



ՀԱՅԱՍՏԱՆԻ ՀԱՆՐԱՊԵՏՈՒԹՅԱՆ ՊԱՏՎԻՐԱԿՈՒԹՅՈՒՆ
DELEGATION OF THE REPUBLIC OF ARMENIA
ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE

Statement in response to the Address
by Mr. Miklós Haraszti, the Representative on Freedom of the Media,
delivered by Ambassador Jivan Tabibian
at the 525th Meeting of the OSCE Permanent Council
16 September 2004

Thank you very much, Mr. Chairman.

My Delegation, of course, joins others in welcoming our Representative on Freedom of the Media. We always look forward to this item on the agenda, because the freedom of the media is in fact, no matter how defined, an essential part of an open and free society and one of the pillars of democracy. Not the only one, but one of them.

Let me first say that the main Report is a report that gets the support of my Delegation. I would first like to express the satisfaction and the appreciation of my delegation for the recognition by the Representative of the progress, imperfect though it may be, of Armenia on the way to fully decriminalize libel. That progress may not be fully satisfactory for some people, but it is progress nevertheless, and we appreciate its recognition. In that sense we welcome the attempt by the Representative's Office to create a comparative, synoptic best practices guide or matrix or whatever, in which we really look at this situation across all of the OSCE.

Quite often many countries justify so to speak their lack of progress in the full decriminalization by the idea of moratoria in application. As I have heard here for several years, a moratorium is better than none, but not as good as full decriminalization.

As you know, for societies in transition we would very much like it if those who occasionally would like to represent themselves as models, were themselves in their own practices beyond reproach. It is always easy, as we know from other aspects of our life, to preach than to practice. Therefore, we look forward to that compilation and that will be an incentive for all laggards, including my own country, to use virtuous ones as a model worth following.

Mr. Chairman,

Outside the main report, we understand the discomfort and the displeasure of some delegations concerning the enlarged package submitted to us today, because questions of freedom of media are clearly entangled with some political agendas, no matter which way one looks at them. We think this issue will be worked out or should be worked out gradually by mutual understanding in these complicated matters, especially where issues of terrorism are involved, where the lines and the delineations

of proper and good conduct versus principles of freedom of the media may clash. We do not think it is going to be resolved immediately or easily but we can understand why it creates discomfort and frustration among some delegations, if not outright indignation.

Mr. Chairman,

My statement would have been completed at this point, but I want to add two things. One is that we welcome in this Report, which by the way is the second of this Representative but one in the long line of reports over the years from that Office, seeing that which we had asked before, that is for the Representative's antenna to become omni-directional. We can recognize and say that this Report gives very solid and welcome hints that its antennas are operating omni-directionally within the OSCE. I think this development should be encouraged, deepened, extended, pursued, sustained, so that we, over the next year or so get even more complete picture of where some of those hidden problems are that are not concentrated in a few places, places we normally expect to be presumably the same trouble areas.

I would have again stopped here, except some ideas come up, not necessarily from our Representative's comments. Let me first start saying that we do not consider ideas as simple commodities. When we do not think of ideas as commodities we have to stop and be careful about the market-place model about ideas.

The dilemma of media in Kosovo is a great example. When we are dissatisfied with absolute or unrestrained freedom, we face the kind of dilemma we face in Kosovo.

This brings us to the entire issue of the phenomenon of unregulated markets. I mean, except for some lunatic libertarians, and I do not mean liberals, because they have their own fringe, the idea of a totally unregulated market, whether it is in one or another commodity, is not real, it is not practiced or found anywhere. Even the most open liberal societies recognize that certain markets or markets about certain commodities need to be regulated. Of course, the most extreme example of this is that, we do not advocate, though again the fringe may, that drug use and drug trade should remain unregulated. It would be horrible to assume and to say: "Why we worry about drugs? Let the marketplace take care of it." You see, the damage caused by certain ideas is such that once the damage is done, the omelet cannot be unscrambled.

The straightening of that damage is not without cost, cost of conflict, cost of suffering, cost to the fabric of a society. I remember as well as almost anybody who has read these things about the admonition of Justice Potter Stewart about "an informed and free press." The fact is, theoretically it is easier to ensure the freedom of the press than it is its being informed, because a truly free press maintains the discretion of whether to be informed, how to select its information and how to selectively display it. If in fact a free press were to be similarly and symmetrically well informed, the phrase "informed and free press" would in fact lead to an ideal society, in which to thrive and to be democratic.

I personally feel very fortunate that in most of my life I have been the great beneficiary of open societies in which the press was at least free, even though I was also free to realize when it was informed and when it chose not to be.

With these comments, let us say that I am glad these presentations give us the opportunity, not only to create a list of who does what, when, where and to whom, but to reflect on the more important relationship between this institution and the overall goals and objectives of the OSCE.

Thank you, Mr. Chairman.