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United States Mission to the OSCE

Response to Freedom of Media Representative Report

As delivered by Ambassador Julie Finley
to the Permanent Council, Vienna
November 27, 2008

Thank you, Mr. Chairman.

It is a pleasure to welcome you back to the Permanent Council today, Mr. Haraszti. Your report is, as always, a valuable reality check on how we are meeting our commitments to media freedom. In this respect, there are several points to make.

The office of the Representative for Freedom of the Media (RFOM) continues to do valuable work. It tirelessly promotes media-freedom best practices. It conducts valuable training activities, either in support of projects of OSCE field missions or through its annual regional media conferences in Central Asia and the south Caucasus regions. It reminds us all of our commitments and puts a spotlight on problems as they occur. It provides excellent consultative services like legal reviews and assessment visits that are guideposts for “doing the right thing” when participating States are so inclined.

In this regard, we commend Montenegro in particular for its open, constructive approach to its media freedom commitments and its cooperation with RFOM on the productive assessment visit included with this report.

For all this, the United States thanks you, Mr. Haraszti, and your small, dedicated staff. Please continue to do what you do so well. You are promoting freedom as a building block of security, a concept that we participating States have affirmed in consensus documents that stretch back to the Helsinki Accords.

But your job also means identifying areas of serious concern.

Foremost is the problem of violence against media workers. You rightly note that these occurrences are “acts aimed to undermine the basic democratic value of free expression.” Your report notes several newly occurring cases and many other cases, either unresolved or unsatisfactorily dealt with in several participating States. Creating a climate of physical security and respect for independent opinion is the task in each of our countries. We should all take seriously and address the concerns cited in this report.

The subject of violence leads us to one important new development since your last report: the war in Georgia. Perhaps the most fitting memorial to journalists who lost their lives in the war zone is to honor their service by permitting safe and unimpeded media access to all the affected areas. Restoring the free flow of information in the area of conflict can be a critical confidence-building measure. We look to the occupying forces and the de facto authorities in

the South Ossetian and Abkhazian regions of Georgia to allow unrestricted media access to all areas under their control. Unrestricted access for reporters is essential in determining the truth of what occurred during the war and its aftermath.

Your report also points to instances where new broadcasting laws and regulations, including changes in licensing requirements, or implementation of existing laws are under consideration. New technologies like digital broadcasting and existing laws should not be used as an excuse to restrict the public's existing access to plural news sources. The United States agrees with you that the relevant OSCE commitment is "to safeguard effective pluralism of the media landscape in all of the participating States."

Finally, we note your report's concerns about proposed new defamation laws, which have the effect of inhibiting journalistic freedom. We hope that the countries noted in this report will work with you in addressing these observations in line with commitments made in the OSCE, including during last year's Madrid Ministerial.

Thank you, Mr. Chairman.