



United States Mission to the OSCE

Statement on the Perils Facing Media Freedom in Some Participating States

As delivered by Ambassador Ian Kelly
to the Permanent Council, Vienna
February 17, 2011

The United States again wishes to express its grave concern over the state of media freedom – and in particular, the perils facing journalists – in several OSCE participating States. In just the last ten days journalists have been severely beaten, arrested, sued for defamation and imprisoned on apparently trumped up charges. We have long since passed the time when such actions should be tolerated in any OSCE participating State – when thugs and criminals feel they can resort to force and violence to intimidate independent minds. It is unacceptable for any of our governments to participate in such behavior or even to turn a blind eye to it, especially as we are all signatories to the Helsinki Final Act and its progeny of commitments.

Of perhaps most notable concern today is the situation in the Republic of Tajikistan. On February 7 in Dushanbe, Hikmattuloh Sayfullozoda, the 60-year old editor of the Islamic Revival Party's newspaper and party spokesperson was lured from his home and beaten. Sayfullozoda was left hospitalized in serious condition with severe head injuries. We express our heartfelt wishes for Mr. Sayfullozoda's speedy recovery and return to work. We also call upon the government of Tajikistan to conduct a thorough investigation into the attack and hold those responsible accountable to the fullest extent of the law.

In another case from Tajikistan, the editor of the independent weekly newspaper Paykon was made to appear in court on February 10 to respond to charges by the Ministry of Justice that the "Center of Investigative Journalism," an affiliate of Paykon responsible for writing its investigative reports, is improperly registered. The Ministry is asking the courts to close the Center because it did not properly register a change of address – which, I might add, was simply a move to a different floor in the same building. Observers question whether the Ministry may be punishing the newspaper for an article criticizing a recent court decision to close a downtown shopping mall. A separate libel case against Paykon, filed by Tajikistan's product licensing agency and which the United States raised here in the Permanent Council on November 4, 2010, also remains open.

In still another case from Tajikistan, on February 9, a court in Dushanbe ordered the Millat newspaper to pay the Agriculture Ministry 1,500 Somoni (\$337) after finding it guilty of libeling the Agriculture Ministry by calling it the government's "most corrupt" body. Millat's editor-in-chief called the verdict unfair, noting that the newspaper's report was based on a government study.

These are concerning developments for media freedom, but sadly they are not isolated incidents.

The United States has repeatedly urged all OSCE participating States that currently have laws criminalizing defamatory speech to make defamation laws a matter for the civil courts and not the criminal authorities and to end the misuse of defamation laws to intimidate or shut down independent media outlets. In Kazakhstan, we were disappointed to see that a new law enacted on January 18 failed to decriminalize all forms of defamation. We hope other countries will follow an alternative example and bring an end to this stifling practice.

In Belarus, authorities continue to harass independent journalists and media outlets – a particularly disturbing part of their continued crackdown.

Finally, Mr. Chairman, the United States continues to follow closely the case of editor and journalist Eynulla Fatullayev in Azerbaijan, who, though ordered released by the European Court of Human Rights, remains in prison on a series of charges, including criminal defamation, which respected international and domestic observers consider politically motivated.

As the OSCE Representative on the Freedom of the Media said in her most recent address to the Permanent Council on December 16, the OSCE Astana Summit was "a call to action to complete the still-unfinished work of the participating States to achieve the goals – the commitments – proclaimed during the past 35 years." We share that vision and urge all participating States to embrace it firmly – for the betterment of all peoples.

Thank you, Mr. Chairman.