



EXPERT CONFERENCE

Strengthening media freedom and pluralism in Ukraine during times of conflict in and around the country

26 June 2018

Venue: [ArtHall D12](#), Kyiv (Desyatynna str., 12), Ukraine

ANNOTATED AGENDA

INTRODUCTION

The nature of conflict in the world has changed, and along with it the relationship between the media and society. Modern technologies, while presenting new opportunities for the collection of information and the dissemination of reporting, also present new dangers. Trolls and bots can now help “false news” and “hate speech” to propagate in the digital sphere threatening security and stability of societies. Yet, maintaining a free press has never been more important. Disinformation, censorship, and attacks on investigative reporters endanger it by destroying trust and accountability between and within our nations and democratic institutions. When these negative phenomena are sponsored by governments through state-run media or by proxy, they become especially worrying, threatening our security by destroying our societies and denying our human rights.

Ukraine is facing a difficult period in which challenges to press freedom crop up regularly, while the media landscape remains fragmented and fraught with risks both internal and external. The conflict situation with its hybrid threats only heightens the stakes, making it more important than ever that citizens have access to quality reporting, and reporters remain safe and uncensored.

For this reason, the Office of the OSCE Representative on Freedom of the Media¹ is organizing a major expert conference in Kyiv centred on a discussion of freedom of expression, media best practices, and maintaining a free press in the situation of conflict. The aim of this conference is to bring together creative and active voices from across sectors in Ukraine’s media and civil society community, and support the dedication of experts and practitioners to Ukraine’s international media freedom commitments. We hope this conference will allow us to learn and share best practices, promote high professional standards and enhance solidarity among journalists. The conference will also create a much-needed platform for cooperation between Ukraine’s civil society sector and media organizations, giving them an opportunity to advocate for media freedom together.

The event will also offer national authorities guidance as they strive to protect freedom of expression and media freedom during times of conflict and propaganda while respecting the relevant OSCE commitments

¹ Based on OSCE principles and commitments, the OSCE Representative on Freedom of the Media consistently observes relevant media developments in all participating States and, on this basis, and in close co-ordination with the Chairman-in-Office and participating States, advocates and promotes full compliance with OSCE principles and commitments regarding freedom of expression and free media. He addresses serious problems caused by, inter alia, obstruction of media activities and unfavourable working conditions for journalists.

and international standards. The Ukrainian authorities closely cooperate with the OSCE Representative on Freedom of the Media year-round, providing us with valuable expertise and assisting us in our joint effort to enhance the implementation of media freedom commitments.

Speakers at this conference draw from across the media, civil society and policy-making communities. Media professionals, government and civil society representatives, intergovernmental officers, renowned international experts and journalists will discuss the challenges they face, and suggest ways to promote freedom of expression, access to quality information and freedom of the media in Ukraine, in particular in times of the current conflict.

The OSCE Representative on Freedom of the Media intends to come up with recommendations to the authorities and media organizations of Ukraine based on the forthcoming discussions in Kyiv.

08.30 – 09.00

REGISTRATION (-1 floor, Entrance hall)

09.00 – 09.30

OPENING PLENARY (-2 floor)

Opening remarks:

- Harlem Désir, OSCE Representative of Freedom of the Media
- Jeffrey Erlich, Senior Project Officer, OSCE Project Co-ordinator in Ukraine

Moderator: Thijs Berman, Principal Adviser, Office of the OSCE Representative on Freedom of the Media

09.30 – 11.00

SESSION 1: ENSURING MEDIA DIVERSITY AND PLURALISM (-2 floor)

The OSCE participating States committed that freedom of expression is a fundamental and internationally recognized human right--a basic component of a democratic society. In this respect, independent and pluralistic media are essential to a free and open society. They take as their guiding principle that they will safeguard this right.

The Representative on Freedom of the Media is mandated to assist the OSCE participating States, in a spirit of co-operation, in their continuing commitment to the furthering of free, independent and pluralistic media. An open and free media landscape with divergent opinions and ideas is a key component of democratic societies. It relies on a pluralistic and media, fostering respect for rule of law, democratic values, human rights and fundamental freedoms, including freedom of expression, thought, conscience, religion or belief. Free and pluralistic media which enjoy maximum editorial independence from political and financial pressure have an important role to play in promoting accountable systems of government and ensuring exposure of corruption.

In Europe, public service media establish the backbone of the pluralist media system, which also includes commercial and community media. In the words of the Council of Europe, “[p]ublic service media play a specific role with regard to the respect of this right and the provision of a varied and high-quality content, contributing to the reinforcement of democracy and social cohesion, and promoting intercultural dialogue and mutual understanding.” On the other hand, concentration of media ownership in the hands of government or oligarchs may result in a skewed public discourse where certain viewpoints are excluded or under-represented.

This session will discuss ways to ensure media outlets maintain independent editorial policies, and provide their employees with safe and respectful working conditions. Promoting transparency of media ownership and preventing the monopolization of media ownership will also be topics of interest. Finally, panellists will explore the impact of ongoing changes to the media industry, including digitalization, on media pluralism and media freedom.

Moderator: Nataliya Gumenyuk, Head, Hromadske.ua

Panellists:

- Marius Lukošiūnas, Programme Specialist, Division of Freedom of Expression and Media Development, UNESCO
- Nataliia Ligachova, Chairperson, NGO Detector Media
- Sergiy Tomilenko, Chairman, National Union of Journalists of Ukraine
- Maksym Savanevsky, Managing partner, PlusOne DA agency of digital communications

11.00 – 11.30

COFFEE BREAK (-3 floor)

11.30 – 13.00

SESSION 2: COUNTERING DISINFORMATION AND PROPAGANDA
(-2 floor)

“False news” and propaganda are dangerous not only to the international political and economic climate but also to public trust in the media and its readiness to protect media freedom, especially in times of an armed conflict. Propaganda is dangerous when it dominates the public sphere, preventing individuals from freely forming opinions and distorting pluralism and the open exchange of ideas.

General prohibitions on the dissemination of information, including that coming from abroad, based on vague and ambiguous ideas, such as “fake news” or “non-objective information”, are incompatible with international standards for restrictions on freedom of expression. The special rapporteurs on freedom of expression for the UN, OSCE and other intergovernmental organizations stated in their 2018 Joint Declaration that “[r]estrictions on what may be disseminated through the media should be imposed only in accordance with the test for such restrictions under international law, namely that they be provided for by law, serve one of the legitimate interests recognised under international law, and be necessary and proportionate to protect that interest.”

The Office of the OSCE Representative on Freedom of the Media has published a discussion paper titled “Propaganda and Freedom of the Media” which provides a tool-box for governments, media and civil society to use when countering aggressive propaganda that endangers peace and incites hatred through a legal response and additional instruments.

This session will discuss the various tools and practical ways to tackle “fake news”, disinformation and propaganda during times of conflict, which might be permissible in a democratic society in the interests of national security, territorial integrity or public safety. They include media self-regulation and standards-strengthening, independent debunking and fact-checking initiatives, rules on balance and accuracy in broadcasting and media regulations, and educational programmes on media and internet literacy.

Moderator: Dieter Loraine, Director, Albany Associates

Panellists:

- Andrey Rikhter, Senior Adviser, Office of the OSCE Representative on Freedom of the Media
- Ludmila Andronic, Member, Media Self-Regulatory Organizations Network
- Olexandr Horokhovskiy, Founder and chief editor, FactCheck-Ukraine media platform
- Martina Chapman, Director, Mercury Insights Limited
- Johann Bihl, Head of Eastern Europe & Central Asia Desk, Reporters Without Borders

13.00 – 14.00

LUNCH (-3 floor)

13.30 – 14.00

SIDE EVENT (-2 floor)

Presentation of the book *The Press: How Russia Destroyed Media Freedom in Crimea* (Yuriy Lukanov - 2018) by Yuriy Lukanov

14.00 – 15.30

SESSION 3a: SAFETY OF JOURNALISTS (-2 floor)

The OSCE participating States have condemned all attacks on and harassment of journalists and endeavour to hold those directly responsible for such attacks and harassment accountable.

Throughout the conflict in and around Ukraine, media have been targeted on a massive scale: journalists have been beaten, including by law enforcement, abducted, detained, and even killed. The murders of Vyacheslav Veremiy and Pavel Sheremet, among others, are the gruesome reminders of such violence. Of special concern is the safety of journalists on the territories that are not controlled by the national authorities.

Courageous journalists continue to maintain their position at the forefront of investigations and reporting on issues of public interest in Ukraine. However, the rate of arrests and convictions of the perpetrators and masterminds of crimes against journalists remains low.

Unfortunately, many attacks on Ukrainian media professionals still have not been effectively investigated and justice has yet to be served. In this regard the OSCE Representative on Freedom of the Media remains consistent in reminding the authorities of the need to improve investigations of attacks against members of the media so that those responsible are brought to justice. Timely and effective investigations are a sign of respect for the important role of journalists in democratic societies especially during times of conflict.

This session will discuss such topics as the safety of media workers and media outlets, in particular during times of conflict, and the importance of effective investigations of crimes against journalists.

Moderator: Nouneh Sarkissian, Executive Director, Media Initiatives Center in Yerevan

Panellists:

- Oksana Romaniuk, Executive Director, Institute of Mass Information
- Oleksandr Kovtun, Deputy Chief of the Main Investigation Department, National Police of Ukraine
- Ricardo Gutiérrez, General Secretary, European Federation of Journalists
- Valeriy Makeiev, Secretary, National Union of Journalists of Ukraine

SESSION 3b: COMBATTING “HATE SPEECH” (-1 floor)

The OSCE participating States have committed themselves to combating hate speech and related crimes in line with domestic and international legislation and OSCE commitments, while fully respecting the rights to freedom of information and expression. The OSCE supports tolerance towards people of diverse convictions and beliefs through its promotion of media freedom. The OSCE participating States are deeply concerned about the exploitation of media in areas of conflict to foment hatred and ethnic tension.

The Representative on Freedom of the Media promotes measures aimed at preventing and fighting aggressive nationalism, racism, chauvinism, xenophobia and anti-Semitism in the media. We encourage pluralistic debate and increased media attention to promoting tolerance of ethnic, religious, linguistic and cultural diversity.

Democracy and the protection of human rights and fundamental freedoms are essential safeguards of tolerance and non-discrimination, and factor into the stability, security, co-operation and maintenance of peace in societies throughout the entire OSCE region, and that conversely tolerance and non-discrimination are important elements in the promotion of human rights, such as freedom of expression.

The regulation of “hate speech” in the media becomes a particularly complex topic of discussion in the difficult and tragic context of tension and conflict. This session will explore questions such as existing patterns of fomenting hatred and ethnic tension through the media, as well as legal and practical definitions of “hate speech”, the state’s regulatory role and possible models for self-regulation, awareness-raising campaigns, cultural and educational programmes.

Moderator: Thijs Berman, Principal Adviser, Office of the OSCE Representative on Freedom of the Media

Panellists:

- Katie Morris, Head of the Europe and Central Asia Programme, Article 19
- Emir Povlakić, Head of Division for Licensing, Digitalization and Broadcasting Coordination, Communications Regulatory Agency of Bosnia and Herzegovina
- Oleksiy Matsuka, Head of the Board, Donetsk Institute of Information
- Maksym Butkevych, Project Coordinator, No Borders Project

15.30 – 16.00

COFFEE BREAK (-3 floor)

16.00 – 17.00

SESSION 4: FREEDOM OF ARTISTIC EXPRESSION (-2 floor)

Respect for freedom of expression for the OSCE participating States includes freedom in the artistic and cultural fields. The publication of written works, the performance and broadcasting of musical, theatrical and audio-visual works, and the exhibition of pictorial or sculptural works should not be subject to restriction or interference by the State, save such restrictions as are prescribed by domestic legislation and are fully consistent with international standards.

This session, from a national and international perspective, will explore the limits and taboos of artistic expression, such as cartoons, during times of conflict. The session will also look into how freedom of artistic and cultural expression helps to ensure pluralism and tolerance. Satire and arts can serve the public by debunking false news, ridiculing incompetence and exposing corruption. Artists, such as cartoonists, use hyperbole to exaggerate the point that they make while journalists should stick to facts: how does it put them together in one newsroom?

Moderator: Sébastien Gobert, Press correspondent

Panellists:

- Vladimir Kazanevsky, Writer/Cartoonist
- Oleh Smal, Cartoonist/ Journalist/Architect
- Roman Vintoniv, TV journalist

17.00 – 17.15

CLOSING PLENARY (-2 floor)

Closing remarks:

- Harlem Désir, OSCE Representative on Freedom of the Media

17.15 – 18.45

SIDE EVENT (-2 floor)

“We go till the end” - An event in support of Oleg Sentsov by the Human Rights Information Centre

19.00 – 20.30

RECEPTION (-3 floor)

Hosted by the OSCE Representative on Freedom of the Media