



HELSINKI COMMISSION HEARING

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President - RFE/RL

Commission on Security and Cooperation in Europe

Hearing on The Deteriorating Freedom of Media and Speech in OSCE Countries

Statement by Congressman Joseph R. Pitts

April 4, 2000

Mr. Chairman, thank you for holding this important hearing on The Deteriorating Freedom of Media and Speech in OSCE Countries. Unfortunately, the fundamental human right of freedom of speech seems to be under assault in a number of countries. I am looking forward to hearing the reports of the today's witnesses, particularly their suggestions about specific actions the Commission and the Organization for Security and Cooperation in Europe can take to address these issues.

Professional journalists can face a deadly and dangerous job. Reports show that 87 journalists or media workers were killed or murdered in 1999 and violations against the media were committed in 165 countries. The danger can be seen throughout the OSCE, both in existing and transitional democracies. For example, Serbian officials have closed radio and television stations, shut newspapers, and have been rumored to be behind programs of harassment and intimidation for foreign journalists. In Greece, media freedom organizations have repeatedly denounced a vast array of convictions to prison sentences for libel, holding that slander, libel and defamation should be covered in the civil code and that no citizens, including journalists, should face the prospect of a criminal record and a prison sentence for what they say or write. In Russia, authorities attempted to forcibly take investigative reporter Alexander Khinshtein to a psychiatric clinic for testing, recalling Stalinist times when dissidents were disposed of for years, or permanently, in mental hospitals. And, in a number of post-communist countries, charges have been brought against journalists under laws that prohibit the release of "state secrets" - the definition of which is very difficult to establish.

When raising concerns about violations of freedom of speech, it is vital that we not only address the effect on the media. Freedom of speech applies not only to journalists and the media, but also to individuals throughout a society. When individuals are prohibited from

speaking about their political or religious views, the basic right of freedom of speech is violated. As we know from numerous other Commission hearings, religious believers in Eastern and Western Europe and Central Asia have been imprisoned for publicly stating their religious beliefs. In Uzbekistan we have seen reports that on March 8, Uzbek police confiscated reports published by Human Rights Watch that were carried by one of their representatives who was monitoring the trial of twelve men charged with membership in Hizb-ut-Tahrir, a peaceful Muslim organization banned in Uzbekistan. The problems for religious individuals or groups are limited not only to speaking about their views person-to-person, but also speaking through the media. Access to the media for religious groups is linked to OSCE guarantees of free speech and religious liberty. In the 1989 Vienna Concluding Document paragraph 16.11, the OSCE participating States specifically addressed issues relating to media access by religious groups. The participating States recognize that the media is part of public dialogue and therefore have committed to favorably considering access to the mass media by religious groups. However, religious broadcasters, particularly those affiliated with minority religious groups, continue to experience bureaucratic obstacles in several OSCE participating States, such as unexplained delays in renewing broadcast licenses, or a change to a less desirable frequency or time slot. The Helsinki Commission has followed cases in Spain, Greece, and Romania where there were credible allegations that religious broadcasters experience discrimination primarily because of their denominational affiliation.

In addition, to free speech pertaining to religion, free speech regarding a person's political views also is violated. In Russia, the Putin administration has taken measures to control information. Officials report about the "problem" of media giving air time and print space to views of "terrorists," claiming that journalists have a "civic responsibility" in reporting the news. The Russian Security Council plans to review national information policy in the near future. And, in Greece and Turkey, two western countries, criminal defamation laws have been used to restrict speech.

Mr. Chairman, thank you again for holding this timely hearing to examine how Members of the Commission as well as Members of the United States Congress can act to fan the flames of democracy and encourage OSCE participating states to uphold and protect freedom of speech.