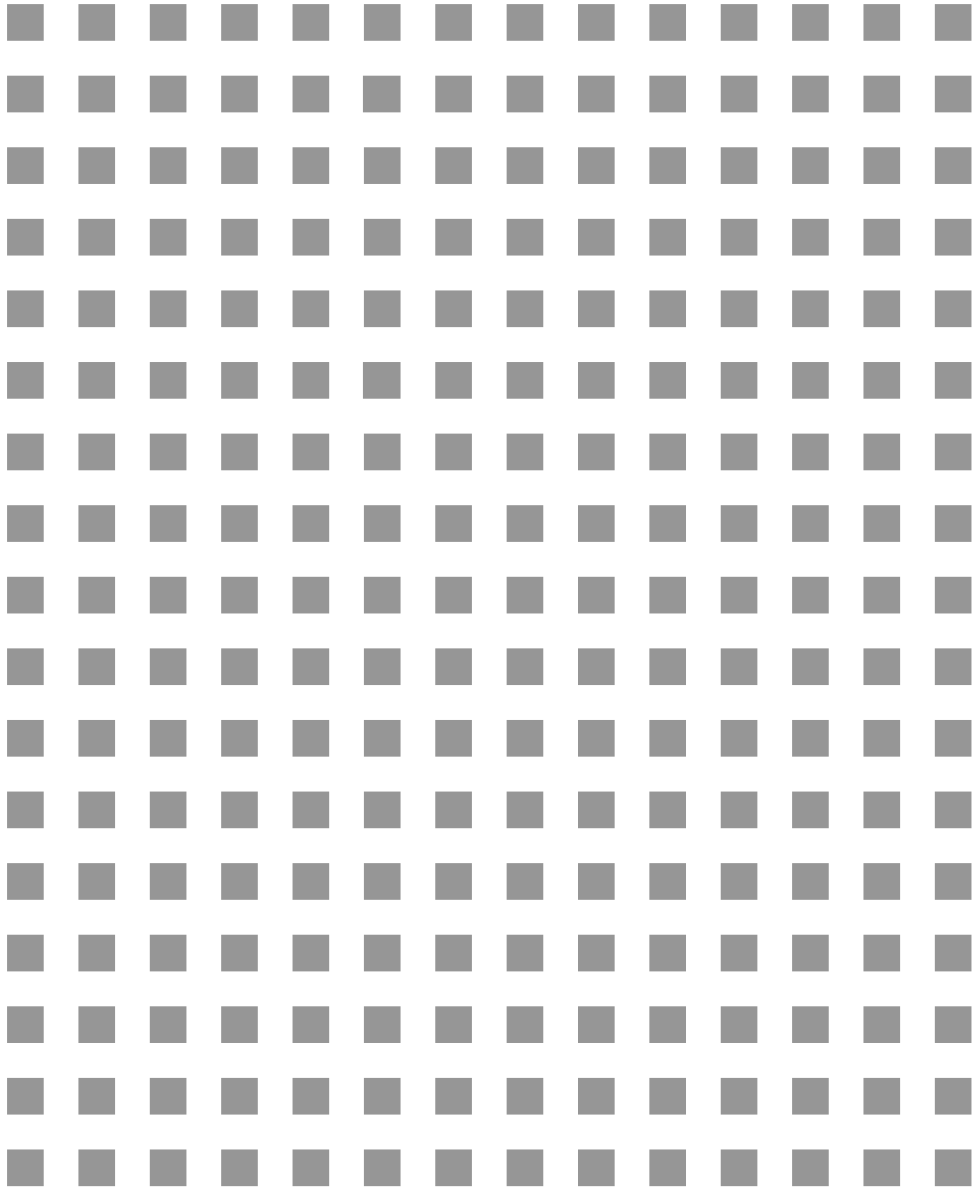




Interview



Media freedom in Central and Eastern Europe



Interview with Professor Andrei Richter — Director of the OSCE Office of the Representative on Freedom of the Media on the state of media freedom in Central and Eastern Europe

Social, political and economic changes experienced by Central and Eastern European (CEE) countries generated a plethora of new problems which are typical to young democracies. Twenty-five years after the abolition of censorship in the majority of CEE states, we pose questions on the current challenges to media freedom in a selection of national cases. Professor Andrei Richter elaborates on the notion of media freedom and the ways in which media freedom might be measured and analyzed in the context of online media and the development of “Open Journalism.”

What does media freedom mean to you?

Media freedom is a privilege of the individual to, by using technical means, communicate his or her messages, to receive information in such way that there is a feeling of participation in the life of society.

What factors are taken into account to describe media freedom in different social and cultural settings?

There are numerous economic, political and legal conditions for media freedom. I believe when we speak in the context of Central and Eastern European (CEE) countries, among the necessary factors that enable media freedom are guarantees for media freedom — institutions and media laws, the absence of censorship (as the precondition for media freedom) and also the existence of an independent audiovisual media regulator, the absence of state media as player, the legal demands that media are transparent as well as the presence and functioning of public service broadcasting which is independent from the state and sets standards for quality journalism.

There are a lot of different indicators, factors, indexes about media freedom in different countries, such as those developed by Freedom House or Reporters

Without Borders. What do you think about this kind of measuring; what we can learn from these rankings?

Yes, there are different approaches and methodologies to rank countries in media freedom. I myself took part in different focus groups on media freedom in Russia. I looked at the indexes of media freedom developed by different organizations and I also developed my own index at one stage. Of course, all such indexes are trying to be objective as much as possible but they cannot avoid subjectivity because it is very hard to compare one country with another when it comes to the assessment of a country with regard to a set of different criteria/questions. Many more specific and relevant questions might be legitimately raised. Thus, I would be cautious to compare, say, Slovakia with the Russian Federation or Ukraine. Although they are neighbours, their backgrounds are so different.

How do you evaluate the state of media freedom in Central and Eastern Europe?

The OSCE Representative on Freedom of the Media has intervened quite a bit in media freedom issues in Central and Eastern Europe and the majority of the statements are quite pessimistic. Although in a way it is a rude awakening, 25 years after the beginning of the change, civil society in our countries is only starting to understand what media freedom is in a democracy.

During the last 25 years it was more about imitating Western rules, which in the new democracies were translated into national languages and placed in a legal framework and political statements. Today I believe the understanding of the essence of media freedom and the essence of professional journalism are starting to be understood by civil society and, hopefully, also politicians.

Can you give us some examples of the daily work at the OSCE Representative on Freedom of the Media? What are the most recent cases of media freedom in CEE you have dealt with?

The Office makes an average of 200 to 250 statements per year about different countries that are part of the OSCE; that includes Central Asian and North American countries and also European countries that are not necessarily part of the Council of Europe; Belarus for example.

So it is really hard to highlight a particular case. But, for example, as we discussed yesterday, this can be the recent changes in Hungary, where the government is putting legal pressure on the last independent broadcasters, like KlubRadio.

We recently were very active providing advice in the field of media regulation in Ukraine by successfully contributing recommendations to the public service broadcasting draft law and lobbying for its swift introduction. This is a positive example of OSCE input into media freedom and legislation in CEE.

There have been a lot of discussions about journalists' safety and media pluralism in Ukraine. What is the state of media freedom in Ukraine today?

Ukraine is in the focus of OSCE activities today. I would say the majority of OSCE resources on freedom of the media are on Ukraine, in Ukraine and with Ukraine. OSCE is one of the major international organizations that is trying to solve the conflict.

The military conflict and political crisis in Ukraine definitely affected the state of media freedom and, in particular, the safety of journalists. Unfortunately, several journalists have been killed and many were wounded, kidnapped and kept under horrible conditions for weeks.

The OSCE does not have troops, sanctions or the ability to change regimes. What we try to do is to urge and negotiate with governments and explain the need to protect freedom and the safety of journalists because free media is probably the most important foundation of democracy in these countries. History teaches us all that undermining this foundation inevitably leads to the collapse of governments.

There are several international organizations making attempts to monitor freedom of the media. To what extent is it possible to develop a monitoring scheme for media freedom analysis in CEE? What is the biggest challenge?

The biggest challenge is definitely the lack of resources. In the Office of the Representative on Freedom of the Media we have a staff of 15 people. Although we are the largest office in comparison to the other regional mandate holders, 15 is not enough, even theoretically, to monitor media freedom in 57 participating States. We do rely on the work by national NGOs and we are mandated to co-operate with them. It is, however, hard to do that in Central and Eastern Europe, where the bulk of information is in national languages only. We don't have experts who speak Estonian, Latvian, Lithuanian, Czech, Slovak etc. In a way we depend on the NGOs and the linguistic problem is one of the biggest today. At the same time, the development of the Internet and online resources definitely helps us to reach the information we need.

Switching now to new media and technologies, what is the level of Internet freedom in Central and Eastern European states?

The biggest political issue is that some governments don't believe that the Internet has anything to do with freedom of the media. And these governments don't believe that the Internet has anything to do with freedom of expression.

Some even proclaim that the Internet is such a new thing, a grey zone, that we should wait another 10 to 20 years before we try to find out what's going on with it. The Representative on Freedom of the Media does not agree and, fortunately, she is

allowed to disagree with the governments. We try to explain to these countries not just the importance of freedom online but the fact that we cannot talk about freedom of expression without mentioning the Internet.

In 2013 we had the largest ever OSCE conference on Internet content. We had 400 experts gathered in Vienna. At that time we looked not only at freedom of the Internet at large but we tried to focus on issues which are the most controversial and the most unresolved relating to content and online freedom. I believe that was important for the delegations of the countries in order to understand the interrelation between media freedom and the Internet.

This year we started a huge project called "Open Journalism." In May we had a seminar for diplomats, where professionals from the OSCE region could explain the essence of Open Journalism and the way it affects traditional journalism today. That was the first of the series of seminars. We plan the second one on regulation and self-regulation of Open Journalism. And then we will follow with what civil society could do to promote freedom of Open Journalism. I do believe that the Internet by far is much more important for freedom of the media than any other media today.

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Professor Andrei Richter is the Director of the OSCE Office of the Representative on Freedom of the Media and a professor at the School of Journalism, Moscow State University, where he teaches mass media law. Born in Kharkov, Ukraine, in 1959, he has university degrees in law, foreign languages and a doctorate in journalism. Richter was a commissioner of the International Commission of Jurists and the chair of the Law Section of the International Association for Media and Communication Research. Richter sits on editorial boards of a number of international journals on communications and the media. He has authored more than 200 publications on media law in Russian, Albanian, Armenian, Azeri, Bosnian, English, French, German, Tajik, Serbian, Slovak and Ukrainian, including the only standard media law textbook for journalism students of Russian colleges and universities (2002, 2009), a textbook on online media law (2014), as well as a UNESCO-published textbook on international standards of media regulation (2011) and a book on censorship and freedom of the media in post-Soviet countries (in English, 2007).



Prof. Andrei Richter was interviewed by Michał Głowacki on 14 June 2014, during the 7th Central and Eastern European Communication and Media (CEECOM) Conference in Wrocław (Poland).