RECOMMENDATIONS

This document summarizes the main considerations and recommendations debated by over 100 representatives of governments, journalists and members of civil society from Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan and Mongolia, as well as international experts. These recommendations were discussed at the 20th annual Central Asia Media Conference organized by the Office of the OSCE Representative on Freedom of the Media, on 7-8 November 2018 in Astana, Kazakhstan. This year's conference focused on media freedom developments in the region, the future of journalism and supporting the quality of information in the digital age.

The universality of digital media means that the news is continuously being reported, distributed and consumed worldwide. The Internet, social media and smartphones assist journalists in their work and enable millions to express themselves and potentially reach a global audience with their individual messaging. This reality has already expanded access to information and freedom of expression, both of which need to be preserved for future generations. At the same time, new perils arose as this digital development provides an unprecedented platform for dissemination of harmful, illegal and violent extremist content.

A growing number of OSCE participating States have adopted laws that regulate online content, with the intent of protecting the public from malevolent material including hate speech and terrorist propaganda. Such content could pose a threat to democratic institutions and foment acts of violence. Hence, while such laws may be necessary, their broad interpretation can pose a challenge to fundamental freedoms including freedom of expression and freedom of the media.

Quality journalism faces numerous challenges of a political, legal and economic character. It also faces the daunting task of re-inventing itself in order to adapt to the digital medium.

During the sessions and working groups of the Conference, the following findings and recommendations were discussed. These recommendations will be addressed to governments of the region, and have been drafted to apply to all stakeholders, including regional policy makers and the international community working in the region, as well as the media community, journalists unions and associations and journalists themselves.

I. On freedom of the media in the digital age:

1. OSCE participating States should support the role of all journalists including online media as a public watchdog that contributes to a free and open society and makes governments more accountable and fosters democratic development.

2. OSCE participating States in the region need to ensure that access to the Internet as well as Internet-based information resources remains unimpeded and economically viable for publishers and users.

3. Public authorities should protect and guarantee the respect of the principle of freedom of expression, media freedom and the free flow of information online.

4. All legislation aimed at making private Internet intermediaries more transparent and accountable shall comply with the international standards on freedom of expression.

5. In the fight against violent extremism, incitement to hatred and terrorist propaganda, blocking and deletion of online content should be an exception and done in conformity with international obligations regarding freedom of expression, under judicial oversight and subject to an appeal procedure.

6. Secondary social media activity, such as likes and shares, should not be treated as criminal offence.

II. On quality of information and media pluralism:

1. Authorities and other stakeholders should strive to create a free, independent and diverse communication environment in a media-literate society as the best method for countering the spread of false information.

2. Media pluralism, diversity of media outlets and support to quality of information and professional journalism are more necessary than ever to debunk and counter fake news and disinformation.

3. Independent public service broadcasters should play an important role in providing quality information and in reflecting diversity of society including through languages.

III. On self-regulation and fact-checking:

1. Effective and independent self-regulatory instruments established by the media themselves, such as media councils, acting on the basis of professional standards and journalistic ethical codes, should be introduced wherever considered necessary by the media community, and supported wherever they exist to facilitate a flexible and non-intrusive framework of regulation.

2. Fact-checking initiatives should be developed and encouraged, including through exchanges of good practices between media organisations in the region and other OSCE participating States.

IV. On media literacy:

1. Media literacy should become a priority in curricula of all levels of education; journalists should promote media literacy and critically cover disinformation, as well as raising awareness on the value and understanding of quality journalism.

2. All governments should encourage the public to educate and raise awareness on tackling hate speech through media literacy and media education systems.

3. Media literacy campaigns should be aimed at society at large, so that citizens should understand the role of media in a democracy, mechanisms of self-regulation, the fundamental right of freedom of expression and responsibility that may be related to its realization.

V. On hate speech:

1. Members of the media should develop ethical self-regulatory standards to combat hate speech online by co-operating with civil society in an effort to bring positive change while ensuring that the freedom of information and expression is preserved and maintained.

2. The principles of necessity and proportionality, as defined in international law, should apply in the legislation concerning the fight against incitement to hatred and hate speech. Such legislation should contain clear definition of unlawful content in conformity with international law and allow for predictability of its application.

3. States should not adopt a general legal ban on "fake news", false news or other similar terms as their definitions are too vague and that such legislation are prone to abuse. Defamation cases should be treated as such in specific legislation.

4. Regional and international co-operation between media, self-regulatory organisations, but also state agencies is needed to effectively counter "hate speech" as well as violent extremist narratives.