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EUROPEAN UNION

**OSCE Review Conference
Astana, 26 November 2010**

EU statement - Working Session 4: Freedom of Media

Thank you Madam/Mister Chairperson,

I have the honour to speak on behalf of the European Union.

The EU attaches high importance to the freedom of the media and welcomes the opportunity to address once again this important topic in preparation of the OSCE summit next week.

Freedom of expression and its corollary, freedom of the media play a pivotal role in protecting democracy and the rule of law and in contributing to building and maintaining stability and security in all OSCE participating States. These freedoms represent an essential part of our fundamental acquis in the OSCE.

Monitoring media issues and commenting on them is a matter of direct and legitimate concern to all OSCE participating States. In a number of participating States, the freedom of the media is compromised, among others, through violence against journalists and the impunity of such acts of violence, through pretextual arrests and detentions of journalists and through excessive compensation sentences. We have elaborated on this during the Warsaw part of the Review Conference, where we raised particular concerns about some participating States' lack of implementation of freedom of media commitments.

In preparation for the OSCE summit the EU has made it very clear that the human dimension constitutes one of its key priorities. As such, we have continuously advocated better implementation of our shared commitments, as well as better follow-up to human dimension events and to the recommendations of the Institutions, including the Representative on Freedom of the Media. We have also made it clear that, in some cases, notably media freedom, there is a strong case for updating our existing commitments to reflect recent developments, including, in the case of media freedom, the onset of the digital age.

The EU would like to reiterate its strong appreciation to the Representative on Freedom of the Media, Ms Dunja Mijatovic, and her staff for their determined action and their well-balanced and transparent approach to their important work.. We encourage her to use all the tools at her disposal to draw attention to serious breaches of media freedom commitments and to assist participating States to implement their commitments. In this regard we recall our proposal that the Representative should be given the appropriate means to strengthen the follow-up of progress made with respect to the implementation of freedom of media commitments and to allow for an annual awareness raising conference.

Existing commitments on freedom of the media and expression apply to all media irrespective of the technology used. The significant potential of the Internet as a tool to allow for the free flow of information and ideas is undermined by some participating States' recourse to restrictions. Measures taken in an effort to control or limit this medium, for example through the blocking of websites and web domains which give access to user-generated content, and through legislation which equates forums, blogs, chats and other Internet resources with traditional and print broadcast media, are often in breach with participating States' commitments on the freedom of media and expression. We recall PC Decision 633/04, endorsed by MC Decision 12/04, in which participating States committed themselves to take action to ensure that the Internet remains an open

and public forum for freedom of opinion and expression, and to foster access to the Internet. In this context, we are looking forward to the comprehensive matrix on Internet legislation that the Representative's Office is currently working on. This will allow for an informed and action oriented discussion.

When taking the above mentioned decision, the participating States were conscious of the challenges posed by material on the internet promoting intolerance, hate and violence. The technology as such must not be held responsible for any potential misuse. Closer multi-stakeholder collaboration will help to effectively combat hate speech and violence in accordance with international human rights standards. All legislative and law enforcement activity must clearly target only illegal content and not the infrastructure of the Internet or the free flow of information itself.

Pluralism in broadcasting is of particular importance for the development of any democratic society, given its increasingly dominant role in informing the public. Monopolistic ownership by state or private sector, and the abuse of dominant positions must be avoided. We would wish to see our existing commitments updated to this end.

The digital switch-over in broadcasting in a number of participating States creates new opportunities for the free flow of information and pluralist media, but it also carries new risks. A monopolization of the media market by the state or other players, a decrease of media pluralism and the introduction of undue and disproportionate requirements affecting cultural and linguistic diversity must be prevented. In the switch-over process, national regulators should guarantee pluralism of content and prevent concentration of property in broadcasting. We commend the work of OSCE Field Operations and of the Representative on the Freedom of the Media in advising participating States. The guide to the digital switch-over commissioned by the Representative's Office is a valuable tool which we hope will be widely used.

Thank you for your attention.

The candidate countries CROATIA*, the FORMER YUGOSLAV REPUBLIC OF MACEDONIA* and ICELAND, the countries of the Stabilisation and Association Process and potential candidate countries ALBANIA, BOSNIA AND HERZEGOVINA, MONTENEGRO and SERBIA, the European Free Trade Association countries and members of the European Economic Area LIECHTENSTEIN and NORWAY, as well as UKRAINE, the REPUBLIC OF MOLDOVA, GEORGIA, ANDORRA and SAN MARINO align themselves with this statement.

* Croatia and the Former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.

** Iceland continues to be a member of the EFTA and the European Economic Area.