



HELSINKI COMMISSION HEARING

UNITED STATES COMMISSION ON
SECURITY AND COOPERATION IN EUROPE

Testimony :: Hon. Alcee L. Hastings

Co-Chairman - Commission on Security and Cooperation in Europe

Mr. Chairman, I welcome this opportunity to revisit the issue of freedom of the media, an issue of longstanding interest and concern. In observance of World Press Freedom Day, in early May, Freedom House has released its annual press freedom index, "Freedom of the Press 2010" an analysis of media developments around the world. The report designates 10 countries as particularly egregious for the wide-ranging restrictions they impose on independent media. Regrettably, three OSCE participating States have earned this distinction according to Freedom House: Belarus, Turkmenistan and Uzbekistan.

"In these states, independent media are either nonexistent or barely able to operate," the report noted. The media environment in these countries is of particular concern as limits on the free flow of information and the inability of independent journalists to function are often indicative of restrictions elsewhere in society, especially in terms of democratic development, human rights and the rule of law.

Today, I would like to draw attention to concerns over the use – or perhaps more accurately, the abuse -- of laws by these and other governments in the OSCE region aimed at maintaining tight control over the free media, including statutes imposing crippling penalties for defamation, burdensome registration requirements, and far-reaching "anti-extremism" measures, among others. Additionally, I note that a growing number of OSCE countries are enacting legal provisions specifically targeting use of the Internet and emerging communications technologies. Increasingly, governments seeking to curtail criticism or dissent are cracking down on bloggers, often employing sophisticated equipment to aid in this form of censorship.

While numerous OSCE countries have criminal defamation statutes on the books, they have fallen into disuse in most. Some countries have moved in recent years to reform or eliminate such provisions altogether. Others continue to use them, sometimes resulting in the effective

closure of media outlets forced to pay large fines in cases often launched by or on behalf of public officials. The time has come for participating States that have not already done so to repeal such laws.

Thank you Mr. Chairman for convening this hearing and I look forward to the testimony of the OSCE Representative on Freedom of the Media and the other experts before us today.