



United States Mission to the OSCE

Response to the Representative on Freedom of the Media

As delivered by Ambassador Julie Finley
to the Permanent Council, Vienna
November 15, 2007

Thank you, Mr. Chairman.

It is always a pleasure to welcome Miklos Haraszti back to the Permanent Council. Mr. Haraszti, your reports are among the most illuminating we receive. We commend you for your dedication, knowledge, energy and - especially - persistence. It is sad to say, but your work as this organization's media-freedom watchdog certainly doesn't appear to be getting any easier.

Mr. Chairman, in our opinion Mr. Haraszti has delivered a report today documenting trends that anybody committed to free expression should find troubling. It is not necessary to respond case-by-case to all the findings that he has laid out in this very comprehensive report, but it is useful for us to study patterns and trends that the evidence gives us, to see where we are going and whether we are getting closer or further away from reaching the media-freedom norms and values that we all as participating States subscribe to.

First and foremost among the ominous trends is the committing of violence and murder against journalists in the exercise of their profession. We have noted before in this Council that no nation is immune to this problem. Mr. Haraszti rightly reports on the one case in the United States of the murder of a reporter that occurred this year. We are relieved that a suspect was quickly apprehended, and is currently awaiting trial. We agree with Mr. Haraszti's observation that violence against journalists is not "crime as usual"; it terrorizes the basic institution of a free press. We join you in calling for vigorous and independent investigation of the multiple still unsolved cases of murder of journalists in the Russian Federation, as well as outstanding cases in Turkmenistan, Kyrgyzstan, and Azerbaijan.

A second troubling trend is the misuse of libel and other laws to intimidate journalists and media owners with the threat of imprisonment. We commend Mr. Haraszti for the continuing efforts of his office to work with participating States to reform these laws. We are heartened by efforts underway in Turkey to remove the restrictions of its article 301 on defamation that has been used against journalists for insulting Turkish identity. We are deeply concerned about the large number of journalists now in jail in Azerbaijan, but Azerbaijan is certainly not the only example of misuse of libel law against the press. We note with concern the detention this week of a leading opposition journalist, Ganimat Zahid. Likewise, we share Mr. Haraszti's concern about a series of amendments to the "extremism" laws in Russia. We also are troubled by the vague definition of "extremism" and the potential for the law to be abused to restrict freedom of the press.

We welcome the news that the Representative for Freedom of the Media is sending a legal expert to Kazakhstan soon to discuss pending reforms of speech and media laws that have been under discussion there for a long time. Much work remains for the Representative's office

in that country. Adoption of these reforms would be an important step in that country's progress in exemplifying the values and norms of this organization as it seeks support for its candidacy for chairmanship in office.

A third worrisome tendency is efforts to limit access of media to foreign broadcasting through the misuse of registration requirements. Hearing multiple voices, including ones from abroad, broadens the variety of news, opinion and information in any country and strengthens civic awareness. Again we think Mr. Haraszti's office does good work in promoting best practices, providing technical assistance and monitoring progress among the participating States.

In a category of its own is the unfortunate action of the government of Georgia against independent media there. We echo Mr. Haraszti's request that Georgian authorities allow Imedi television to return to the air after its closure following unrest in that country and to allow normal news reporting on all stations. The government's action against the media is especially disappointing because of the generally free conditions for the media that have heretofore prevailed in Georgia.

Finally, we welcome the office's work on voluntary standards and codes among the media profession, rather than imposition of codes and restrictions by state-sponsored entities. As Mr. Haraszti has pointed out, journalistic self-regulation cannot be a pre-condition for reform. Free media create their professional standards through the exercise of their freedom, which cannot be contingent on pleasing state authorities. In this regard, the United States was pleased to help fund the successful recent regional media conferences in the South Caucasus and Central Asia that dealt largely with this theme.

In conclusion, let me express our complete satisfaction that the Representative for Freedom of the Media continues to show an active awareness of all the factors we have mentioned. We believe his office is our indispensable watchdog and a valuable promoter of reforms, best practices and legislation. Thank you, Mr. Haraszti, for your good work.

Thank you, Mr. Chairman.