



**Organization for Security and Co-operation in Europe  
The Representative on Freedom of the Media  
Miklós Haraszti**

-CHECK AGAINST DELIVERY-

11 March 2004

**Report to the Permanent Council**

Mr. Chairman, Ladies and Gentlemen,

This is a very emotional moment for me, as the task of the OSCE Media Representative is in many respects the natural continuation of my life's work. I have to express my gratitude for the possibility to go on working, this time internationally, for freedom of the press.

First of all, I would like to say thanks to all participating States for their support and consent to appoint me as the new Representative. Similarly, my cordial appreciation goes to two consecutive chairmanships, to the Netherlands and to Bulgaria, for their steering of the difficult selection process.

I also have to pay tribute to all the great candidates who participated in this contest that was run on merit. I know and appreciate the personal sacrifice that some of the candidates have offered when consensus building required it.

And, of course, I am acknowledging the powerful role played by the first shaper of this mission, the passionate, devoted personality of my predecessor, Mr. Freimut Duve, in the shadow of whom I will have to labor hard to find my own way of directing our work.

Let me tell you about some of my preferences for our future work.

The greatest challenge is to find the right measure when choosing between the different tools that are at the Representative's disposal, defined by the Mandate. The right balance is needed between observation, co-operation, recommendation, and sometimes protest in order to achieve the greatest possible impact, always having in mind that our actual aim is to help. To help all the three players in developing media freedom – the governments, the press, and the societies – in their unending learning process; helping them hold on to our common principles of freedom of the press, and to turn those principles into life.

It is in this spirit that yesterday, on my first working day, when hearing of the recent criminal cases in Turkmenistan, I contacted by telephone His Excellency Ambassador Kadyrov and asked him for further information, which he kindly agreed to provide next week.

In my work, I will not differentiate between the West and the East, between new and old democracies.

I consider two features to be common to all the 55 participating States of the OSCE. All of them have pledged to adhere to our common principles of a democratic society, and I know all of them wish to belong to this great community of democracies, the community of the Northern Hemisphere in fact. And alas, a feature that we also all share in common is that no country is perfect.

Let me also refer to some areas that I would focus on in the near future.

There are delicate interdependencies and conflicts between freedom and other needs of society. One of them is freedom of the Internet and the problem of proliferation of hate speech on it. Another is the similarly delicate interdependence between freedom of expression and the needs of national security and the fight against terrorism. (I express my heartfelt condolences to the Spanish people and its government for the terrible blasts in Madrid this morning.)

A third area is the problem of libel committed via the press, and the need to decriminalize it, or at least exempt imprisonment as a sentence. This also could be an example of how universal the deficiencies are, and of how diverse their impact could be in different societies. The clause in question is a 19th century legacy in our penal codes, from the times when deliberate, criminal ruining of someone's reputation – typically committed for money by a certain type of journals – was contained by imprisonment. Today, incarceration is obviously not the proper handling of defamation that nowadays is generally committed for purposes of a political nature. The traditional punishment has to be replaced by more “civil” ones. But we have to differentiate where truly independent courts have applied prison for libel, or where imprisonment of journalists has been utilized by governments that wish to silence critical media.

Let me finish by this: I need the cooperation of all you in our common endeavor, esteemed participating States, and I am offering the same to you.