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### **OSCE Human Dimension Implementation Meeting Warsaw, 16 - 27 September 2019**

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#### **EU statement – Working Session 1: Fundamental Freedoms I, including: Freedom of expression, free media and information**

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Mr. Moderator,

I am honoured to speak on behalf of the European Union.

Freedom of expression is a core value of the European Union enshrined in the European Union Charter of Fundamental Rights and in the constitutions of Member States. It is a human right for all, constitutes a cornerstone of democracy, and serves as an enabler to other human rights including the freedom of religion or belief, and of peaceful assembly and association. Freedom of expression is also a cornerstone of the OSCE comprehensive concept of security. There is a clear and positive interconnection between democratic, peaceful and prosperous societies that contribute to security, and free expression and an independent, pluralistic media.

The EU is deeply worried about the increasing challenges to freedom of expression and media freedom in many parts of the OSCE region. We welcome the opportunity to discuss these issues in four sessions during this Human Dimension Implementation Meeting.

Digital technologies have expanded global communications and the possibility for everyone to seek, receive and impart information as provided for under international law. While all participating States agreed in Milan 2018 that the evolvement of journalism and technology contributes to public debate, many governments have further restricted online speech during the last year. The EU has spoken out against new legislation in Russia, which cracks down on so-called “disrespect” to the state in the online sphere, including officials and public bodies, and the spread of “deliberately untrue information”. This can lead to fines or 15 days of administrative arrest, and fines and blocking of the information resource, respectively. Also in Russia, new legislation on so-called “sovereign internet” could be used to cut access to the global internet. In Turkey, restrictions on online freedom of expression continues to increase.



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The EU is concerned about the court ruling blocking access to over 130 news sites and social media accounts in Turkey, noting that a court decision was taken to ban on well-known media outlet Bianet.org, which was later rescinded. The EU also remains concerned about the practice of unduly blocking online news sources in several other participating States, including Azerbaijan, Belarus, Kazakhstan and Tajikistan.

Challenges to the exercise of human rights online are manifold. As stated in the Twentieth Anniversary Joint Declaration by the OSCE Representative on Freedom of the media and other experts, freedom of expression requires digital infrastructure that is robust, universal and regulated in a way that maintains it as a free, accessible, secure and open space for all stakeholders. All participating States should therefore recognize the right to access and use of the Internet as a human right, and to respect and reinforce the principle of network neutrality. Meanwhile, another transformative feature of the digital communications environment is the power of intermediaries over communications, concentrated in the hands of just a few companies. Participating States have an important role to play in upholding their positive obligations to safeguard the right to freedom of expression online, reflected also in the Sofia 2004 commitments on the Internet as an open and public forum.

All human rights that exist offline must also be protected online. Any restrictions must be in line with international law, taking into account that freedom of expression also protects information and ideas that may shock, offend and disturb. It is on this basis that the EU is engaging with IT companies and civil society at large to address serious challenges in the context of digital technologies, for example illegal hate speech and disinformation, and the role, responsibilities and best practices of intermediaries. The EU actively promotes human rights in cyberspace, including through extensive measures in the area of data protection and privacy.

In conclusion, we would like to put forward the following recommendations to participating States:

- Fully respect their international human rights obligations and commitments on freedom of expression and media freedom, in particular to refrain from any



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restrictions on freedom of expression which are not in line with international law and international standards.

- Create and ensure a safe, open, free and enabling environment for independent and pluralistic media online.
- Engage constructively with the Representative on Freedom of the Media and make use of his expertise and recommendations.
- Respect the mandate and autonomy of the Representative and provide him with the necessary resources to fulfill the mandate.

Thank you.

The Candidate Countries REPUBLIC of NORTH MACEDONIA\*, MONTENEGRO\* and ALBANIA\*, the Country of the Stabilisation and Association Process and Potential Candidate BOSNIA and HERZEGOVINA, and the EFTA country ICELAND, member of the European Economic Area, as well as the REPUBLIC OF MOLDOVA align themselves with this statement.

\* Republic of North Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.