OSCE: Representative on Freedom of the Media - Regular Report to the OSCE Permanent Council

IRIS 2010-9:1/6

Kim de Beer
Institute for Information Law (IViR), University of Amsterdam

On 29 July 2010, Dunja Mijatovic, the OSCE Representative on Freedom of the Media, presented the regular report to the OSCE Permanent Council, the organisation's main decision-making body. The report consists of overviews of issues raised in the participating countries, activities of the Representative in the last period and planned activities for the next reporting period. A large part of the report consists of the analysis of issues raised in 26 of the OSCE participating states. In the last period the Representative had to deal with several issues concerning media freedom, such as media pluralism, editorial independence, the physical safety of journalists and investigative journalism. In several countries issues of media freedom with regard to audiovisual content arose, including the following:

- The Representative addressed the Albanian authorities about a defamation case in which a broadcasting company was ordered to pay EUR 400,000 in damages to a former minister. The Representative reminded the authorities that a true democratic society encourages investigative journalism; consequently, awarded damages should be proportionate, as otherwise a chilling effect on reporting could ensue;

- The Representative voiced her concern about an instruction issued by the Prime Minister of the Republika Srpska of Bosnia and Herzegovina, in which he called upon public institutions to stop their cooperation with the public service broadcaster after airing an allegedly inaccurate portrayal of the entity's governmental actions. The Representative emphasised that public service broadcasters must not be exposed to any political pressure;

- In France the President nominated a new head of the public service broadcaster, France Télévisions. The Representative restated that the presidential nomination of the head of a country's public service broadcaster is an obstacle to its independence and contradicts OSCE commitments;

- In June the Representative requested that the Hungarian authorities halt the drafting of media legislation, as the proposed legislation could breach OSCE standards guaranteeing freedom of expression and freedom of the media. Despite the request parts of the draft media legislation were adopted by the Hungarian

© European Audiovisual Observatory (Council of Europe) 2026

Parliament (see IRIS 2010-8: 1/34). Recently the Representative presented the Hungarian Government with an expert legal analysis of the adopted laws and draft media legislation. She asked that the Government reconsider and amend the media package;

- The Representative asked Turkish authorities to restore access to YouTube and other services offered by Google and bring the so-called Internet Law in line with international standards on freedom of expression. She also stressed that in the last two years more than 5.000 websites were blocked in Turkey, which considerably limits freedom of expression and severely restricts citizens' right to access of information.

The Representative also informed the Permanent Council about several legal reviews, such as the analysis of the Decree on the establishment of the public television and radio broadcasting in the Kyrgyz Republic. Finally, it was mentioned that the Representative participated in several expert events relating to freedom of expression and the Internet. She stated that the Office is currently working on a document on Internet legislation which will include an overview of legal provisions related to freedom of media, the free flow of information and media pluralism on the Internet in the OSCE region.

Regular Report to the Permanent Council by the OSCE Representative on Freedom of the Media, 29 July 2010

http://www.osce.org/documents/pr/2010/07/45552_en.pdf

Analysis and Assessment of a Package of Hungarian Legislation and Draft Legislation on Media and Telecommunications, prepared by Dr Karol Jakubowicz, commissioned by the Office of the OSCE Representative on Freedom of the Media

http://www.osce.org/documents/rfm/2010/09/45942_en.pdf

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026