



EUROPEAN UNION

**OSCE Permanent Council Nr 854
Vienna, 17 March 2011**

EU statement in response to the report by the OSCE Representative on Freedom of the Media, Ms Dunja Mijatović

The European Union warmly welcomes Ms Mijatović to the Permanent Council and congratulates her on a successful first year as OSCE Representative on Freedom of the Media.

One of the EU's top priorities is to strengthen the implementation of OSCE commitments, not least in the human dimension. In this context, we are grateful to the Representative for monitoring the implementation of commitments on media freedom in all participating States, including in Member States of the EU, and for providing recommendations on how we can improve our performance. We would like to assure Ms Mijatović and other participating States that those EU Member States which feature in the report will study the Representative's comments and recommendations carefully.

In the Astana Declaration, we reaffirmed - categorically and irrevocably - that our human dimension commitments were a matter of direct and legitimate concern to all participating States. They are not purely an internal matter for the State concerned. We also stressed the importance of the work carried out by the Representative, civil society and free media in helping us to ensure full respect for human rights, democracy and the rule of law. Against this background we are

concerned that implementation of media freedom commitments has deteriorated in some areas.

The EU remains particularly disturbed by further acts of violence against journalists. We reiterate our concerns about the post-election violence against journalists in Belarus and about the brutal attack on Hikmatullo Saifullozoda in Tajikistan, and the dangers facing journalists in the Russian Federation, in particular in the North Caucasus. We urge the authorities to bring to justice the perpetrators of violence against journalists. In this regard, the EU very much welcomes the Chairmanship's intention to make safety of journalists a priority this year and looks forward to the conference in Vilnius on this topic.

The EU also remains concerned by a number of cases of journalists being imprisoned on dubious charges or on insufficient evidence: in Kazakhstan the journalist Ramazan Yesergepov, in Uzbekistan the journalists Dilmurod Said, Solijon Abdurahmanov and Hairullo Khamidov, and in Tajikistan Mahamadyusuf Ismoilov. We are especially worried about the editor Eynulla Fatullayev who remains in prison in Azerbaijan despite a ruling by the European Court of Human Rights ordering his immediate release. We call on the Azerbaijani authorities to stop the systematic harassment of Mr Fatullayev immediately. We repeat our condemnation of the sentence handed down to Ernest Vardanyan in the Transnistrian region of the Republic of Moldova. We are also concerned about the high number of imprisoned journalists, the lengthy pre-trial detention periods and the ongoing lawsuits in Turkey.

In Belarus, we reiterate our call for the immediate release and rehabilitation of the journalists Irina Khalip and Natalya Radina, currently under strict house arrest, who may face up to 15 years in jail on politically motivated charges. We encourage the authorities of Belarus to engage meaningfully with the Representative, including meeting her request to visit Belarus without delay.

The EU also wishes to express its general concern about the current trend regarding media freedom in Ukraine. We look to Ukraine to lead by example ahead of its 2013 OSCE Chairmanship and welcome in this context the willingness of the government of Ukraine to work with the Representative's Office to reverse the negative trend.

A basic condition for media freedom is the protection of journalists' sources. Without such protection, sources may be deterred from sharing information of public interest. Excessive damages against journalists constitute another threat to free and independent media. We are disappointed that the report reveals a number of such cases.

The EU hopes that by the time of Ms Mijatovic's next report to the PC there will be more countries in the OSCE region that have decriminalized defamation.

We encourage countries contemplating new legislation in areas relevant to media freedom to make use of the Representative's expertise and assistance. We commend those that have done so already. We also encourage participating States to contribute to the media conferences that will be held later this year.

We call on all participating States that have not already done so to extend open invitations to the Representative. We can assure Ms Mijatovic that our doors will remain open.

Finally, Mr Chairman, the EU would once again like to thank Ms Mijatović for her report. We encourage her to continue to use all the tools at her disposal to assist participating States to improve the implementation of their commitments. We wish her and her excellent team every success in their efforts.

The candidate countries CROATIA*, the FORMER YUGOSLAV REPUBLIC OF MACEDONIA*, MONTENEGRO* and ICELAND**, the countries of the Stabilisation and Association Process and potential candidate countries ALBANIA and BOSNIA AND HERZEGOVINA, the European Free Trade Association country NORWAY, member

of the European Economic Area, as well as the REPUBLIC OF MOLDOVA and SAN MARINO align themselves with this statement.

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

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