



**Organization for Security and Co-operation in Europe
The Representative on Freedom of the Media
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**Communiqué by the OSCE Representative on Freedom of the Media
On Media Freedom during Elections**

Free and independent media are essential in every democratic society. By providing reliable information and diverse perspectives, explanations and analyses, the media allow for a robust public debate and help build an informed and active citizenry. This is one of the key preconditions for conducting democratic elections in line with international standards, thereby strengthening democratic governance and institutions. Therefore, it is of crucial importance to uphold the OSCE principles and commitments on media freedom and elections, in particular by those that have a key role to play in the democratic process.

Elections are key processes for democratic governance, when citizens can exercise their right to vote and choose their representatives at national, regional and local level. Especially in these times, free and independent media are important to provide voters with diverse information on political candidates, parties and their programmes in order to allow them to make informed decisions. A vibrant and pluralistic media landscape that includes a range of public and private media is crucial in this context.

As democratic elections are about a fair competition between ideas, opinions and priorities, equitable access and representation in the media is a precondition. An election cannot be considered genuine and democratic when certain parties or candidates are excluded from public debates and receive predominantly biased or negative media coverage, or vice versa, when some actors and parties receive preferential treatment or unequal airtime. When observing elections, international actors such as the OSCE Office for Democratic Institutions and Human Rights (ODIHR) therefore pay particular attention to the media environment in a given electoral context, including by examining the coverage given to candidates in both state and privately owned media looking at the amount and tone of coverage contestants receive.

Ensuring that the media can exercise their central role in democracy, and during the electoral process in particular, has become ever more challenging in today's rapidly evolving information ecosystem. On the one hand, digital technologies and the rise of social media have drastically changed the way information is produced, consumed, and shared. It has had many positive effects, making information more easily and quickly available, empowering previously marginalized voices and facilitating civic mobilization even with limited resources. In this line, new technologies could be used to reinforce the democratic process by better informing the public and providing a space for a well-informed public debate. With the right framework to promote content of public interest, social media platforms could be part of creating and promoting an active and well-informed citizenry. For this, a joint effort is needed that includes lawmakers, big tech companies, civil society and international organizations to define the parameters of such a framework, based on international human rights standards.

Unfortunately, the digital transformation has also allowed for mis- and disinformation and propaganda to spread much wider and faster with negative implications for democracy. We have witnessed on different occasions how the spread of false information can influence electoral processes and undermine the credibility of voting results, even in consolidated democracies. Its negative impact on democracy stems from sowing confusion, increasing distrust in facts and even in discrediting democracy as a concept. It has become evident that false information and its fast and massive spread online can serve as a ground for populist and polarizing movements that have the potential to disrupt our democratic institutions, delegitimize democratic processes and foment hatred and violence.

On the other hand, digitalization has also had an immense negative impact on media pluralism, which unfortunately is in stark decline across the OSCE region. The business model of digital platforms is built on a system of clicks, likes and shares – not on promoting content of public interest. This environment does not contribute to diversity of information and opinion, but rather to 'information bubbles' that reinforce themselves. In addition, many legacy media are struggling for survival with numerous local news outlets ceasing to exist and the media sector being captured by powerful politicians or businesses, as also noted in numerous ODIHR election reports across the OSCE region. All this negatively impacts media pluralism and diversity.

Public Service Media (PSM) and media regulators play a particularly important role in this context, as they should ensure that candidates and parties in the political process have equitable access to the public, so that the public has access to impartial, accurate and diverse information on election related issues. From their side, public authorities should ensure the impartiality of PSM and media regulators, with editorial freedom irrespective of the governing parties, including by having independent board members and independent oversight mechanisms. It is equally important that PSM are well funded and have the necessary financial resources to fulfil their mandate, in times of elections and beyond.

It is clear that political actors and public authorities, as key actors within a democracy have a particular responsibility in upholding democratic values and ensuring that media can perform their essential role during elections. All too often, however, those running for elected positions or holding public office are the ones that infringe upon the basic principles of media freedom. In the past years, there has been an immense increase in verbal attacks against the media by

politicians and electoral candidates. It has become almost a habit of certain politicians to call journalists ‘liars’, ‘traitors of the state’ or ‘foreign agents’ if they ask critical questions or write critical assessments on their policies and programmes. Some politicians and public figures use targeted and systemic smear campaigns to promote specific political agendas, serving their private interests rather than the public good. It is a disturbing development that undermines the credibility of journalists and diminishes trust in the media by the public. It also has a detrimental effect on democratic culture, contributes to polarization within societies and exposes journalists to greater risks of harassment and violence.

Such undermining behaviour is also being displayed in courtrooms. Politicians and public authorities and entities are among the main claimants trying to silence critical reporting through legal action. Very often, the threat of such potential lawsuits – often also referred to as Strategic Lawsuits against Public Participation (SLAPPs) – causes journalists to self-censor and abstain from publishing critical stories, as they simply do not have the financial resources to deal with such legal cases. Silencing or circumventing the role of the media as an intermediary has become a method of certain politicians that seek to avoid critical reporting.

In the 2021 Joint Declaration, that I launched together with the free speech mandate holders of the United Nations, the Organization of American States and the African Commission on Human and People’s Rights, I expressed concern over the growing incidence of online and offline hate speech, disinformation and dangerous rhetoric against the media, including by politicians and public officials, which chills freedom of expression and reduces the diversity of information and ideas in society. We acknowledged that politicians and public officials play an important role in shaping the media agenda, public debate and opinion, and that as a result, ethical behaviour and attitudes on their part is essential for ensuring public trust in the democratic systems of governance, including elections.

Relevant OSCE commitments

In the 1990 Copenhagen Document, the OSCE participating States agreed to provide that no legal or administrative obstacle stands in the way of unimpeded access to the media on a non-discriminatory basis for all political groupings and individuals wishing to participate in the electoral process.

In the Istanbul Summit Declaration in 1999, the OSCE participating States pledged to ensure fair competition among candidates as well as parties, including through their access to the media and respect for the right of assembly.

The participating States underlined in the 2010 Astana Commemorative Declaration that they value the important role of free media in helping them to ensure full respect for human rights, fundamental freedoms, democracy, including free and fair elections, and the rule of law.

In the 2018 Ministerial Council decision on the Safety of Journalists, the participating States recognized the crucial role of journalists in covering elections, in particular in informing the public about candidates, their platforms and ongoing debates. They also expressed serious concern about threats and violent attacks that journalists can face in the context of elections.

Conclusion

States have a positive obligation to create an enabling environment for freedom of expression and the right to information. This includes fostering media independence and diversity as a key means for a robust public debate and an active and well-informed citizenry, and bringing their legal frameworks fully in line with OSCE commitments and international standards regarding freedom of expression, media freedom and democratic elections.

I therefore call on all relevant stakeholders, in particular politicians, election contestants, and government authorities, as well as board members of Public Service Media and media regulators to respect and protect media freedom, always, and especially in times of elections.

This means that they need to refrain from attacking and discrediting the media on the one hand, while promoting an environment that is conducive to safe working conditions and that allows for a truly pluralistic media landscape on the other hand. This includes well-resourced and politically independent Public Service Media as well as independent and effective media regulatory authorities.

I want to underline that meaningful, comprehensive and effective responses to countering disinformation and information manipulation, including in the context of elections, require a holistic approach. In this light, equipping the citizenry with the necessary knowledge, skills and tools to navigate the digital information space through media and digital literacy is key. Equally important is to establish a framework where public interest content is promoted in the digital sphere.

Only then can media freedom be guaranteed; and only then can democracy thrive.