



## United States Mission to the OSCE

# Statement in Response to the Representative on Freedom of the Media

As delivered by Ambassador Julie Finley  
to the Permanent Council, Vienna  
February 16, 2006

Thank you, Mr. Chairman.

When I first learned that Mr. Haraszti would be giving his report today, I wondered momentarily whether the interval between his last appearance, which was on December 15, and this one was too short. As recent events have confirmed, however, the struggle for a free media requires constant attention and vigilance.

The last two weeks have been dominated by discussion of the balance between freedom of expression and the need for respect for other cultures. Both are important parts of any democratic and open society. We discussed this issue at last week's Permanent Council and we will do so again this afternoon. So, let me just mention briefly a few important principles.

We believe that in a free society, people have the right to express views even when others might consider them offensive. The cartoons satirizing the Prophet Mohammed as a terrorist are an exercise of free speech. And, of course, those who disagree with their content have the right to say so. As I stated here last week, these cartoons are deeply offensive. It goes without saying, however, that such disagreement should be expressed peacefully. The use of violence, by governments or individuals, in response to offensive speech, is wrong.

There is another very important issue here. In our informal meeting today, we will discuss, among other issues, intolerance against Muslims. However, we would hope that those who criticize these cartoons will speak out against cartoons and articles that have appeared in the Arab and Muslim world that are anti-Semitic or anti-Christian.

There is yet another principle to respect. In the United States, the First Amendment to our Constitution forbids the government from telling the press what it must or must not publish. Governments should not intrude into the functions of a free press.

Just because one has the right to exercise the privileges accorded by the principle of freedom of the press, of course, does not mean that it is wise or prudent to engage in deliberate insults or expression that predictably will offend others. Mutual respect and civility are also important attributes of free societies.

It is clear that the OSCE, together with our Mediterranean partners, has a critical role to play here. The participating States do not need to go far to find out what it is that we have committed ourselves to when we talk about various freedoms. Even a cursory review of the OSCE commitments will show that the OSCE began by affirming in Helsinki in 1975 that, "the participating States will respect human rights and fundamental freedoms, including the

freedom of thought, conscience, religion, or belief." We also have affirmed repeatedly that, "freedom of expression is a fundamental and internationally recognized human right and a basic component of a democratic society and that free, independent and pluralistic media are essential to a free and open society and to an accountable system of government (Copenhagen 1997)." We hope that this afternoon's session will feature a constructive and honest discussion based on mutual respect, and that it will be guided by core OSCE principles.

As we did with their similar declaration in December 2004, we again welcome the Joint Declaration issued on December 21 by the three media freedom watchdogs. The joint declarations serve as good reminders and reinforcement of our commitments to media freedom and independence. The same topics raised in the declarations will be discussed in the July Supplemental Human Dimension Meeting. We believe that individual sessions could productively focus on how to protect investigative journalists, and promote access to information, including best practices for opening up communist-era intelligence dossiers, and universal access to the Internet.

We are all familiar with Mr. Haraszi's efforts to have libel decriminalized and dealt with as a civil rather than a criminal offense. We know as well his efforts to end administrative harassment of the media, and his attempts to eliminate the misuse of state secrecy laws, and his work in the areas of freedom of the Internet. Unfortunately, the list of violations in his report this time around is long even when one allows for the short interval since his last report. With regard to freedom of the Internet, in particular, I would like to bring to everyone's attention that Secretary Rice announced the establishment of the Global Internet Freedom Task Force on February 14 within the Department of State to address challenges to Internet freedom. This task force will pay special attention to the use of technology to restrict access to political content, the use of technology to track and repress dissidents, and efforts to modify Internet governance structures to restrict the free flow of information.

Mr. Chairman, we welcome the projects Mr. Haraszi is planning for this year. Many of these projects will provide much-needed training and should serve many journalists and their country's media well. I, for one, am looking forward to participating in the Hate Speech Conference in Budapest that Mr. Haraszi mentioned. In the light of what we are experiencing now, that Conference should provide a timely opportunity to air thoroughly differing views on how to address hate speech, and perhaps improve our mutual understanding of the difficult questions that arise when freedom of expression, history, and different world views collide.

Once again, we thank Mr. Haraszi for his continued efforts to improve media freedom and independence throughout our OSCE community.

Thank you, Mr. Chairman.