



United States Mission to the OSCE

Response to the Report by the OSCE Representative on Freedom of the Media, Teresa Ribeiro

As delivered by Ambassador Michael Carpenter
to the Permanent Council, Vienna
May 11, 2023

We warmly welcome the Representative on Freedom of the Media back to the Permanent Council. Dear Teresa, thank you for your report and your excellent work defending and enhancing media freedom in the OSCE region. Your commitment to your mandate, I think, is evident to everyone in this room. As you noted, the continued deterioration of media freedom in our region is a cause of great concern that must be urgently addressed. When freedom of expression and media freedom are not respected, there can be no democracy. When power is unchecked by a free press, the human rights of persons and the security of states are at risk. You put it exactly right: there is no security without media freedom.

As was stated last week at the Permanent Council on the 30th anniversary of World Press Freedom Day, Russia's brutal aggression against Ukraine and the Kremlin's repression of journalists and freedom of expression at home have taken a toll on media freedom in Russia and on the lives and safety of journalists in Ukraine, where over a dozen reporters and media workers have been killed since February 24, 2022. Most recently, just two days ago, French journalist Arman Soldin was killed by rocket fire near Chasiv Yar in eastern Ukraine when his AFP team came under fire while with a group of Ukrainian soldiers. And, as your report points out, the situation for media actors in Russia-occupied Crimea has worsened significantly.

The Kremlin has dramatically intensified its efforts to silence independent reporting in Russia through censorship, licensing requirements, closure of independent media organizations, banning foreign media, and arresting and imprisoning journalists on trumped up charges such as "discrediting" Russia's military and even treason. Your report rightfully notes the list of independent journalists imprisoned for their work includes Dmitry Ivanov and Maria Ponomarenko. Maria was sentenced in February to six years in prison for posting on social media about Russia's infamous bombing of the Mariupol theater in Ukraine. And one of the most egregious recent examples of the Kremlin's attack on media freedom is the arrest on completely spurious charges of *Wall Street Journal* reporter Evan Gershkovich, who remains wrongfully detained.

The Lukashenka regime in Belarus is working hard to erase any trace of free media in the country by forcibly liquidating nearly all independent media outlets, classifying them as "extremist," arresting and detaining journalists, and forcing many into exile. Journalists such as those mentioned in your report, Andrzej Poczobut, Maryna Zolatava, and Liudmila Chekina, and many others have been sentenced to years in prison simply for their reporting. We also highlight the plight of RFE/RL journalist Ihar Losik, who is unjustly serving a 15-year sentence in prison while his wife Darya is serving a two-year prison

sentence for speaking with an independent media outlet about her husband's prison conditions. Ihar has attempted suicide twice. We call on authorities to immediately release him and Darya so they can be reunited with their young daughter.

Meanwhile, assaults on media freedom are happening elsewhere in the OSCE region beyond Russia and Belarus. Journalists and other media workers remain detained or imprisoned for their work in Azerbaijan, Georgia, Turkiye, Tajikistan, and Uzbekistan. We call for the release of all those incarcerated for carrying out their journalistic profession. Journalism is not a crime.

We share the RFoM's concerns about laws envisioned or enacted in a number of participating States with potential or actual adverse effects on media freedom. These include efforts in Bosnia and Herzegovina's Republika Srpska to criminalize defamation. In Turkiye, we see the rise in criminal "insult" suits and the first application of its disinformation laws against journalists. We remain concerned about the restrictive media law that went into effect in Azerbaijan last year. We have raised concerns with Kyrgyz Republic officials about a number of existing or draft laws, including the Law on Protection from False Information adopted in August 2021 used to block Azattyk, RFE/RL's Kyrgyz service.

We agree with the RFoM that the safety of journalists remains a serious concern across the OSCE region. No threat or use of violence against journalists should ever be tolerated and all such cases should be investigated, and if appropriate, prosecuted. For example, we share the RFoM's concern about recent threats and attacks on journalists in Serbia. We urge Serbian authorities to thoroughly investigate all incidents and bring those responsible to justice. After a series of attacks against journalists this year in Kazakhstan, President Tokayev ordered prompt investigations. An individual was arrested in February, but no further details have been made public.

While threats and use of violence against journalists occur in many countries in the region, we are particularly concerned when they appear the result of government actions, including acts of transnational repression. For example, exiled journalists affiliated with the independent Azda TV report ongoing pressure on their relatives in Tajikistan. In March, a criminal case was opened against Rustam Zhoni, a former journalist for RFE/RL's Tajik service Radio Ozodi, who now lives in Prague. Zhoni and his spouse Anora Sarkorova, a former BBC radio journalist, report government authorities have interrogated their relatives in Dushanbe to intimidate them from publishing critical posts on social media.

The report also underscores the importance of media pluralism, an issue in a number of countries. For example, the media pluralism environment in Georgia has been worsening. Opposition-leaning media outlet head Nika Gvaramia was convicted in 2022 for abuse of power and harming the financial interests of the Rustavi 2 TV channel, charges Georgia's Public Defender's Office and domestic and international NGOs criticized as politically motivated. In Hungary, media consolidation under government-aligned or state-funded control has made it difficult for the public to get reliable, unbiased information or exchange of ideas freely.

The United States takes our media freedom commitments seriously, and constantly strives to do more. We recognize our record is not perfect. As you noted in your report, President Biden signed an executive order on the use of commercial spyware to address the misuse of surveillance-based digital infrastructure. And as he said on World Press Freedom Day last

week, the United States is working with partners around the world to launch a new fund to provide defense counsel to journalists. We are also funding the *Promoting Information Integrity and Resilience Initiative*, which will support independent media, strengthen global information integrity, and help keep journalists safe.

Dear Teresa, you and your team should be proud of your extraordinary efforts to tackle the many challenges media freedom faces in the OSCE region. We look forward to the two regional conferences you are organizing later this year, focused on Southeast Europe and Central Asia.

The United States fully supports the autonomous mandate and work of the Representative on Freedom of the Media. The RFoM's accomplishments prove the OSCE is a valuable and constructive partner in collective efforts on freedom of expression, media freedom, the safety of journalists, and access to information. And we are fully committed to helping you in that work moving forward.

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