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

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On 17 March 2011, 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 reporting period and planned activities for the next reporting period. A large part of the report consists of the analysis of issues raised in 56 of the OSCE participating States. The report touches upon several issues concerning media freedom, inter alia, media pluralism, editorial independence, the physical safety of journalists and investigative journalism, including the following:

- In Croatia draft amendments of the penal code foresee a re-introduction of imprisonment as a sanction for defamation. The Representative reminded authorities that in 2004 and 2006 Croatia took encouraging steps by liberalizing its defamation law and abolishing prison sentences. The Representative has advised the Government to decriminalise defamation altogether. This advice has been taken into consideration and the Government has given assurances that it remains open to suggestions related to the reform of defamation provisions;

- In the Czech Republic on 11 March 2011 ten armed and masked military police raided the offices of Czech Television and seized computers, documents, notes, phone numbers and other items in the search for a 2007 report that led to the dismissal of a former military intelligence head. The Representative stressed that this was an excessive and undue intrusion into the independence of the media outlet. Hence, she has asked the authorities to investigate the case and to enhance the protection offered to journalists who report on public issues;

- The Representative mentions the alarming movement from a very progressive media legislative and regulatory framework in Bosnia and Herzegovina to a deterioration in media freedom due to the implementation of new laws. She mentions that politicians are increasingly trying to suppress alternative and critical voices. Therefore, the Representative encourages the authorities to continue raising awareness of the situation concerning media freedom. In order to achieve this, the OSCE Office is trying to assist the country in moving forward with its media reform;

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- The Representative remains focused on the new media law adopted by the Hungarian Parliament on 7 March 2011. Despite numerous attempts to amend the media law, the adopted media law still runs counter to OSCE commitments on media freedom (see: IRIS 2011-3/24 and IRIS 2010-9/6). The Representative has stressed that the Office remains ready to assist the Hungarian authorities should they decide to further modify the legislation;

- The Representative wrote to Deputy Foreign Minister Aleksandr Grushko in Russia to enquire about the decision to bar The Guardian journalist Luke Harding from entering Russia. The Foreign Ministry replied that the journalist had been temporarily denied entry because of visa and accreditation violations. These problems were quickly resolved, enabling Luke Harding to continue his journalistic work in Russia;

- The Representative states that she is especially concerned about the high number of imprisoned journalists in Turkey. She has addressed this issue to the Turkish Foreign Minister Ahmet Davotoğlu and has urged the Government to carry out a much-needed reform of the legal system to ensure that journalists are able to write and report on issues of importance. The current practice has an enormous chilling effect on editors and journalists in Turkey and harms media pluralism;

- The Representative also informed the Permanent Council about several legal reviews. One of the ongoing reviews is the establishment of a public service broadcaster in Kyrgyzstan. Furthermore, the Representative addresses the legal analysis of the draft amendments to the Law on broadcasting relating to transparency of media ownership in Georgia and the draft law “On television and radio broadcasting” in Kazakhstan. The Representative has also participated in several expert events relating to freedom of expression and the internet, such as the international symposium on freedom of expression organized by UNESCO. Lastly, the Representative is in the final stages of the 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 and aims at embracing the nature of the internet as a truly global and borderless medium.

Regular Report to the Permanent Council by the OSCE Representative on Freedom of the Media, 17 March 2011

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