



HELSINKI COMMISSION HEARING

UNITED STATES COMMISSION ON
SECURITY AND COOPERATION IN EUROPE

Testimony :: Statement of Hon. Christopher H. Smith

Chairman - Helsinki Commission

Commission on Security and Cooperation in Europe
"The Deteriorating Freedom of Media in OSCE Countries"
Statement of Rep. Christopher H. Smith, Chairman
April 4, 2000

Today's hearing is being held to draw attention to the deteriorating status of free speech and press throughout the OSCE region, to raise the alarm about this deterioration and to call upon the OSCE participating States to recommit themselves to these freedoms.

About one-third (ten journalists) of the 34 journalists who lost their lives during 1999 were killed in the OSCE region, and nearly a quarter of those imprisoned were in Turkey, Uzbekistan and Yugoslavia. More than a decade after the fall of the Berlin Wall independent reporters often suffer under the heavy hand of government authorities, and journalists are plagued with violent assaults and even attempted assassinations. The criminal libel laws which remain on the books have been widely used against the press in countries from Bosnia and Croatia to Azerbaijan and Ukraine, and new media laws which have the potential of being restrictive are under consideration in other countries.

In Russia, the case of Andrei Babitsky has sent a chilling message to journalists who wish to report truthfully when the government prefers that the truth not be known. A veteran Radio Liberty correspondent, Mr. Babitsky disappeared in Chechnya in early February after Russian authorities had seized him and then "exchanged" him to Chechen forces in return for some Russian prisoners of war. Eventually, he was freed and taken to Dagestan. He is now back in Moscow and under threat of criminal prosecution for allegedly "participating in an unlawful armed formation." His real crime, however, seems to be that he was broadcasting the truth from inside Chechnya, rather than relying on official military communiqués.

The OSCE participating States have committed to protect the freedom of expression and to permit independent and pluralistic media which are essential for a free and open society and

for accountable systems of government. Three years ago, the States created the mandate for an OSCE Representative on Freedom of the Media in order to strengthen the implementation of the commitments in the field of the media. This Commission hearing will examine the implementation of these critical OSCE commitments.

Today's hearing falls one week shy of the first anniversary of the assassination of Slavko Curuvija, editor of the independent newspaper The Daily Telegraph, who was gunned down outside his Belgrade apartment by masked gunmen. A few months earlier, testifying before this Commission, Curuvija said in regard to the legal harassment which preceded his assassination: "I come from a country where there is no rule of law. By making an example out of me, the [Milosevic] regime sends a message to all who oppose it, intimidating and bullying all the independent media in the process... After all his other wars, Slobodan Milosevic appears to be preparing to wage war against his own people in Serbia and Montenegro...."

Recently, as we know, this war by Milosevic against his own people has continued. His henchman Seselj recently and publicly threatened the media, the property of some media outlets has been seized by the authorities, and Yugoslav military activities in more open and tolerant Montenegro are ominous indeed.

As far as free speech, scores of Serbian students involved in the Resistance movement were arrested a little more than one week ago for demonstrations which paralleled those officially organized on the anniversary of the NATO campaign. Finally, last Thursday, a Belgrade court held its first hearings in the trials of several opposition leaders for allegedly slandering prominent regime politicians during opposition rallies in late 1999.

I welcome the opportunity to hear the testimony of our distinguished witnesses and will appreciate receiving your recommendations of how best this Commission can contribute to efforts to reinvigorate free speech and free press throughout the OSCE region.

Witness Introductions:

Panel I

Our first witness is Mr. David W. Yang, Senior Coordinator for Democracy Promotion in the State Department's Bureau of Democracy, Human Rights and Labor. He has served since 1996 in this capacity to Assistant Secretaries and Commissioners Harold Hongju Koh and John Shattuck. He coordinates DRL's diplomatic and programmatic efforts to promote democracy globally. He has also developed DRL's oversight of the entire U.S. Government budget for democracy programs.

Mr. Yang has served in the Clinton administration since 1993, having worked first in USAID

on democracy programs in Asia and the Middle East and then as a speechwriter for Secretaries of State Warren Christopher and Madeleine Albright. He has also worked in the fields of journalism, research and theater.

Born in Hong Kong, Mr. Yang holds a B.A. in Politics from the University of California at Santa Cruz, and an M.A. and Ph.D. in International Relations from the School of Advanced International Studies of the Johns Hopkins University.

Panel II

Our next witness is Mr. Freimut Duve, OSCE Representative on Freedom of the Media. Mr. Duve started his career as a political editor at Stern magazine and as Chief Editor of Germany's political pocketbook series. In the 1980s he published the political works of Vaclav Havel and Mario Soare's manifesto against the Portuguese dictatorship.

As a member of the German Parliament, he served on the Foreign Affairs Committee and the sub-Committee for Human Rights and Humanitarian Aid. He was a member of the German Delegation to the OSCE Parliamentary Assembly, chairing the General Committee on Democracy, Human Rights, and Humanitarian Questions.

In 1997, he received the Hannah Arendt Award for Political Thinking.

Panel III

For our third panel of witnesses we welcome Mr. Tom Dine, Ms. Linda Foley, Ms. Emma Gray, and Ms. Marilyn Greene.

Thomas A. Dine is the President of Radio Free Europe/Radio Liberty which broadcasts every day to 23 countries of Central and Eastern Europe and across Eurasia, and to two countries of the Persian Gulf, Iran and Iraq, promoting and advancing democracy.

Mr. Dine previously served as the Assistant Administrator for Europe and the New Independent States at USAID from 1993 until 1997. Earlier he headed the American Israel Public Affairs Committee from 1980 through 1993.

He previously worked on the Hill for Senators Frank Church, Edmund Muskie and Edward Kennedy.

He received his B.A. from Colgate University and an M.A. in South Asian History from the University of California at Los Angeles.

Linda K. Foley is the first woman President of the Newspaper Guild of the Communications Workers of America and Vice-President of the International Federation of Journalists. She was instrumental in negotiating and implementing the Guild's merger with the CWA. The Newspaper Guild represents approximately 33,000 media workers throughout the U.S., Canada and Puerto Rico.

She served for five years as Executive Secretary of the Guild's Contracts Committee and as such, administered the union's collective bargaining program and advised its more than 70 locals on contract enforcement, bargaining, legal rights, pensions and other contract issues.

She also served as vice president of the Lexington-Bluegrass Central Labor Council.

Linda has a B.S. in journalism from Northwestern University.

Emma Gray, Europe Program Coordinator, Committee to Protect Journalists. Before joining CPJ in January 2000, Ms. Gray worked in broadcasting for a decade. A fluent Russian speaker, she lived and worked in the Russian capital from 1988 to 1993, covering the pivotal events that shaped the post-communist era. As Moscow producer for Independent Television News of London and for Monitor Television, Ms. Gray traveled throughout the region, filming news stories and features from Siberia, the Caucasus and Central Asia. She was nominated for an Emmy Award for her work on the attempted Soviet coup of August 1991. In 1994 she won a Citation of Excellence from the Overseas Press Club for her coverage of crime in Russia.

In 1992, Ms. Gray co-founded a news agency, FSN, which provides coverage of events to broadcasters around the world. Based at the agency's Washington D.C. headquarters from 1993-97, Ms. Gray has also produced stories from South Africa, France and Canada, and worked on documentaries for BBC-TV's "Panorama" and "Horizon," and PBS TV's "Nova." She was based in Britain from 1997-99, where she earned a master's degree in Russian Studies from the University of Bristol.

Marilyn Greene is executive director of the World Press Freedom Committee, a non-profit organization devoted to preservation of press freedom where it exists, and promotion of it where news is still restricted. She was a foreign affairs reporter for USA Today for 10 years, and prior to that a reporter and editor for Gannett newspapers. She is a graduate of Northwestern University's Medill School of Journalism.