



United States Mission to the OSCE

Response to Representative on Freedom of the Media Dunja Mijatovic

As delivered by Ambassador Daniel Baer
to the Permanent Council, Vienna
June 18, 2015

The United States warmly welcomes OSCE Representative on Freedom of the Media Dunja Mijatović to the Permanent Council. Thank you for your comprehensive, clear, forceful report.

As you noted, journalists in the OSCE region continue to be subject to incarceration and acts of violence, and we've seen that impunity for murders and other attacks is all too common. Your warnings against becoming desensitized to these attacks are well put. Even ordinary citizens wishing to exercise their internationally recognized right to freedom of expression, online or in the public sphere, are under increasing threat in some participating States. The use of propaganda to foment hatred, and the blocking or jamming of broadcast signals limiting access to a variety of news sources are additional concerns.

Representative Mijatović, you and your team play a valuable role in defending journalists and freedom of expression, including by the media, and by so doing you make important contributions to comprehensive security across the OSCE. Your impartiality in holding all participating States accountable to our commitments and your diligent execution of your mandate have set an example. We urge all participating States in the region to avail themselves of your assistance and expertise in addressing shortfalls in upholding our shared commitments.

We also take note of your point that lack of resources and funding limit your ability to offer the kind of support that you would be able to offer with more resources and funding. This is something that we, as participating States, should solve.

Regrettably, despite your continuing efforts to assist participating States in meeting their OSCE commitments regarding freedom of expression including by the media, certain negative trends do not appear to be reversing. The Russian Federation continues to effectively control most media outlets, and uses state media regulators as a de facto censorship board. We are also disturbed by Russia's continued intimidation of media NGOs, independent journalists, and bloggers on spurious pretexts that have a chilling effect on freedom of the media. We call on the Russian Federation to end the laws and practices that stifle freedom of expression and a wide flow of news, information and opinion. As the Russian Federation increasingly represses the freedom of expression and other fundamental freedoms at home, it is also increasingly repressing rights in Russia-occupied Crimea.

Representative Mijatovic, at the conference you sponsored earlier this week, many of us heard from journalists describing the challenges they face in pursuing their work in eastern Ukraine and occupied Crimea. In Russia-occupied Crimea, occupation authorities are systematically closing the space for freedom of expression and leading an intimidation

campaign that targets independent journalists for detention and prosecution. Occupation authorities have shut down 11 of the 12 Crimean Tatar media outlets, including ATR TV – the last independent television station serving the Crimean Tatar population. In its place, occupation authorities are creating a new state-controlled Tatar-language TV station. Occupation authorities also have banned most Ukrainian language programming, replacing content with Russian programming. Occupation authorities must end these actions seeking to deny residents of Crimea access to a wide range of news, opinion, and information.

We share the Ukrainian government’s concern on the intense propaganda campaign waged by Russia in its attempt to divide Ukraine and demonize the Ukrainian government. We continue to encourage the Ukrainian government and other governments affected by this propaganda campaign, including that of Moldova, to remain mindful of their commitments to freedom of expression and to focus on improving journalists’ safety and maintaining a free media space where multiple voices can be heard.

The United States shares the Representative’s concerns about constricting space for freedom of expression and freedom of the media in Azerbaijan. We welcomed the recent decision by the Azerbaijani government to permit Emin Huseynov, the Director of the Azerbaijani Institute for Reporters’ Freedom and Safety, to safely depart from Azerbaijan. We urge the Azerbaijani Government to extend the same good will and release others considered to have been incarcerated for their civic activism, journalism, and exercise of their right to freedom of expression.

We share your concern, Representative Mijatovic, about Belarus’s amendments to the law “On Mass Media” and other recent actions which tighten government control of the Internet and pose a threat to freedom of expression. We urge the Belarusian government to work with your office to address the issues of fines and harassment targeting independent journalists for working without accreditation.

We also share your concerns regarding Turkey, where legislation passed in March would give unprecedented powers to political figures to decide issues that should fall under the sole jurisdiction of independent courts. This legislation would also facilitate significant political obstruction into freedom of expression on the Internet. We welcome your offer to assist Turkey in bringing the law in line with OSCE commitments.

We are troubled by expanding threats to the freedom of expression in Central Asia, where governments appear to be cracking down on critical reporting and individual expression, especially online. Increased intimidation by governments toward media reduces the space for true dialogue. Independent journalists and writers in Turkmenistan and Uzbekistan face harassment, fines, and prosecution for writing about or speaking out against the government. In Tajikistan, Internet Service Providers (ISPs) report frequent orders from the State Communications Service (SCS) to block access to certain websites and social media platforms—especially during particularly “politically sensitive” periods. OSCE participating States in the region must reverse the trend of backsliding on freedom of expression.

Representative Mijatović, the United States also notes with concern the frequency of attacks and physical threats on members of the media in the Balkans. The United States calls on all participating States to fully investigate and prosecute those who threaten or commit violence and other crimes targeted at members of the media. Impunity against such crimes only serves to encourage further perpetrators.

The United States supports the communiqués issued since your last report to the Permanent Council, which have called attention to the centrality of freedom of expression to comprehensive security for all OSCE participating states. The deterioration of respect for freedom of expression, the jailing of journalists, the attack on the free flow of information on the Internet – these are all human rights concerns **and** security concerns. Much is said in this forum about early warning. The Representative on Freedom of the Media is one of our early warning systems. Crackdowns on free media and freedom of expression are **security** risks. We should pay attention. We welcomed your January communiqué highlighting the discussion from the roundtable hosted by your office on “Freedom of Expression for Tolerance and Non-Discrimination.” The United States agrees that freedom of expression, including its exercise by the media, promotes tolerance and non-discrimination. Your communiqué on threats to female journalists highlighted the growing intimidation and harassment, especially online, that is disproportionately directed against female journalists.

Representative Mijatovic, we appreciate your expanding efforts to reach journalists and media regulators throughout the OSCE space with timely and appropriate training workshops. We applaud your recent conference on “Journalists’ Safety, Media Freedom and Pluralism in Times of Conflict” that successfully built on the work of the Serbian Chairmanship’s Conference on “Protection of Safety and Integrity of Journalists in the OSCE Region.” At the conference earlier this week we took note of Mr. Dolgov’s statements of concern for the safety of Russian journalists operating in Ukraine. We look forward to a clear condemnation from Russia of the reported brutal treatment of Pavel Kanygin by the so-called “DPR” authorities on Tuesday. We look forward to your planned conference focusing on the safety of female journalists as well.

Finally, the United States encourages the Serbian Chairmanship to take a leadership role in suggesting comprehensive proposals that support freedom of expression and safety of journalists. Additionally, the United States and 50 other participating States support the Declaration on Fundamental Freedoms in the Digital Age (FFIDA), which affirms that OSCE commitments to human rights and fundamental freedoms, including freedom of expression, apply equally online and offline and we invite all other participating States to join us in this effort.

In closing, I’d like to join you in thanking Andrey Rikhter for his service in your office over the years. He has requited his office very well, and I know has been a tremendous support to you in the work that you do, so we offer him our thanks as well.

Thank you, Mr. Chair.