome that on 26 September the Committee of Ministers of the Council of Europe adopted the "Recommendation of the Committee of Ministers to member states on promoting freedom of expression and information in the new information and communication environment", "Guidelines of the Committee of Ministers of the Council of Europe on protecting freedom of expression and information in times of crisis", "Declaration by the Committee of Ministers on the protection and promotion of investigative journalism". These documents set and reinforce important standards in the field of media freedom. They directly engage those OSCE participating States which are also Council of Europe members, but their importance resonates beyond that.

Update on the decriminalization of defamation

I welcome the adoption on 4 October of Resolution 1577 (2007) "Towards Decriminalisation of Defamation" by the Parliamentary Assembly of the Council of Europe (CoE). The resolution calls on the CoE member states to, *inter alia*, abolish imprisonment for defamation without further delay, and guarantee that there is no misuse of criminal prosecutions for defamation. It also asks the states to remove any increased protection for public figures in accordance with the European Court of Human Rights' case-law, as well as to set reasonable and proportionate awards for damages and interest in defamation cases.

This Parliamentary Assembly's resolution concurs with the clear position expressed by the Secretary General of the Council of Europe, who, in 2006, called on all member states to decriminalise defamation and handle it in civil courts.

Training

I am pleased to report that our training courses for journalists and press officers continue to be in high demand. Since my last report, two courses were held by my Office:

- On 12 September, in Lviv, **Ukraine**, on "*Co-operation between journalists and press officers: corruption and other challenges for professionalism*";
- On 19-20 September, in Yerevan, **Armenia**, on "*Interaction between the press and press services in a democratic society*".

My Office, together with the Mission to **Moldova**, continued the training of judges on *libel and defamation legislation*. The project started last year, and continued in April of this year. On October 8 and 11, two seminars were carried out for judges from the Cahul and Comrat Courts of Appeal, in the south of Moldova.

The participants gained deep knowledge on the Moldovan defamation case law and on the practice of the European Court of Human Rights. Practical trainings were organized, during which the participants delivered judgments on hypothetical defamation cases in the media. Judges have also received relevant documentation and training materials for future use.

Legal Reviews

I am glad that the Parliament in **Croatia** adopted an improved version of the Data Secrecy Law on 13 July, following the legal review with recommendations that my Office submitted earlier this year to the Croatian Government.

Following a request by the Permanent Mission of the Republic of **Kazakhstan**, my Office is currently reviewing the draft Media Law elaborated by the Congress of Journalists of the Republic of Kazakhstan, and submitted to the Parliament on 18 April 2007. Furthermore, my Office was asked to assess a new version of the Criminal and Civil Code amendments, jointly drafted by the Ministry of Information and Culture, and the Ministry of Internal Affairs.

Internet

At this very moment, my Office is participating at the second UN-led Internet Governance Forum (IGF) in Rio de Janeiro. The IGF is a follow-up of the World Summit on the Information Society held in Geneva in 2003 and Tunis in 2005. At the current IGF, my Office is hosting a joint workshop on "Media Freedom Online", together with the Council of Europe and UNESCO. My Office is also a founding member of the so-called 'Dynamic Coalition on Freedom of Expression and Freedom of the Media Online', which serves as a platform for state and non-state actors, including governments, civil society, industry and academia, to informally contribute to the IGF process.

Visits by the Representative

On 29 July, in the framework of my Office's efforts to promote the recent RFOM survey on access to information, I gave a keynote speech at the conference of the Hungarian Civil Liberties Union in **Budapest**, presenting the main findings of the survey in the light of Hungary's position in the issue.

On 22 August, I participated at the closing round of public discussions held at the Prime Minister's Office in **Budapest**, concerning the on-going reform of the Hungarian secrecy law. I presented the governmental and civil participants with a list of recommendations based on international good practices, namely laws that managed to find balance between respecting the public's right to know and the government's need to protect exceptionally sensitive information.

On 14-15 September, I participated at the opening conference to launch an international journalism school in **Yaremche** in West Ukraine. The envisaged curriculum represents the highest standards and has the potential to make the school a stronghold for teaching future journalists. The program includes special trainings for journalists on how to deal with difficult situations, such as safely covering conflicts and demonstrations, and knowing their legal rights when authorities hinder journalists in their work.

On 24 September, I delivered an opening speech at the Human Dimension Implementation Meeting (HDIM) in **Warsaw**. On 4 October, I gave a keynote speech in the HDIM working session on "Freedom of expression, free media and information", focussing on some of the main challenges faced by the media: impunity of perpetrators, criminalization of journalism activities, and discrimination against the independent press. Together with Ambassador Christian Strohal, I held a joint side event on "Freedom of expression and hate speech: combating intolerant discourse within a human rights framework".

On 9 November, I gave a speech at the roundtable discussion on freedom of expression and racism in **Dublin**, organized by Ms. Anastasia Crickley, Chairperson of the European Union Fundamental Rights Agency, and Personal Representative of the Chairman-in-Office. The topic has been in the forefront of our activities, with a special focus on promoting self-regulation.

On 10 November, I was a panel member at the Congress of the Association of European Journalists in **Dublin**. The event provided an opportunity to meet with numerous prominent media professionals, to discuss the current threats to media freedom, and debate journalistic ethics and professional standards in Europe.

Participation of the Office in OSCE and external events

On 29-30 June, my Office was invited to address the Swiss Centre for Studies on the Global Information Society at a conference "On Media Monitoring - The Media and their Contribution to Democracy" in **Zurich**.

On 3 September, the Office participated at the Internet Governance Forum Consultations in **Geneva** for the upcoming IGF.

On 13-14 September, my Office participated in a conference on "Ethics and human rights in information society", jointly organised by Council of Europe and UNESCO in **Strasbourg**.

On 13-14 September, my Office was invited to address the "European Journalists Association- The Communication Network" annual conference in **Bucharest**.

On 20-21 September, my Office participated in the Annual Meeting of the Alliance of International Press Councils in Europe, held in **Edinburgh**. More than 25 countries were represented at this event, which provided a very useful platform for getting updated information on media self-regulatory bodies and on the current challenges faced by these institutions and their members.

On 1-2 October, my Office contributed to a regional conference jointly organised by the Council of Europe and the OSCE Spillover Monitor Mission to Skopje entitled "Converging Media- Convergent Regulators?" The event in **Skopje** addressed the important issue of how to best compose a regulatory authority in the digital age for broadcast and telecommunications.

On 9-10 October, my Office participated at the **Cordoba** OSCE Chairmanship Conference on Intolerance and discrimination against Muslims.

On 7-9 November, my Office participated as a panellist at the **Munich** Media Days 2007, focusing on regulatory issues of the Internet.

Project activities confirmed for the next period

- On 17 November, I will address the Liberal Thinkers' Conference on "The Future of Freedom" with a focus on media, which was organised by the Friedrich-Naumann-Foundation, to mark 60 Years of the Liberal International, in Hamburg.
- The US Helsinki Commission, chaired by the former OSCE Parliamentary Assembly President Alcee L. Hastings, invited me for a hearing or briefing on the state of media freedom in the OSCE region in Washington D.C. early December.
- As in the past years, I intend to issue a joint declaration together with my counterparts of the United Nations, the Organisation of American States and the African Union. These international mechanisms to promote freedom of expression will hold their annual meeting on 7 December in Amsterdam. It will focus on broadcast licensing in the digital age.

Future Joint Trainings for Journalists and Press Officers

Training seminars are planned in Georgia, Tajikistan and Kyrgyzstan in late 2007 and early 2008. A particular focus will be placed on self-regulation.



Organization for Security and Co-operation in Europe

Office of the Representative on Freedom of the Media

EXAMINATION OF MODALITIES

FOR MEDIA TWINNING

(PC.DEC/759)

Vienna 2007

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Executive summary

At the Ministerial Council in Brussels in December 2006, the Permanent Council adopted PC.DEC/759 on “Media twinning: Capacity building in support of professional media through peer-to-peer exchanges”. This decision tasked the Office of the Representative on Freedom of the Media (RFOM) to examine the possibilities to facilitate media twinning across the OSCE area. This report contains the findings of the examination conducted by RFOM, which were compiled by method of a detailed questionnaire to the OSCE executive structures.

PC decision 759 refers to a very valuable instrument in the toolbox of media development, namely media twinning. Twinning is widely practised within the OSCE, but compared to the overall twinning activities carried out by other organisations, especially NGOs throughout the OSCE area, those of the OSCE executive structures are rather small.

The report concludes that the coordination of peer to peer exchanges within the OSCE should - by and large - remain the realm of the OSCE field presences, while the RFOM and/or the CPC should continue to be notified of such activities. The necessary structures for handling media twinning are in place.

A change of responsibilities is not recommended and, for example, a stronger centralisation of twinning activities would be rather counterproductive as field presences are best suited to initiate media twinning, based on their needs assessments. Likewise, donors willing to finance twinning are looking for partners in the field (which can be OSCE field presences) or they use the field presences for "matchmaking" between donors and recipients.

Based on the feedback from the field presences, the report also concludes that, if twinning activities are to be increased within the OSCE, additional resources are imperatively needed.

Background information

Mr. Karel De Gucht, Minister of Foreign Affairs of Belgium, was the Chairman in Office of the OSCE (CiO) from January 2006 until December 2006. One of the priorities of the Belgian chairmanship was freedom of the media.

The Office of the OSCE Representative on Freedom of the Media (FOM) received support from Belgium in numerous ways. A Supplementary Human Dimension Meeting on Freedom of the Media was organised in July 2006 by the FOM, Belgian CiO and ODIHR. Additionally, freedom of the media was given a prominent slot at the 2006 Human Dimension Implementation Meeting. Belgium also endorsed the "Access to Information Database" produced by the RFOM (published in May 2007). The Belgian Chairmanship underlined the importance it gave to freedom of the media by introducing PC.DEC/759 on "Media twinning: Capacity building in support of professional media through peer-to-peer exchanges."

In this context the Chairmanship organised a twinning visit to Brussels for 13 journalists, selected by the OSCE field presences on 22-26 October 2006. The participants were given the opportunity to visit the Flemish (Dutch language) and Walloon (French language) public service broadcasters, as well as some leading Belgian newspapers.

From the feedback of the participants it was clear that they very much appreciated the occasion to meet colleagues from other OSCE pS and valued the possibility to exchange their experiences. They also stressed the possible window of opportunity this event offered for future cooperation. A spin off of this event is being organised by one of the participants, a summer school in Yerevan in July 2007.

At the ministerial council in Brussels, 4-5 December 2006, the Office of the OSCE Representative was tasked in PC.DEC/759 *"to coordinate the examination by the relevant OSCE executive structures, within their existing mandates and in consultation with media organisations, of modalities for facilitating media twinning throughout the OSCE area, including budgetary aspects, and make relevant proposals to the participating States."*

According to this PC decision media twinning is understood as follows:
*“Acknowledging media twinning as reciprocal peer-to-peer exchanges between relevant media actors in view of media capacity-building in support of the OSCE’s principles and commitments, in particular on freedom of the media, through, inter alia, study visits, training seminars, and staff exchanges. Aware that free and professional media can defend the values of peaceful coexistence.”*¹

Against this background, the Office of the Representative on Freedom of the Media wrote this report.

¹ For PC.DEC/759, please see Annex 1

Methodology

The report aims to provide insight on media capacity training activities carried out by the OSCE, especially by field presences. It will assess if there is a need for increased OSCE involvement in media twinning activities, define what this involvement could be, and what implications this would have on funding.

The FOM distributed 22 questionnaires² to all OSCE executive structures: 18 OSCE field presences, the Office for Democratic Institutions and Human Rights (ODIHR), the High Commissioner on National Minorities (HCNM), the Conflict Prevention Centre (CPC) and the Press and Public Information Section (PPIS).

A total of 14 questions were asked, divided into four topical groups: mandate, implementation of media capacity building projects, budget and the assessment by the officer in charge. The reporting period was 2006 and 2007. The structure of this report will follow these four categories.

From the total of 22 questionnaires that were distributed, 19 were returned³. 16 out of 18 OSCE field presences replied.⁴

² For a template of the questionnaire, please see Annex 2

³ For a detailed list of survey participants please see Annex 3

⁴ As the report is based on the responses to a questionnaire that was distributed by the RFOM to all relevant OSCE executive structures, the RFOM is not responsible for any inaccuracies.

Answers to the questionnaires by the OSCE executive structures

Field presences

Mandate

According to the answers from the questionnaires that were distributed to the field presences, 11 out of 16 answered that media development is a part of their mandate. This demonstrates that the bulk of media capacity building activities are in the field and that RFOM's own media development or twinning activities are small in comparison.

Implementation

The types of media twinning implemented by the executive structures are mainly study visits, trainings and to a lesser extend staff exchanges. Four field presences indicated that they do not implement any form of media twinning. Other forms of media capacity building that are employed are: legal reviews and assistance, participation in conferences, workshops or round tables, and expert visits.

Request for such initiatives originate from different sources. However, most often they come from the media outlets themselves, the locally present NGOs or the professional media unions. To a lesser extend they are asked for by the governments of the pS. They could also follow a needs assessment of the OSCE presence itself.

The missions indicate that media twinning often is not done by them, but by other organisations such as NGOs, media outlets, professional media organisations and universities. Five OSCE missions indicated that the percentage of twinning projects carried out by the OSCE in its field of operation, is less than 5% compared to all the twinning that is conducted in their area. Two more indicated that it was less than 25% and only one mission claimed to take a 50% share. The other field presences did not answer the question.

All executive structures work in cooperation with implementing partners when conducting media development activities. These partners are mostly NGOs or professional media organisations. Both the mission and the implementing partners

provide venue, funding, expertise, human resources, etc. All field presences agreed that professional organisations, media outlets or NGOs are the best implementers of such projects.

As mentioned above, media development projects are conducted in cooperation with implementing partners. These can be categorised in six groups: media outlets, professional media organisations, the government, educational institutions, international organisations and NGOs.⁵

Budget

In most field presences the operational positions of the 2006 Unified Budget (UB) used to finance media twinning was less than 5%. With the exception of three missions in South Eastern Europe where between 20% and 50% of the media budget was used for twinning within their media development. In seven OSCE executive structures none of their operational budget was used for media development. Only three field operations received extra-budgetary (XB) funding for implementing media twinning activities.

17 out of 18 missions implementing media capacity building indicated that the funding (UB and XB) provided for such activities is not sufficient to ensure a follow-up and lasting effect of such activities.

Assessment

Although all field presences recognise the importance and benefits of media capacity building for the development of free media in their regions, nearly all of them recognise that other organisations, such as NGOs and professional media organisations, are better equipped to conduct such activities.

It would be possible to continue minor media twinning projects in the future within existing resources. However, if such projects were to be increased or continued with a lasting effect there would be a need for additional resources, human and financial.

⁵ For a complete list of implementing partners, please see Annex 4.

OSCE Institutions and Secretariat

Office of the OSCE Representative on Freedom of the Media

Mandate

In accordance with the mandate, RFOM “will assist the participating States, in a spirit of co-operation, in their continuing commitment to the furthering of free, independent and pluralistic media.”⁶ The FOM does conduct numerous media capacity building projects, on an ad hoc basis, as an intervention or at the request of an OSCE pS.

Following its mandate the media assistance programmes of the FOM are conducted on a case by case basis, and focus on legal issues rather than material assistance.

Implementation

In 2006, the FOM held one press secretary training seminar in Azerbaijan, two in Kazakhstan, and four in Ukraine. In 2007, seminars in Armenia, Belarus and Ukraine were held and training events are planned in Tajikistan and Georgia. These events are generally organised upon the invitation of the governments of the participating States. They may also be initiated by the FOM, OSCE field operations, or local media NGOs, but the governments always have to endorse such events before they can be implemented.

The FOM, in close cooperation with and at the request of the Permanent Delegation of the Republic of Kyrgyzstan to the OSCE, also organised a study tour to the OSCE and media outlets in Vienna for 11 Kyrgyz journalists in 2006.

Together with the OSCE Presence in Albania the FOM invited seven members of the Parliamentary Committee on Education and Media. The MPs were given a thorough briefing of the current activities and priorities of the FOM, as well as all the necessary contact details of FOM staff, and other media organisations should they need any assistance.

⁶ PC.DEC/193, “Mandate of the OSCE Representation on Freedom of the Media”

In Central Asia and the South Caucasus in 2005 and 2006, IREX, with FOM funding, implemented an internet training program for young journalists in the local languages.

The implementing partners of the FOM are chosen in close cooperation with the governments of the pS, the OSCE field operations, and local NGOs.

Budget

In 2006 the FOM used about €80,000 of its operational budget for its media assistance projects described above. An estimated €40,000-50,000 of the operational budget will be used in 2007 for media development projects.

These amounts are comparatively small and reflect the fact that media development is an ad hoc or complementary activity of the RFOM.

HCNM

Mandate

The mandate of HCNM does not specifically include media capacity building. However, as it does contain conflict prevention with regard to national minority issues and media can play a key role in diffusing tension and promoting good inter-ethnic relations, the HCNM has implemented some projects in support of news broadcasting and of the training of journalists.

Implementation

In the past two years, the HCNM has conducted two media projects in Samtskhe-Javakheti and in Kvemo Kartli. Although not twinning activities as such, both projects did contain some aspects of media twinning, such as study tours. These projects were implemented in cooperation with Internews Georgia. HCNM will endeavour to continue this sort of activities in the future, notably in Kyrgyzstan and Moldova.

Budget

The project was funded with extra budgetary contributions from the Canadian International Development Agency, UK and the Swedish International Development

Cooperation Agency (800,000 Euro in total) and 30,000 Euro from the HCNM unified budget for the period 2003-2007.

Secretariat

As mentioned before, questionnaires were also distributed to PPIS and CPC. Neither of these structures implement media capacity building as described in PC.DEC/759.

PPIS does have a training programme with journalists from pS in that have an OSCE presence, but these trainings are aimed at increasing the visibility and understanding of the OSCE, and not at media development as such.

Assessment

Assessment by the Representative on Freedom of the Media

PC.DEC/759 is an excellent reminder of a very valuable method of media development, namely media twinning.

However, the coordination of peer to peer exchange within the OSCE should remain in the hands of the OSCE field presences. They are already carrying out such projects, and are more aware of the needs in the field. The RFOM and/or the CPC should be notified of such activities, in order to avoid inconsistencies or unnecessary duplications. This type of clearing is already in place, as the CPC Project Coordination Cell consults with the FOM on media-related project proposals from the field presences.

Further centralisation of twinning activities would entail additional resources. It would require additional funds, which ideally should be part of the unified budget of the mission to secure proper follow-up of the activities. Additional human resources would be needed as well.

The OSCE is currently not the main player in media capacity building in the field. Numerous NGOs and professional organisations are conducting the bulk of such activities, and they are usually better equipped to implement them. The OSCE should continue to play a supporting role and facilitate “match-making” between donors and twinning partners.

Existing research on “Media Development by the OSCE Field Missions”⁷ conducted in 2004 by the Netherlands-based NGO Press Now pointed out, amongst numerous other recommendations, the following three recommendations that are in agreement with the analysis of the RFOM:

⁷ “Media Development by OSCE Field Missions”, Press Now, Amsterdam, 2004
http://www.pressnow.org/upload/publications/Rapport_30062004.pdf

“The Role of the OSCE in Media Development”, Press Now, The Hague, 16 June 2005
http://www.pressnow.org/upload/publications/Rapport_13102005.pdf

1. “OSCE missions do not need to have ‘ownership’ of the media development strategy in their areas of responsibility. (...) The OSCE is in a good position to coordinate with intergovernmental organisations and with non-governmental organisations.” However, Press Now also warns that this “bridging position also makes the OSCE ... vulnerable to policy disagreements” between influential donors.
2. If media development activities are to be enhanced, standardised budgetary procedures, guaranteeing financing and human resources for such activities, have to be established to ensure follow-up.
3. The role for the FOM should be centred on consulting or assisting the missions in their media capacity building activities. The FOM could also be the “clearing house for the media-development needs of the missions.”

Assessment of OSCE Executive Structures

The mandate of several missions does not include media capacity building, although all contain references to democratisation, human rights, etc. which does include to a certain extent media development. All OSCE field presences agreed on the importance of media capacity building to bring the media in line with international media freedom standards, and thus promote democratic standards and good governance.

The OSCE media capacity building efforts are very much located in the Western Balkans. In almost all OSCE countries with OSCE field operations media capacity building events are usually one-off activities, done on an *ad hoc* basis.

Nearly all field presences stated that local media organisations and NGOs carry out the bulk of such activities in their area of action, and that they are also better equipped to do so. Following from this is of course the agreement on the crucial role of cooperation between the field presences and the implementing partners, stressed by all field presences.

All missions, except three, stated that funding for these activities is not sufficient to implement media capacity building projects in a consistent manner. It is also not enough to ensure that the projects will have a lasting effect and are followed-up appropriately.

Conclusion

- Media twinning will remain an important aspect of media development in the OSCE region.
- The OSCE structures to initiate or absorb media development activities, including twinning, are in place, as well as the necessary coordination mechanisms between the different executive structures.
- RFOM already conducts some media development activities, some of which could be qualified as twinning, on a case by case basis. These activities could be extended if additional funds would be available.
- The bulk of twinning activities within the OSCE, however, is with the field operations. This is an advantage in many ways: field operations are best suited to identify media development projects, which lend themselves for twinning, they are often in direct contact with donors for funding and they can serve the important role of "matchmaking" between donors and recipients.
- Overall, the media twinning activities of the OSCE are small in volume compared to twinning activities which are carried out by specialized NGOs, some foundations or the training departments of western public service broadcasters and other organisations in the field.
- If the OSCE decides to increase its media twinning activities, additional funds are needed, as all actors involved pointed out.

Annexes

Annex 1: PC.DEC/759



**Organization for Security and Co-operation in Europe
Permanent Council**

PC.DEC/759

5 December 2006

Original:

ENGLISH

641st Plenary Meeting

PC Journal No. 641, Agenda item 5

DECISION No. 759

MEDIA TWINNING: CAPACITY-BUILDING IN SUPPORT OF PROFESSIONAL MEDIA THROUGH PEER-TO-PEER EXCHANGES

The Permanent Council,

Considering that independent media are an essential instrument for ensuring democratic transparency and accountability,

Acknowledging media twinning as reciprocal peer-to-peer exchanges between relevant media actors in view of media capacity-building in support of the OSCE's principles and commitments, in particular on freedom of the media, through, *inter alia*, study visits, training seminars and staff exchanges,

Aware that free and professional media can defend the values of peaceful coexistence and mutual understanding, thus positively contributing to early warning, conflict prevention, crisis management and post-conflict rehabilitation,

Conscious of the important role media can play as a driving force for democracy and peace in the OSCE region,

Welcoming the OSCE's media capacity-building activities throughout the whole OSCE area as part of democratic institution-building, initiated by the OSCE Representative on Freedom of the Media and, where applicable, OSCE field operations,

Convinced of the benefit of sharing the expertise of media organizations directly amongst peers,

Reaffirming the OSCE participating States' commitments to encourage direct contacts and international exchanges between media organizations, in particular as undertaken in the Helsinki Final Act (1975), the Concluding Document of Madrid (1983) and the Copenhagen Document (1990),

Decides to:

1. Task the OSCE Representative on Freedom of the Media to co-ordinate the examination by the relevant OSCE executive structures, within their existing mandates and in consultation with media organizations, of modalities for facilitating media twinning throughout the OSCE area, including budgetary aspects, and make relevant proposals accordingly to the participating States;
2. Call upon the participating States to consider those proposals for possible further follow-up.

Annex 2: Template of questionnaire



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

An examination of media twinning in the OSCE Region

Questionnaire

Instructions:

- Please type your answers under each question.
- If you have additional information, please be so kind to attach it.
- Complete questionnaires should be sent to the Office of the OSCE Representative on Freedom of the Media **by 15 April 2007** via e-mail to:

pm-fom@osce.org

or by regular mail to:

**OSCE/RFOM
Kärntner Ring 5-7, 2nd floor,
A - 1010 Vienna, Austria,**

or by fax:

+43-1-5122-145-9

Thank you for your cooperation.

Please fill in your personal information.

Name:

Last name:

OSCE structure:

Phone nr:

Email:

Please type your answers below or underline correct answer(s) when a multiple choice is offered, and in an additional narrative also provide all relevant background info.

1) Mandate

1.1) Does your mandate include media capacity building?

Yes (please insert relevant paragraph)

No (please only reply to questions below that apply)

1.2) Please indicate what type of media twinning you implement or facilitate

Study visits

Training seminars

Staff exchange

Other:

2) Implementation of media capacity building

2.1) Where do requests for media capacity building usually originate from (please specify)?

Implementing partners, such as:

NGOs, such as:

Media outlets, such as:

Governments of host countries, such as:

OSCE participating States, such as:

OSCE needs assessment, such as:

Professional media associations, such as:

Other:

2.2) How many media twinings have been done by your unit in the last 2 years?

What were the most successful projects, and why?

2.3) If media capacity building is not done by your field presence, are you aware of media capacity building projects conducted by other organisations? If so, could you please name them?

NGOs, such as:

International organisations, such as:

National organisations, such as:

Media outlets, such as:

Professional media organisations, such as:

Other:

2.4) What is the estimated percentage of OSCE related twinning in your geographical area compared to the overall twinning conducted (without any OSCE participation) in the past two years?

Up to 10%

Up to 25%

Up to 50%

Up to 70%

Up to 100%

2.5) Do you have implementing partners?

Yes

No

If yes, who are they?

NGOs, such as:

International organisations, such as:

National organisations, such as:

Media outlets, such as:

Professional media organisations, such as:

Other:

How do you cooperate?

OSCE mission provides

funding / expertise / venue / human resources / other (please specify)

Implementing partner provides

funding / expertise / venue / human resources / other (please specify)

2.6) According to you, who should be the most effective implementers?

According to you, who does it best?

3) Budget

3.1) How much of your 2006 operational budget was used for media twinning?

3.2) Did/Do you receive extra budgetary funds from OSCE pS to conduct media twinning?

Yes

No

If yes, how much funding did you receive in 2006 for media capacity building and from what pS?

3.3) Do you think that the funding provided for media twinning is sufficient within the OSCE?

4) Assessment

4.1) Please assess the advantages and disadvantages of your current set-up for purposes of media twinning?

4.2) Do you think your unit could do more media twinning projects?

Yes – within available resources

Yes – but more resources would be needed (staff and budget)

No – there is no more need for media capacity building

No – other organisations are better at this than we are

4.3) Do you plan on continuing media twinning activities in the future?

Yes – Through what kind of projects?

No – Why not

Annex 3: List of survey participants

OSCE Presence in Albania
OSCE Mission to Bosnia and Herzegovina
OSCE Mission to Kosovo
OSCE Mission to Serbia
OSCE Mission to Montenegro
OSCE Spill over Monitor Mission to Skopje
OSCE Mission to Moldova
OSCE Office in Minsk
OSCE Mission to Georgia
OSCE Office in Yerevan
OSCE Office in Baku
OSCE Centre in Bishkek
OSCE Centre in Ashgabat
OSCE Centre in Dushanbe
OSCE Centre in Almaty
OSCE Project Co-ordinator in Uzbekistan

HCNM

CPC

PPIS

RFOM

Note: Questionnaires were also sent to ODIHR, OSCE Project Co-ordinator in Ukraine and the OSCE Mission in Croatia, however no responses were received by FOM at the time of finalisation of the report.

Annex 4: List of implementing partners ⁸

ABA-CEELI

Albanian Media Institute

Adil Soz

AKI Press

Ajara State Radio and TV

Asia Plus School of Journalism

Association of Journalists of Armenia

Association of Journalists of the former Yugoslav Republic of Macedonia

Association of Publishers of Kazakhstan

Association of Young Journalists

Azatykk Radio

BBC World Service

BIRN

British Council

Broadcasting Agency of Montenegro

Broadcasting Council of the former Yugoslav Republic of Macedonia

Civil Service Council of Armenia

Coalition “All for fair trials”

Committee for the Protection of Speech

Council of Europe

Danish School of Journalism

Eurasia Foundation

European Commission

Freedom of Information Centre of Armenia

House of Independent Journalists

Independent Association of Journalists of Serbia

Independent Journalism Centre of Moldova

Internews Azerbaijan

Internews Georgia

Internews Kazakhstan

⁸ As identified by the executive structures

Internews Kyrgyzstan
Internews Network Tajikistan
Institute of the Media Commissioner
IMC
IMPACT
IREX
IWPR

Khoma
Karaganda Legal Centre for Media Support
Macedonian Institute for Media
Media Alliance Tajikistan
Media Consult
Media Centre NIS
Media Centre Belgrade
Media Centre Sarajevo
Media Net
Media Rights Institute
Metamorphosis Foundation
Ministry of Culture, Sport and Media of Montenegro
Ministry of Transport and Communications of Armenia
Ministry of Transport and Communications of the Former Yugoslav Republic of Macedonia
Montenegrin Media Institute
MRT
Nansmid
National Assembly of Armenia
North Kazakhstan Media Centre
Norwegian's People's Aid
NUNS
Osh Media Resource Centre
OSI
Parliamentary Commission of Albania
Parliamentary Commission of Croatia

Presidential Press Service of Tajikistan

Press Council of Kosovo

Press Now

Pro Media

Reuters Foundation

Soros Foundation

Thomson Foundation

T Media

UNDP

UNEM

USAID