



**Organization for Security and Co-operation in Europe**  
**The Representative on Freedom of the Media**  
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**1 December 2016**

## **Regular Report to the Permanent Council** **for the period from 11 March 2016 to 1 December 2016**

### **Introduction**

Today, my presentation may sound a little different. There is not one overarching theme. I want to use this time to discuss with you a variety of issues that my Office is facing – each having a significant effect on the way we operate and our success in fulfilling the Mandate.

#### ***The Safety of Journalists, Impunity and Prosecution***

As you all know, unfortunately safety of journalists continues to dominate my agenda. Impunity for killings, attacks and threats prevails. This must stop. In order to assist the participating States in monitoring progress on fighting impunity for killings of journalists my Office has prepared a table listing journalists killed in the OSCE region since 1992 with some basic information on the progress of the investigations, prosecutions and convictions of those responsible.

In order to ensure that the information contained is completely accurate, I will shortly send a letter to the ambassadors of the countries concerned listing all the information we have and asking you to make any updates or corrections as necessary by the end of January. I plan to make the list public on our website shortly thereafter. The completed list will be a valuable resource for government and law enforcement officials, journalists and academics and NGOs involved in this critical issue.

I look forward to your support in this important cause.

#### ***Post-truth, fake news and the urge to regulate***

It is not overstating the case to say that you can't open a web page or the front page today without encountering another story about the proliferation of made-up stories on the Internet, especially on social media.

So much so that Oxford Dictionaries has designated "post-truth" as its international word of the year. The publication defines it as "relating to or denoting circumstances in which objective facts are less influential in shaping public opinion than appeals to emotion and personal belief."

In other words, facts don't count.

Before post-truth we simply referred to it as disinformation and lies.

To me, it is **not** a remarkable discovery that people lie.

Consider the Old Testament and Ninth Commandment (or Eighth, at least as interpreted by Catholics and Lutherans): “Thou shalt not bear false witness against thy neighbor.”

That sounds like a dire warning against lying, which was something that must have been quite popular during those days, and still is.

But today, most every country in the world has civil libel laws designed to compensate people whose reputations have been damaged by lies. That seems to be enough of a punishment to me.

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Perhaps born by the spate of alleged news stories made up out of whole cloth during the recent presidential election in the United States, people of all stripes are weighing in on the issue *du jour*: How can we ensure that what we read on Facebook or Twitter is real?

Trying to get on the perceived “right side” of the issue, it comes as little surprise that social media companies such as Facebook are engaged in damage control, saying they are trying out new versions of their algorithms to weed out postings that are simply made up.

But therein lies a risk.

For in fact, doing so may just cause greater harm to free expression than any lie, no matter how damaging.

Because besides the difficulty in determining truth from opinion to a lie, the inherent limiting of ideas, including criminalizing them, makes us all suffer a little bit.

And today we are seeing criminal and administrative prosecution for activities on social media platforms that involve responding to existing content (i.e. sharing, re-posting, uploading, liking, quoting and commenting). This repressive action contributes to an environment of fear.

Combine this with the growing tendency for nations to use anti-extremism and anti-terrorism laws to content on social media platforms and the result is social media users, including members of the media, are being fined, arrested and imprisoned for interacting or reacting to content produced by third parties or for expressing their opinions on it.

This is called censorship and can lead to self-censorship.

I issued a Communique on this issue last week, recommending to participating States that they resist the temptation to regulate or even criminalize social media content and, instead, suggest that issues related to social media activities should be addressed through self-regulation, education and literacy, not through new restrictions.

Let’s not overreact to the wave of fake news by building another wall – this time around the Internet.

## *Young journalists – Russia and Ukraine*

In Hamburg next week a group of young journalists working with the support of my Office will demonstrate the results of their work together for all participating States.

As part of the project “Two Countries – One Profession: A dialogue between journalists from Russia and Ukraine” some results of a project fostering dialogue among journalists from Ukraine and Russia will be presented, focusing on the common work of young journalists.

An exhibition of the photos they took while working in Vienna and Sarajevo, as well as promo clips for the films produced by them, will illustrate this aspect of the dialogue.

The presentation will be opened by a Chairmanship Representative and the OSCE Representative on Freedom of the Media. Young journalists and senior representatives from Ukrainian and Russian journalism organizations will present the Dialogue initiative and its partnership activities.

I encourage all of you to consider their efforts and support additional work in this field.

## *Peace journalism*

And, finally, I'd like to say a few words about a new initiative – one that has its roots in the work and the success we've had in our dialogue among Russian and Ukrainian journalists. As a security organization, the OSCE is focused on peace. While we know that too often the media has fanned the flames of all sorts of conflicts, it doesn't have to be that way in international affairs, when there is a threat of war or an armed conflict. Indeed, journalism should be a tool for peace.

Peace journalism is defined as “when editors and reporters make choices of what to report and how to report it that creates opportunities for societies at large to consider and value non-violent responses to conflict.”

While its opposite, conflict-driven “victory” journalism, focuses on the war arena, two side of the conflict and the goals to be achieved in the armed conflict, peace journalism looks into the roots of war and provides rich context to the conflict.

Its core is humanization and giving voice to all side, not just “us,” leading the audience to understand that aggression brings no resolution.

Peace journalism uncovers lies and exposes cover-ups on all sides. In this sense whatever we might do to understand and promote it in the OSCE region will be following up on our interest in the relationship between propaganda and freedom of the media.

In the coming months we will be examining ways to bring together the OSCE's experts in peace journalism, share their experiences and best practices and involve governments and the media in these discussions.

## *An invitation*

I would like to invite you all to our high-level conference on Access to Information that is taking place right here on Monday, December 12. The event will serve as a forum for identifying the important milestones made by the international community in access to information policy and legislation and the gaps that still remain.

Then on Tuesday and Wednesday, December 13-14, my Office will organize the 18th Central Asia Media Conference in Vienna on multi-faceted challenges to free media and freedom of expression.

Now a final note: As the year draws to an end, I would like to extend my sincere thanks and congratulations to the German Chairmanship, including Chairperson-in-Office Federal Foreign Minister Frank-Walter Steinmeier, Chairman of the Permanent Council Ambassador Eberhard Pohl and their able staffs.

## **Issues raised with participating States**

### **Albania**

On **10 May** I issued a public statement condemning an attack on journalist Eduard Ilnica in Tirana and called on the authorities to carry out a swift and thorough investigation of the incident. According to reports, Ilnica was beaten by a group and hospitalized following a television broadcast in which he reported the violence that occurred during a local football match in Peshkopi. An alleged perpetrator was arrested shortly after the attack.

On **11 July** I wrote to the Minister for Innovation and Public Administration replying to a request to provide a legal analysis regarding the Electronic Commerce Law in Albania.

(See Legal reviews)

### **Armenia**

On **26 April** I issued a public statement reiterating concern over journalists' safety following coercive actions by police against media representatives in Yerevan. Reportedly, during a public demonstration on 22 April, police accosted and attempted to detain and damage the equipment of Narek Barsegyan and Sevak Sogomonyan, journalists with the 1in.am news website. I called on the authorities to ensure the journalists' right to report under safe conditions. I also noted that the results of an investigation regarding attacks on journalists in June 2015 had not been disclosed (See Report to the Permanent Council of 26 November 2015).

On 24 May I received a reply from the authorities informing me that police escorted Barsegyan and Sogomonyan to a patrol car because the journalists were not wearing visible media badges. They were released shortly after being identified. An internal investigation was launched on improper conduct by three police officers, improper organization of duty service and failure to undertake measures in order to identify journalists. Based on the results of the investigation, a disciplinary penalty was imposed on all three officers.

In reaction to my statement of 9 December 2015 regarding obstruction and threats against journalists covering the 6 December referendum on constitutional reforms, I was informed that on 4 May 2016 a court found one person guilty of obstructing the activities of Diana

Ghazaryan of the online newspaper Hetq.am and imposed a fine (See Report to the Permanent Council of 10 March 2016).

On 16 June I noted reports that a court found another person guilty of obstructing the activities of Anush Mkrtchyan of Radio Liberty, who was also covering the 6 December 2015 referendum on constitutional reforms, and imposed a fine (See Report to the Permanent Council of 10 March 2016).

**On 1 August** I wrote to the Foreign Minister and issued a public statement asking the authorities to protect journalists' rights and safety during times of civil unrest following the end of the siege of police headquarters in Yerevan. Reportedly, on 29 July media reporting on the forced dispersal of demonstrators in the Sari Tagh district and other events were attacked, beaten and had their equipment destroyed. In some cases the attackers were uniformed police; in others, civilians armed with metal rods. I also noted in the letter the statement published by the Armenian media NGOs of 21 July about police attacks on journalists that took place in Yerevan days and weeks earlier.

On 3 August I received a reply from Foreign Minister Nalbandian explaining the challenges faced by authorities during the siege of police headquarters and regretting the incidents involving media members. He informed me that President Serzh Sargsyan publicly apologized to the journalists and confirmed the commitment of authorities to ensure the safety of the journalists.

On 5 August I noted reports that the Chief of Police took disciplinary action against several police officers for using excessive force against participants and journalists covering demonstrations held on 29 July. At least five of them were suspended from service.

It was also reported that by 31 August six civilians were identified as suspects obstructing journalists' activities on 29 July. Reportedly, on 1 November four of them were sentenced to one year in prison on hooliganism charges and fined in relation to the case of camera operator Albert Galstyan from Armenia TV.

On 9 August I noted reports that the Special Investigative Service charged four police officers with abuse of power, obstruction of journalists' professional activities and damage of equipment during a public demonstration in June 2015 (See Report to the Permanent Council of 26 November 2015). Reportedly, they were suspended during the investigation.

### **Azerbaijan**

On 17 March I learned that the Baku appeals court released journalist Rauf Myrkadirov and suspended his prison sentence and imposed 5 years of probation. Myrkadirov was found guilty of high treason and sentenced to 6 years on 28 December 2015 (See Report to the Permanent Council of 10 March 2016).

On the same day President Ilham Aliyev pardoned freedom of expression advocate Rasul Jafarov, journalists Hilal Mamedov, Tofiq Yagublu and Parviz Hashimli and blogger Omar Mamedov.

**On 1 April** I issued a public statement welcoming the sentencing of five defendants for the killing of journalist Rasim Aliyev in August 2015 in Baku. Reportedly, a Baku court

sentenced Elshan Ismayilov, Jamal Mamedov, Arif Aliyev, Kenan Madatov and Samir Mustafayev from 9 to 13 years in prison. Aliyev, a freelance reporter and chairman of the media monitoring group of the Institute for Reporters' Freedom and Safety in Azerbaijan, was beaten by a group of people in Baku on 8 August 2015 and died in a hospital (See Report to Permanent Council of 26 November 2015).

I also noted as a positive development the release of several journalists, bloggers and freedom of expression advocates who were pardoned by President Ilham Aliyev on 17 March. I encouraged the authorities to release other members of the media, among them journalists Khadija Ismayilova, a reporter for Radio Azadliq and Seymur Hazi, a columnist for the newspaper Azadliq.

On 31 May I noted reports that Javid Huseynov, another person charged in the incident involving journalist Rasim Aliyev, was sentenced to 4 years in prison. However, on 12 October, Huseynov's sentence was reduced on appeal to 1 year and 2 months and he was released.

On 15 April I noted reports that the Supreme Court denied the appeal of journalist Seymur Hazi, who was sentenced to 5 years on hooliganism charges in January 2015 (See Report to the Permanent Council of 18 June 2015).

On **25 May** together with the ODIHR Director Michael Georg Link, I issued a public statement welcoming the release of the journalist and human rights defender Khadija Ismayilova. The Supreme Court commuted Ismayilova's sentence to a 3.5-year suspended sentence.

Ismayilova, an investigative reporter with Radio Azadliq, was sentenced to 7.5 years in prison on 1 September 2015 on charges of misappropriation and embezzlement, illegal business dealings, tax evasion and abuse of power (See Report to Permanent Council of 26 November 2015).

I said her release was a very positive step and called on the authorities to drop all charges. I also encouraged the authorities to release all remaining members of the media and bloggers still in prison in Azerbaijan, including Seymur Hazi, Nijat Aliyev, Abdul Abilov, Rashad Ramazanov and Araz Guliyev.

On 27 June I learned that the Prosecutor's Office imposed a travel ban on Ismayilova. She unsuccessfully appealed this decision to the district court and appellate court.

On 8 August I learned that the court for serious crimes in Baku shortened Ismayilova's suspended sentence from 3.5 to 2 years and 3 months. Reportedly, on 7 October the appeals court declined Ismayilova's request to dismiss the criminal charges against her.

On **14 November** I wrote to the authorities expressing concern about the cases of Fikret Faramazoglu and Faig Amirov.

Faramazoglu, editor of the Jam.az news website, was arrested on charges of extortion on 30 June. If convicted he could be imprisoned for up to 10 years. According to reports, the journalist is being persecuted in retaliation for his critical reporting, including possibly for

covering public protests in January 2016. Faramazoglu's defence lawyer also stated that his client had been subjected to torture.

Amirov, financial director of the Azadliq newspaper, was arrested on charges of inciting religious hatred and infringement of the right of citizens under pretext of implementation of religious activities on 20 August. Although the charge brought against Amirov is not related to media activity, reportedly, in the course of investigation he was interrogated on issues about the work of the newspaper, including its reporters. In addition, it was reported that while in custody Amirov experienced serious health problems, but was denied professional medical care.

I asked the authorities to share with me additional information about both cases and to urgently address Amirov's health issues by providing necessary medical assistance.

**On 17 November** I issued a public statement calling for decriminalization of defamation following steps extending liability for discrediting the honour and dignity of the President to online expression. Criminal provisions on slander and insult were also expanded by introducing "aggravated responsibility" for online expression from "fake accounts." The penalties include prison sentences.

I reiterated my call on the authorities to fulfil their longstanding promise to decriminalize defamation in Azerbaijan, offering my Office's support in such a process and in achieving much needed improvement of the media freedom situation in the country.

I learned that on 29 November Parliament adopted the proposed amendments.

**On 23 November** I issued a public statement on the 5th anniversary of the death of Azerbaijani writer and newspaper columnist Rafiq Tagi. I reiterated my call to Azerbaijan and all other OSCE participating States to ensure journalists' safety and end impunity for crimes against them. On 19 November 2011 a single assailant stabbed Tagi repeatedly. The journalist died four days later in a Baku hospital. His attacker has not been found and reportedly an investigation into the matter has been ended.

## **Belarus**

**On 23 June** I wrote to the authorities expressing concern about the detention of freelance journalists Konstantin Zhukovskiy and Alexei Otroshenkov in the town of Loyew on 21 June while filming a local brick-making plant. Reportedly, the police officers handcuffed, threatened and were violent toward the journalists. Zhukovskiy sought medical assistance. Both journalists were in custody for approximately six hours though the reasons for their detention were unclear. I urged the authorities to quickly and thoroughly investigate the incident.

I also raised the case of Eduard Palchys, a blogger and administrator of the website 1863x.com. Palchys was under arrest on criminal charges of inciting racial, ethnic or religious hatred and distribution of pornographic materials. The case was reportedly linked to articles featured on 1863x.com. Given that a number of reports have surfaced claiming that Palchys's arrest could be retaliation for his critical views on various political issues, I asked the authorities to carefully review all charges brought against him and respect his right to free expression.

**On 19 August** I wrote to the Foreign Minister raising the case of Chary Annamuradov, a former Turkmen investigative journalist. Annamuradov, who reportedly holds Swedish and Russian citizenships, was detained at Minsk airport on 19 July upon an extradition request from Turkmenistan. I asked the authorities to carefully consider this case as there were many reports that, if extradited, Annamuradov might face unfair treatment in retaliation for his work as a journalist.

I was pleased to hear that Annamuradov was released on 13 September and returned to Sweden.

**On 19 October** I wrote to the Foreign Minister again raising the Palchys matter because judicial authorities began to examine his case in a closed courtroom in Minsk.

On 28 October I learned that Palchys was found guilty on charges of inciting hatred and distribution of pornographic materials and sentenced to one year and nine months. However, he was immediately released in the courtroom given that his sentence was considered to be served due to length of the time he spent in detention facilities.

### **Bosnia and Herzegovina**

In mid-March my Office took note of two attacks on television crews during an event marking the 70th anniversary of the arrest of the leader of World War II Chetnik movement, Draža Mihailović, in Višegrad. FTV crew members were ordered to leave the place while journalists from the regional N1 television channel were physically attacked. The head of the OSCE Mission to Bosnia and Herzegovina publicly condemned the attacks.

**On 25 April** while at the European Federation of Journalists' General Meeting in Sarajevo, I was invited to speak before the Parliamentary Assembly of Bosnia and Herzegovina. I stressed that journalists' safety must be high on the political agenda and that the vicious cycle of impunity must be broken.

At the debate, organized by the Joint Committee on Human Rights of the Parliamentary Assembly in co-operation with the OSCE Mission in Bosnia and Herzegovina, I pointed out the urgent need to ensure the independence and sustainability of public service broadcasters and regulatory agencies as key elements to strengthen media freedom in the country.

**On 29 April** I wrote to Borislav Bojić, chair of the BiH Parliament's Joint Committee on Human Rights, to thank him for inviting me to speak. I said it was encouraging that issues such as the safety of journalists, the fight against impunity, the independence and financial sustainability of public service broadcasters and process of the digital switchover are on the agenda of the Parliamentary Assembly. I used an opportunity to welcome constructive co-operation between the Committee and Ministry of Human Rights and Refugees to support freedom of expression and the safety of journalists in the country.

**On 17 May** in a public statement I condemned an attack on Petar Panjkota, a reporter with RTL Croatia television, in Banja Luka and called on the authorities to fully investigate the case and prosecute perpetrators. On the same day, BN TV crew members Danina Milaković and Pavle Ivanović were verbally abused while covering demonstrations. Meanwhile Vladimir Kovačević, also with BN TV, received threats on social media.



I urged authorities to ensure the safety of journalists who must be able to report on issues of public interest free from any form of intimidation.

On **31 May** I issued a public statement expressing concern over the possibility of a shutdown of the state-level public broadcaster in Bosnia and Herzegovina following a decision by the Steering Board of the BiH Radio and Television to suspend all programmes as of 30 June 2016 due to a disastrous financial situation. I emphasized that even a temporary shutdown impedes citizens' right to receive crucial public information and should not be seen as the solution to financial difficulties and that the situation could be resolved only by fully implementing the law.

On **29 July** I issued a public statement expressing my concern regarding incidents directed at journalists and independent voices in the country. I noted that the situation could lead to self-censorship. The incidents include verbal attacks on writer and journalist Nenad Veličković; verbal attacks on Borka Rudić, General Secretary of the Association of BiH Journalists; verbal threats on journalist Mirjana Radanović; threats and insults against journalists of FTV Mreža magazine; threats against Dragiša Sikimić, editor-in-chief and the owner of the web portal MojaHercegovina.info; verbal and physical assaults on BN TV, ATV and HIT TV crews; a physical attack on a BN TV camera operator; an assault on Nermin Bise, editor-in-chief of 24sata.info; verbal threats against freelance journalist Vuk Bačanović; and offensive and discriminatory verbal attacks on Selma Učanbarlić, a journalist from the Centre for Investigative Reporting.

I urged the authorities at the highest level to publicly condemn these incidents.

On **23 September** I publicly called on all responsible stakeholders in Bosnia and Herzegovina and in Serbia, in particular the media, to refrain from inflammatory language that could incite hatred. I highlighted that media have a code of ethics to respect and follow, and the consequences of not abiding by these fundamental principles can be devastating.

On **22 November** I wrote to the Foreign Minister and issued a public statement expressing my concern about death threats directed at Slobodan Vasković, a journalist based in Banja Luka. Vasković, well-known for his critical reporting, quickly left the country for security reasons. I said this is not the first time he has been threatened and this last case adds to the atmosphere of impunity for attacks against journalists in Bosnia and Herzegovina and called on the local authorities to ensure that the responsible institutions and law enforcement agencies immediately investigate these threats.

## **Canada**

On 6 April in a public statement I urged the authorities to improve reporters' rights to protect confidential sources after a Superior Court judge in Ontario upheld an order requiring VICE reporter Ben Makuch to disclose his private communications with Farah Shirdon, a Canadian about whom Makuch published stories on terrorism and the so-called Islamic State. The case is pending before the Ontario Court of Appeal.

## **Croatia**

On **25 October** I wrote to the Foreign Minister to express my concern about recent threats against journalists and members of the media. They include threatening letters addressed to Gabrijele Branka Valentić, Director of HINA, a national news agency, Goran Borković, editor-in-chief of the Forum.tm portal and Sandra Bartolović, a journalist with the site. On 5 October, radio Ritam reporter Valeri Baranović was harassed in front of the community hospital in Šibenik during a protest by an anti-abortion group. On 8 September, a Novi List reporter and former president of the Croatian Journalists' Association, Zdenko Duka, was verbally attacked by participants at an election rally in Zagreb. I wrote that I have raised the issue of threats against media previously to no avail.

However, I do welcome the initiative of the Parliamentary Media Committee to organize, in consultations with the Ministry of Interior, on 25 November a thematic session on threats against journalists in Croatia.

### **Cyprus**

On **20 September** I publicly condemned the setting ablaze of a reporter's car in Nicosia. The car, which belonged to crime reporter Dina Kleanthous of the news site Reporter Online, was set on fire in the middle of the previous night outside her home. According to the journalist, the act was likely related to her professional activities. The Union of Cyprus Journalists issued a statement saying that Kleanthous had received earlier threats on an issue she was covering. I urged the authorities to investigate this incident thoroughly and bring to justice those responsible.

### **Czech Republic**

On 11 April I received a letter from Minister of Foreign Affairs Lubomír Zaorálek in response to my letter of 9 February condemning the attack on a Czech Radio transmission vehicle and informing me of the measures taken. The reply of 11 April indicated that the incident is under investigation and police officers who allegedly witnessed the event could not be identified. It also stated there had been discussions regarding security measures for Czech Radio personnel.

On **18 April** I wrote to the authorities regarding two journalists from the Russian Federation, Aleksandr Kuranov of Rossiya Segodnya and Vladimir Snegirev of Vechernyaya Moskva, who were denied the extension of their accreditation without explanation.

On **16 November** I issued a public statement urging members of Parliament to abolish a proposed amendment making defamation of the country's president a criminal offence. Conviction could carry a one year prison sentence. I said that defamation laws should not be tools for politicians to silence critical voices, on the contrary, public figures should withstand a higher degree of scrutiny and criticism because of their public roles.

### **Estonia**

On **3 October** I wrote to the authorities and asked for more information on a denial of entry to Russian journalists with Life and NTV television channels at the border crossing point Ivangorod on 30 September. Reportedly, the journalists failed to present business visas.

On 24 October I received a reply from the authorities saying that four citizens of the Russian Federation were denied entry because the information about the purpose of their stay in Estonia was inaccurate. The aim of such action was to protect Estonian national security and public order, not to hinder the journalists' activities.

On **24 October** I wrote to the authorities conveying concern about threats received by the Tallinn bureau of the Sputnik news agency. According to the media outlet, on 20 October it received a letter from the Right Sector Estonia, New Independence Party and "Isamaa" faction threatening to block the work of the news agency as part of their efforts to counter Russian propaganda. I asked the authorities to look into this incident and ensure the safety of media members.

I also raised the issue of public institutions denying accreditation to the news agency. In the absence of accreditation, on 6 October and 17 October Sputnik journalists were denied entry to press conferences organized by the Interior and Defense Ministries.

On 3 November I received a reply from the authorities informing me that the institutions are independent to regulate and decide on attendance at press conferences. The government does not ban nor restrict activities of any media organization as long as it is working in accordance with the law.

### **France**

On **3 June** in a public statement I expressed concern about recent acts of police violence toward journalists covering demonstrations. I listed seven cases and called for them to be investigated.

In March I learned that the Court of Cassation overturned a decision of a local court in Nîmes which had ordered the editor and a journalist of local weekly newspaper L'Agglorieuse to pay a €1,000 fine and the newspaper itself to pay €8,000 in damages in a criminal defamation case. In December 2014 I had written to Foreign Minister Laurent Fabius to express concern about the negative effect of the court judgment against the newspaper on media freedom and sought reform of the nation's defamation laws.

### **Georgia**

On **18 April** I wrote to Chair of Parliament David Usupashvili welcoming the election of the final two members of the Public Service Broadcaster Supervisory Board on 13 April, a long-standing issue I have been raising with the authorities (See Reports to the Permanent Council of 19 June 2014, 27 November 2014 and 26 November 2015). There was an urgent need to finalize the selection of board members for the overall efficacy of the entity.

On 19 April I received a reply from the Chair of Parliament informing me that the Board is now fully operational and ready to exercise the powers and duties.

On **6-7 July** I visited Tbilisi for the 13th South Caucasus Media Conference, organized by my Office, on the topic Multi-faceted challenges to free media and the freedom of expression.

(See Events)

During the visit I also met with Chairman Usupashvili and Foreign Minister Mikheil Janelidze to discuss media freedom issues. I again encouraged the authorities to preserve and increase the widely recognized progress on free media and freedom of expression while noting the importance of maintaining media pluralism and variety of voices in society ahead of parliamentary elections in October 2016.

### **Germany**

On 4 April I received an answer of the Minister for Foreign Affairs Frank-Walter Steinmeier concerning my letter of 4 March on safety and security of journalists in the Free State of Saxony.

On **15 April** I wrote to the the Foreign Minister and issued a public statement concerning a criminal investigation against the television personality Jan Boehmermann, who read a poem allegedly insulting the Turkish President. I commended the authorities for their quick reaction in placing Boehmermann under protection. It also said the incident raised the issue of criminal defamation in the country, including insult to a foreign head of state. I called on the authorities to decriminalize defamation.

On 4 October I noted that the criminal proceedings against Boehmermann were dropped.

On **8 July** I issued a public statement expressing concern over draft amendments to a law on the German Foreign Intelligence Service which increases the ability to conduct surveillance of foreign journalists and allows for surveillance on non-EU journalists without a court order. Subsequently, the law was passed by the Bundestag and Bundesrat and awaits the President's signature.

### **Holy See**

On **7 July** I learned that two Italian investigative journalists, Gianluigi Nuzzi and Emiliano Fittipaldi, were acquitted on the charge of “disclosure of information and documents that are of fundamental interests to the state of Vatican City” after judges ruled they did not have jurisdiction to examine the case.

In November 2015 I had issued a public statement calling on authorities to drop criminal charges against the two journalists in connection with the publication of books alleging financial mismanagement and corruption in the Vatican City.

### **Hungary**

On **9 October** I gave a statement to the media that I was closely following the suspension of the 60-year-old daily newspaper Nepszabadsag. The previous day, the publisher of the daily suspended both the print and online versions, citing financial losses. I expressed concern and noted that the suspension could further limit media freedom and media pluralism in Hungary.

### **Ireland**

On **23 June** while in Dublin I paid my respects at the statue of Veronica Guerin and issued a public statement on the 20th anniversary of the murder of the Irish journalist, recalling the important role investigative journalists play in democracies.

On 26 June 1996 two men on a motorcycle pulled up alongside Guerin's car at a traffic light in suburban Dublin and shot and killed her. Three men were subsequently charged, prosecuted and convicted for their involvement in the murder.

I said Guerin's work and her tireless efforts as an investigative journalist should serve as an example to all of us.

## **Italy**

On **19 January** I wrote to the Foreign Minister to express concern about judicial proceedings that compromise journalists' and publishers' rights and obligations to protect the secrecy of their sources after the prosecutor of Rome ordered the seizure of the footage of an interview from TV channel LA7 with an unidentified police officer during the programme "Piazzapulita" on 26 November 2015.

On 2 March I received a reply from the authorities indicating that the seizure of the footage had been revoked by the prosecutor of Rome and mentioning the legal framework protecting journalists' sources in the country.

On **26 May** in a public statement I urged the Italian Senate to consider the impact on free expression of pending legislation that would increase the maximum penalty to 9 years in jail for criminally defaming elected officials and judges.

On **9 June** in a public statement I welcomed the decision by the Italian Senate to remove from the draft bill the provision to protect public officials from intimidation.

On **12 September** I wrote to the Foreign Minister to express concern about cases involving the safety of journalists and freedom of expression. I called his attention to the scores of incidents against media representatives that had occurred in Italy since January 2015, including physical and verbal abuse, death threats, property damage and criminal defamation proceedings. I provided a summary of relevant verified incidents, asked for information on them and suggested taking measures to improve the situation.

On **28 September** I wrote to the Foreign Minister to express concern about provisions in a draft law under consideration by Parliament and aimed at preventing and countering bullying and cyberbullying. I explained that the document could be considered problematic vis-à-vis international standards on freedom of expression and freedom of the media, as well as OSCE commitments in this area. I mentioned in particular the broad definitions of "bullying" and "cyberbullying," the absence of safeguards regarding the necessary protection of the dissemination of information of public interest and the role given to intermediaries, such as social media platforms, to block or remove online content.

On 30 November I received a detailed reply from the authorities to my letter of 12 September regarding cases involving journalists' safety and free expression issues.

The response provided updates on matters involving threats against journalists.

## **Kazakhstan**

On **21 May** I issued a public statement urging the authorities to release all members of the media who had been detained while reporting on so-called land protests. Dozens of journalists were detained across the country despite showing media badges and taken to police stations across Kazakhstan. Some were fingerprinted.

On **19 July** I wrote to the the authorities and expressed concern over disproportionately high defamation damages imposed on chief editor and a correspondent of the newspaper Tribuna Sayasi Kalam and an Internet publication, Tribunakz.com

In **September** my Office contributed to the legal review undertaken by ODIHR on “Draft Amendments to the Legal Framework on Countering Extremism and Terrorism in the Republic of Kazakhstan.”

On **4 October** I issued a public statement expressing concern about harsh sentences imposed on the head of the national Press Club, Seitkazy Mataev, and the head of the KazTag news agency, Aset Mataev.

On **18 November** I wrote to the authorities asking for information about the detention of the president of the Kazakhstan’s Pen Club and publisher of Central Asia Monitor and Radiotoichka.kz, Bigeldy Gabdullin.

### **Kyrgyzstan**

On **26 May** I wrote to the Minister of Foreign Affairs welcoming the fact that the Kyrgyz parliament rejected a draft law which would impose “foreign agent” status on NGOs with international funding. I also expressed concern about the proposed Amendments to the Law on Mass Media, which would cap foreign ownership and funding of media outlets at 20 percent.

On **8 September** I presented a legal review of the draft Amendments to the Law on Mass Media authored by legal expert Galina Arapova to the Speaker of the Jogorku Kenesh.

### **Latvia**

On **29 March** I wrote to the Minister of Foreign Affairs about draft amendments to the criminal code introducing changes to the chapter regarding crimes against the state. I said that I was concerned the amendments failed to meet international standards related to free expression and free media by not specifying the nature of the activity required to criminalize certain forms of expression and viewpoints, hence putting at risk that legitimate criticism against the government could be prosecuted. The Minister responded on 20 April saying that the issue of disproportional restrictions on fundamental rights had been addressed and that the second reading in the Parliament had been postponed to allow for more comprehensive discussions. I later learned that the bill was adopted on 21 April.

On **31 March** I again wrote to the Foreign Minister asking for information about the decision of the national domain registry to shut down the news portal sputniknews.lv. I said that I was concerned about the precedent the case would have on take-down policy of media websites. I also issued a public statement about the issue.

Minister Edgars Rinkēvičs replied on 8 April and confirmed that competent authorities had recommended suspension of the domain based on conclusions of a possible violation of EU sanctions regulation in linking the domain to the Russian Federal State news agency Rossiya Segodnya, headed by Dmitry Kiselyov, who is on the EU sanctions list. I was also informed that the same content was now broadcast using a different domain outside Latvia.

On **1 August** I wrote to the Minister of Culture and presented a legal review of the Conceptual Proposal for a new Public Service Media Law.

(See Legal reviews)

On 5 August I received a reply from Minister of Culture Dace Melbārde expressing gratitude for my Office's involvement in and support for Latvian media policy initiatives.

On **24 October** I issued a public statement expressing concern about a decision by the authorities to deport a member of the media from the Russian Federation.

According to reports, Ella Taranova, chief producer with the Rossiya Segodnya news agency, travelled to Jūrmala, a town 35 kilometres west of Riga, to attend the Baltic Forum conference. While she was allowed to enter the country, on 21 October border service representatives detained her at the conference venue, took her to their office and then deported her from Riga's airport to the Russian Federation. Taranova was reportedly deported despite having all the required travel documents, including a valid Schengen visa, and was not provided with any sound explanation for the expulsion.

I stated that this kind of restrictive measures targeting members of the media could have a negative effect on media freedom and asked them to swiftly look into the case.

## **Lithuania**

On **30 March** I wrote to the authorities to raise the case of Russian journalist Pavel Zarubin and three other journalists of television channel Rossiya 24 who were declared *persona non grata* and ordered to leave Lithuania after an incident in which they tried to enter the annual Vilnius Russia Forum in Trakai on 8 March.

On **3 May**, which was also World Press Freedom Day, I issued a public statement in which I welcomed the veto by President Dalia Grybauskaitė of amendments that would have criminalized the disclosure of information in closed-court proceedings. The president returned the amendments for reconsideration, arguing that the law would restrict the media's rights and the public interest and make court proceedings less transparent. In my statement I said that the amendments could have hampered investigative journalism and that the public's interest in particular information can be so strong that it justifies publication of information considered to be confidential.

## **Luxembourg**

On 29 June I was pleased to learn that French investigative journalist Edouard Perrin was acquitted on all charges after he exposed an alleged system of tax avoidance for multinational corporations in Luxembourg and was accused of being a co-author or accomplice to theft, breaching professional confidentiality and obtaining fraudulent access to data systems. At the

same time I noted that on 2 August the public prosecutor decided to open a counter-appeal against the journalist.

In April 2015 I had written to the Minister of Foreign and European Affairs and issued a public statement to express concern about the criminal charges brought against Perrin.

### **The former Yugoslav Republic of Macedonia**

On 10 March I received a letter from the authorities replying to my letter of 13 January regarding the breaking and entering into the Kurir News Agency offices. It stated that the competent authorities had launched an investigation but, due to the poor quality of photos available from the scene, it was not possible to determine the identity of the perpetrators. It also told about additional measures that were taken in co-operation with the Public Prosecutor's Office.

On **21 April** I wrote to the Foreign Minister to express concern over series of incidents related to work and physical attacks on domestic and foreign journalists in Skopje including: editor-in-chief of Radio Slobodna Makedonija Dejan Andonovć; journalists Goran Naumovski of Plusinfo; and Nakije Batev of Večer; Gazeta Express journalists Artan Haraqija, Halil Halili and Ilir Ajdin and three Bulgarian journalists reporting for 24 Chasa, 168 Chasa and Bulgaria Dnes.

On **4 July** I again wrote to the Foreign Minister welcoming the latest initiative by the government to regulate state advertising in the media. I also expressed concern over the fact that TV21 journalist Kristian Landov, who recorded the President of VMRO-DPMNE for a news article, was forced to delete photos from his mobile phone. I also addressed the incident involving of Muhamed Zeqiri, editor of TV Shenja, who had been receiving threats directed at his family and him on social media and from representatives of the Democratic Union for Integration Party.

On 7 July I received a letter from the authorities informing me about a proposed law on public institutions, informative and advertising campaigns, prepared by the government.

On **8 July** in a public statement I welcomed a decision handed down by a Skopje court to drop charges against journalist Jadranka Kostova. I previously criticized the Data Verification Commission in Skopje for declaring Kostova a secret services informant from 1993 to 1996.

On **5 September** I wrote to the Foreign Minister expressing my concern about threats directed at Rami Mislimi, the owner of the Albanian-language web portal Tetovasot. In a telephone conversation on 1 September, Minister of Environment and Physical Planning Bashkim Ameti allegedly threatened Mislimi and his family. Mislimi thinks that the incident may be related to his professional work and, according to information available to me, he reported it to the police.

### **Montenegro**

On **21 April** I issued a public statement regarding a new code of ethics for journalists in Montenegro. The code was prepared by representatives of the MCSR, Montenegrin daily newspapers Vijesti and Dan and the weekly newspaper Monitor and supported by my Office.



On **14-15 June** I visited Montenegro. In a public statement I welcomed the efforts of the authorities in Montenegro to improve the safety of journalists, media professionalism and self-regulation. Following a meeting with Prime Minister Milo Đukanović in which I commended his continued support for the work of the Commission to end impunity against those who assault journalists, I also met with Darko Pajović, the newly appointed Speaker of the Parliament with whom I shared my views on strengthening existing self-regulatory mechanisms without intervention by the authorities.

During my visit I met with civil society, the Montenegrin Working Group on Self-Regulation and participated in European Broadcasting Union's 76th General Assembly in Bečići, delivering a keynote speech.

On **29 June** I wrote to the Prime Minister to thank him for the constructive discussions we had during our meeting in Podgorica on 15 June. I welcomed his continued support for the work of the Commission in the investigation of attacks and threats against journalists, pointing out that the work of the Commission depends on political will from the highest levels and a strong commitment from all stakeholders to engage and support their mandate.

I also noted positive developments regarding media self-regulation and professional standards.

On **1 August** I again wrote to the Prime Minister to welcome the decision of government to form a Commission to monitor the investigation of attacks and threats against journalists and, on another issue, welcome the appointment of all members of the Agency for Electronic Media, a regulatory body. Additionally, I sent a potential model for long-term sustainable financing of the Council for Media Self-Regulation.

I also expressed my concern over proposed amendments to the Media Law, the Law on Electronic Media and the Law on RTCG which may restrict media freedom. I shared some key issues that need further analysis.

(See Legal reviews)

## **Moldova**

On **12 July** I wrote to the Chair of the Parliament and on **13 July** issued a public statement regarding legal developments that could affect media freedom.

On 7 July the Parliament adopted, in a first reading, three laws amending the Audio-visual Code. All three amendments limit broadcasts in foreign languages or those originating from abroad. The reasoning given was that they originate from states that are neither members of the European Union nor are parties to the European Convention on Transfrontier Television.

I said that it is counterproductive to try to limit speech through excessively restrictive legislation that runs counter to international standards on media freedom. I expressed trust that the proposed laws would be carefully reviewed before being adopted in the second reading, ensuring that they do not unduly limit free expression and the free flow of information.

I also drew the authorities' attention to the legal analysis that I submitted for the consideration of Parliament in July 2015 (See Report to the Permanent Council of 26 November 2015).

### **Poland**

On 21 April I received a letter from Ombudsman Adam Bodnar inviting me to visit to discuss his Office's recent work in the field of media freedom and free expression. I replied and expressed my intention to visit him during the 2016 Human Dimension Implementation Meeting.

On **4 July** I wrote to the Minister of Foreign Affairs about a new law which establishes a new governance system for public media. I said it was positive that the selection of the management and supervisory boards was taken away from the Treasury Minister. (See Regular Report to the Permanent Council of 10 March 2016). However, I pointed to other flaws in the new system and urged the government to address the shortcomings and to bring the law in line with Council of Europe recommendations. The minister responded in a letter dated 28 July and said that the law fully assures the independence of public broadcasters from the government and enhances media freedom.

On 20 September during the 2016 Human Dimension Implementation Meeting I met with Ombudsman Bodnar to discuss media freedom and free expression issues. The topics included recent changes to the public service media, changes to the surveillance legislation earlier this year, the dismissal of several journalist as well as defamation lawsuits against many of them. I reiterated my strong support to the work of the Ombudsman and expressed my Office's readiness to continue working with him on related issues.

On 5 October I received a letter from the authorities regarding the death of journalist Lukasz Masiak and my call on the authorities to investigate the circumstances. The letter stated that an independent investigation was launched immediately after the murder and the evidence collected did not indicate that the killing was related to his profession. A suspect was charged with murder in July.

### **Romania**

On **23 August** I wrote to the Minister of Foreign Affairs to express concern and request details about an investigation of the British Sky News journalist Stuart Ramsey and his team, commissioned by the Directorate for Investigating Organized Crime and Terrorism, after the broadcast of a television report on alleged arms trafficking produced in Romania by Sky News.

### **Russian Federation**

On 10 March I received a letter from the authorities in response to my statement about the attack on journalists at an administrative boundary of the Chechen and Ingush republics on 9 March. The authorities condemned the attack and assured me that it would be investigated quickly.

On **30 March** I issued a public statement condemning an attack on journalist Igor Rudnikov in Kaliningrad and calling on the authorities to carry out a swift and thorough investigation into the incident.

On 17 March Rudnikov, the editor and founder of the *Noviye Kolyosa* newspaper, was attacked by a group of unidentified individuals at a café. He was hospitalized with multiple stab wounds. I also noted that Rudnikov was brutally assaulted in 1998 and the perpetrators were never identified.

On 5 May I learned from media reports that law enforcement officials identified and detained two suspects in the case.

On 6 May I received a reply from the Investigative Committee informing me that an investigation into the case on hooliganism charges was opened on the date of the attack.

On **13 April** I replied to the letters from the authorities of 5 March and 10 March where they again described their vision of accreditation requirements for members of the media and raised various issues involving Russian media outlets and journalists in foreign countries, including Ukraine, Lithuania and Latvia.

On **18 April** I wrote to the Deputy Chair of the State Duma of the Federal Assembly regarding draft amendments to the Law on Information, Information Technologies and Protection of Information.

The draft law would require the owners of Internet search engines (“news aggregators”) which have more than 1 million daily visitors to be liable for the content of disseminated information, including content that is a verbatim reproduction of materials published by media outlets. I expressed concern regarding the vague definitions which would bring legal uncertainty, introduce a wide range of excessive and disproportionate restrictions on online service providers and result in a high level of intervention by state authorities in the area of freedom of information beyond the country’s national legislation and international commitments.

Despite some changes easing regulation, the law was adopted. I issued a public statement on **13 June** asking the highest authorities to carefully scrutinize the law and properly evaluate its negative effects on access to and the free flow of information on the Internet.

On 23 June I learned that the President of the Russian Federation signed the law, which will go into effect on 1 January 2017.

On 29 June I received a reply from the authorities saying that the law does not infringe on the right to freedom of information and that it was widely discussed with representatives of the media industry before adoption, which resulted in significant amendments easing regulation.

On **26 May** I issued a public statement following an attack on Denis Kuchmenko, a journalist and Director General of the Gorod media holding company in Bratsk in the country’s Irkutsk Region. On 25 May Kuchmenko was beaten by two men in masks near his apartment. He was hospitalized with a broken arm and multiple bruises. Kuchmenko linked the attack to his

reporting about local authorities. I urged the authorities to take vigorous action to protect media professionals and end impunity.

I also noted reports of an attack on Deputy Editor of the Minuta Istiny newspaper Oleg Kunitsyn on 11 May in Vologda city in the Vologda Region. Kunitsyn was hospitalized after being reportedly shot twice with a starter's pistol by an unidentified person.

On 15 July I received a reply from the authorities informing me that investigations were launched in both cases: in the Kunitsyn's case on hooliganism charges (a suspect was identified and detained) and in the Kuchmenko's case on charges of intentional infliction of "medium-gravity damage" to health.

On **9 June** I replied to the letter from the authorities of 24 May in which they shared their thoughts about the issue of propaganda and raised concern about growing accusations of Russian media in spreading propaganda. The authorities also welcomed the dialogue supported by my Office between the Russian and Ukrainian professional media organizations and suggested to broaden this process by involving regional and young journalists.

On **12 July** I issued a public statement expressing concern about a decision of the Russian Federal Financial Monitoring Service to publish an updated "list of terrorists and extremists" which included members of the media. Previously held confidential, the list included Crimean journalists Nikolay Semena from the Krym-realii online media and Anna Andrievskaya from the Centre for Journalistic Investigations.

I said that labelling journalists as terrorists because of their critical reporting cannot be justified and could put them at risk and jeopardize their safety. I called on the relevant authorities to take the names of journalists off the list.

On 21 July I received a reply from the authorities calling my statement groundless and unacceptable, because the issue has no connection to the journalists' professional activity but for their illegal call to challenge the territorial integrity of the Russian Federation.

On **8 August** I wrote to the authorities regarding denial of a Russian visa to a renowned Czech journalist and author Ondřej Soukup of the Hospodářské noviny news outlet. I asked them to reconsider the use of restrictive and selective measures in relation to media outlets in the OSCE region affected by the entry ban and allow all journalists to pursue their professional activities.

On **23 August** I wrote to the authorities regarding a number of developments.

On 20 August Yulia Latynina, a journalist and contributor to Novaya Gazeta newspaper and the Echo Moskvy radio station, was attacked in Moscow. She was doused with fecal matter by an unidentified assailant near the radio's office.

On 10 August Dmitri Remizov, the Rostov-on-Don regional correspondent for the Rosbalt news agency, was reportedly threatened and assaulted by police officers while being questioned at the regional Centre for Counteracting Extremism. Reportedly, the journalist had to seek medical assistance.

On 18 August police officers searched the house and seized personal equipment of Natalya Vakhonina, editor of the Mezhdunarodnyye Stroyeniya news agency in Nizhny Tagil. Reportedly, Vakhonina was under investigation on charges of inciting hatred for several songs posted on a social network in 2011. The news agency believed that the criminal case has been launched in retaliation for the media outlet's critical reporting on the authorities.

In addition, I expressed concern regarding the criminal case of Alexander Sokolov, an investigative journalist with the RBC media group. He was arrested along with two others on extremism charges in July 2015 and still waits for the court to begin deliberations on his case. Sokolov's detention has been extended several times, apparently due to lack or inconsistency of evidence. Some reports alleged that the journalist could be the subject of persecution because of his reporting, which includes matters related to corruption. The legitimacy of Sokolov's arrest was questioned by Russia's Commissioner for Human Rights, Tatyana Moskalkova.

I also expressed concern regarding the General Prosecutor's Office's decision of 18 August to declare the NGO Media Development Investment Fund "undesirable" in Russia for an alleged threat to the country's constitutional order and security.

On **7 September** I wrote to the authorities to call attention to attacks on journalists in Beslan in the Republic of North Ossetia.

On 3 September Elena Kostyuchenko and Diana Khachatryan, journalists with Novaya Gazeta newspaper and the Takie Dela media portal respectively, were attacked twice when covering memorial ceremonies for the victims of the school terrorist attack in 2004. Reportedly, they were hit, dragged and slapped and Kostyuchenko was doused with a non-removable liquid. Also, their mobile telephones were forcefully taken by the assailants and later returned by the police with all data meticulously erased.

On 1 September the same journalists, together with photojournalist Said Tsarnaev of RIA Novosti news agency, were detained and interrogated by police for unknown reasons.

Reportedly, the attacks took place in daylight in the presence of police officers who did not attempt to prevent them or protect the journalists. I urged the authorities to investigate these attacks.

I also expressed concern with and requested additional information about Zhalaudi Geriev, a journalist with the Kavkazskiy Uzel news website, who was sentenced by a district court in the Chechen Republic to three years in a penal colony on charges of the illegal storage of drugs. I noted reports alleging the prosecution could be in retaliation for his reporting.

On 29 September I received a reply from the Investigative Committee on some cases raised in my letters of 23 August and 7 September. I was told the following:

- the investigation in the case of Natalya Vakhonina, editor of the Mezhdunarodnyye Stroyeniya news agency, continues and experts confirmed that her posts contained information to incite;
- pre-investigations in the cases of Elena Kostyuchenko and Diana Khachatryan, journalists with Novaya Gazeta newspaper and the Takie Dela media portal, were launched;

- no illegal actions against photojournalist Said Tsarnaev of RIA Novosti news agency were noted;
- Zhalaudi Geriev, a journalist with the Kavkazskiy Uzel news website, was sentenced on drug-related charges on 5 September.

On **3 October** I wrote to the authorities regarding attacks on journalists Grigoriy Pasko and Denis Shaikin.

On 27 September Pasko was attacked by unknown assailants in Barnaul when visiting the city to train local journalists on investigative reporting. He suffered a concussion and had to seek medical assistance. Reportedly, prior to the attack, Pasko was under surveillance and police obstructed the training by recording all participants' personal details. Also, the attack followed an article on the website Monavista, published upon Pasko's arrival to Barnaul on 26 September, which threatened the journalist in retaliation for his work.

On 20 September Shaikin, the publisher of the Moskovskiy Komsomolets Chernozemye newspaper, was assaulted by two police officers who tried to detain him in Kursk. He suffered multiple injuries and also had to seek medical assistance. Shaikin alleged that the attempted detention was illegal and was in retaliation for his investigation involving a high-level regional police representative.

I urged the authorities to swiftly investigate these attacks and ensure that both journalists are provided with a safe working environment in the future.

On 18 October I received a reply from the Interior Ministry on Shaikin's case. The authorities informed me that police detained the journalist in order to bring him to court on administrative charges. Police officers lawfully used force as Shaikin disobeyed their orders. Shaikin received abrasions on his hands as a result of his resistance. The case is under investigation.

On 4 November I received another letter on Shaikin's case. I was informed that the investigative authorities also concluded that police officers lawfully used force and Shaikin's injuries were self-inflicted.

On **3 October** I wrote to the authorities regarding the detention of Roman Suchshenko, a correspondent of the Ukrainian National News Agency, Ukrinform. Reportedly, Suchshenko was detained on 30 September in Moscow on charges of espionage. I urged the authorities to clarify if this charge is actually related to his professional activity as a journalist and, if so, release him as soon as possible. I also expressed trust that he would be immediately granted all procedural privileges in accordance with the criminal law.

On 10 October I received a reply from the authorities informing me that Suchshenko's detention is not related to his professional activity as a journalist. According to the letter he is the intelligence officer with the Ukrainian Defence Ministry who was collecting information related to state secrets. I was assured that Suchshenko's lawyer visited him and access of Ukrainian consul was agreed.

On **7 October** I issued a public statement on the occasion of the 10th anniversary of the death of Novaya Gazeta journalist Anna Politkovskaya and called on the authorities to end impunity for crimes committed against journalists.

Politkovskaya was shot and killed in Moscow on 7 October 2006 in the residential building where she lived. In June 2014 sentences were handed down to five individuals for the murder, however, the investigation was unable to name the masterminds of the crime.

On 25 October I learned that journalist Sergei Reznik, an investigative journalist and blogger in Rostov-on-Don, was released after fully serving two prison sentences. In December 2013 Reznik was found guilty of insulting a public official, bribery and deliberately misleading authorities and sentenced to one and a half years in a work colony. Later, in January 2015 while in prison, he was additionally charged by the court with false accusation and insulting public officials and sentenced to three years, which was merged with that existing at that time custody (see Reports to the Permanent Council of 18 June 2015 and 19 June 2014).

**On 3 November** I wrote to the Foreign Minister again raising the case of Roman Sushchenko, a Paris correspondent of the Ukrainian National News Agency, Ukrinform, who was arrested and charged with espionage in Moscow on 3 October. I requested assistance in visiting Sushchenko given the high profile of the case and the fact that he is currently the only foreign journalist under arrest in the OSCE region and the only journalist under arrest in the Russian Federation. I also expressed readiness to meet with relevant authorities to discuss issues related to media freedom.

On 11 November I received a reply from the authorities stating that the case falls beyond my mandate. I was again assured that Suchshenko's detention is not related to his professional activity and the journalist has been granted all procedural privileges.

**On 25 November** I received a letter from the authorities in which they expressed concern regarding a European Parliament resolution on EU strategic communication to counteract propaganda against it by third parties and its possible negative implications on Russian media outlets.

## **Serbia**

**On 11 April** I issued a public statement to commemorate the 17th anniversary of the murder of prominent journalist Slavko Ćuruvija and urged authorities to end impunity for crimes committed against journalists. I reiterated my support to the authorities and the Commission for the Investigation of Murders of Journalists in their investigations to bring all perpetrators to justice.

**On 11 June** I issued a public statement noting the 15th anniversary of the murder of journalist Milan Pantić and recalled other unsolved cases in Serbia. Pantić was killed by unknown assailants on 11 June 2001 in front of his home in the city of Jagodina.

**On 17 June** I issued a public statement condemning the murder of radio journalist Luka Popov in Srpski Krstur. I called on authorities to investigate every attack on media members or else a culture of impunity would prevail.

**On 20 June** I publicly welcomed the swift reaction of local law enforcement authorities who arrested three people for the murder of Popov. I remain hopeful that this trend would continue to resolve other cases of murder and attacks against journalists, including Dada Vujasinović, Slavko Ćuruvija, Milan Pantić, Davor Pašalić and Predrag Blagojević.

On **16 September** in a public statement I called on authorities to fully investigate acts of intimidation and threats directed at several journalists.

The most recent incidents involve death threats to Nedim Sejdinović, president of the Independent Journalists' Association of Vojvodina; Dinko Gruhonjić, programme editor at NDNV and Slobodan Georgijev, a journalist with the Balkan Investigative Reporting Network in Serbia. Other incidents include threats against Dragana Pećo and the editorial staff of the investigative online news portal KRIK; Boris Džinić, a journalist at Nocturne magazine; Maja Živanović, a journalist with Vojvodina's Investigation and Analytical Centre in Novi Sad and Zoran Kesić, a journalist and anchor of the 24 Minutes television programme.

On **23 September** I publicly called on all responsible stakeholders in Bosnia and Herzegovina and in Serbia, in particular the media, to refrain from inflammatory language that could incite hatred. I highlighted that media have a code of ethics to respect and follow and the consequences of not abiding by these fundamental principles can be devastating.

## **Turkey**

On **31 March** I issued a public statement calling on the authorities not to prosecute journalists Can Dündar and Erdem Gül for their reporting on issues of public interest. Dündar, editor of Cumhuriyet and Gül, the newspaper's Ankara bureau chief, faced aggravated life sentences, an additional life sentence and 30 years in prison for allegedly revealing state secrets in a May 2015 newspaper article. A week earlier, on 25 March, an Istanbul court ordered the trial of the two journalists to begin behind closed doors after a prosecutor said that the evidence to be presented included state secrets. The ruling drew widespread condemnation from international and national human rights groups and media NGOs. I emphasized that imprisoning journalists for reporting on issues of public interest is never acceptable and the responsibility for protecting state secrets lies with officials and not with journalists.

On **14 April** following the killing of Syrian journalist Mohammed Zahir al-Sherqat, I called on the authorities to do their utmost to ensure safe working conditions for journalists. Zahir al-Sherqat was shot on 10 April in Gaziantep in southern Turkey and died from his wounds on 12 April. He had received death threats for his work. This was the fourth killing of a Syrian journalist in southern Turkey claimed by the terrorist organization ISIL/DAESH in a short period of time.

On **15 April** I issued a public statement expressing concern about the state of Internet freedom following the blocking of the Russian news agency Sputnik's website. On 14 April the telecommunications authority TİB, citing technical analysis and legal considerations based on Article 8/A of Law Nr. 5651, blocked the Sputnik news website by administrative action. The news agency said they were not notified of the decision. I emphasized that blocking websites was a highly disproportionate measure, as it impedes on the public's right to access information on the Internet and negatively affects media pluralism and free expression. I added that more than 110,000 websites and thousands of news and social media related URLs were reportedly blocked from Turkey at that time, many without judiciary oversight.



I referred to the OSCE Guidebook on Media Freedom on the Internet, published in March 2016 ([www.osce.org/fom/226526](http://www.osce.org/fom/226526)), which warned that blocking was not an effective method to address problems associated with Internet content and could have serious side effects, including over-blocking. I repeated that the Internet Law of Turkey remained in urgent need of reform and offered assistance to the authorities to bring it in line with related OSCE commitments.

**On 20 April** I wrote to the Foreign Minister to convey concern regarding the denials of entry of two foreign journalists. On 19 April Volker Schwenck, a journalist with the German public service broadcaster ARD and the station's Cairo bureau director, was taken to the deportees section of Atatürk Airport in Istanbul and returned to Cairo later that day. He was on his way to the Syrian border to report on the refugee situation. On the same day, Tural Kerimov, bureau chief of the website of the Russian news agency Sputnik, was stopped from entering Turkey at Atatürk Airport. His credentials were taken and he was returned to Russia the next day. He said he was not given explanation why he was not allowed into the country.

I emphasized my earlier Communiqué “On denial of entry of journalists from one OSCE participating State to another” and said that more than 40 years ago in the Helsinki Final Act the participating States agreed to ease travel requirements for journalists. I also noted with concern the increased number of foreign journalists denied entry, including Der Spiegel correspondent in Istanbul, Hasnian Kazim; Norwegian Afterposten journalist Silje Kampesaeter and British journalists Jake Hanrahan and Philip Pendlebury, both with Vice News. The deportation of French journalist Olivier Bertrand last month and the short detention of two Swedish television journalists filming in southeastern Turkey are the latest related cases being closely monitored by my Office. I asked for the opportunity to visit Ankara in the near future to seek a joint way with the authorities to improve media freedom and freedom of expression in the country.

**On 28 April** I publicly condemned the prison sentences imposed on Cumhuriyet journalists Ceyda Karan and Hikmet Çetinkaya for republishing a cartoon. I expressed concern that journalists could face imprisonment in Turkey for merely expressing their views and solidarity with the killed Charlie Hebdo cartoonists and noted that publishing materials that may offend a part of the society does not justify censorship, let alone imprisonment. My statement came after a court sentenced the two columnists to two years in prison on charges of inciting public hatred and insulting religious values. I called on the authorities to ensure the safety of the two journalists who have been subject to threats and intimidations for their work.

**On 20 June** I issued a public statement about the detention of two journalists and a human rights activist for expressing solidarity with their colleagues, calling it a most severe blow to freedom of expression and media freedom. Erol Önderoğlu, Reporters Without Borders Turkey representative, Ahmet Nesin, a freelance journalist and Şebnem Korur Fincancı, head of the Turkey Human Rights Foundation, appeared in court that day to face charges of terrorist propaganda, expressing solidarity and participating in events organized by the Kurdish media outlet Özgür Gündem. Following court proceedings, all three were detained. Of the more than 40 journalists who supported the campaign; 37 already have been investigated for their support at the time of my statement. I also noted that Erol Önderoğlu has been working with my Office for many years on projects and publications.

On **1 July** in a public statement and in a letter to the Foreign Minister I welcomed a court decision to release journalist Önderoğlu from prison. I expressed concern that the charges levied against Önderoğlu remained and he and his colleagues continued to face prison sentences of between two and 14 years if convicted. I emphasized that reporting on issues of public importance remained a core function of journalism and an indispensable element of pluralistic debate in societies and repeated my call to the authorities that those in prison for reporting be released without delay.

On **11 July** I wrote to the authorities to ask for information regarding the denial of entry for a Russian journalist. On 30 June RIA Novosti correspondent Dmitry Vinogradov was banned from entering the country and reportedly he was not informed why his name was put on a list of persons not allowed to enter.

On **16 July** I issued a public statement expressing regret over the death of photojournalist Mustafa Cambaz and expressed concern about the state of media freedom in the country. I said that the authorities must do their utmost to ensure journalists' safety and free flow of information during times of crisis. Cambaz, a photojournalist with the media outlet Yeni Safak, was shot the previous night during the unrest, while a number of members of the media were detained for a short period of time. Some journalists were injured while reporting about the events. I noted that journalists continued to put themselves in great danger in order to provide information to the public and emphasized that they must be able to report freely and safely. I also noted reports that the editorial offices of several newspapers, including the Hürriyet newspaper, Hürriyet Daily News, and broadcaster CNN Türk, were raided and taken over for a few hours by a group of soldiers in Istanbul. I welcomed the attention attributed to journalists' safety by Prime Minister Binali Yıldırım in his public remarks on that day, expressing regret for any harm that media members might have suffered during the events.

On **19 July** I wrote to the authorities asking for information regarding the denial of entry of two Russian journalists into Turkey. According to media reports, Valentin Trushnin, a reporter of Ren TV, was detained at an Istanbul airport on 18 July and returned to his departure of origin the following day. Also on 18 July cameraman Michail Fomichev, from the same media outlet, was banned from entering the country and was required to return to Baku, where his flight originated.

On 9 August I received a reply from the authorities, indicating that Dmitry Vinogradov, Valentin Trushnin and Michail Fomichev did not have accreditation as members of the press. The letter also noted that as a matter of reciprocity, starting from 15 February 2016, journalists from the Russian Federation were required to have a valid visa to enter Turkey. The letter also indicated that all three persons were free to apply to the relevant missions for a valid visa to travel to the country, in which event their cases may be subject to reconsideration.

On **21 July** I stated publicly that the mass cancellation of broadcasting licenses, criminal investigations started and the dismissal of hundreds of journalists at the state broadcaster and blocked websites were the latest, severe challenges to freedom of expression and media freedom in Turkey. Fully aligning myself with the statement made by the Chairperson-in-Office and German Foreign Minister Frank-Walter Steinmeier and OSCE Secretary General Lamberto Zannier on 16 July, I strongly condemned any attempt to change the democratic order of Turkey through the use of force. I emphasized that democratically elected governments must be safeguarded, but they in turn must protect media freedom and support

the role journalists play in ensuring and strengthening democracies. Fully recognizing the difficult times that Turkey was going through, I urged the authorities to ensure media freedom offline and online in line with their international commitments.

I noted that on 19 July the Radio and Television Supreme Council of Turkey cancelled the licenses of two dozen radio and television stations that allegedly support the Gulen movement. I urged the authorities to ensure that pluralistic debate, diverging views and the safety of journalists were respected. Also on 19 July the Ankara Public Prosecutor's Office launched an investigation against 370 staff members of the state broadcaster TRT, for their alleged links to the Gulen movement. I also expressed concern about the rapidly growing number of blocked websites in Turkey. In the previous few days, dozens of websites suspected of endangering national security and public order had been blocked. More than 112,000 websites were reported being blocked.

I also noted with deep concern reports about death threats being made in social media against journalists critical to the authorities and emphasized the importance of journalists' safety. I recalled warnings in several major media outlets announcing the possible arrests of members of the media on terrorism charges. I said that Turkey held more journalists in prison than any OSCE participating State, a fact my Office has raised attention to by regularly publishing a detailed table on imprisoned journalists. I offered the continued assistance and expertise of the Office to the authorities in ensuring that media freedom and freedom of expression were protected, even during difficult times.

On **28 July** in a joint statement with UN Special Rapporteur on the right to freedom of opinion and expression David Kaye, I condemned the crackdown on journalists and media launched by the government in the wake of an attempted coup. We expressed alarm at recent measures adopted by the authorities, noting that dozens of journalists have been reportedly arrested and a large number of media outlets closed in the previous 24 hours. We emphasized that the simultaneous arrests of independent journalists and shutdowns of print and broadcast media struck a major blow against public debate and government accountability and strongly urged the authorities to reconsider these decisions and confirm their obligations to media freedom.

Reports indicated that the government ordered the closure of three news agencies, 16 TV channels, 23 radio stations, 45 newspapers and 15 magazines. Since the attempted coup, authorities have issued arrest warrants against 89 journalists and have already arrested several of them, blocked access to more than 20 news websites, revoked the licenses of 29 publishing houses, and cancelled a number of press accreditations. I noted that the wave of restrictions against media groups did not meet the basic international standards concerning restrictive measures even in times of emergency. I added that the disregard for any assurance of due process was flagrant and only contributed to the extreme levels of insecurity affecting all those working to inform people of the ongoing crisis in the country.

I reiterated my Office's readiness to assist Turkey in improving media freedom, including a visit to the country.

On **2 September** I wrote to the Foreign Minister to ask for his support in ensuring that journalists suffering from health problems in prison receive immediate and appropriate medical attention. My Office had received information about the deteriorating health of several, including writer, columnist and academic Şahin Alpay, detained on 27 July, whose

family said he was not receiving essential medication; journalist Bayram Balcı, detained on 17 August, who underwent an operation two weeks before his detention; novelist and journalist Aslı Erdoğan, detained on 17 August, suffering from chronic pulmonary disease and pancreatic and digestive health problems; journalist Emre Soncan, detained on 29 July, suffering from a serious kidney disease that requires daily medical tests and a strict diet; journalist Haşim Söylemez, detained on 29 July, who recently underwent brain surgery and reportedly had a hard time standing while in detention. I also noted the alarming reports about numerous journalists held in solitary cells, allegedly beaten and refused access to fresh air.

On **22 September** together with ODIHR Director Michael Georg Link, I congratulated the daily Turkish newspaper Cumhuriyet on receiving the Right Livelihood Award, more commonly known as the “Alternative Nobel Prize.” The news of the award came as Can Dündar, former editor-in-chief of Cumhuriyet, was taking part in the annual OSCE Human Dimension Implementation Meeting in Warsaw.

I noted that free and independent media plays an instrumental role in democracies and this award was a testament of that. I added that particularly in challenging times, critical and independent voices need to be protected, not suppressed and silenced.

On **31 October** I publicly condemned the arrest of the editor-in-chief of Cumhuriyet, Murat Sabuncu, and three of its columnists, Güray Öz, Aydın Engin and Kadri Gürsel. Gürsel is also a member of the board of the International Press Institute.

On the same day, law enforcement officials also raided several other Cumhuriyet journalists’ homes, including Hikmet Çetinkaya and Musa Kart and Akın Atalay, the newspaper’s chairperson of the board. The raids were initiated following an İstanbul court decision to issue detention warrants for 13 of the newspaper’s journalists, including Can Dündar.

Reportedly, since the coup attempt, more than 125 media outlets have been closed and more than 100 journalists have been detained, bringing the total number of journalists currently in prison to more than 140.

I repeated that anti-terrorism legislation and other legislation currently used to restrict media freedom go far beyond what may be justifiable under a state of emergency and this worrying trend needs to be reversed immediately.

On 8 November I received a letter from the authorities including a description of the prison situation and health of Haşim Söylemez, Emre Soncan and Şahin Alpay. The letter stated that the detainees had continuing access to health care and although their legal counsel and relatives and they, themselves, had the opportunity to report any allegations of ill treatment to the Silivri Public Prosecutor’s office, no such reports were made.

The authorities said the allegations of ill treatment that I noted in my letter were of a general and abstract manner. The letter also detailed the situation of journalist Aslı Erdoğan, saying that she was provided with various medications following her preliminary medical examination and placed at her request alone in a room, with full-day access to a courtyard. The letter also referred to the statement of the Ministry of Justice dated 25 August, underlining the baselessness of any allegations of ill treatment and poor conditions in detention.

The letter further noted that journalists are not immune from criminal investigations and communications with regard to such individuals as mentioned in my letter do not serve the cause of advancing human rights and fundamental freedoms, but in fact do injustice to law-abiding, peaceable citizens. The letter suggested that my Office's reputation would further benefit from keeping this distinction in mind and adhering to it in my correspondence with the authorities concerning specific cases.

### **Turkmenistan**

On **19 July** I wrote to the authorities concerning the status and whereabouts of a freelance correspondent Saparmamed Nepeskuliev, who is serving a three-year prison term on charges of possession of illegal drugs. It is not known where Nepeskuliev is serving his sentence and he is not allowed to meet with his family. I asked for additional information on his case.

On 5 September I received a reply from the authorities about the current status of Nepeskuliev indicating his current health status and his location.

On **7 November** I wrote to the authorities to request a long-distance medical examination of Nepeskuliev by an independent expert to determine if there is a need for medical treatment. He is still serving a three-year prison sentence.

On **21 November** I wrote to the authorities asking that law enforcement to investigate assaults and harassment of a RFE/RL correspondent Soltan Achilova, who was attacked twice in one month.

### **Ukraine**

I learned that on 17 March the National Television and Radio Broadcasting Council removed 14 Russian channels from the list of foreign programs retransmitted in Ukraine. Reportedly, the decision was, in part, enacted in line with legislation that allows suspending broadcasts which include individuals who have been determined to threaten the national security of the country. Earlier I raised concern about this legislation and the results of its enforcement because it restricts free media and hinders media pluralism (See Regular Reports to the Permanent Council of 18 June 2015 and 10 March 2016).

Some of the channels were reportedly banned for showing commercials, an action prohibited for outlets that do not fall under the European Convention on Transfrontier Television. Six more Russian channels were reportedly banned on 14 April and 12 May respectively.

On **19 April** I issued a public statement expressing concern about the intimidation of journalist Nikolay Semena in Crimea. In the early hours of 19 April Semena's apartment in Simferopol was searched and his equipment was seized. The journalist was detained and released after several hours of interrogation. I said that Semena's detention shows the urgent need to stop the arbitrary practice of silencing journalists in Crimea.

I also noted that similar intimidating actions took place on the same day against a number of other residents of Crimea, including photographer Lienara Abibulaeva and Ruslana Lyumanova.

Reportedly, Semena is under investigation on charges of public calls aimed at challenging the territorial integrity of the Russian Federation. He is currently subject to a travel ban.

On **22 April** I issued a public statement warning about legislative steps that could limit the free flow of information. On 20 April the President of Ukraine signed amendments to the law on cinema which tighten restrictions on the distribution and broadcast of certain audio-visual materials, thus allowing a blanket ban on all Russian films produced or released since the beginning of 2014. I said that even under states of hostilities, democratic countries have a responsibility to carefully address the potentially problematic content, for example through the use of appropriate judicial mechanisms, in order to avoid overbroad steps and the introduction of censorship-like provisions.

I learned that on 25 April, in accordance with the new legislation, the State Agency on Cinema cancelled the registration and broadcast license of 32 Russian films.

On **26 April** I wrote to the authorities regarding a number of incidents involving media outlets and journalists in Ukraine.

According to reports, on 22 April the office of the television channel Ukraine in Kyiv was attacked by a group of about 15 people that entered the premises, splashed the lobby with red paint and scattered leaflets with intimidating expressions.

On 6 April Vitaliy Franzyuk, a cameraman with the channel NTN, reportedly was obstructed by several people in the presence of police officers while filming a crime scene in Kyiv. According to Franzyuk, his camera was damaged.

Yaroslav Bugakov, a journalist with the channel 1+1, was attacked on 1 April in Kyiv by an unidentified person who reportedly, along with several other people, had been following the station's journalists. Another 1+1 journalist, Vladimir Silyakov, reportedly was threatened by the same followers. According to the channel, its journalists have been subject to intimidation because of their professional activities.

On 1 April the office of the Television Studio of Konotop channel in the Sumy oblast was the subject of an arson attack which substantially damaged equipment and caused broadcasting to be suspended.

I also brought to authorities' attention new reports about journalists being denied entry into Ukraine and asked for additional information.

On 23 April correspondent Darya Grigorova with the Russian State Television and Radio Broadcasting Company was denied entry at the Kyiv airport and banned from the country for five years.

On 14 April four Belarusian reporters with MIR Television and Radio Company were denied entry to the country at the Belarusian-Ukrainian border. The crew was reportedly heading to the town of Pripyat to shoot a documentary in connection with the 30th anniversary of Chernobyl nuclear accident.

On **26 April** I issued a public statement expressing concern about the obstruction of the work of Savik Shuster, a journalist, producer and host of the “Shuster Live” television show in Ukraine.

According to reports, the Kyiv City Employment Centre annulled Shuster’s work permit. The annulment was made after Shuster allegedly did not inform the authorities about the existence of a criminal record. Shuster, a Canadian citizen, denied the existence of such a record and considered the development as pressure on his professional activity. As the circumstances of the case raises a number of concerns and questions, I urged the authorities to quickly look into the matter, making sure that the journalist’s rights are safeguarded and that Shuster is allowed to continue performing his work in a free and safe manner.

I learned that on 28 April the annulment of Shuster’s work permit was suspended and on 13 June the Kyiv administrative court fully revoked the decision of the Employment Centre.

On 29 April I received a reply from the authorities to my letters of 19 February and 2 March regarding a number of incidents and issues involving media outlets and journalists (See Report to the Permanent Council of 10 March 2016).

On **3 May** I wrote to Viktoriya Siumar, Head of Committee on Freedom of Speech and Information Policy of the Verkhovna Rada, in reply to her letter of 21 April regarding the intimidation of journalist Nikolay Semena, as well as similar actions against photographer Lienara Abibulaeva and Ruslana Lyumanova. I informed her about my statement on the issue of 19 April and noted that it was difficult for me to give a comprehensive assessment of the current state of affairs of media freedom in Crimea since I cannot travel there.

On **3 May** I wrote to Iurii Artemenko, Chairman of the National Council of Television and Radio Broadcasting, in reply to his letter of 12 April expressing concern about illegal use of Ukrainian radio frequencies by *de facto* authorities in Crimea to broadcast television and radio broadcasting programmes of the Russian Federation. I said that the International Telecommunication Union, a United Nations specialized agency, is the best international platform at which to address the matter.

On **11 May** I issued a public statement expressing concern about the safety of journalists and media members following an incident where personal information of journalists was leaked. The Kyiv-based website “Mirotvorets” revealed personal information of more than 4,000 representatives of various Ukrainian and international media outlets, including CNN, Agence France-Presse, Reuters, BBC, New York Times, Vice News and Al Jazeera, who were accredited by the so-called “Donetsk People’s Republic.” The website alleged that these journalists “co-operated with terrorist organizations” and violated Ukrainian legislation.

On 12 May I learned that the court sentenced a freelance journalist Ruslan Kotsaba to 3.5 years in prison for impeding the work of the Armed Forces of Ukraine. I raised his case previously (See Reports to the Permanent Council of 18 June 2015 and 10 March 2016). On 14 July I learned that the appeals court acquitted Kotsaba.

On **24 May** I issued a public statement calling on the authorities to conduct a swift investigation of the attack on Anatoly Ostapenko, a journalist with Hromadske TV in Zaporizhzhia. Ostapenko was beaten by three unidentified men while on his way to his office and sustained several injuries. I also mentioned the cases I had raised in my letter of 26 April.

On 28 June and 11 July I received replies from the authorities to my letter of 26 April and press release of 24 May informing me that all attacks were being investigated.

On 27 May I learned that the district court in Kyiv found two people guilty in the killing of journalist Sergei Sukhobok, co-founder of several online news portals and contributor to several Ukrainian media outlets (See Report to the Permanent Council of 18 June 2015). According to reports they were each sentenced to eight years in prison.

On **2 June** I issued a public statement calling for a swift and transparent judicial procedure to identify those responsible for the disclosure of personal data of journalists accredited in the east of Ukraine on the Mirotvorets website.

According to reports, Kyiv police launched an investigation into the obstruction of the lawful professional activity of a journalist and requested that the journalists listed on the Mirotvorets website file formal complaints if they indeed have been intimidated or received threats.

On **20 July** I issued a public statement condemning the murder of journalist Pavel Sheremet in Kyiv. Sheremet, a journalist with Radio Vesti and the Ukrainskaya Pravda online media outlet, was killed in a car-bomb explosion. I emphasized that this killing and its circumstances must be quickly and thoroughly investigated and the perpetrators brought to justice.

I also recalled the murder of the prominent Ukrainian journalist Georgyi Gongadze, founder of Ukrainskaya Pravda, in 2001 and reiterated my call on the authorities to fully investigate that crime.

On **10 August** I wrote to the Foreign Minister again to raise the issue of leaking journalists' personal data as I have received information about threats against some of those journalists from several sources.

I emphasized that it is important for the government to ensure the safety and security of journalists and acknowledge the importance of their unhindered activities for the benefit of democracy in the country. I also reiterated my call to identify those who are behind the disclosures.

On **29 August** I issued a public statement calling on the authorities to carry out a thorough investigation into the death of journalist Alexander Shchetinin. On 28 August Shchetinin, a journalist with and founder of the Noviy Region online news agency, was found dead in his apartment in Kyiv from a gunshot wound. Shchetinin, originally from the Russian Federation, worked as a journalist in Ukraine for several years.

I also reiterated my call on the authorities to improve the fragile situation regarding the safety of journalists and fully and effectively address the issue of impunity.

On **5 September** I issued a public statement condemning an arson attack against Inter, a nationwide television broadcaster, which took place on 4 September during a demonstration in Kyiv. Several people suffered from smoke inhalation and needed medical attention. Prior to the attack the broadcaster was accused of disloyalty to Ukraine by some government officials and leaders of nongovernmental organizations,



I said that violence is never an acceptable response to disagreements with editorial policy, even if the reporting is seen as provocative and controversial. In February I expressed concern about protests against the editorial policy of the channel (See Report to the Permanent Council of 10 March 2016).

I also expressed concern that Inter reporter Daniil Rusakov was denied entry to Ukraine on 1 September and that several staff members, including former journalist Maria Stolyarova and manager Igor Shuvalov of the National Information Systems Company, which produces content for Inter, were reportedly investigated by national security services.

On 18 October I learned that the Prosecutor's Office called the arson attack a terrorist act and submitted the case for investigation by the Security Service of Ukraine.

**On 29 September** I wrote to the Foreign Minister regarding developments involving channel 112, related to its dispute with the National Television and Radio Broadcasting Council of Ukraine and possible challenges to its ownership.

Reportedly, for about two years, the channel has been trying to renew its broadcast license in accordance with a new programming concept. The Broadcasting Council has denied these requests based on various irregularities and, currently, the issue is being considered in court. While this dispute has many components, I expressed hope that until all issues are resolved the channel will continue to broadcast freely based on fair and proportional regulation and international media freedom obligations.

In parallel, there were reports that the channel was encountering pressure aimed at changing its ownership, involving politicians and the business community. I asked the authorities to carefully review these reports to prevent any possible violations of the law that might have negative implications for the outlet's activity, thus affecting media pluralism.

**On 14 October** I issued a public statement following a four-day visit to Kyiv and meetings with the Foreign Minister, officials with the Verhovna Rada, the Ministry of Interior and the Prosecutor's office, as well as journalists and representatives of civil society.

During the visit I discussed pressing media freedom issues, including the need to intensify efforts to end impunity for crimes committed against journalists and to safeguard media pluralism. I stressed that the cases of Ukrainian journalists Roman Sushchenko, detained in Moscow and Nikolay Semena, under house arrest in Crimea, remain at the top of my agenda.

I also met with Sevgil Musaeva, the editor-in-chief of Ukrainska Pravda, to pay tribute to journalist Pavel Sheremet, who was killed in July; the Director General of the National Television Company, Zurab Alasania; the management and members of the National Union of Journalists of Ukraine; representatives of Inter TV and media representatives from Crimea, Donetsk, Kyiv and Odesa.

I learned that on 17 October the President signed a decree extending sanctions against several hundred companies and individuals that pose a "threat to national interests" or promote "terrorist activities" which were introduced in September 2015 (See Report to the Permanent Council of 26 November 2015).

On **20 October** I wrote to the Foreign Minister conveying concern about the case of Svetlana Kryukova, deputy editor of the Strana.ua news website and a well-known investigative journalist. The journalist was reportedly searched by border service representatives upon arrival at the Kyiv airport on 17 October. No clear explanation for this action was provided.

I was particularly concerned that the incident follows the reports that Kryukova has been summoned to the SBU for questioning in relation to her past reporting. In addition, she had been harassed in January 2016 when her car was severely damaged by unknown people. Despite a reported investigation, no perpetrators have been found. Reportedly, the attack could be in retaliation for Kryukova's investigative work.

I asked the authorities to investigate the circumstances of this incident so that the journalist could continue to carry out her professional activity in an independent and safe manner.

On **24 October** I wrote to the authorities regarding a draft law which introduces amendments to the laws on printed mass media and on publishing and restricts access of foreign printed materials with "anti-Ukrainian content" to the Ukrainian market. According to reports, the draft law, proposed by the Government, was submitted for consideration by the Verkhovna Rada on 20 October.

I expressed concern that the draft law has the potential to limit the free flow of information and, if adopted, may introduce a ban of many foreign publications. In particular, the draft law contains provisions that build upon broadly and vaguely defined language in some existing legislation that restricts individuals from expressing their views on contested, but possibly legitimate issues, the matter I have raised on several occasions in the past. The draft law also gives a discretionary power to the state institutions to interpret and apply the law to foreign publications, which could lead to disproportionate restrictions on media in general.

Earlier, on 27 August 2015, I voiced my concern regarding the ban on the importation of 38 books published in the Russian Federation, which were declared "anti-Ukrainian" (See Report to the Permanent Council of 26 November 2015).

On **9 November** I wrote to Andriy Parubiy, Chairman of the Verkhovna Rada, regarding amendments to the law on television and radio broadcasting and other laws regarding the use of language in broadcast media.

The draft law requires television media to broadcast 75 percent and 50 percent of national and regional coverage, respectively, during the prime time in the Ukrainian language.

While not challenging the right of the state to define its language policies, I expressed concern that the draft law might endanger media pluralism and fair competition in the media market and negatively affect the diversity of ideas and opinions, especially among the non-Ukrainian speaking population.

I offered the assistance of my Office in commissioning an expert assessment of the proposed amendments and provide relevant policy recommendations in line with international standards and OSCE media freedom principles.

**United Kingdom**

**On 27 September** I wrote to the Secretary of State for Foreign and Commonwealth Affairs to inquire about matters surrounding Syrian journalist Zaina Erhaim, whose passport was confiscated by U.K. border authorities at the request of Syrian authorities who reported the passport as lost.

I said that I hoped U.K. authorities would do everything in their power to assist Erhaim in obtaining necessary travel documents.

**On 29 September** I issued a public statement urging the authorities to intensify efforts to find the killers of investigative journalist Martin O’Hagan, who was shot and killed in Northern Ireland 15 years ago. I said it was high time for justice to be served.

**On 4 October** I joined with David Kaye, United Nations Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, in a letter to the Secretary of State for Culture, Media and Sport, expressing concern about proposed changes to the BBC’s governance structure that might inappropriately politicize the selection process. We also expressed concern about the potential impact of provisions of the Royal Charter of 2013 on press regulation on the independence of public service broadcasting and press regulation in the United Kingdom.

**On 18 November** I issued a public statement warning that the Investigative Powers Act, recently passed by the Parliament, could severely threaten the confidentiality of journalists’ sources and investigative reporting when it becomes law. The Act allows law enforcement agencies to monitor journalists’ IT and communication equipment following approval by the Home Secretary and without judicial oversight and requires telephone and Internet service providers to maintain users’ connection data for up to a year and make it available to law enforcement.

On 18 November I received a reply from Tobias Ellwood, Parliamentary Under Secretary of State, in response to my letter regarding Zaina Erhaim. He reiterated the facts of the incident and indicated that the British government has no contact with the Asad regime due to the atrocities it has committed against the Syrian people, the passport is being retained by British authorities.

On 18 November I received a reply from Karen Bradley, Secretary of State for Culture, Media and Sport, to the letter from David Kaye and me regarding BBC governance and the Royal Charter on self-regulation. She responded in detail to the selection process for BBC board members and indicated that the Director General, acting independently of the Board, will have the final responsibility for editorial matters and creative output.

Regarding regulation of print media, the Secretary indicated that she would welcome our views on the implementation of Section 40 of the act governing media self-regulation.

### **United States**

**On 17 June** I issued a public statement expressing condolences upon learning about the death of Jacinto Torres Hernandez, a freelance reporter for La Strella, the Spanish-language edition of the Fort Worth Star-Telegram.

On 13 June Hernandez was found shot to death in the backyard of a house in suburban Fort Worth. I expressed hope that the authorities would apprehend the assailant and be brought to justice. To date, an assailant has not been identified.

**On 4 July** I issued a public statement welcoming the signing into law of the Freedom of Information Act Improvement Act which would improve current transparency legislation and access to information in the country.

The new law sets out a presumption of openness, sets a minimum of 90 days for requesters to file FOIA appeals and makes a number of various other procedural improvements to the Freedom of Information Act 50 years after it was first signed into law. The bill comes in response to an attempt to expedite the process of requesting information from the federal government.

**On 25 July** I issued a public statement welcoming a revision to the Department of Defense War Manual which better recognizes the status and role of journalists under the law of war. The first version of the manual, released in June 2015, said that journalists in general are to be considered civilians, but that they also may be “members of the armed forces, persons authorized to accompany the armed forces, or unprivileged belligerents.”

The original version of the manual also included provisions which likened war reporting to spying and censorship. In the updated version of the manual, these provisions have been abolished.

I said working as a journalist in a conflict zone is a very dangerous job and the revised manual is one of many efforts needed to improve journalists’ safety.

**On 14 September** I issued a public statement expressing concern about the issuance of an arrest warrant for Amy Goodman, a broadcast journalist, stemming from coverage of protests concerning an oil pipeline on Native American land in North Dakota. Charges are pending.

I said that pressing charges against a journalist for trespassing while reporting on an event of national significance can have a negative impact on journalists’ right to do their work and called on the authorities to drop the charges.

## **Uzbekistan**

**On 29 April** I issued a public statement urging the authorities not to use amendments on anti-terrorism measures to the Criminal Code adopted on 25 April to limit journalists’ access to information. The amendments would establish a blanket ban on the use of religion through mass media and the Internet seeking “to violate civil concord, dissemination of defamatory, destabilizing fabrications, and committing other acts aimed against the established rules of behavior in society and public safety,” as well as materials “aimed at spreading panic among the population.”

**On 3 October** I wrote to the authorities to address the Amendments to the Criminal Code and the Code of Administrative Responsibility adopted on 23 September, which penalizes the unsanctioned gathering and distribution of information containing citizens’ private information or family secrets. I said the provisions may have negative repercussions for journalists in the country because the right to privacy should not be used to prevent

journalists from investigating or publishing stories of public interest and there should be an exemption added to this legislation protecting media.

On **10 October** I issued a public statement concerning the detention of and physical violence against Uzbek photojournalist Timur Karpov. On 6 October, Karpov, a freelance photojournalist for Fergananeews.com, was on an assignment in the Boka district in eastern Uzbekistan when he was detained. Karpov was beaten and held in custody for approximately 10 hours.

## **Communiqués**

On **1 September** I issued a communiqué on free expression and the fight against terrorism. I noted that terrorist attacks and attendant national security concerns are altering and challenging our thinking about human rights and fundamental freedoms, including the right to free expression and media freedom. I said that unduly restricting those rights runs counter to fundamental principles of the OSCE, as stated most recently in the Astana Declaration in which participating States reiterated the commitment to comprehensive security relating the maintenance of peace to respect for human rights.

I said that counter-terrorism measures restricting the right to free expression and free media must be in compliance with international standards, most notably Article 19 of the UN Covenant on Civil and Political Rights and strictly adhere to the principles of legality, necessity and proportionality and implemented in accordance with the rule of law.

In fully recognizing the right and obligation of participating States to protect and to keep our societies safer I recommended that participating States:

- (i) Ensure journalists' freedom and safety at all times, including while reporting on terrorism.
- (ii) Recognize that free expression and the use of new technologies are also tools to fight terrorism by creating social cohesion and expressing alternative narratives.
- (iii) Clearly and appropriately define, in line with international human rights law, the notions of violent extremism, terrorism, radicalization and other terms used in legislation, programs and initiatives aimed to prevent and counter terrorism.
- (iv) Acknowledge that the media has a right to report on terrorism. Requests for media blackouts of terrorist activities must be avoided and media should be free to consider, based on ethical standards and editorial guidelines, available information to publish in the public interest.
- (v) Fully respect the right of journalists to protect sources and provide a legal framework securing adequate judicial scrutiny before law enforcement and intelligence agencies can access journalists' material in terror investigations.
- (vi) Refrain from indiscriminate mass surveillance because of its chilling effect on free expression and journalism. Targeted surveillance should be used only when strictly necessary, with judicial authorization and independent control mechanisms in place.
- (vii) Acknowledge that anonymity and encryption technologies may be the only guarantee for safe and secure communications for journalists and therefore are a prerequisite for the right to exercise freedom of expression. Blanket prohibitions are disproportionate and therefore unacceptable, and encryption regulation

- introducing “backdoors” and “key escrows” to give law enforcement and intelligence access to “the dark web” should not be adopted.
- (viii) Only restrict content that is considered a threat to national security if it can be demonstrated that it is intended to incite imminent violence, likely to incite such violence and there is a direct and immediate connection between the expression and the likelihood of occurrence of such violence.
  - (ix) Review applicable laws and policies on counter-terrorism and bring them in line with the above principles.

The communiqué is available at <http://www.osce.org/fom/261951?download=true>

**On 23 November** I issued a communiqué on criminal and administrative prosecution for social media activities and the impact on freedom of expression and freedom of the media.

I noted that criminal and administrative prosecution for activities on social media platforms that involve responding to existing content (i.e. sharing, re-posting, uploading, liking, quoting and commenting) pose a threat to freedom of expression and freedom of the media. It contributes to an environment of fear and should be abandoned.

As a result, social media users, including members of the media, are being intimidated, fined, arrested and imprisoned for interacting or reacting to content produced by third parties or for expressing their opinions on it. This is a severe threat to free expression and media freedom and can lead to censorship and self-censorship.

I issued a series of recommendations for participating States when considering the issues surrounding the use of social media content. These include:

- Recognize that no one should be penalized for social media activities that come as a reaction or interaction with existing content;
- Recognize that no one should be penalized for the social media activities such as posting and direct messaging unless they can be directly connected to violent actions and satisfy the test of an “imminent lawless action”;
- Recognize that no one should be held liable for content on social media platforms and on the Internet of which they are not the author, as long as they do not specifically intervene in that content or refuse to comply with court orders to remove that content, where they have the capacity to do so (“mere conduit principle”);
- Recognize the necessity to decriminalize defamation, insult and blasphemy;
- Recognize that any imposition of sanctions imposed by courts of law, especially regarding social media activities, should be in strict conformity with the principle of proportionality;
- Recognize the need for education and literacy on freedom of expression and free flow of information on the Internet.

The communiqué is available at <http://www.osce.org/fom/283586?download=true>

## **Projects and activities since the last report**

### **Legal reviews**

## **Albania**

On **11 July** I wrote to Minister for Innovation and Public Administration Milena Harito replying to a request to provide a legal analysis regarding the draft Law on Amendment to Law No. 10128, dated 11.05.2008 “On Electronic Commerce.”

My Office conducted a detailed review of these amendments, proposing considerations to the authorities to ensure the final version of the Electronic Commerce law is in line with international standards and OSCE commitments on freedom of the media.

Recommendations included the following key changes and clarifications to the proposed amendments:

### **On Scope and Definitions**

- Review the scope of the Act to optimize the coverage of data protection and intellectual property aspects, with clear formulations that remove potential threats to freedom of expression;
- Review and harmonize some definitions, including “competent authority” and “illegal content” in order to avoid arbitrary application of the law;

### **On Liabilities of Hosting Providers**

- Consider adopting a rule that only notification by a court or other independent authority (issued *sua sponte* or at the request of an interested party) may place the service provider on notice of illegality;
- New rules should be introduced to guarantee basic due process in the notice-and-takedown scheme, and content providers should also have the right to seek reinstatement of their disabled content after the fact;
- Consider extending the 48-hour deadline to 72 hours in order to allow for prompt communication between service providers and the author of the contested content prior to any takedown decisions;

### **On Sanctions**

- Remove altogether the reference to “failure to comply with the obligations of Article 5.2.” which is overbroad and likely to give rise to potentially serious interferences with media freedom. Any new sanctions should be formulated with the greatest precision possible, including as to the nature of the violation that ought to be sanctioned;
- Introduce a clear list of sanctioning authorities and the alleged violations they have authority to review and sanction.

## **Latvia**

On **1 August** I wrote to Minister of Culture Dace Melbārde with a legal review as a follow-up to an invitation to contribute to the discussion on a Conceptual Proposal for a Public Service Media Law. The analysis was carried out by Professor Katrin Nyman Metcalf of

Tallinn Law School at Tallinn University of Technology, an independent communications law expert.

While the expert provided a generally positive evaluation of the text, some suggestions for improvement were provided. In summary, the expert noted that the draft should be consistent in the requirement that governing bodies be nonpolitical. It is also important that the law be interpreted inclusively where ethnicity (or religion) is not a prerequisite.

The draft apparently lacks specific rules on matters that should be regulated for public media, such as programming types, coverage of main events and the way new technologies will be embraced. It is also recommended that the ombudsman should be required to publish what measures he has taken under the remit in the interests of legal certainty, as the formulation in the draft law on freely determining measures seems to be too broad.

### **Accreditation of foreign journalists in the OSCE region**

On **8 June** I launched a report that focuses on theoretical and practical issues surrounding accreditation. The report examines international standards and scholarly approaches in order to clarify the legal nature of accreditation and explores the specifics of accreditation for foreign journalists in the OSCE region.

On the same day, based on the report, I issued a communiqué on the issue and presented the following recommendations to the OSCE participating States:

- Accreditation for foreign journalists should not be a precondition to obtain a visa or to enter a country;
- Accreditation rules should act as an enabling tool for foreign journalists to carry out their work;
- Accreditation rules should be clear and transparent in their terms and conditions, as well as grounds for denial and withdrawal;
- Freelance journalists should have the same rights to be granted accreditation as regular journalists;
- Accreditation should not serve as a tool to control content or restrict the flow of information across borders or as a sanction in response to alien propaganda.

### **Activities with International Organizations**

#### **UNESCO Information Meetings**

On **21 March** and **30 September** my Office participated in UNESCO Informational meetings in **Paris** “on a review of developments in the situation in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine),” at the invitation of Director General Irina Bokova. My representative focused on the situation surrounding free expression and free media.

#### **Visits and participation in events**

On **14 March** my Office participated in the IdeaLab seminar in **Prague** speaking on media law in post-Soviet countries. The event was organized by the Prague Civil Society Center.



On **17-18 March** my Office participated in the first meeting of the Committee of Experts on Internet Intermediaries in **Strasbourg** organized by the Council of Europe to prepare standard-setting proposals on the roles and responsibilities of Internet intermediaries.

On **19-21 March** my Office participated in the International Press Institute World Congress and World Media Summit in **Doha** “Journalism at Risk: Safety and Professionalism in a Dangerous World” where media actors met to examine topics of covering terrorism and violent extremism; threats to online journalism and cyberattacks on journalists; covering the refugee crisis; and funding models for quality journalism, among other issues.

On **28-29 March** I participated in an expert meeting on freedom of expression and privacy bringing together digital rights, media and privacy law experts to develop a new set of privacy and free expression principles. The event, which took place in **San Francisco**, was organized by Article 19.

On **30 March-1 April** I participated in RightsCon, the world’s leading conference on the future of the Internet, which brings together technology experts, human rights experts, business leaders, government representatives and investors and advocates. The event was organized by Access Now and held in **San Francisco**.

On **4-5 April** I participated in the third Global Annual Freedom of Expression Conference focusing on free expression and freedom of information law at Columbia University in **New York City** organized by Columbia.

On **4-5 April** my Office participated in the OSCE online forum in **Vienna** on “Kidnapping for Ransom,” organized by the OSCE Transnational Threats Department, where the role of media was one of the main themes discussed.

On **13 April** I met with master’s students in human rights law at the **Vienna** University, speaking on challenges to free expression and free media. My staff gave a general presentation of my Office and our projects as well as a lecture on international standards on freedom of expression.

On **21 April** my Office participated in training of Ukrainian and Russian journalists in **Kyiv** on professional and ethical standards. The seminar was organized by the Media Law Institute (Kyiv), the Mass Media Defence Centre (Voronezh), IREX and the European Union.

On **25-26 April** I spoke at the EFJ General Meeting in **Sarajevo** before 100 delegates from journalist federations from across Europe. I was also invited to speak before the Parliamentary Assembly of Bosnia and Herzegovina in a debate on freedom of expression and media freedom.

At the debate, organized by the Joint Committee on Human Rights of the Parliamentary Assembly, in co-operation with the OSCE Mission in Bosnia and Herzegovina, I also pointed out the urgent need to ensure independence and sustainability of public service broadcasters and regulatory agencies as key elements to strengthening media freedom in the country.

On **26 April** my Office participated in the round-table discussion “The Safety of Journalists in the Digital Age” organized in **London** by the Association of European Journalists, the Russian Union of Journalists and the European Union.

On **27 April** my Office delivered the keynote address at a conference on financing models for public service media in **Prishtinë/Priština**.

On **2-4 May** my Office participated in events surrounding the UNESCO World Press Freedom Day in **Helsinki**, including as a keynote speaker in an event on press freedom in Nordic modern media and as a panel member in a discussion on “New Frontiers in Disinformation.” The Office also unveiled the 2016 Special Rapporteurs’ Joint Declaration.

On **2 May** I had the honor of receiving the Concordia Press Club Prize 2015 in the category of press freedom and freedom of information in a ceremony in **Vienna** organized by Pressclub Concordia.

On **9 May** I participated in a panel debate in **Stockholm** on how Freedom of Expression and Freedom of the Media can play a role in strengthening the democratic space, organized by the Swedish Ministry for Foreign Affairs. I also conducted bilateral meetings with senior governmental officials.

On **11 May** my Office participated in the presentation of joint media projects produced by young Russian and Ukrainian journalists at the Faculty of Journalism of the Lomonosov Moscow State University and organized by the Russian Union of Journalists in **Moscow**. The media project was part of the dialogue “Two Countries – One Profession.”

On **12-13 May** my Office participated in and made a presentation at the 7th Central Asian Forum “Internet Development in Central Asia,” held in **Almaty**. Co-sponsored by the OSCE Programme Office in Astana, the event addressed the general topic “Challenges of Counteraction to Destructive Content Online: Xenophobia, Propaganda of Intolerance and Hate Speech.”

On **19 May** my Office delivered a keynote speech at the conference “The Future of Public Service Media in the Western Balkans: Never-Ending Transition?” in **Sarajevo**.

On **24 May** I delivered the opening speech at Good Pitch Europe in **Stockholm**, an event that brought together documentary filmmakers with foundations, NGOs, policymakers and media around social and environmental issues.

On **26-27 May** my Office attended the biannual meeting of the European Platform for Regulatory Authorities in **Barcelona**, speaking on a panel on media service providers in times of crisis.

On **31 May-1 June** my Office attended the OSCE-wide counterterrorism conference in **Berlin**.

On **4-7 June** I participated in the Central European University School of Public Policy Annual Conference “The View from here: Artists and Public Policy” and in a discussion on the promotion and protection of the right to freedom of opinion and expression in **Budapest** organized by CEU.

On **13 June** my Office participated in the Global Media Forum in **Bonn** organized by Deutsche Welle on the topic, “Selective truth – caught in the web of information and interests.”

On **14-15 June** on a visit to **Podgorica** I met with the Prime Minister of Montenegro and discussed the importance of the work of Commission in the investigation of attacks and threats against journalists and also met with Speaker of Parliament, discussing the role of Parliament in supporting media freedom. I also met with journalists and members of civil society. My Office hosted a meeting of the Montenegrin Working Group on Self-Regulation.

On **16-17 June** I participated in European Broadcasting Union’s 76th General Assembly held in **Bečići** and delivered a keynote speech.

On **21-22 June** my Office participated in the Central Asian Internet Governance Forum in **Bishkek** organized by the Internet Governance Forum.

On **23 June** I delivered the keynote speech at a conference in **Dublin** on violent online political extremism and responses to it organized by VOX-Pol Network of Excellence.

On **24 June** I participated in an international human rights conference in **Geneva** “Imprisoned for Thinking” and delivered the keynote address for the panel discussion “Freedom of Expression denied: Abuse of the press in an age of Terror and Oppression.” It was organized by the Liberal International Human Rights Committee.

On **21 June** my Office participated in a panel at a working group meeting discussing security and human rights during the Fundamental Rights Forum in **Vienna**, organized by the EU Fundamental Rights Agency.

On **4-9 July** my Office participated in a summer school at the Central European University in **Budapest**, jointly organized with VOX-pol, on Violent Political Online Extremism.

On **2 September** my Office participated in the Regional Meeting of the Heads of OSCE Field Operations in Eastern Europe in **Chisinau**.

On **4-6 September** I participated in the high-level seminar “Open Societies Under Attack: The Return of ideology,” in **Salzburg** organized by the International Peace Institute.

On **9 September** I participated in an international conference “Internet Freedom: A constant factor of democratic security in Europe” in **Strasbourg** organized by the Council of Europe and the German OSCE Chairmanship to promote a multi-stakeholder engagement in Internet freedom.

On **13-14 September** my Office participated in a civil society expert workshop on freedom of expression in **Almaty** organized by the Civic Solidarity Platform.

On **15 September** my Office participated in an international seminar in **Brussels** on current threats to freedom of speech across Europe. The event was organized by the EU Delegation to the Russian Federation, in association with the European Federation of Journalists and the Russian Union of Journalists.

On **16 September** I attended the conference in **New York City** “#ProtectJournalists” to raise awareness about the murders of journalists and promote a campaign to appoint a Special Representative to the United Nations Secretary General for the safety of journalists, organized by Reporters Without Borders and the Committee to Protect Journalists.

On **19 September** my Office participated in a workshop in **Geneva** on “The role of the media in preventing and combatting national, racial, or religious hatred that constitutes incitement to discrimination, hostility or violence,” organized by the UN OHCHR.

On **19-22 September** I attended the 2016 Human Dimension Implementation Meeting in **Warsaw** and participated in the opening plenary session debate titled “Democracy and Human Rights in the OSCE Space 25 Years after the Charter of Paris for a New Europe.” I also addressed four side events discussing various aspects of media freedom and free expression and introduced the working session on media freedom and freedom of expression.

On **22-23 September** my Office participated in the “Content & Jurisdiction meeting of the Internet & Jurisdiction Policy Network,” in **Paris** organized by the Internet & Jurisdiction Secretariat.

On **27 September** I addressed the 20th Festival of Journalists in **Sochi** organized by the Russian Union of Journalists.

On **29 September** my Office participated in the fifth international conference “Russia and Europe: topical issues of contemporary international journalism” in **Bratislava** organized by the International Affairs journal (Moscow).

On **6 October** I participated in the Alliance of Independent Press Councils of Europe’s annual conference in **Stockholm** and spoke at the panel “Is press freedom under pressure in Europe?”

On **19-20 October** my Office participated in a conference in **Belgrade** “Terrorism and electronic media” to discuss the role of media and its coverage of terrorist activities organized by the International Academy of Television and Radio.

On **25-26 October** my Office participated in a national seminar on countering the use of the Internet for Terrorist purposes in **Tashkent** organized by the OSCE Project Co-ordinator in Uzbekistan.

On **27-28 October** together with the German OSCE Chairmanship-in-Office and the Office for Democratic Institutions and Human Rights, my Office organized this year’s second Supplementary Human Dimension Meeting in **Vienna**. The event focused on “Freedom of Expression and Freedom of the Media with a Special Focus on Conflict Situations, Including Protection of Journalists and Reporting During Armed Conflict,” addressing the topic through three sessions: safety of journalists in armed conflict; media co- and self-regulation as an instrument to improve ethical standards and counter propaganda; and the roles of the OSCE, governments and the civil society to protect media freedom in times of crisis. In addition to OSCE participating States, institutions and executive structures, representatives of inter-governmental organizations and of civil society, including human rights and media NGOs, participated in the event.

On **3 November** my Office participated in the Dialogue on OSCE's Comprehensive Approach to Security in Ukraine in **Kyiv** hosted by the Project Coordinator in Ukraine.

On **7 November** my Office participated in a conference in **Brussels** on impunity for crimes committed against journalists organized by the International Federation of Journalists.

On **10-11 November** I participated in an international conference in **Prague** on public service media and democracy and was on a panel entitled the "Role and responsibility of parliaments in freedom of expression and freedom of media." The conference was organized by the EBU, the Council of Europe and PACE, the Czech Parliament and Czech TV.

On **11 November** my Office participated in the Regional Meeting of the Heads of OSCE Field Operations in the South Caucasus in **Vienna**.

On **14-16 November** I participated in an international conference in **Paris** focusing on the current state of jurisdiction on the Internet organized by the nongovernmental organization Internet & Jurisdiction. I also visited the office of Reporters Without Borders, meeting with the Secretary General and the staff.

On **17-18 November** I participated in the second Annual Colloquium on Fundamental Rights "Media Pluralism and Democracy" in **Brussels** and gave a keynote address "A converged media environment: Challenges and opportunities for our democratic societies" organized by the European Commission.

On **22 November** I participated in the Committee to Protect Journalists International Press Freedom Awards in **New York City** organized by CPJ to honor journalists from Egypt, India, Turkey and El Salvador. I also met with the Executive Director of Human Rights Watch on the current global situation and challenges to media freedom.

On **24 November** I participated, as one of the patrons, in the 2016 awards gala in **Kyiv** for the ADAMI Media Prize for Cultural Diversity in Eastern Europe. The ADAMI Media Prize was created to encourage audio-visual journalists and media professionals in the EU Eastern Partnership countries (Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine) to cover themes of migration, integration and cultural diversity.

My Office currently is participating in an international conference "Limits of Transparent Justice" in **Bratislava** which started on **30 November** and is organized by the Supreme Court of the Slovak Republic.

## **Conferences**

### **Round-table discussions between Ukrainian and Russian media trade unions**

On **30 May**, **18 July** and **1 November** my Office organized the 9th, 10th and 11th round-table discussions in **Vienna** among four senior representatives of the Russian Union of Journalists, the Independent Media Trade Union of Ukraine and the National Union of the Journalists of Ukraine. Participants discussed ways to improve journalists' professional standards and safety in Ukraine as well as the preparation of common activities between journalists of the two countries.

Representatives of the International Federation of Journalists, the International Press Institute and Reporters without Borders also participated in the meetings.

### **South Caucasus Media Conference**

On **6-7 July** my Office held the 13th South Caucasus Media Conference in **Tbilisi** for more than 70 participants representing media, government, civil society and academia from Armenia, Azerbaijan and Georgia. The main topic of the conference was multi-faceted challenges to free media and freedom of expression. Four international experts from the United Kingdom, Bosnia and Herzegovina and the Russian Federation and three experts from the South Caucasus countries spoke about the legal implications and professional standards of content regulation, international standards and practices in the field of safety and security offline and online and the shift from traditional to new media.

Participants adopted a set of recommendations on the challenges to free media and freedom of expression in the region and OSCE-wide best practices for improving pluralism and media freedom in the context of new technologies, regulations, conflicts and the like. The document is available in Armenian, Azerbaijani, English, Georgian and Russian at <http://www.osce.org/fom/251721>.

### **Expert meeting on freedom of expression on the Internet and countering violent extremism**

On **7-8 September** my Office organized, with the OSCE Transnational Threats Department and the OSCE Mission to Bosnia and Herzegovina, an expert meeting in **Sarajevo** on freedom of expression on the Internet and countering violent extremism and radicalization that leads to terrorism (VERLT).

More than 120 participants representing governmental authorities, international organizations, academia, civil society and media met to discuss and share best practices related to online measures, such as surveillance and content take-down, taken by governments and intermediaries to counter VERLT and their implications for fundamental human rights. Participants also explored how the use of communications technologies can advance efforts to counter VERLT on the Internet. The event also served as a platform to discuss issues raised in my recent communiqué on free expression and the fight against terrorism.

On **14-15 September** my Office co-organized with the OSCE Mission to Serbia, the SHARE Foundation and the Centre for Media, Data and Society of the CEU School of Public Policy the 4th annual South Eastern Europe Media Conference; this year entitled, “Gaining a Digital Edge: Freedom of Expression.” The event, which took place in **Vienna**, gathered some 120 journalists, media lawyers, government representatives, IT experts, academics and human rights defenders from 14 participating States to discuss strategies for navigating the legal, regulatory and technological challenges to freedom of expression in the digital environment.

More information about the event can be found at <http://www.osce.org/fom/261921>.

On **24-28 October** my Office organized a workshop in **Sarajevo** on post-conflict reconciliation for young journalists from Ukraine and Russia to give them media experience

in dealing with consequences from conflict. It was done in partnership with the Russian Union of Journalists, the National Union of Journalists of Ukraine and Mediacentar Sarajevo and was part of an on-going dialogue between the media communities of the two countries initiated by my Office in 2014. The journalists produced multimedia materials as a result of the workshop.

My Office is participating in an international conference “Limits of Transparent Justice” in **Bratislava** which started on **30 November** and is organized by the Supreme Court of the Slovak Republic.

## **Planned activities for the next reporting period**

### **Visits and participation in events**

On **2 December** I will speak at the conference “Defying Hate Speech and Threats against Women Journalists,” organized by the Swedish Freedom of the Press Act, the Swedish Ministry for Foreign Affairs, the Fojo Media Institute/Linnæus University, the Swedish Institute and the Swedish National Commission for UNESCO in **Stockholm**.

On **9-11 December** my Office will participate in training in **Saint Petersburg** for legal reporters and a seminar on media freedom and the development of journalism in Russia organized by the Legal Training Center in Saint Petersburg.

On **15-16 December** my Office will participate in an international seminar “Threats and opportunities for regional media in the digital age: EU and Russian perspectives on freedom of expression in the 21st century” in **Moscow** organized by the EU Delegation to the Russian Federation in association with the European Federation of Journalists and the Russian Union of Journalists.

On **21-23 December** my Office will conduct a lecture and participate as a judge in the first North East Europe Regional Round of the Price Media Law Moot Court competition in Kyiv organized by the Centre for Democracy and Rule of Law and the Kyiv-Mohyla Academy.

Student teams from Azerbaijan, Belarus, Latvia, Lithuania and Ukraine will participate.

### **Conferences**

On **12 December** my Office will host a high-level conference on Access to Information in **Vienna**. The event, held to honour the 250th anniversary of the passage of the world’s first freedom of information law, will serve as a forum for identifying the important milestones made by the international community in access to information policy and legislation as well as highlighting the crucial gaps that still remain in the practical implementation of open data and freedom of information commitments.

On **13-14 December** my Office will organize the 18th Central Asia Media Conference in **Vienna** on multi-faceted challenges to free media and freedom of expression.

### **Extra-budgetary donors**

I would like to thank the governments of Austria, Germany, Ireland, the Netherlands, Norway, Switzerland and the United States for their generous contributions during this reporting period. I encourage all participating States to consider supporting my Office's effort to provide expertise and regional meetings to improve the media landscape.