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ABSTRACT

The level of media independence varies across the post-Soviet European countries, but the overall situation is less than satisfactory. Despite their OSCE membership and efforts of the OSCE Representative for the Freedom of the Media (RFoM), 94% of the post-Soviet population does not have access to free media. Almost twenty years after the establishment of the RFoM and OSCE agreement to uphold and foster the media freedom, international commitments melt down and their universality and legitimacy are questioned.

This research aimed to evaluate how commitments on media freedom made by the participating states of the OSCE are implemented in the ten post-Soviet European countries. The comparative study of media situation in the region was based on quantitative (Freedom House index) and qualitative (political, legal, economic) assessments. In parallel, a content analysis of RFoM public communication on monitoring and project activities in the period 1997–2014 was conducted. The theoretical reasoning behind the thesis relied on institutional liberalism.

The results of the study revealed that despite many shared media-related issues as an outcome of the Soviet heritage, the media development path of each post-Soviet country was different. Only the three Baltic countries – Lithuania, Latvia, and Estonia – can claim to have established a secure and favourable environment for journalists. Outside the European Union, the media freedom does not exist as we understand it in OSCE terms. Instead of unifying all ten countries' media under the same category of “post-Soviet media”, the paper suggests several groupings based on different references. It also revealed the significant role of Russia, influencing the media situation in the rest of the region. Future media development will depend on region's democratisation, effectiveness of RFoM, countries' engagement in the OSCE and will to implement their international commitments.

ZUSAMMENFASSUNG

Das Niveau der Medienunabhängigkeit ist in den post-sowjetischen Ländern Europas unterschiedlich, aber die Gesamtsituation ist weniger als befriedigend. Trotz ihrer OSZE-Mitgliedschaft und der Bemühungen des OSZE-Beauftragten für die Freiheit der Medien (*RFoM*), haben 94 % der post-sowjetischen Bevölkerung keinen Zugang zu freien Medien.

Diese Forschungsarbeit setzt sich das Ziel zu bewerten, wie die Verpflichtungen der OSZE-Mitgliedstaaten in Bezug auf Medienfreiheit in dieser Region umgesetzt werden. Der Vergleichsstudie über die Mediensituation in den post-sowjetischen Ländern Europas liegen quantitative (der Freedom-House-Index) sowie qualitative (politische, rechtliche, wirtschaftliche) Feststellungen zugrunde. Parallel dazu wurde eine Inhaltsanalyse (*content analysis*) der öffentlichen Kommunikation des *RFoM* über das Monitoring der betroffenen Mitgliedstaaten und Projektaktivitäten im Zeitraum 1997–2013 durchgeführt. Der theoretische Ansatz dieser Forschungsarbeit basiert auf dem institutionellen Liberalismus.

Die Ergebnisse der Studie haben gezeigt, dass, trotz der vielen gemeinsamen Herausforderungen, die den Bereich der Medien betreffen und als Folgen des sowjetischen Erbes gelten, die Medienentwicklung in jedem post-sowjetischen Land unterschiedlich ist. Lediglich die drei Baltischen Staaten – Litauen, Lettland und Estland – können behaupten, eine sichere und positive Umwelt für Journalisten geschaffen zu haben. Deswegen schlägt diese Studie anhand von zahlreichen Beobachtungen unterschiedliche Kategorien bzw. Gruppierungen der zehn untersuchten Länder vor, anstatt die dortige Mediensituation derselben Kategorie der „post-sowjetischen Medien“ zuzuordnen. Darüber hinaus wurde auch gezeigt, welche bedeutende Rolle Russland durch seinen Einfluss in der restlichen Region spielt. Abschließend wurde festgestellt, dass die zukünftige Medienentwicklung von den Demokratisierungsprozessen in der Region, von der Leistungsfähigkeit des *RFoM* und dem Willen der Länder, ihre Verpflichtungen gegenüber den Werten der OSZE umzusetzen, abhängig sein wird.

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LIST OF ABBREVIATIONS

ACHPR	African Commission on Human and Peoples' Rights
CiO	Chairman-in-Office
CIS	Commonwealth of Independent States
CoE	Council of Europe
CORE	Centre for OSCE Research, University of Hamburg
CSCE	Conference on Security and Cooperation in Europe
EU	European Union
FSU	Former Soviet Union
ICCPR	International Covenant for Civil and Political Rights
IO	International organisation
MC	Ministerial Council
OAS	Organisation of American States
ODIHR	OSCE Office for Democratic Institutions and Human Rights
OSCE	Organisation for Security and Cooperation in Europe
PC	Permanent Council
RFoM	Representative for Freedom of the Media
RWB	Reporters without Borders; <i>Reporters sans Frontières</i>
UN	United Nations
UNDP	United Nations Development Programme
USSR	Union of Soviet Socialist Republics
WAN-IFRA	World Association of Newspapers and News Publishers

Countries:

ARM	Armenia
AZR	Azerbaijan
BY	Belarus
EE	Estonia
GEO	Georgia
LTU	Lithuania
LV	Latvia
MD	Republic of Moldova
RF	Russian Federation
UA	Ukraine

1. INTRODUCTION

Since their establishment in the Universal Declaration of Human Rights in 1948, freedom of the media as well as freedom of expression and opinion have been the objective of single states and the international community. Furthermore, media freedom has never been so closely associated with democracy like today and there have never been so many democracies declared around the world as in the 21st century. Yet freedom is still not present globally. In 2014, the proportion of global population that enjoys free press has fallen to its lowest level – 14% – in over a decade (Freedom of the Press 2015, Freedom House). This constitutes only one person out of seven in the world. As countries still suffer from poor representation, corruption, semi-fair elections, and other anomalies of “pseudo democracies”, journalists in those countries have never felt a relief from suppression, persecution or even violence. Journalism remains one of the most dangerous professions in the world that costs lives. 2012 was registered as the deadliest year ever since Reporters Without Borders (RWB) started following the global statistics. Just in 2015, 110 journalists were again killed in connection with their work or for unclear reasons (Annual Round-up, RWB).

Numerous cases of murder, violence and kidnapping of journalists throughout this paper will illustrate the lack of media freedom in ten analysed countries. These are the ten independent states in Europe that seceded from the Union of Soviet Socialist Republics (USSR) after its dissolution in 1991. They have a different pre-Soviet experience, journalism traditions, and level of professionalism in their media environment, but today they all declare themselves as democracies. Post-Soviet countries are members of the Organisation for Security and Cooperation in Europe (OSCE) and through this format they share their struggle in establishing democracy as well as free media which did not exist during the Soviet years. Nevertheless, media freedom remains an ultimate ideal not just for this region, but for many international bodies, non-governmental organisations, labour unions, and individuals around the globe. The most prominent actor in the OSCE region is its Representative for the Freedom of the Media (RFoM). Since 1997, the institution has greatly contributed to the implementation of the OSCE commitments on freedom of media, expression and opinion in the post-Soviet Europe. These efforts and their results are in the focus of the following research: **How are the OSCE Commitments on Freedom of the Media implemented in the post-Soviet Europe?**

In addition to the main question, the research has the following secondary objectives:

- 1) to evaluate the current level of post-Soviet media freedom in accordance to OSCE

standards

2) to define the common “post-Soviet path” in the field of media freedom if such exists

3) to establish a relationship between the media development in the Russian Federation and the whole region

4) to look for prioritised and also most effective RFoM activities in the region

There are several reasons that encouraged me to analyse the situation of media freedom in the post-Soviet region and the countries’ compliance with OSCE principles in this field. First of all, I myself come from Lithuania, one of the post-Soviet countries to be analysed in this paper. I have personally witnessed the struggle fighting for independence and later establishing democracy and free market economy, its institutions, changing people’s mind-set, and other enormous changes after the collapse of the USSR. Secondly, I was professionally engaged in the activities of the OSCE for more than three years, both by working at several national delegations to the OSCE and at the OSCE Secretariat. Thirdly, I have continuously been interested in journalism, which I studied in parallel to my university studies and experienced working at the news service of the Lithuanian national television. All these reasons encouraged me to devote my time for this challenging research.

By analysing the implementation of particular OSCE principles and commitments in a specific OSCE region and evaluating the work of a specific OSCE institution, this research strives to add significant relevance to the field on an empirical level. It might benefit the OSCE policy creators and implementers as well as other practitioners interested in the functioning and effectiveness of international organisations and agreements. On a political level, the thesis seeks to contribute to the discussions on realisation of the media freedom as basic human freedom, its interdependency with democratisation processes, and on the effectiveness of international organisations influencing national matters and democratisation processes. Finally, on a theoretical level, the work might add weight to the arguments of institutional liberalism on the current role of international organisations. In addition to that, it has the potential to facilitate the research in the field of the Soviet heritage and East European studies in general.

In this thesis, the post-Soviet Europe covers ten countries – Armenia, Azerbaijan, Belarus, Georgia, Estonia, Latvia, Lithuania, Moldova, Russian Federation and Ukraine. Six other Central Asian post-Soviet countries that also participate in the OSCE – namely, Kazakhstan, Kyrgyzstan, Mongolia, Tajikistan, Turkmenistan and Uzbekistan were excluded from the research due to their remoteness not only in geographic but also in terms of

development, media and democracy traditions, lack of information, and European ties. The period in the focus of this research covers 18 years of OSCE RFoM's existence since its establishment in 1997, until 2014. The year 2015 is not included since the RFoM activities have not yet been officially summarised and published.

In the academic realm, the OSCE is a less favourable organisation in comparison with other more significant and attractive institutions and formats engaged in human rights protection such as the United Nations, UNDP, European Union, European Court of Human Rights etc. Of course, the scope and activities of these organisations are also difficult to compare. Probably, the two most prominent and “productive” publishers on various OSCE topics are the OSCE itself and the Centre for OSCE Research (CORE). The OSCE, including the Office of RFoM, invests a lot in publications both of their own officials and of external experts. All content is also accessible online. The CORE is part of the Institute for Peace Research and Security Policy at the University of Hamburg, Germany, and is the only academic institution specifically dedicated to the OSCE. Its scholars have produced numerous articles on different aspects of the OSCE activities, including its work promoting media freedom. Apart from these institutions, interest in the activities of OSCE is not consistent. The OSCE field operations, established and working in post-conflict zones such as Kosovo, conflict resolution formats with extensive OSCE involvement, such as 5+2 Talks on Transnistrian conflict or other problematic regions where OSCE promotes its principles of peace, democratisation, and human rights, attract the greatest attention. One of the recent hot topics is the ongoing crisis in Ukraine. Ever since the OSCE has established a monitoring mission and is the only organisation present in the conflict zone, it has drawn a great amount of international attention that might lead to academic discussions afterwards. Another scientifically interesting topic is the OSCE's engagement in election observation. The OSCE is an acknowledged forerunner with globally recognised standards of free and fair elections. Issues related to media freedom, on the other hand, are more important for scholars, journalists and communication experts as well as activists of human rights protection. This research will contribute to engagement of political scientists as there are many approaches to their possible field of interest.

Supporting Theory

Activities of international and regional bodies which were established after the WWII aiming (only or partly) to achieve international lasting peace and cooperation in international

relations are often approached and analysed from the perspective of liberalism. The OSCE was originally established as the Conference on Security and Co-operation in Europe (CSCE) in 1970s. Being a cooperative institution and aiming for better life and more peace for the most people, the OSCE could serve as a typical actor of institutional liberalism. Liberalism dominated the international environment for more than 20 years since the collapse of the Soviet Union, which gave unprecedented geopolitical power to liberal democracies. More precisely, institutional liberalism reached its peak in the last decade of the 20th century, when also the OSCE Representative on Freedom of the Media was handed its mandate.

Following the arguments of Robert O. Keohane, what distinguishes institutional liberalism from its headwaters of the beginning of 20th century is its social purpose “to promote beneficial effects on human security, human welfare and human liberty as a result of more peaceful, prosperous and free world” (Keohane, 2012, 126). International law and international organisations can help countries to increase the level of democracy and spread the enjoyment of human rights and fundamental freedoms. The followers of institutional liberalism strove to prove that “cooperation in world politics can be enhanced through the construction and support of multilateral institutions based on liberal principles” (Keohane, 2012, 125). They believe in globalisation and interdependence and in the idea that absolute gains can be sought through co-operation and international organisations. Furthermore, the use of power can be justified in constructing these institutions on the basis of social purpose and international organisations as foundations of social progress. Such issues as human rights and democratisation are no longer an internal affair of a state, but an international concern. According to the belief of institutional liberalism, the moral action that maximises utility is to let people rule by employing institutions, as it is no longer enough to rely on “synthesis of morality and reason”.

The discourse of institutional liberalism is reflected in the founding OSCE documents too. For comparison, the Commemorative Declaration of the OSCE Astana Summit (2010) repeats the “vision of a free, democratic, common and indivisible Euro-Atlantic and Eurasian security community”. This significant document identifies the OSCE principles and commitments as “common achievement” and “matters of immediate and legitimate concern to all participating states”. The heads of states agreed on “the crucial role of the OSCE” and stressed the importance of all OSCE bodies and institutions. This is just one of many examples when countries declared the importance, the belief and trust in an international organisation. In other words, such act transfers responsibility for peace and prosperity from an individual state towards an institution. State’s membership in such institution and its signature underneath such eloquent declarations already create an image of more democratic,

progressive and welfare state.

With this belief in the ability of cooperative institutions to facilitate better life for most of human beings, the RFoM lived through times of verve and decline fighting for the freedom of expression and freedom of opinion through all kinds of media. In the perspective of institutional liberalism, the RFoM is its typical “fruit” created to protect the essential principle of freedom of the individual. Human rights and democracy as an international concern is the cornerstone of the OSCE and its human dimension. It constitutes the international order. Non-intervention principle cannot be used willing to avoid discussions on violations of human rights in one of the participating states. One of the goals of the OSCE – not only to criticise each other but also to assist each other solving specific problems – ideally corresponds with the vision of institutional liberalism.

However, today the OSCE encounters an emerging and worrying trend. The RFoM Miklos Haraszti stated that commitments melt down and their universality is questioned (RFoM Yearbook 10, 15). At the same time, institutional liberalism faces a decline in its social purpose, and Western power as multilateral institutions lack comprehensiveness and coherence (Keohane, 2012, 136). The critics of institutional liberalism point out the endlessly increasing legalisation, more legalism and moralism as well as worrisome decline in the coherence of different international regimes. These processes are observed in the reality of the OSCE and will be discussed further in this thesis. Such compliance between empirical observations and theoretical discussions will be important when analysing the successes and failures of the RFoM.

Applied Methodology

The first half – **theoretical and descriptive parts** of this paper – relies on relevant academic sources as well as political and legal documents, e.g. international agreements and treaties, OSCE decisions and declarations, and other. This is necessary in order to define central concepts of media freedom, its categories of environment, and the spectrum of its legal establishment in the analysed region. Moreover, it is important to get an overview of functioning of the OSCE, differences between politically and legally binding commitments, and to clearly define commitments to OSCE relevant to media freedom and the mandate of RFoM before “going to the field” and starting empirical research.

The other half of the thesis constitutes the **empirical/analytical part**. Firstly, it describes the level of media freedom and its development since 1991 in each post-Soviet

country. International indices and rankings as well as situation overviews, provided by the RFoM as well as other engaged IOs and NGOs, are especially useful when comparing the countries with each other and looking for the “post-Soviet path”. Secondly, qualitative research of each country’s compliance with OSCE commitments is conducted based on the reports of the RFoM activities in 1997–2014. The majority of these reports is available in the format of yearbooks that cover regular RFoM reports to the OSCE Permanent Council, country reports and legal reviews offered on case-by-case basis, interventions and press releases, initiated projects and other activities. The qualitative research is based on the method of content analysis. It allows for the empirical data, i.e. the published communication of the RFoM, to be systemised and described in an objective and reliable manner.

Chapter Outline

The following sequence of chapters is laid out in order to answer the main research question and reach secondary objectives. The 2nd Chapter defines the central concept of the media freedom and describes its establishment as a human right in international law and politics. It explains the significance of the media freedom, its relation with other fundamental freedoms as well as democracy, peace and international stability in general. This chapter also provides a comprehensive overview of OSCE commitments on media freedom and the mandate of its ombudsman – the RFoM. Finally, the most prevalent international indices are described that measure the level of the media freedom in quantitative and qualitative terms.

The comparative study of media freedom in the post-Soviet European countries is presented in the 3rd Chapter. It starts with a cross-regional comparison (including a graphical representation) of the variation of Freedom House scores in the analysed countries in the twenty-year-period, from 1994 to 2014. Following that, the development and current state of media freedom in each country and geographical region are reviewed according to the three categories of environment: political, legal and economic. Afterwards, the empirical research of implementation of OSCE commitments in the given region is presented in the 4th Chapter. It summarises the RFoM activities in the post-Soviet countries, based on the performed content analysis of RFoM communication, and concludes with main trends.

The last 5th Chapter is based on the results of the previous two. It discusses similarities and differences between countries, overviews the main tendencies of the implementation of commitments in the region and gives generalisations on the “post-Soviet media”. Finally, Conclusion suggests insights and recommendations for the work of the RFoM and OSCE and discusses future perspectives of the media in the region.

2. CHAPTER: International establishment of media freedom

2.1. Media freedom as human right

The definition of media freedom is the essential starting point for any further theoretical elaboration or empirical research. This concept is defined and globally acknowledged in the Universal Declaration of Human Rights, which was adopted in 1948 by the UN General Assembly. The Article 19 of the Declaration states that “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers”. These two sentences make up the cornerstone for international understanding of the media freedom and its further establishment in other organisations, frameworks and practices. Although this UN resolution is not directly binding on States, it is recognised as customary international law with its legal force. Today, it is equally important to ensure the freedom of opinion, and so the media freedom as all other human rights and basic freedoms.

The freedom of the media is important not only because it is closely linked to the freedom of expression and freedom of information but also to the establishment of democracy, peace and international stability. “No nation can hope to develop democratically without free expression, publication and distribution of ideas and opinions. Democratic societies only can function sustainably when people are well informed, are able to access and share information freely and can debate ideas. Free media, unfettered by government control, promotes a free exchange of views, which can help reduce international tensions and prevent conflicts” states the OSCE Representative on Freedom of the Media (OSCE RFoM Factsheet). The level of media freedom characterises the level of democracy in a country.

Free media ensures the exercise of the universal right to free speech, to seek and receive information, and allows people to make rational and informed choices and decisions, contribute to political debate. Free media that also covers criticism of the government is vital to the success of a democracy and to achieving accountability and transparency of a democratic government. Media is able to guard against abuse of power. Independent and critical journalism informs the society about the mistakes of those in political and economic power. Very often, this information is of vital importance as the mistakes can be fatal to the future and prosperity of the country. The OSCE, UN and Organisation of American States

(OAS) define this ability to expose political and economic corruption and other wrongdoing as an “important corrective function” (Joint Declaration on International Mechanisms for Promoting Freedom of Expression, 2002). Not surprisingly, the media is often described as the fourth branch of government and the fourth pillar of a well-functioning democracy next to executive, legislature and judiciary. Although this “quartet” is not established in the political theory, but freedom of the media is still acknowledged as a key principle of democracy next to free and open elections, separation of powers, civilian control of the military and other. For this to exist, media has to remain free, uncorrupted and respected by other branches of government.

Providing a forum for social cohesion, open social and political debate as well as credible information for big audiences, the media is able to reduce tensions on all levels. That enhances society’s capacity to manage conflicts without violence. The same is applicable on the international level. In case of crisis, the free media is able to attract international attention. That might even lead to the so-called CNN-effect when extensive international media attention forces states to intervene in violent conflicts (Westphal, 2004, 28). After a conflict, media again can play an important role in reconciliation, societal development, promoting tolerance, informing all sides and encouraging peaceful solutions. Safety of journalists is of prime importance for the international peace-building measures, which take place in an unstable media environment. At the same time, tensions can be provoked when the media is misused for propaganda, incites hatred, and when people lack information. To sum up, free media is of vital importance for maintaining and restoring peace.

Nevertheless, the freedom of the media is not absolute and may be restricted in specific circumstances. A possibility for limitations is also acknowledged in the Article 29 of the Universal Declaration of Human Rights. Such limitations are allowed “solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society”. Restrictions have to be precise, respect the rule of law and pursue legitimate goals. Authorities regulating the media have to be independent from government or any other political or private influence. In a slightly different wording, such necessary conditions are foreseen in all major international documents, including International Covenant for Civil and Political Rights (ICCPR), European Convention, American Convention and African Charter. According to them, the “3-part test”¹ should be applied in order to prove the

¹ A more coherent interpretation of the “3-part test” according to the ICCPR by the Article19 can be found at <https://www.article19.org/pages/en/limitations.html>

legitimacy of restrictions. Firstly, they have to be provided by law, secondly, be truly necessary and, thirdly, have a legitimate aim. The legitimate aim includes such reasons like the respect of rights or reputations and protection of national security or public order or public health etc. (ICCPR Article 19(3)).

2.2. International and regional agreements

The post-Soviet European countries are members of the United Nations, and this membership obliges them to respect the Universal Declaration of Human Rights and protect the freedom of expression in their countries. Besides that, ICCPR, European Convention on Human Rights and commitments to the OSCE, which will be discussed in more detail later, also bind to respect the freedom of the media.

The International Covenant on Civil and Political Rights (ICCPR), another legally binding UN Treaty, ratified by all post-Soviet countries, guarantees and clarifies the right to freedom of expression. Article 19 establishes the right to hold opinions without interference and the freedom of expression including the freedom to seek, receive and impart information and all kinds of ideas through any media of choice. Moreover, the states are required not just to refrain from violations but also to ensure these rights and freedoms, create conditions where they can be exercised. The UN Human Rights Committee controls and observes the implementation of the Covenant and investigates cases of violations.

The establishment of regional human rights protection systems, such as the American Convention on Human Rights, the European Convention on Human Rights and the African Charter on Human and People's Rights, illustrates the importance and the wide recognition of the freedoms of media and expression and their interdependence around the world. Article 10 of the European Convention on Human Rights acknowledges the right to freedom of expression. That right includes freedom to hold opinions and impart information and ideas. However, it does not prevent licensing of broadcasting. It also reads that these freedoms may be subject to the interests of national security, territorial integrity or public safety, prevention of crime, protection of health or morals etc. All post-Soviet European countries, except Belarus, are members of the Council of Europe (CoE) and have ratified this Convention. The Convention established the European Court of Human Rights which ensures the observance of the document. Declarations of this Court and its interpretation of the Convention advise parties further on the implementation of the agreement. The Court not only defends the unlimited use of freedom of expression but also benefits from the free media when identifying

and combating other human rights violations. Finally, countries, while negotiating their accession to the Council of Europe, also had to undertake a number of commitments, including requirements on the rule of law, human rights and fundamental freedoms.

2.3. OSCE and its commitments to media freedom

Organisation for Security and Co-operation in Europe (OSCE), with headquarters in Vienna, Austria, currently has 57 participating states. It is the only regional organisation which unites all post-Soviet countries as members. The OSCE commitments are politically and not legally (as opposite to treaties of international law) binding. They all are adopted at consensus and are applicable to any citizen or government in the OSCE area. Norm creating at the OSCE is very flexible, dynamic and a constantly ongoing process. Previously agreed standards and their implementation are repeatedly discussed and elaborated all over again. This process leads to an adoption of new set of documents that complement but never replace previous agreements.

Institutional liberalism argues that not only “high” but also “low” or “soft” international politics matter. The OSCE is a good example of their combination, where politico-military affairs comprise only one dimension of commitments, activities and discussions, and the other two are economic-environmental and human dimensions. The latter places emphasis on human rights and freedoms, election observation, protection of national minorities, promotion of democratic institutions etc. However, all OSCE commitments should always be approached within the context of the comprehensive indivisible security concept. All commitments follow several basic principles. Firstly, respect for human rights and fundamental freedom is one of the cornerstones in the OSCE concept of security. Secondly, building the security community is not only the absence of war, but also comprehensive peace and stability in Europe. Finally, states are accountable to their citizens and one another for the protection and ensuring of these rights and freedoms.

Media freedom is a cross-dimensional issue that affects other human rights and even hard-core security or issues of migration and climate change where free media is necessary to facilitate the debate. The “package” of OSCE commitments related to the media freedom comprises number of decisions, adopted by three OSCE decision making bodies. Principles of the Free Media, Free Expression and Free Flow of Information have significantly advanced over 40 years of OSCE’s existence.

The founding OSCE Document, the Helsinki Final Act, signed in 1975, is said to be

the first international document that recognised the protection of human rights and fundamental freedoms as a matter of international concern. Today, this document remains the fundamental cornerstone of OSCE activities and plays a vital role in the development of OSCE norms and principles. By signing the Helsinki Final Act, countries agreed to respect human rights and fundamental freedoms and to promote their effective exercise. This document together with its two subsequent documents, namely 1990 Copenhagen Document and 1990 Charter of Paris for a New Europe, comprise the backbone of the whole OSCE human dimension. Regarding media freedom, the Helsinki Final Act declares the need to improve the circulation and exchange of, and access to, information, as well as the need to cooperate in the field of information and to improve the working conditions for journalists. This document includes an extensive list of intentions related to media and all aspects of its work. Follow-up meetings to the Helsinki Conference (Concluding Documents in Madrid, 1983, and Vienna, 1989) restated these intentions in their concluding documents once again: to “further encourage” and “continue efforts” cooperating in the field of information. Full implementation of the Final Act would significantly improve the media situation in the OSCE countries. However, despite many efforts and supplementing decisions, this has not yet become a reality.

The next range of decisions were taken during OSCE Summits of Heads of State or Government. In 1990, the Charter of Paris confirmed the commitment to the freedom of expression. The Helsinki Summit in 1992 (CSCE Helsinki Document) agreed to organise the CSCE Human Dimension Seminar on Free Media. The Budapest Document of 1994 includes a chapter on Freedom of Expression and Free Media, which reaffirmed freedom of expression as a fundamental human right and declared an independent and pluralistic media essential for a free and open society and an accountable government. It also condemned all attacks and harassment of journalists. Later in Lisbon, in 1996 (Lisbon Document), the principle that media freedom is among the basic prerequisites for true democratic and civil societies was reiterated and a need to strengthen implementation of commitments in this field was expressed. The Lisbon Summit also tasked to elaborate a mandate and appoint an OSCE Representative on Freedom of the Media. The Permanent Council completed this task on 5 November 1997. As a result of the Istanbul Summit in 1999, the phrasing (Istanbul Document) became even more elaborate. In its Declaration, states committed themselves to ensure media freedom as basic condition for pluralistic and democratic societies and underlined the need to secure freedom of expression. The Charter for European Security of the same summit reaffirmed the importance of independent media and free flow and public access to information as well as committed to ensure basic conditions for free media. Finally,

the Astana Commemorative Declaration in 2010 reaffirmed full adherence to the UN Charter and all OSCE norms, principles and commitments and responsibility to implement them “fully and in good faith”. The Astana-Summit also reiterated the protection and promotion of human rights and fundamental freedoms as “our first responsibility” and the important role played by free media in doing this. It was a landmark event where states recommitted to the fundamental OSCE principles. They endorsed the RFoM stressing the importance of the Office’s work assisting the participating states.

Several Ministerial Council (MC) meetings also committed to the principles of media freedom. Although it has often been (especially, in the recent years) difficult to agree on decisions in the human dimension of the OSCE, but principles of Free Expression and Flow of Information were established in the decisions of other two dimensions. In the politico–military dimension, the OSCE agreed in Bucharest, in 2001, as part of the Bucharest Plan of Action for Combating Terrorism, that media can play a significant role promoting tolerance and preventing terrorism and they tasked the RFoM to develop measures to encourage these processes and support the drafting of related legislation. It also underlined that the RFoM should cooperate with States drafting legislation on terrorism prevention that these laws were consistent with freedom of expression. A year later, OSCE Ministers in Porto (Charter on Preventing and Combating Terrorism, 2002) acknowledged the positive role of the media in promoting tolerance and understanding and raising awareness for the threat of terrorism. The OSCE Strategy to Address Threats to Security and Stability 2003 acknowledged promotion of free media, among others, being substantial to conflict prevention and post-conflict rehabilitation. MC Decision on Combating the Use of the Internet for Terrorist Purposes (No. 3/04) bound the states to ensure respect for freedom of opinion and expression while combating this threat. After 2 years, MC Decision No. 7/06 of the same title reaffirmed its importance again. Finally, the latest Ministerial Council, held in 2015, (MC.DOC/4/15) reconfirmed the role of the media preventing and countering violent extremism and radicalisation that lead to terrorism. That was the only document mentioning media adopted at this Council in Belgrade.

In the economic and environmental dimension, its Strategy Document (Maastricht 2003) acknowledged the important role played by free and pluralistic media with maximum editorial independence from political and financial pressure in ensuring transparency and combating corruption. Nine years later, Declaration on Strengthening Good Governance and Combating Corruption, Money-Laundering and the Financing of Terrorism recognised that freedom and access to information foster openness and accountability in public policy and procurement as well as enable media to contribute to prevention and combatting corruption,

financing of terrorism and money-laundering. Decision on Prevention of Corruption (MC.DEC/5/14) was the only decision at one of the latest Ministerial Councils, held in Basel, in 2014, that mentioned the role of the media. It recognised the free media as one of the factors that can play a role promoting transparency and fighting corruption.

Decisions in the third – human – dimension are often focused on a specific topic, where media freedom, among others, is just mentioned in the context. The OSCE Action Plan on Improving the Situation of Roma and Sinti (MC.DEC/3/03, 2003) foresees a range of recommendations for participating states in the area of mass media. Defending another discriminated social group, the 2004 OSCE Action Plan for the Promotion of Gender Equality (MC.DEC/14/04) tasked the RFoM to be alert with regard to serious intolerance towards women and incitement to gender discrimination in the media. Attention to media-related issues and RFoM activities was paid in a row of decisions on tolerance and non-discrimination. Starting in 2003, the MC Decision No. 4 “ensured the advancement of the implementation of the OSCE commitments” and, among others, recognised the importance of relevant recommendations of the RFoM. MC Decision No. 12 (Sofia, 2004) of the same title² bound the participating states to encourage the promotion of tolerance, dialogue and understanding through the media, including the Internet, as well as to ensure that “the Internet remains an open and public forum for freedom of opinion and expression”. Furthermore, MC Decision No. 10/05 in Ljubljana extended the obligation not to endanger freedom of information and expression when countering xenophobic stereotypes, intolerance and discrimination in the media. Decision No. 13/06 in Brussels gave more specific recommendations and encouraged the adoption of voluntary professional standards by journalists, media self-regulation and other measures to increase professionalism and adherence to ethical standards among journalists.

This short overview of OSCE commitments³ does not include such documents of smaller scale as those from human dimension conferences or meetings of experts and of Permanent Council. That would expand the scope of commitments even further. But no matter how many commitments are adopted, it is more important to ensure their implementation. That is especially difficult for the OSCE, where commitments are politically binding and the most common way of pressure is the language of moralism and endless discussions between participating states. Additionally, there are several mechanisms for the

² In particular its Annexes: Permanent Council Decision No. 621 and No. 63

³ The overview of documents was made with reference to *Commitments: Freedom of the Media, Freedom of Expression, Free Flow of Information. Conference on Security and Co-operation in Europe (CSCE) and Organisation for Security and Co-operation in Europe (OSCE), 1975-2012*, 2nd Edition, Vienna 2013

observation and control of compliance related to human rights and democratic institutions established within OSCE. Among them, the most important for media-related issues is the special ombudsmen institution – the OSCE Representative on Freedom of the Media. The overview of its mandate is presented in the following section.

2.4. Mandate of OSCE Representative on Freedom of the Media

In 1997, the OSCE participating states recognised the freedom of expression as a fundamental human right and basic component of democratic society and acknowledged independent and pluralistic media as essential to a free and open society, and accountable systems of government. By doing so, they agreed on the establishment and the mandate of the OSCE Representative on Freedom of the Media (RFoM). In the same year, OSCE foreign ministers at Copenhagen Ministerial Council appointed the first Representative, who started to work from 1 January 1998. In the beginning, its establishment within the biggest regional security organisation attained some scepticism and concerns for duplicating already existing intergovernmental offices within UN and the Council of Europe. The first appointee had to prove that freedom of the media is necessary for the lasting security of every state. Today the OSCE Representative is one of four ombudsman institutions in the world observing the compliance with the media and expression freedom⁴ and the only intergovernmental media freedom watchdog. Its work is visible and, most of the times, respected by the OSCE participating states.

The mandate of the OSCE RFoM was established and defined by the OSCE Permanent Council Decision No. 193 in 1997. According to it, the RFoM observes media developments in all participating states and, advocates and promotes full compliance with respective OSCE principles and commitments. In this respect, RFoM also assumes an important early-warning function. It concentrates on rapid response to serious non-compliance with OSCE commitments and, if that occurs, seeks direct contacts with the participating state and other parties involved, assesses the facts and contributes to the resolution of the issue. RFoM assists the participating states in a spirit of mutual co-operation, without exercising any juridical functions. All interested parties may forward their requests or comments on compliance with OSCE principles. The RFoM not just does not exercise a

⁴ The other three are: the UN Special Rapporteur on Freedom of Opinion and Expression; the OAS Special Rapporteur on Freedom of Expression; and the African Commission on Human and Peoples' Rights (ACHPR) Special Rapporteur on Freedom of Expression and Access to Information.

juridical function, but also cannot be involved in any national or international proceedings on human rights violations. Instead of that, the Representative can raise questions, suggest recommendations, request replies, and most importantly, can notify the public and involve the civil society in the debate. All participating states confirmed their agreement to cooperate fully with the RFoM.

The mandate also foresees RFoM relations with other OSCE bodies and institutions as well as other international partners. The RFoM routinely consults with the Chairman-in-Office. The RFoM also closely co-operates with the OSCE Office for Democratic Institutions and Human Rights (ODIHR) when assessing conditions for media before, during and after elections. The Representative is also obliged to report at the OSCE Human Dimension Implementation Meetings and OSCE Review Meetings on matters of freedom of expression and media freedom. The RFoM co-operates with other relevant international organisations, including the UN, OAS and Council of Europe, in order to enhance coordination of activities and avoid duplication of efforts. Non-governmental partners of the RFoM include Article 19, International Press Institute, Committee to Protect Journalists, IFJ, EFJ, *Reporters sans Frontières* (RWB) and many other NGOs around the world. This cooperation allows sharing best practices and improving efficiency.

RFoM works with the help of quiet diplomacy as well as of public statements and press releases. “RFoM’s public arena is the theatre of international community, that is, the audience of diplomats” (Yearbook 12, 29–40), but also civil society and the media in respective countries and beyond. RFoM regularly reports to the OSCE Permanent Council on its activities and observations. Other substantial sources of information are the press releases issued by the RFoM reacting to relevant developments in media field, country reports published on case-by-case basis, lists of RFoM interventions made annually and collected in the yearbooks, speeches at the meetings and conferences, announcements of RFoM organised events and other contributions, which all will be thoroughly examined in the following chapters.

It is an exceptional mandate that reaches further than any other regional organisation or the UN itself, meaning that governments of OSCE participating states agreed to establish an institution, which would observe and control the relation between these governments and the media in their countries. The Office’s independence itself is an outstanding feature that is necessary to protect and develop media freedom. Even if some of participating states today try to evade this politically binding commitment taken in 1997, it is a good argument for the RFoM to claim its interventions and remind of their once “declared” democracy.

There have constantly been attempts to restrict the RFoM’s mandate and to diminish

its authority. Arguments of those varied between the threat of terrorism, that requires to censor the media, or the nature of market economics, where huge media concerns overwhelm the weaker ones. Others tried to accuse the RFoM for interfering with the national law making processes that is both incorrect and beyond the mandate. In most of the cases, these were legislative initiatives and recommendations from the RFoM, which can be also interpreted as the implementation of the “early warning” part of the mandate. Participating states argued that OSCE commitments can only be applied in accordance with national legislation and tradition, but that would undermine the universality of the media freedom. They also asked RFoM to be more geographically “balanced” and pay more attention to the countries in the West from Vienna, not only in the East. However, this requirement would not allow the RFoM to follow up on all violations of the media freedom since problems do not emerge according to any balance or allocation.

The documental establishment of the mandate and formal agreement to conform is just one side of the coin, but its implementation and interpretation remain in the other side with all its shades. Numerous examples of mandate’s application in the post-Soviet area and practical cooperation or disputes with participating states will follow in further chapters.

2.5. Media freedom indices

The most straightforward way to evaluate the freedom of the media in a country is to use statistical quantitative values – indices. However, there is no universal or standard measurement. Several methods attempt to assess the level of media freedom in each country, but have both advantages and disadvantages. The two best-known advocacy organisations which make quantitative measurements are the Freedom House in New York and the Reporters Without Borders (RWB) in Paris. The first started to rate countries five years before the RWB was even founded, but they both focus on slightly different issues and use different methodology. Moreover, these methodologies are constantly improved and modified and it is hardly possible to compare the results of both indices diachronically.

Nevertheless, the work of both organisations does not lack criticism. Any attempt to objectively characterise the situation using nominal scales and predetermined variables are subject to doubts and inaccuracy. Furthermore, such worldwide comparisons can sometimes lead to surprising results, where, for example, press freedom in Russia gets the same scores as

Zimbabwe, but lower than Chad or Djibouti ⁵. Historical aspects, cultural values, professionalism of journalists and other factors cannot be accurately taken into account when doing global comparisons. Nevertheless, grouped scores within a region look more meaningful and sufficient for a reliable comparison of the post-Soviet area or smaller geographical regions.

After comparing these two well-known and broadly used indices, this research will stick to the methodology of the Freedom House. This U.S.-based NGO regularly conducts research on democracy, political freedoms and human rights, including annual rating of the global press freedom level, and is widely acknowledged for its work quality and reliability. The researchers of the Freedom House evaluate the development of media freedom annually since 1980, constantly improving and refining their methods. In comparison with RWB, the Freedom House pays more attention to the compliance with press freedom as a basic freedom and universal right, which matches the RFoM's approach better, whereas the RWB is more specific and focuses on journalists' rights. Secondly, the Freedom House claims to ensure comparability and consistency in the findings from country to country, region to region, and year to year (Karlekar, Dunham, 2013, 36). This is very important trying to describe the path of post-Soviet media since 1991 as the RWB started to rate countries in 2002 only.

2.6. Media environment: three categories

The Freedom House uses 23 questions and 109 indicators to rate the media freedom in each country and allot them to following categories: "Free", "Partly Free" and "Not Free". The examination methodology (Karlekar, Dunham, 2013, 35–36) comprises three categories of indicators that describe political environment, legal environment and economic environment. These three environments encompass all conditions for the work of journalists. The qualitative assessment of diverse variables of three categories gives background for the evaluation, which the Freedom House converts into a score from 0 to 100. Higher numbers indicate a worse situation. The factors that impact each environment are described below and will guide the comparative study of the post-Soviet media across the region in this paper.

The **political environment** describes general attributes of the national political situation such as the form of government and the level of democracy. The form of government is a good initial predictor of the level of media freedom in a country. Both

⁵ An example is randomly taken out of Global Press Freedom Rankings 2012 by the Freedom House.

rankings – the Freedom House and RWB – demonstrate that the democratic countries occupy the top positions of the indices every year and the dictatorships rub their shoulders in the bottom of rankings. Dictatorships especially fear information that can undermine or doubt on their rule, and the easiest way to deal with it is to ban. The political environment also covers the editorial independence of media outlets, practice of censorship, diversity of available news as well as other conditions of journalists' work.

Coverage of demonstrations in the media, the relationship between the government and the press, their willingness to cooperate also fall under this category. Good relations between politicians and the media are crucial for the positive political environment, democracy, public trust, as they enable public participation in the decision-making processes. On the other hand, high degree of interdependence between the media and politics might lead to self-censorship by journalists. The state and the media have to be clearly differentiated so as the separation of the Church and the State is necessary to ensure the freedom of religion. Political demonstrations also illustrate both the level of democracy as well as environment for journalists covering these events. Reporting on demonstrations is a matter of not only media freedom and free flow of information but also of rights to free assembly and free speech. During sanctioned as well as unsanctioned demonstrations, journalists have to be protected as well as they themselves have to transmit professionalism, remain objective and not get involved in the action.

Finally, cases of violence, imprisonment or persecution of journalists also negatively affect the score under political environment. Violence not only violates the rights and dignity of a victim journalist but also limits everyone else's right to receive information. Such cases impose censorship and prevent media from performing its most important services. Often, the tendency towards societal violence against the media is linked to the level of government's respect towards the media.

The **legal environment** examines the national law, regulations and legal institutions that govern and control the media. There should be a minimum of legal restrictions for the free media to exist as well as enough laws to guarantee conditions for its work. The legal environment covers a whole spectrum beginning with constitutional guarantees and ending up with penal codes. Particular attention is paid to the secrecy laws, legal procedures of libel, extremism laws, provisions on protection of sources, copyright legislation and frequency regulations that often unnecessarily diminish human rights. Laws criminalising defamation, insult, slander or libel often impose harsh and not proportional sanctions and threaten the freedom of expression. Inability of public officials to tolerate greater criticism is another side of the same coin. Civil courts should handle verbal offences or, at the very least, sanctions

should not include imprisonment. Protection of state secrets and classified information have to be balanced with guarantees for access to information and freedom of expression. Punishments should be applied not only to journalists, but also to the officials in charge. Lastly, extremism laws also often restrict the freedom of media. Although manifestations of any xenophobic and racist or other discriminatory propaganda in the media have to be limited, limitations have to be clear and balanced, without room for subjective interpretations.

The independence of judiciary and media regulatory bodies is also included under the legal environment. The judiciary plays a crucial role investigating violations of journalists' rights including cases of violence. If investigations are swift and effective, the climate of fear and impunity will not spread and create conditions for other attacks. Media self-regulation, especially an effective one, is a crucial component for strengthening the professionalism of the media and regaining public trust. It is especially important in transition countries, and thus in post-Soviet Europe, where media also has to "rid itself of old habits", and the government has to disengage from its previous role in regulating the media. Self-regulation improves ethics in journalism and teaches to settle conflicts out of court.

Finally, the **economic environment** includes the structure of media ownership, costs of media production, level of corruption, and the relation between country's economic situation and media sustainability. Economic factors comprise the biggest part of challenges for the media in democratic countries. Even if the freedom to produce and circulate the news and information is largely protected, journalists very often have to cope with economic instabilities. For example, the economic crisis of 2008 severely hit the media outlets around the world and especially in the liberal market economies. Commercial pressures lead to cost-cutting and less qualitative content, decrease in investigative journalism. Even such cases as confiscation of media tools, such as cameras and recording equipment, by law enforcement officials is not only a criminal offence, but might be decisive for a financially weak media outlet. An unfavourable tax system might also deepen the dependence of the media outlets on different interest groups and might be used as a form of censorship. Fragile financial situation is more advantageous for the spread of corruption between journalists.

The free media has to be economically independent, and its ownership not influenced by power or interest groups. Nevertheless, private ownership does not automatically mean independent and free media. Many private media outlets are often influenced by government or owned by government-controlled businesses, or third companies. And there is no surprise, that such media does not publish cases of corruption, misapplication of law, human rights abuse or other misuse of government power. Growing concentration of ownership can also have serious implications for content diversity. These processes, however, are difficult to

avoid in market economics where media becomes business and optimisation and monopolisation are more effective and profitable, though not always fair.

3. CHAPTER: Comparison of media environment in the post-Soviet countries

There was no free media in the Soviet Union. The Communist Party and the Soviet state controlled all media outlets – television and radio broadcasting, newspapers, magazines and book publishing. The state owned all production facilities and any outside possession and use of copying machines was tightly controlled. Shortwave radio receivers were rarely sold inside the country and foreign radio broadcasting was jammed. Representatives of the *Glavlit* were present in every newsroom to ensure that no journalists tell any further than the Government wants it and read every single article prior to publication. Soviet media censorship network was the most powerful in the world during the decades of Union's existence.

When the Soviet Union ceased to exist on 1 January 1992, ten newly independent states in Eastern Europe (Belarus, Moldova, Ukraine), in Southern Caucasus (Armenia, Azerbaijan, Georgia), the three Baltic states that restored their pre-war independence (Lithuania, Latvia, Estonia) and the Russian Federation started to develop their media environment from the same starting point. And today, after more than 20 years, it is interesting to see to what extent the scores of international indices of press freedom vary across the post-Soviet European region, what political, legal and economic environment surrounds journalists working there and what challenges does the OSCE RFoM face monitoring these countries.

3.1. Variation of Freedom House scores

According to the Freedom House report on the Freedom of the Press 2015, covering developments between 1 January and 31 December 2014 (Dunham et al, 2015), four out of ten post-Soviet countries were ranked as “Not Free” and got lowest scores among 199 countries. In addition to that, these ratings also include Crimea as “Not Free” with lower rates than any other FSU country. “Not Free” countries include Armenia (135th), Russia (180th), Azerbaijan (188th) and Belarus (193rd). Only the three Baltic states were assessed as “Free”, while Georgia (93rd), Moldova (118th) and Ukraine (125th) as “Partly Free”. With the exception of Crimea, only such countries as the North Korea and Eritrea as well as FSU countries Turkmenistan and Uzbekistan got worse results than Belarus. Meanwhile, the exemplary Estonia ranked especially high this year as 14th and is followed by Lithuania 41st

and Latvia in 52nd place. Although the freedom ratings greatly vary within the region, but the average is beyond dissatisfactory. The proportion of the post-Soviet population which couldn't access free media in 2013 was roughly 94%, from which the Russian population accounted for 30%, and only 3% enjoyed media freedom. Without the Baltic countries, the picture of remaining countries would look even harsher, and the region as a whole would rank close to the bottom in comparison with other regions. RWB picturesquely describe the post-Soviet region⁶ saying “outside the European Union, freedom of information is in a state of collapse” (World Press Freedom Index 2013).

It is interesting to see the diachronic change of scores given by the Freedom House to each post-Soviet country in more than two decades since 1991, which are all compiled in the table of **Annex 1**. Only qualitative categorical assessments are provided for the period between 1991–1993, since the Freedom House started assigning numerical values in 1994. All countries have a common score in 1991 under the USSR as “partly free”. Same remains in 1992 with an exception of Baltics reaching “free” already. Beginning with 1993, the noticeable variation of scores throughout the post-Soviet region kicks off. The following paragraphs provide a clearer cross-regional perspective.

All three Baltic States maintained the “free” status throughout two decades with a modest competition between each other. The initial leadership of Lithuania (e.g. 17 points in 1998) was later taken over by Estonia around 2002, whereas Latvia always remained the last in this triple-pack. The contrast between the Baltic countries sharpened in the second decade until it reached a difference of 11 score points in 2014 between the Baltic leader Estonia (16 points) and Baltic “straggler” Latvia (28 points). No other country in the post-Soviet region ever reached “free” status, but all vary across as “not free” and “partly free”.

Belarusian media was “partly free” right after it was evaluated separately from the Soviet Union in 1993, but that never repeated and later scores constantly worsened. It started with 66 score points in 1994, then reached a sudden peak of 90 points in 1998, and 80 in the following year. After Presidential elections of 2010, Belarus got 93 again in 2011 and maintained it until today. However, that was not a distinct pattern of the Eastern Europe geographical region. The media in both Moldova and Ukraine enjoyed much more freedom than in Belarus although the situation still was not satisfactory. Moldova kept the “partly free” status from 1993 to 2004 with an exception of 1996, when the Presidential election took place, being marked as “not free”. After 2004, the “not free” period continued until, finally, in 2011 situation started improving. Currently Moldova holds 55 score points. The situation

⁶ RWB definition includes also five Central Asian countries

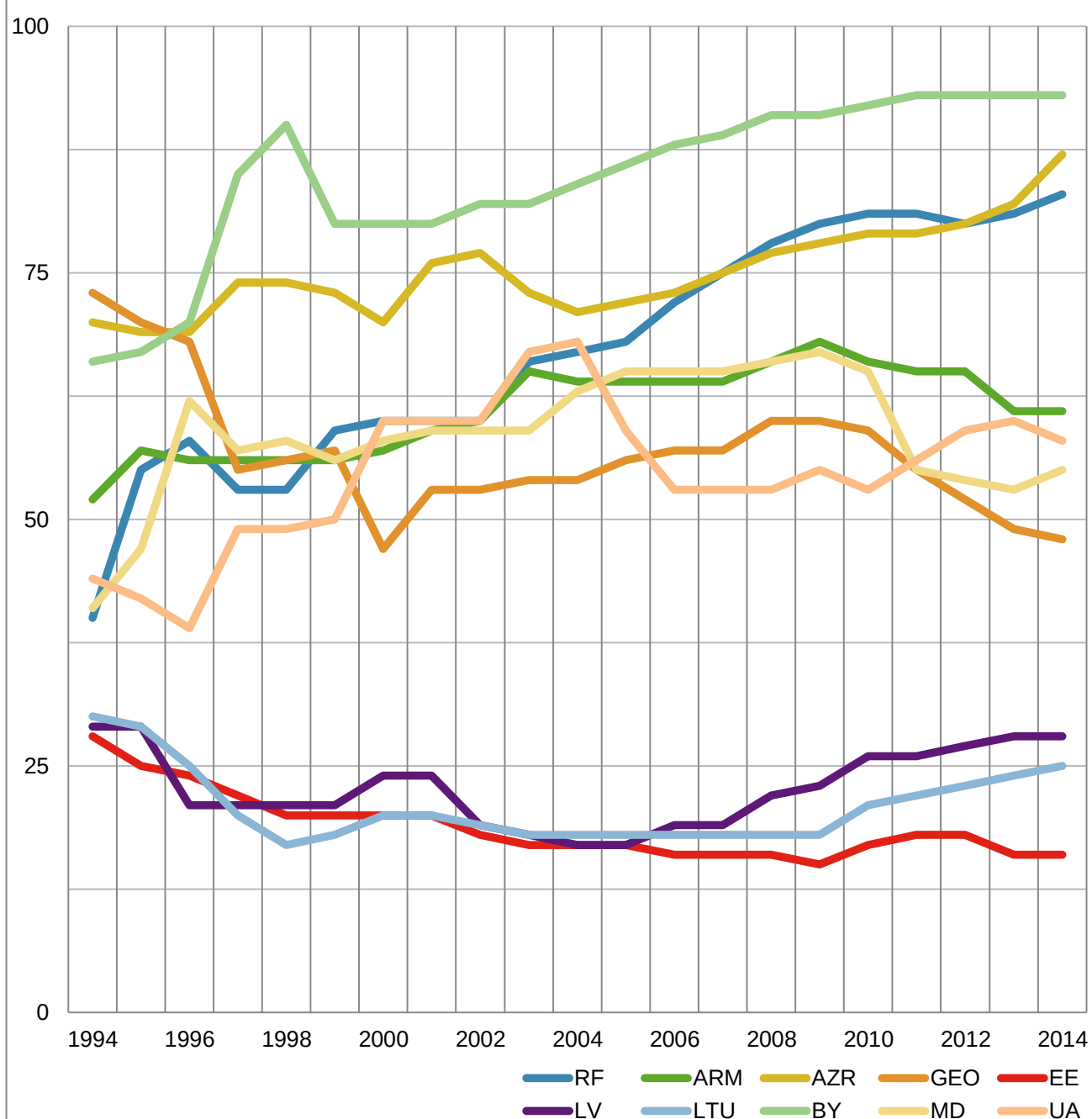
deteriorated since 2013 by two points because of some problematic regulatory decisions, concentration of media ownership, and a more biased news coverage (Freedom of the Press 2015).

In the meantime, Ukraine remained “partly free” throughout two decades, with an exception of being labelled “not free” in 2003, but later recovered with the Orange Revolution in 2004. Unfortunately, recently the media freedom situation worsened again and dropped from 53 score points in 2010 to 63 in 2013, which changed its status into “Not Free” again. This latest trend might be caused by the comeback of President Yanukovich in 2010. Right after the collapse of the Yanukovich government, the Freedom House reported on a number of positive changes in 2014. That led to the change of Ukrainian status back to “Partly Free” with 58 points despite all Euromaidan demonstrations and military conflict in the Eastern part of the country. However, the latest evaluation excluded the occupied territory of Crimea, which received 94 score points and landed among “worst of the worst” due to widespread violence, perilous conditions and restrictions for journalists (Freedom of the Press 2015). Nevertheless, Ukraine, together with Georgia, maintains the freest media in the post-Soviet non-EU region.

Georgia followed a similar variation in score points as Ukraine and was a distinct leader in the region of South Caucasus, whereas in Azerbaijan and Armenia, journalists hardly enjoyed any freedom. After three years of “not free” media, Georgia recovered in 1997 and since then was evaluated as “partly free”. Years of 2000 and 2013 with 47 score points were the positive peaks of the Georgian variation. A more vivid bottom position experienced in 2008–2009 with 60 points was most probably related to the Georgia–Russia war in 2008. In the meantime, scores in Azerbaijan were constantly upsetting. Media in Azerbaijan was rated as “not free” throughout two decades and got even worse in recent years. It reached its highest score of 88 in 2014 and overtook the Russian Federation, with 83 points, in the same year. The Freedom House nominated Azerbaijan “the worst jailer of journalists in Eurasia” last year, where government threatens, persecutes independent media and passes restrictive laws (Freedom of the Press 2015). Armenian media was “partly free” in the 1994–2002 period, but since 2003, the year when both Presidential and Parliamentary elections took place, remained “not free” with waves of light improvement to 61 score points in 2012 and 2014.

Finally, the Russian Federation, the successor of the Soviet Union, has never created any free environment for its media. It was “partly free” in the beginning, but changed into “not free” in 2003 and maintained this status until today. The downwards spiral was clear and constant, beginning with 40 score points, “partly free” in 1993, then changing into “not free” with 66 points in 2003. Russia reached 80–81 points in 2009–2013 and got the highest ever score of 83 last year. With years going by, the increasingly authoritarian regime used more active and aggressive propaganda through its growing state-owned media sector (Freedom of the Press 2015).

Fig. 1. Variation of Freedom House scores 1994-2014



Cross-regional comparison of the variation of Freedom House scores across the post-Soviet countries in the period of 1994–2014 is graphically illustrated in **Figure 1**. The graph distinguishes very clearly the Baltic states from the rest of region. The three Baltic states seem to follow a very similar pattern of development and improvement until 2006 when they started to differ more from each other until, finally, Latvia fell back to what was almost the starting point in 1994. In general, the curve of Latvia is much more uneven in comparison with very stable and gradually improving curve of Estonia.

The rest seven curves give a more complex picture of greater instability. Belarus can be clearly called the negative leader of the region, where media situation has progressively worsened, except the already mentioned peak in 1998. The negative group of countries from the top of the graph could be complemented by the Russian Federation and Azerbaijan, who have been close competitors since 2006. These two countries, however, came to the point of 2006 following different paths. The Russian Federation made the greatest negative change in the region as its curve clearly rises up to the largest extent in the given graph. The curve of Azerbaijan is more modest with very few changes throughout two decades. The rest of the countries - namely, Moldova, Ukraine, Georgia and Armenia - comprise the middle group in the figure. With exception of Armenia, which remained more or less constant throughout the period, other curves have very distinct waves both up and down. Clearly, the greatest degree downwards, that also means the greatest media situation improvement, belongs to the curve of Georgia. The remaining two curves vary greatly and do not share any visible patterns, except the recent decrease and again increase in Ukraine.

This cross-regional grouping, though not theoretically proven, makes more sense when looking for similar post-Soviet patterns than traditional geographical grouping. Although media freedom in the Baltic states correlates well within the geographical region, if the recent increasingly differentiating trend of these countries continues in the future, it might no longer be the case. Unfortunately, among the non-EU countries of the region, the only country – Georgia – improved its media situation significantly during 20 years. The rest suffered from constantly worsening situation with an especially sharp decrease in the Russian Federation and Belarus. Furthermore, there is no pattern of the whole region as the variation between countries is highly differentiated. That suggests that forces, which are behind the variation of scores, might lie on a internal, and national, rather than a regional level. The following comparison of legal, political and economic environment in each country might provide some more tangible explanations.

3.2. Baltic states

The **POLITICAL** environment of the media in the Baltic countries, where democracy is not only declared but also widely practiced, is favourable and secure for journalists. Journalists can freely criticise the government and express different political views. There are dozens of circulating independent TV and radio stations, private newspapers in several languages. The access to the Internet is unlimited with Estonia being among the leading countries in the world in the rates of Internet penetration (Country Report, Freedom of the Press 2014. Freedom House). The quality of the media reflects also the quality of democracy and *vice versa*. Nevertheless, the challenges of the traditional media in the Baltic region are also rather “traditional”. These are the expansion of the online media, shrinking advertisements, decreasing public trust in the media, lower content quality etc. The media in Lithuania had very high authority at the turn of the century. The public trust reached 65% in 1999 and 2003 and was the highest in Europe. However, in 2013, it dropped to 33% in Lithuania. In the same year, 42% of Latvians and 49% Estonians expressed their trust in journalists (Veidas, 2012, 14–32).

Lithuania held the Chairmanship of the OSCE in 2011 and declared the safety of journalists as one of its priorities. There have been very few reports on attacks on, or threats against, journalists during those 25 years of independence in all three countries. Probably the most prominent case in the region was the murder of investigative journalist Grigorijs Nemcovs in Latvia in 2010, which still remains unsolved.

Political tensions with Russia sometimes affect media freedom in all Baltic countries. Freedom House reported on cases such as visa denials and deportations of Russian journalists in Estonia, a switch-off of a Russian TV channel in Lithuania, or removal of biased programmes received from Russian channels in Latvia (Freedom of the Press 2014). After the digital television switchover in Latvia in 2009, many people in the eastern rural part of the country remained without necessary cable infrastructure and thus were not able to see Latvian TV channels but only satellite programmes from Russia and Belarus. Attempts to grapple the Russian propaganda increased during the recent Ukrainian–Russian conflict. Last year, the Freedom House reported Moscow’s efforts to manipulate information in neighbouring regions and, on the other hand, positive cases in the Baltics planning to expand Russian public programming (Freedom of the Press 2015). Estonia already launched a Russian public channel to balance the retransmission of Russian channels that confirmed its regional leadership in the media freedom.

The **LEGAL** media environment of all Baltic countries is partly unified in accordance to the EU principles, but some limitations remain. The constitutions of Lithuania, Latvia, and Estonia provide for freedom of speech and the media, and these guarantees are respected by the Government. However, cases of authorities refusing to provide access to information and public documents still occur. The Freedom House also reported on cases of political parties exerting influence over the media in Latvia.

Estonia decriminalised defamation in 2002 with the exception of defamation against the state and state authorities, or official symbols. That carries maximum two years of imprisonment. Journalists can be sued for civil defamation, though cases are rare. Defamation is still a criminal offence in Lithuania carrying a maximum imprisonment for one year. Provisions are more often used against individuals who make defamatory statements rather than against media outlets. Libel in Latvia also remains a criminal offence. Maximum penalty for defamation in Latvia is one year imprisonment, but journalists rarely face criminal prosecution (country reports, Freedom of the Press 2014, Freedom House).

Lithuania and Estonia are among 14 countries that signed the Council of Europe Convention on Access to Official Documents (2009) and agreed to guarantee the right of anyone to request information from public authorities at no charge. In Estonia, for example, a journalist can be imprisoned for refusing to disclose sources in major crimes cases, though nobody has been yet prosecuted under this law. The Freedom House also recently reported on journalists in Latvia facing pressure from authorities to reveal their sources (Freedom of the Press 2014).

The Baltic media is solving another “traditional” challenge – struggling to regulate hate speech without imposing restrictions on the freedom of expression. In Lithuania, for instance, the adoption of amendments to the Law on the Protection of Minors against Detrimental Effect of Public Information in 2009 raised international discussions, including comments from the OSCE RFoM. The vagueness and dubiousness of the law can cause selective or politicised application against media and can restrict legitimate media content. However, no prosecutions of journalists under this law have been reported. Another sensible topic in the media, that is prohibited by law in Lithuania and remains especially sensitive for all Baltic countries, is the denial of Soviet and Nazi crimes. OSCE RFoM expressed concern in 2014 for passed amendments to the Criminal Law of Latvia that outlaw denial or glorification of Soviet and Nazi actions (Yearbook 2014). Finally, the Latvian law prohibits incitement to racial and ethnic hatred.

Back in 1995, all three countries had a press council and/or a professional code of ethics for journalists (Nordenstreng, RFoM Yearbook 1998/99, 169-185). Media council in

Lithuania is exceptional because it was established by law passed by the Parliament. It has therefore an official status but operates as any other independent self-regulatory body. There is no self-regulatory organisation or press council in Latvia, only the National Electronic Media Council that is linked to the government (Latvia, Freedom of the Press 2014, Freedom House). In Estonia, there are two press councils and a broadcasting council.

The **ECONOMIC** media environment for many independent television and radio stations as well as hundreds of private newspapers in all three Baltic countries largely depends on the general economic situation. The general financial situation in countries directly influences media outlets and especially their advertising revenues. That was the case during the global financial crisis of 2008 that severely affected the media in the Baltic countries and resulted in media outlet closings, staff or salary cuts, reduced output and circulation. Today, the media sector has already recovered along with overall economy of the region.

The legal framework of the media ownership is rather liberal as it was created following the Scandinavian example, though its implementation and public consciousness is not yet “Scandinavian” (Veidas, 2012, 14–32). The concentration of ownership has increased in the recent years. Scandinavian business groups take a significant share in the media, in particular, the television sector, in all three countries. In Estonia, the majority of media outlets are concentrated in the hands of two concerns, “Schibsted” of Norway and local “Eesti Ajalehed”. The Freedom House (country reports, Freedom of the Press 2014) reports that the ownership in Lithuania and Latvia is often not fully transparent, newspapers demonstrate bias in favour of their owners and countries lack adequate legislation on ownership transparency or registers of owners.

The government of Lithuania financially supports some of the media outlets through its National Media Support funds, but these small-scale financial injections make a difference only for small and economically weaker media outlets. To some extent, this can be also regarded as government’s influence since some of the supported media outlets would not survive independently. The journal “Veidas” notes that Lithuania is the only European Union country, that not only does not apply any VAT exemptions for the media, like most EU members, but it also does not apply any tax reductions for the press (Veidas, 2012, 14–32).

3.3. South Caucasus

The **POLITICAL** environment of the media in the South Caucasus is not consistent. Azerbaijan continues to have authoritarian rulers and all media is affiliated with political and

economic interest groups. Meanwhile, Georgia and Armenia enjoy “partial” democracy, which guarantees not all but at least some democratic freedoms.

Georgia and Armenia have made significant progress in media development but media pluralism remains limited, especially in the broadcasting sector and between independent but financially weak media outlets. Print media is more pluralistic and covers more diverse views, but its circulation is relatively low. Georgia enjoys the most democracy as well as the most freedoms in the region. Changes in its political climate demonstrates opportunity for real dialogue between journalists and authorities. The Freedom House commented Georgia for “the freest and most diverse media landscape” in the region in 2012 (Georgia, Freedom of the Press 2012). However, political situation remains highly polarised with reviving tensions between the ruling party and opposition.

The safety of journalists raises the biggest concern in Azerbaijan. Since 2005, it was the country with highest number of imprisoned journalists in the OSCE region. In 2007, RFoM called it “one of the most dangerous places for journalists” (Press release, 17 May 2007). RWB reported that the autocratic government of Azerbaijan deals with the media coverage by arresting opposition journalists, banning foreign journalists, and even promoting violence and abduction (World Press Freedom Index 2011–2012). Violence against journalists, also by law-enforcement officers (for instance, during demonstrations before and after elections) are also often reported in Azerbaijan. Such state hostility – street arrests, detention, criminal prosecution – open the way for unofficial violence, threats and even murder of journalists. In recent years, the Freedom House reported on further deterioration of situation in Azerbaijan, where government punishes independent media with its “heavy-handed” measures (Freedom of the Press 2015).

Journalists enjoy more safety in other parts of the region. Back in 2007, the RFoM reported that violence against journalists virtually disappeared in Georgia and Armenia. According to RFoM (RFoM Yearbook 9, 271 – 282), this is “phenomenal” because Georgia decriminalised libel in 2004 and Armenia abolished prison sentences for it, though cases of violence and persecution were often before that. In 2009, the RFoM again reported on increased media independence and pluralism. Despite slight improvements, the media environment in Armenia remains not free.

Analysing Georgian media and its development, special attention should be paid to the war of August 2008 and its consequences. The war caused unprecedented numbers of cases of violence against journalists with at least 3 murdered and 12 wounded. Cyber-attacks on websites and blockage of television channels, restrictions to enter conflict-affected regions were among many violations of the media freedom. Even after the armed conflict ended, it

took some time to restore the free flow of information. Today, there is little media in the South Ossetia and a bit more diverse landscape in Abkhazia, but almost no independent media in both occupied territories. As the Freedom House reported, the most of today TV programmes are rebroadcasted from Russia and the media ownership and coverage are dominated by local authorities (Georgia, Freedom of the Press 2012).

Another “frozen-conflict” of the OSCE region is the Nagorno-Karabakh. It is *de facto* independent from Azerbaijan but an unrecognized country that is largely populated by Armenians and has close ties with Armenia. The current martial law on the territory restricts main civil liberties including media censorship, majority of media outlets is controlled by the government and deeply corrupted. However, after the presidential elections in 2013, the Freedom House reported on improved situation from “Not Free” to “Partly Free” in its Freedom in the World 2013 rankings.

The **LEGAL** situation of South Caucasus comprises of *de jure* democratic institutions and *de facto* control and unvoiced censorship. Wide gap between the legal basis and its insufficient implementation prevails in the region.

Constitution of the Republic of Armenia (Article 3, Article 27 and other parts) stipulates the right to freely express opinion. It guarantees the freedom of mass media and other means of mass information, also activities of independent and public radio and television service etc. Article 83 provides for the establishment of an independent regulatory body in the broadcasting sector.

The Constitution of Azerbaijan provides a number of provisions protecting the freedom of expression (Article 47: “freedom of thought and speech”), recognising the right to information (Article 50) and guaranteeing freedom of creative activities (Article 51). However, the Constitution also provides basis for defamation provisions: Article 46 ensures the right to defend honour and dignity, Article 75 obliges to respect state symbols and Article 106 protects the honour and dignity of the President. There is no guidance whatsoever provided on how to reconcile the right to freedom of expression and the right to honour and dignity. Furthermore, the concept of dignity is rather vague. The OSCE RFoM published its comments on the Azerbaijan’s defamation regulations in 2006 (Yearbook 8, 253–281) and recommended a higher level of constitutional protection to freedom of expression.

The Constitution of Georgia protects media freedom and bans censorship (Article 24). This country has the most progressive media legislation in the region, including the Law on Press and Mass Media of 1991 as assessed by the Freedom House (Georgia, Freedom of the Press 2012). Georgia is the only country in the region that signed the CoE Convention on

Access to Official Documents that guarantees the right of anyone to request information from public authorities. Although the gap between the written and implemented law still exists, but, back in 2001 already, the RFoM compared the media situation in Georgia favourably as opposed to other FSU countries (Country report, Yearbook 2000/2001, 189–211).

Criminalisation of defamation and fines for civil damages often cause self-censorship of Azerbaijani journalists. The Criminal Code of Azerbaijan foresees fines, work and imprisonment sanctions for the dissemination of information that damages the honour and dignity of a person (Articles 147, 148, 323). Maximum imprisonment of five years is provided for defamation of the President. Georgia decriminalised libel in 2004 with an attempt to bring national law closer to the European standards. Although Armenia also abolished prison sentences for defamation, the OSCE RFoM has constantly encouraged Armenia to make civil defamation laws more favourable to free media. Finally, journalists in the region often lack effective legal protection.

From the numerous reports and press releases by the RFoM on Azerbaijan, criminalisation of journalists is probably the most often quoted problem that limits the media freedom and causes other concerns in this country. Criminalisation of journalism is intricately linked to violence against journalists and official deprivation of their freedom. The authorities of Azerbaijan tried to argue, however, that violence would be precluded by heeding to demands to punish journalists. This logic, nonetheless, is misleading and has a warning tendency – such criminalisation of media could unleash even further violence against it. Furthermore, this will prevent media from reporting on critical matters of public concern. Back in 2005, RFoM suggested Azerbaijan to issue a legal moratorium on criminal prosecution of journalists and to prepare a decriminalisation reform as soon as possible so that country complies with OSCE commitments and CoE standards (Assessment Visit, Yearbook 2005, 124-137). On the other hand, Azerbaijani President often announces pardons for imprisoned journalists. The RFoM always welcomed these gestures, but at the same time, it continuously urged for a legal reform that would allow journalists to work without fear of prosecution. Such gestures of presidential goodwill cannot guarantee media freedom as long as criminal courts handle speech offences.

Another legal problem of the South Caucasus is the access to information for journalists. RFoM assessed the Freedom of Information Law of Armenia as one of the most progressive in the CIS region (Country report, RFoM Yearbook 8, 197–212), but here, as well as in Azerbaijan and Georgia, laws are poorly implemented. Countries lack public awareness and journalists' professionalism. Government officials, particularly in the local level, continue to limit the access to information. Excessive state secret laws deteriorate situation even more.

Access to official information was named a major problem for the media in the region at the 1st OSCE South Caucasus Media Conference (Yearbook 2004, 296).

As for the self-regulation of journalists, the situation in the region was widely discussed at the Fourth South Caucasus Media Conference in Tbilisi (Yearbook 2007, 293-296). The event focused on media self-regulation as a way to increase the quality of journalism while preserving editorial freedom. In the aftermath, a self-regulatory body in Armenia was established. In Azerbaijan, the Press Council, dealt with ethical and professional issues since 2003. It still faced many obstacles such as inefficiency and lack of independence from government influence and public awareness, diversity of standards. Thus, it has not yet significantly contributed to the quality of national press. Meanwhile, Azerbaijan's National TV and Radio Council lacks independence, clearer functions and budgeting. The Media Ethics Observatory of Azerbaijan did not function due to insufficient financial resources at the time of the Conference. In Georgia, the OSCE experts in 2009 reported that the excessive politicisation of journalists as well as their mutual mistrust was the main reason why the self-regulatory body had no authority since its establishment several years before (Yearbook 11, 35–42). In 2012, the Georgian Charter of Journalistic Ethics, discussed expansion of its mandate and raised the prospects for further improvement in media accountability and integrity (Georgia, Freedom of the Press 2012, Freedom House).

The **ECONOMIC** environment of the media reflects the low level of general economic development in the South Caucasus. The media does not have a high degree of financial independence and often lacks income from advertising. The financial situation in Georgia went through extremely critical periods since 1991 that greatly weakened its media situation. Journalists often lacked normal equipment, adequate salaries and professional skills. For example, the annual budget of Armenia's Public Television (APTV) was a thousand times smaller than the budget of BBC, Europe's leading TV broadcaster⁷. This thousandfold gap illustrates not only a financial but many other differences between two European broadcasters. It also corresponds respectively to the difference of media freedom levels in these countries. The print media is financially even weaker. The advertising market here is limited due to low circulation, insufficient distribution and complicated postal services.

The economic situation also often impeded the independence of the media outlets. Media ownership transparency in the media should be enforced in the whole region and more

⁷ As compared by G. Nalbandyan, Executive Director of the Council for Public TV and Radio of Armenia: "Media voices speak out about Public Service Broadcasting and the Internet in the South Caucasus", OSCE RFoM Yearbook 2005, pg. 33- 38.

television licenses issued for more diversity in the television media. During an assessment visit RFoM reported (Yearbook 2005, 124–137) that pluralism existed to some extent in the print media of Azerbaijan, and the political opposition was well presented there. However, it had a very low circulation and was financially, technically and professionally weak. The print media remained not truly independent, while television remained the main source of information.

According to the Freedom House, Georgian legal reforms of 2011 improved the media regulation and ownership transparency (Georgia, Freedom of the Press 2012). It was then the only FSU country to prohibit the setting-up of state-owned media. These amendments required the full disclosure of ownership structure but concerns regarding media concentration persist. Especially, the broadcast sector remains influenced by the state. In Georgia, in 2009, authorities declared intentions to restore the “Georgian” method of financing the Public Service Broadcaster by 0.15 of GDP that would guarantee its independence (RFoM Yearbook 11, 381).

It is worth to mention that Armenia was the first country in the CIS region to transform its State TV station into a public-service broadcaster in 2005. However, after a country visit in 2006, the RFoM criticised its lack of objectivity and diversity in the news coverage as well as the dependency of its board on political forces (RFoM Yearbook 8, 197–212). Moreover, numerous other private broadcasters also do not offer alternative voices, that RFoM explained by non-transparent and politically motivated licensing.

Finally, another challenge, which is not only financial and technical, but might also become political, is the transition from analogue to digital broadcasting. This change was planned to take place in all three countries of the region by 2015. Such switchover can be potentially used to foster pluralism and, at the same time, this process can result in even more restrictive environment. It is a big responsibility and needs good planning.

3.4. Eastern Europe

In Ukraine and Moldova, democracy is not just declared but it also “partially” functions. In the same time, Belarus continues to maintain an authoritarian regime without any signs of change in the future. The **POLITICAL** environment of the media in Belarus becomes more and more repressive. Journalists very often have to pay if the President is challenged by any kind of protests. “Pluralism was non-existing in the broadcasting sector, restricted in the print media and vulnerable on the Internet” reported RFoM in 2010 (press

release, 27 October 2010, Minsk). More pluralism is urgently needed not just for the Belarusian media, but for the whole society. Next to all kinds of governmental censorship, self-censorship is widely spread among the media. Even electronic media struggles to function freely and avoid blockages. The only central internet service provider in Belarus *Beltelecom* is controlled by the Ministry of Communications. The political situation surrounding journalists in Belarus is the worst in the region as probably in the whole post-Soviet Europe. Despite all attempts to cooperate with the Belarusian authorities, RFoM had to conclude ironically that “our views about the media-freedom situation in Belarus continue to differ” (Yearbook 13/2011).

Back in 1999, the media environment in Ukraine was very discouraging. At that time, almost all media was influenced by the government through different channels of indirect censorship – judicial bodies, economic leverage, or direct ownership. Cases of violence and death, and criminal prosecution of journalists was a part of the media reality (4th Country Report, RFoM Yearbook 1999/2000, 249–271). Between 1999 and 2004, Ukraine made a big progress. The political situation improved significantly after the Orange Revolution of 2004, and it was the only out of the non-Baltic countries to reach “Free” in the “Freedom in the World” rankings. OSCE RFoM, during its assessment visit in 2004 (Yearbook 2004, 200–212), reported that media pluralism was present in Ukraine. Although it was least developed in the broadcast media, where Government influences the most popular channels. In 2010, situation got worse again since Yanukovych took up the Presidency and rankings declined causing a setback for the whole region. In 2011 and 2012, the Freedom House reported on the worsening media situation (Kramer (et al.), 2012). The whole country became less democratic, heading towards autocracy. Censorship returned and unpunished attacks on journalists continued. The cooperation between media and press officers of the government is poor, professionalism of journalists is low and they lack training. In 2013, the Freedom House evaluated Ukraine as “Not Free” because of attacks on journalists covering the Euromaidan protests and further concentration of media ownership (Karlekar, Dunham, 2014). The media environment remained restrictive and corrupt. Surprisingly, hostility, legal pressure and political influence on the media decreased in 2014 after the collapse of Yanukovych’s government. These dramatic changes offset the effects of the military conflict in Eastern Ukraine and country got “Partly Free” status from the Freedom House again (Freedom of the Press 2015).

In Moldova, OSCE RFoM reported on the wide development of media pluralism, diversity of media outlets and views in 2014 (Assessment Visit, Yearbook 2004, 266–278). Moreover, in 2009, it reported on further improvements – more pluralism and new political

leadership seeking to establish internationally accepted standards of media governance (Yearbook 12, 79–106). The RFoM also encouraged further reforms fostering pluralism, which is often refrained by the political opposition and its media outlets. Although political situation remained polarised with reviving tensions but along Moldova's way towards the European Union, the media environment improved. Unfortunately, influenced by the parliamentary elections of 2014 and the Russian-Ukrainian conflict in the neighbourhood, the most recent Freedom House ranking set Moldova back again by two points (Freedom of the Press 2015).

When talking about Moldova, special attention should be paid to the Transdnistrian region. The situation of the independent media here is very complicated and much worse than in other parts of Moldova. Only few independent journalists and media outlets struggle to survive and provide a balanced political coverage. Still, they live in an atmosphere of repression and constantly face pressure from the regional leadership, including open pressure such as violent tactics, arrests of print runs and administrative discrimination. The general media climate in the region was described as restrictive by the OSCE RFoM. The Representative was even discouraged by the regional authorities to visit the area and sent his Senior Adviser to make an assessment in 2005 (Yearbook 2005, 53–60 and 73–82). Under such circumstances, even private media outlets exercise a level of self-censorship “rarely seen in the OSCE region”. The latter assessment visit led to the following conclusion. The majority of the Transdnistrian media is either directly or indirectly controlled by Tiraspol. Electronic media is fully monopolised by the government. Journalists from outside Transdnistria need to register with local authorities. Unless current overall political and security situation improves and the frozen conflict moves towards solution, no brighter perspectives can be seen for journalists in the nearest future.

The **LEGAL** media environment in Belarus is worsening not just *de facto* but also *de jure*. The constitutional framework of Belarus contains a number of sufficient provisions guaranteeing free, independent and pluralistic media as well as freedom of expression. The Constitution of Belarus (Article 33) protects the freedoms of expression and media. It guarantees the freedom of opinion, conviction and their free expression as well as prohibits monopolization of the mass media. However, there is no political will for implementing these provisions. Pressure against independent media continuous and sometimes even increases with new legal provisions such as the new Internet legislation adopted without public consultation in 2010. The Belarusian Media Law also leaves the possibility for the government to be intrusive and to put pressure on the media, which it exercises exceedingly.

In 2007, RFoM reported on a deterioration of legal situation since 2005 after new restrictive media rules adopted (Press Release, 4 June 2007). In addition to previous efforts, RFoM again expressed the need for a “gradual overhaul of the media legislation” in 2010. And again in 2013, the RFoM urged the Belarusian authorities to liberalise and modernise the media legislation framework to enable development and independence of the media (Yearbook 15, 99–136).

The administrative framework of the media also complements its legal environment. Even minor legal or administrative obligations can limit the freedom of the media. Administrative discrimination, administrative warnings and suspensions are popular means used against independent media. RFoM listed administrative harassment as the most problematic trend in media of Belarus in 2007 (RFoM Yearbook 9, 303–311). The media registration scheme in Belarus is superfluous and restricting the freedom of information. For example, it stipulates the requirement to re-register all media outlets in Belarus in case of any changes of founding data such as the name of publication or founder’s details. Due to ineffective bureaucracy or its unwillingness, this re-registration process can take months, during which publication may not be published. A good illustration could be June of 2005 when all non-official (so, mostly private and free) publications were banned that used the word “Belarusian” in the titles and, consequently, all were forced to re-register (RFoM Yearbook 9, 121–132). Also, the media freedom is unnecessarily restricted by requirements for accreditation with Ministry of Foreign Affairs of Belarus for all foreign journalists visiting the country as well as for Belarusians willing to work for foreign media.

The Constitution of Ukraine guarantees freedoms of expression, of speech and of information (Article 34) and bans censorship (Article 15). Independent experts assessed its legal framework in the media field as “satisfactory” in 2004 (Assessment Visit, RFoM Yearbook 2004, 200–212). However, real free and independent media landscape is not yet established in Ukraine. It lacks the general rule-of-law, independence of judiciary, trust in courts etc. The institutional framework of frequency allocation and licensing is also questionable in Ukraine. In 2004, that led to a conclusion that regulations allow political favouritism in digital media, since it is done by non-independent government agencies. Despite legal guarantees, journalists often have difficulties accessing information from the government, especially from regional authorities. The relatively new Access to Information Law 2011 needs other in-line legislation to be effectively implemented (WAN-IFRA Report, 2012). Moreover, diverse regulations and unclear responsibilities between licensing authorities lead to confusion and subjective allocation. Procedures should be more transparent and flexible for the development of free and independent media environment. In addition,

independent media here is also often harassed by administrative and legal measures. Investigations, tax inspections, courts, licensing restrictions create a restrictive environment of indirect censorship (Kramer (et al.), 2012).

The Constitution of the Republic of Moldova provides freedom of opinion and its expression in public (Article 32) and the right of access to information (Article 34). The Constitution (Article 34) as well as the Audiovisual Code of Moldova prohibit censorship. Legal amendments in Moldova was one of the decisive factors that this country got “Partly Free” instead of “Not Free” from the Freedom House in 2010. The new government approved and amended several laws that increased media freedom and protection of journalists’ rights. That included the new Law of Freedom of Expression, amendments to Electoral Law, improved implementation of the Access to Information Law, reform of the regulatory framework as reported by the Freedom House (Moldova, Press Freedom 2011). Moldova is also among 14 countries of the CoE and the only in the region that signed the Convention on Access to Official Documents. Back in 2007, RFoM argued that independence of public service broadcasting was the most problematic media trend in Moldova (Yearbook 9, 303-311). However, this country transformed its state broadcaster into an autonomous public service one of the first in the region. The government that stepped in 2011 was taking further steps to reduce the tilt of news coverage, especially in the broadcast media, and government’s influence over newspapers and strengthen their editorial independence as reported by the Freedom House (Moldova, Press Freedom 2011).

Belarus has a harsh libel and insult legislation and its practice. Journalists may be imprisoned for insulting the dignity of the Head of State or for “discrediting Belarus”. Meanwhile, Ukraine was one of the first among the OSCE to decriminalise defamation in 2001. However, up to six months imprisonment is still foreseen for insulting the state and its symbols. Moldova decriminalised libel in 2005 and ended criminal defamation entirely by 2009, only financial compensation for moral damages remained. However, after an assessment visit, RFoM reported that these civil defamation penalties are still too high and sometimes misused by public officials (RFoM Yearbook 2004, 266–278). Public figures still have to learn resilience to criticism and courts to set reasonable ceilings for financial claims for moral damages.

Finally, a strong and voluntary self-regulation is urgently needed in the whole region. It could help fighting the widespread culture of corruption, lack of professionalism and foster ethical development among journalists.

The major problem in the **ECONOMIC** environment of the media in the Eastern

Europe is an unclear definition of ownership of media outlets and its transparency. On Moldova, RFoM commented its Audiovisual Code (Legal review, Yearbook 9, 221–260) reporting that a clear stipulation on ownership restrictions was still missing from the law. If it is missing in the law, one cannot expect it in practice. Moreover, part of print media in Moldova is still financially subsidised by the Government or financed from the state budget that is not compatible with advanced democracy (RFoM Yearbook 2004, 266–278). Distribution of publications is also monopolised by national postal services that are state controlled.

The promotion of transparency in media ownership is also a matter of great concern in Ukraine. Owners of media outlets are closely tied to the government or power groups, which also pursue their agendas. In the print media, except a few exceptions, there are hardly any opposition or free press, both nationally and locally, since political or financial groups control most of them. Even the current President Petro Poroshenko owns a media holding – TV station *Channel 5*, newspaper *Korrespondent* etc. That is also a sign of media monopolisation by pro-government people and government's tendency to maintain control over the media. The *de*-nationalisation of mass media was among outstanding tasks of Ukraine in 2008 (Yearbook 10, 107-108) and is not yet fully completed. Since 2010, the situation in Ukraine even worsened in terms of corruption and media independence. In 2012, the Freedom House reported on monopolisation of the media sphere and lack of progress in privatisation of media outlets and growing “sponsored” information (Kramer (et al.), 2012). The paid editorial is widely spread in Ukraine and Ukrainian newspapers admitted that it would be difficult to survive without accepting money for content (WAN-IFRA Report, 2012).

Generally, media censorship in Ukraine results from economic pressure rather than direct government interference, as reported by the Freedom House (Kramer (et al.), 2012). Various state monopolies also hinder the development of free media. For example, the majority of printing facilities in Ukraine are state-owned, which set very high prices for their services without competition. This printing monopoly allows the state to influence the newspapers. Similarly, the supply and distribution of publications is in the hands of state-controlled postal services. According to RFoM Country Report (Yearbook 1999/2000, 249–271), another discriminatory practice in Ukraine is the subsidisation from the state budget to the state media that discriminates private publications.

In Belarus, the number of independent media outlets has been constantly declining until it reached its “minimum”. There is no functioning broadcasting in Belarus that has any organisational, financial and editorial autonomy. All national TV channels are owned or controlled by the state. Among radio stations, all private ones are in the entertainment field

and do not cover political issues. In the print sector, a few independent newspapers are struggling to survive with only one independent daily – *Narodnaya Volya*. RFoM reported in 2005 that significant part of remaining titles are printed in Russia since no local publishing house accepted them (RFoM Yearbook 2005, 53–60). The Belarusian authorities widely use economic and financial means to keep independent media under pressure and to discriminate it. Even such simple thing like the office of the media outlet can be an obstacle for its functioning. Premises are often denied to the independent media in Belarus and consequently they cannot be registered without a business address. Moreover, Belarusian state-owned postal services often refuse to distribute independent print media. The few remaining independent outlets of Belarus can survive only with the support of international organisations and NGOs.

Transition from analogue terrestrial television to digital was planned in Moldova in the second part of 2015, and RFoM several times expressed its concern for delays in the process. That will challenge the infrastructure, will require financial costs not just from the government but all TV users, and also amendments in the communications legislation. This switchover could contribute to media pluralism providing more choices for the audience and more opportunities for broadcasters preventing concentration of ownership. Certain rules and principles have to be followed to avoid negative effects such as growing media dependence and corruption. The Freedom House report on Ukraine (Kramer (et al.), 2012) also mentioned the transition to digital frequencies among the most concerning developments. The process lacked transparency and was likely to foster further monopolisation and corruption in the broadcasting sector and discriminate independent channels. Currently, creation of an independent public-service broadcaster is a high priority for Ukraine. The RFoM welcomed adoption of the Law on Public Broadcasting in 2014 that also included OSCE recommendations.

3.5. Russian Federation

The **POLITICAL** environment of the Russian Federation could be described as “declared” or “partial” democracy with strong authoritarian tendencies. The first President Yeltsin promoted starting elements of democracy, including independent media. However, under Putin’s presidency since 2000, the government tends to have a repressive attitude towards opposition and independent media. Russia lacks pluralism of views and information sources, especially in the national broadcasting sector. Almost all traditional media outlets are

controlled or influenced by the government. Accessing information from government bodies is extremely difficult. The work of journalists in this country is limited by worst means, including physical harassment and “censorship by killing”. Finally, in addition to the constricted national media, Russia actively manipulates the information environment in its neighbourhood and regions.

Together with the lack of pluralism in Russian television and limitations of media legislation, violence against journalists is one of the three most urgent media freedom problems. That was the conclusion of the OSCE RFoM visit to Moscow in 2009 (Press release, 12 October 2009). Journalism can be really a hazardous profession in Russia. RFoM called the situation as “the human rights crisis” with levels of violence against journalists and human rights activists no longer tolerable. Violence against free media and civil society is severe and is hardly ever addressed by the political leadership. This impunity breeds further violence and even murders, which has been demonstrated by many unfortunate cases in Russia. Still today, journalists die and are attacked because of their work. The Committee to Protect Journalists reported on two deaths, numerous physical assaults and cases of threatening in 2013 (Russia, Press Freedom 2014, Freedom House). The Committee calculated 56 victims since 1992. Both the Freedom House and the RFoM admits that impunity for those who commit violence against journalist is a serious and long-standing problem in Russia.

Another matter of political environment is the media coverage of electoral campaigns and elections. It illustrates the diversity of news and voiced political views as well as the level of democracy and, at some extent, relations between media and politicians. The OSCE RFoM pays particular attention to main – Presidential and Duma – elections in the Russian Federation. However, the published reports are not satisfactory. They reveal that commitments for press freedom were not met during campaigns and covering elections. Published and broadcasted information was not balanced and objective, political parties lacked equal access, media outlets were harassed, press and campaign materials confiscated, journalists kidnapped and threatened. A special concern was paid to television since the ruling party monopolised the television coverage. The RFoM observed also many other violations of OSCE commitments to sustain diversity of news sources and breach of national electoral law (e.g. Electoral campaign to the State Duma 2007, Yearbook 9, 213–219).

However, the current growth of new media sources and means of communication, respectively trigger a repressive backlash by authoritarian regimes. Russia adopted number of restrictions on the online content that negatively influenced the rest of the region and largely caused the recent low rankings of the media freedom. In 2014 again, Russia placed new

controls on online content, including blogs and social media.

One of the Russia's federal subjects, the Republic of Chechnya, needs special attention when describing the media environment. There is hardly any media freedom in this part of the Russian Federation. There is no opposition media and local authorities own and fully control all other media outlets. Fear of authorities create the atmosphere of total self-censorship. The most popular mean of getting public information is television; many Russian channels are rebroadcasted. Circulation of newspapers is very low and authorities attempt to control the online media content too (Chechnya, Media Profile, BBC). The OSCE RFoM as well as other media observers pay special attention to this region due to its post-conflict situation and numerous violations of human rights.

The **LEGAL** media environment in Russia is „gloomy“, according to RWB (World Press Freedom Index 2011-2012) with continuous bureaucratic and legal obstacles as well as judicial harassment of journalists. The defamation in the Russian Federation was re-criminalised in 2012. Persecutors of journalists easily appeal to the still not clearly legally defined phenomenon of anti-terrorism and other doubtful reasoning, and punish critics of the regime. The rule of law and independence of judiciary are especially inept in cases of murder or attacks against journalists. The state more than often fails to punish the murderers and attackers. The impunity for the harassment and murder of journalists is one of the biggest concerns for the international observers. Finally, in 2013, Russia introduced additional legal measures to penalise online content and expanded the already tight legal framework for online media. The Freedom House (Russia, Press Freedom 2014) reported that thousands of websites in Russia were closed on grounds of “protecting children from harmful information”. Although the Constitution of the Russian Federation provided for freedoms of speech, information and the press, even the government does not respect it. It uses the combination of law, politicised and corrupt courts and a network of regulations to crack down the online media and remains of independent traditional media.

The RFoM and other media freedom defenders often express their concern about the Russian Extremism Law. The legal concept of “extremism” lacks clear definition and is left for interpretation by judges. The term covers between “hooliganism for hatred” and “justification of terrorism” etc. and journalists often become targets of this legislation gap. A certain example is the Chechen War, which Russia transformed into an “anti-terror war” in public. Since then, journalists who write critically about Russian military actions in this region are accused of pro-terrorism. The RFoM has commended (Press Release, 27 July 2007) this practice stating that controversial words should be fought with more speech so that

the important fight against terrorism does not weaken other important values such as free expression – one of which extremists are targeting. Legislative handling of extremism in Russia is especially important as it sets an example for the whole CIS. This can be illustrated with the Muhammad cartoons crisis⁸ that inspired Russia to ban the defamation of religions and offensive criticism as a measure to combat extremism. Belarus, Moldova and several Central Asian countries followed this example and adopted their own “extremism packages”. Another part of legislation that reduces media freedom in Russia is related to common cases of defamation. Re-criminalised in 2012, defamation is a criminal offence in this country with maximum penalty of four years imprisonment. Public officials have an increased protection against libel. In general, extremism and defamation laws were reported to be used even against opposition campaign before the State Duma elections but not applied for the ruling party (RFoM Yearbook 9, 213-219). Such restrictive legal provisions encourage self-censorship by journalists.

The **ECONOMIC** environment. The collapse of the Soviet Union led to privatisation of many newspapers by their editorial staff. That journalists became owners of their own product was a common practise in all other FSU countries too. It took several years until journalists sold their stocks on the market to other individuals and companies. However, today the situation has turned around again. The Freedom House (Russia, Press Freedom 2014) reports that directly or indirectly, the state owns and controls a „vast media empire“ and uses it for its own propaganda. In 2014, ownership increased further and propaganda got more active and aggressive. The majority of the Russian media is in the hands of companies that are controlled by the government. This includes all five major national televisions, national radio, national newspapers and news agencies. The state-owned company and largest extractor of natural gas in the world – Gazprom – owns the largest media holding in this country, the Gazprom Media. Also private media outlets often belong to large and medium businesses, which become increasingly dependent on the state power. In printed media sector, the regional newspapers enjoy the least independence since the majority of them were established and/or are financed by district or municipal authorities (Simonov, 77-83). Largest independent press and radio outlets focus on entertainment mainly and most of Russians get their daily information from the state-run television. The media diversity in Russia continues to decline further.

⁸ Muhammad cartoons crisis (or controversy) began after the Danish newspaper *Jyllands-Posten* published 12 editorial cartoons on 30 September 2005, most of which depicted Muhammad.

The Russian government supervises the allocation of advertising budgets of TV stations, which is also a mean of control (Simonov, 77–83). In the meantime, circulation of press is falling and its production costs are rising. Moreover, an important part of the revenues of Russian newspapers comes from commissioned articles. It is a common practise to pay for articles praising or criticising political or economic competitors, and they form a significant part of printed pages (Gebert, 21-26). Such practice is also harmful for the relationship and trustworthiness between readers and journalists, but financial interests often take the lead.

4. CHAPTER: RFoM activities in the post-Soviet area

4.1. Empirical research: content analysis

The activities of the RFoM in 1997–2014 in ten post-Soviet countries were analysed using the content analysis method. This method is designed to examine, describe and systematise the content of written and spoken communication. Content analysis can be applied both for direct and indirect communication. Proper application of the method fulfils all requirements for scientific research, including principles of objectivity, reliability, validity and repeatability. In the case of this research, the method was adjusted according to the needs of the main question and secondary objectives.

In this research, the analysed communication covers regular and specific reports, press releases and other announcements of the RFoM published in the RFoM's yearbooks on yearly basis since 1998. That comprised 14 yearbooks, including 44 Regular Reports to the Permanent Council and dozens of other texts. The fact of being published and the wide accessibility of these resources give additional significance to each included text. The addressee of each piece of communication is either a specific participating state or the broader social community. Publications expand the communication even further since the information indirectly reaches its addressee several times as well as many other interested groups. That also allows to make generalisations about politics and strategy of the RFoM institution, its priorities and focus. Finally, it simplifies the work of a researcher as the content is easily accessible and legitimate for analysis.

Systems of columns, rows and tables are the most usual tool of every content analysis. They can be created and adjusted according to the needs of each researcher and his/her questions and hypothesis. The content of the respective yearbook was analysed looking for relevant texts and messages on the RFoM's activities in the post-Soviet European region. These messages were systemised and grouped into a table (**Annex 2**). Each relevant message found in the RFoM yearbooks was abbreviated into a phrase that reflects the substance of each activity using such verbs as “commented”, “urged”, “raised concern”, “assessed” etc. and such main details as names of journalists or media outlets, type of violation (killing, assault, restriction, visit etc.). The messages were then grouped by countries and into five table rows that cover:

- **Negative interventions** such as raising cases of media freedom violations, requesting information or urging to stop actions that (might) cause violations;

- **Positive comments** and commends on media freedom achievements and situation improvements;
- **Legal interventions** such as comments or recommendations on draft laws or legal reviews;
- **Visits** by the RFoM or its advisers and various events organised by or with a help of the RFoM such as seminars, conferences and trainings;
- **Other activities** that do not fall under the above four categories or other relevant information.

The table is sorted by years – from 1998 until 2014 – and activities are listed in the chronological order. It also includes the score and status of the media freedom situation assigned by the Freedom House every year starting from 1991, when the USSR still existed and the whole region was assessed as “partly free”. The scope (the sample) of activities covered in the table is sufficiently presentable and enough to make generalisations on the media situation and RFoM’s experience in the given period.

In order to properly assess the reliability of results and the depth of conclusions, it is important to note possible limitations of the chosen methodology. These are mainly arising from inconsistent resources. The publications (yearbooks) were not always uniform and coherent. Some of them in the period 1998–2003 covered two years, others just one year of activities. Some excluded and numbered all press releases while others did not. Some excluded communication of lower range such as statements at the OSCE events. In addition to factual and layout differences, the chosen method does not reflect contextual differences. Every year, the activities of RFoM also depended on the priorities of the Chairman-in-Office, available extra-budgetary funding, personal enthusiasm and professionalism of each Representative (three different personalities of different nationalities and background in the given time period⁹), attention given to other regions, available human and financial resources at the RFoM Office, which varied every year. These limitations have to be taken into consideration when making any generalisations.

4.2. Media freedom violations

⁹ Freimut Duve (Germany) : 1998–2004; Miklós Haraszti (Hungary) : 2004–2010; Dunja Mijatović (Bosnia and Herzegovina) : since 2010.

The RFoM has proven its name as a watchdog by raising numerous concerns and criticising countries for violations of journalists' rights and non-satisfactory media situation in all OSCE participating states. Negative remarks clearly constitute the greatest part of the analysed content, making up the greatest part of RFoM public communication. Some countries have been dealt with in greater detail, some less, but none escaped the RFoM's attention and negative reactions to violations or risk of violating the media freedom. Dozens of times the RFoM reminded the participating states about their media-related OSCE commitments. The post-Soviet region, together with the former Yugoslavia, has always received particular attention from the RFoM.

The most severe violations, such as violence, assaults and murder of journalists, drew the most attention. The RFoM continuously repeated that the censorship by killing is by no means acceptable neither in any free media environment nor in the realm of the OSCE. The RFoM urged countries to thoroughly investigate each case, and bring assailants to justice. Furthermore, many times it urged countries to create secure environment for the work of journalists. Among the post-Soviet Europe, the Russian Federation witnessed the most of murders and violent attacks against journalists. The violence against journalists is also particularly widespread in Azerbaijan. The RFoM condemned numerous attacks in these two countries, including those happened in presence of or by the law enforcement officers. In the end of the last century, cases of violence were often reported also from Georgia. Journalists were also harassed in Belarus and Ukraine. An Italian reporter on topics of Chechnya was killed in Georgia in 2000 and Ukrainian journalist was killed in Belarus in 2003. Later, situation of safety improved greatly in Georgia and Ukraine, and Belarus switched to more peaceful means of censorship. The tension in the media environment that included also violent attacks increased in Armenia in the period of 2007–2009. In particular, the RFoM closely followed and commented some resonant investigations such as murder of A. Politkovskaja in the Russian Federation (*“her sacrifice for freedom of journalism”*, 2006), murder of E. Huseynov in Azerbaijan and disappearance of G. Gongadze in Ukraine.

The RFoM also raised numerous cases of imprisonment of journalists. Even when the official reasons for imprisonment were not related to journalism activities, the RFoM urged to investigate each case fairly and openly. For many years, Azerbaijan was the leader by the number of imprisoned journalists. Belarus actively arrested and detained both local and foreign journalists covering demonstrations and public unrests. The RFoM reported on highest numbers of such detentions in Belarus in 2012 and 2013.

Another area in focus, was libel and defamation suits. The RFoM was concerned about the widespread abuse of libel cases against the media in Ukraine, Belarus, Azerbaijan, later

also in the whole region. These were the lessons, which all post-Soviet countries had to learn after the collapse of the Soviet Union, where no criticism of authorities was possible. Since the very beginning, the OSCE urged all countries to decriminalise defamation and followed legal discussions on the issue. Following the RFoM's encouragements and for other reasons, part of the post-Soviet European countries decriminalised defamation fully. However, this campaign has to be continued also today. For example, in 2013, Azerbaijan discussed Criminal Code amendments extending its application to online defamation. That was commented by the RFoM as "driving Azerbaijan even further away from the OSCE". Also in the "behaving" Lithuania, a journalist was fined for defamation in 2012 (though later the sentence was dismissed) and Latvian journalist Gilmanis in the same year was accused for debates on history. The RFoM used these opportunities once again to urge for decriminalisation.

Often, the RFoM raised and published more general comments on continuing prosecution of independent media or deteriorating media situation in countries, called for legal reforms, release of imprisoned journalists and other urgent changes. Such comments were often addressed to Azerbaijan for continuous persecution of independent journalists, Russia and Belarus for disappearance of independent media and urgent need for legal reforms. The comments of the RFoM tended to be more general in the beginning of its Office's work, in the end of the last century. Back then, the RFoM raised concerns for violence against journalists (Georgia), series of libel suits (Azerbaijan) or discrimination of independent media (Belarus), increased tension in media environment (Armenia), harassment of journalists in Chechnya (Russia), and other examples. Later, comments became more specific and accurate, while general overviews of the situation were provided in RFoM country or visit reports.

The RFoM paid special attention to crisis and conflict zones. It thoroughly observed the media situation in Chechnya in 1999–2000, the war in Georgia in 2008 and its post-conflict environment. In 2014, one third of all RFoM interventions were related to the Russian-Ukrainian conflict only. The office of RFoM was engaged as an "observer and facilitator", went for a number of visits, continuously reported on the "critical situation" for journalists in the Eastern part of Ukraine and called to respect media freedom. The RFoM always called for free and safe access to journalists to conflict regions and to restore the free flow of information in the affected areas. It also commented on working conditions during several minor crises and their effects on journalists. That included a terrorist attack in Moscow (2002) and a firefight in Beslan (RF, 2004). To protect the freedom of expression and information in times of military conflict, terrorist attacks or other crises is another challenge and an important test for democracy.

As for media outlets, the RFoM reported on cases of harassment, closure, broadcasting interruptions, licensing and other difficulties for all kinds of media, including TV and radio stations, newspapers and Internet websites. TV channels mainly suffered from broadcasting suspensions, staff strikes or changes of owners/leaders. Even the Baltic states did not avoid criticism on this issue. In 2013, Lithuania suspended Russian “1st Baltic” channel, which was commented by the RFoM twice. If the RFoM was ever not sure whether the media freedom and journalist’s rights were violated, it always asked for further information and explanations from a participating state. That covered different examples such as entry or visa denials, investigation of attacks against journalists and other. Also Latvia in 2002 was asked to provide more information when license was denied for the “Biznes & Baltia” radio station. The RFoM paid attention to comparatively minor cases such as, for example, home search in journalists’ home or confiscation of cameras etc.

As for political activities, the RFoM demonstrated particular interest in pre- and post-election periods and often reported on limitations to the work of independent and opposition media or on treatment of journalists during election-related rallies. Election campaigns and elections proved to be an important democracy test both for journalists and governments. In particular, he commented on elections in Ukraine (1998, 1999, 2004), Belarus (2000, 2006), Azerbaijan (2005), Russian Federation (2007), Armenia (2013). The RFoM cared for the safety and freedom of journalists in various demonstrations. Many countries, including Russia, Belarus and Azerbaijan, received criticism after detention of journalists covering public demonstrations, sanctioned and unsanctioned rallies. That also included comments on other kinds of force used against journalists by law enforcement officers and police during public protests. The RFoM criticised Belarus in 2013 for short detentions of journalists and civil activists, who were detained for several hours during public unrest and were not allowed to do their job. In 2013 and earlier, Ukraine was also criticised several times for the treatment of journalists by law enforcement officers during public unrest. Finally, RFoM also commented on statements of high officials. For example, speeches at the Russian Duma and Kremlin attracted reaction from the RFoM in 1998 and 2000. Such public statements in other countries were not commented.

One of the newer topics in the RFoM focus was the online media and the free flow of information on the Internet. With the Internet spreading worldwide, the RFoM cared more for violations of rights of bloggers, suspension of websites or blockages of Internet access. The RFoM urged to suspend mandatory registration of websites in Ukraine (2005), raised concern over the biggest cyber-attack against the TV station “Russia Today” (2013) and several

smaller attacks against media websites in Russia (2012), convictions of bloggers in Azerbaijan (2009, 2011), called out Belarus not to limit Internet media freedom (2010) etc.

The Baltic states received significantly fewer and almost no negative comments from the RFoM. More significant cases included murder of Latvian journalist Nemcovs in 2010 and attack against Jakobsons (2012), annulations of visas by Estonia and Latvia to a couple of Russian journalists (2012) and fining journalist Radzevicius in Lithuania for defamation (2012). Even in the early years of the RFoM functioning, it had no comments for the Baltic states. That demonstrates that these countries were on a good track after the collapse of the Soviet Union creating a free and safe environment for journalists. Alternatively, the situation here was at least better than in the rest of the region that kept the RFoM busy.

4.3. Commendations for positive achievements

Besides raising issues of concern and cases of media freedom violations, the RFoM often expressed appreciation for positive developments in the post-Soviet European countries. Most often, these were such cases like the release of imprisoned journalists; changes in the legal media framework, especially, decriminalisation of libel; successful projects and cooperation between RFoM and participating state's authorities; decrees and courts' decisions favourable to the media etc. This row in the content analysis table also includes RFoM's proposals for cooperation with a participating state; support for national or regional media-related events and projects; welcome to re-licensed or re-opened media outlets; thanks to countries for their extra-budgetary financial support to RFoM projects etc.

Surprisingly, the most commended countries were not the ones with the highest media freedom scores but quite the opposite. During the analysed period, Russia and Azerbaijan were mentioned with a positive note more than 20 times each. For Azerbaijan, most often it was for the release of imprisoned journalists or lifting fines or re-licensing media outlets. That is rather obvious for the country with highest rates of imprisoned journalists, where your fellow man's fate and judgement often depends on the grace of the President. It also illustrates that the RFoM followed all cases of imprisonment and other questionable judicial proceedings in this country very accurately. Furthermore, when expressing appreciation, the RFoM used to take the opportunity to urge for further improvements and release of all imprisoned journalists. The Russian Federation was often commended for the release of imprisoned journalists or progress in investigation of media freedom violations. That is understandable in a country where attackers of journalists are rarely brought to justice and

legal persecution is a widespread way of censorship. At the same time, the RFoM often welcomed relevant courts' resolutions, draft legal amendments and President's decrees.

The second group of countries by popularity that got more than ten positive comments from the RFoM include Belarus and Ukraine. The attention paid to Belarus, similarly like Azerbaijan and Russia, also correlates with the worrisome media situation in this country. The RFoM welcomed dropped charges and lifted restrictions to the media as well as the readiness of Belarusian authorities to discuss media problems. The RFoM also often offered support or proposed specific projects of cooperation to Belarus. In Ukraine, the RFoM paid special attention to this country as an influential contributor to the regional media situation. The greatest part of commendations was related to the improvements of in the legal media environment – progress in drafting law, creation of relevant inter-agencies and working groups, progress in media self-regulation. The RFoM closely followed the murder trial of journalist G. Gongadze and welcomed when the investigation showed some progress.

At the same time, countries with better media freedom situation such as the Baltic states did not get many positive remarks. During the observed years, Latvia and Estonia did not get any commendation or offer for support from the RFoM. Lithuania, in the meantime, got several public thanks for extra budgetary contributions to RFoM conferences and trainings. In addition to that, Lithuania was praised for the decision to dismiss a journalist previously fined for defamation (2012) and for a court ruling in the case on disclosure of sources (2014). This indifference for “behaving” countries reveals the RFoM's approach. It commends and criticises the same countries. Just like in a vicious circle, the more violations and concerns are observed in a country, the more it is criticised and the closer it is monitored and, eventually, the more positive achievements are later appreciated. The “behaving” countries are, more or less, left to develop on their natural course.

The RFoM paid special attention to developments in such areas as (de)criminalisation of libel, media self-regulation and public broadcasters. It welcomed partial and/or full decriminalisation of libel in Armenia (2010), Moldova (2004), Ukraine (2004), and efforts to limit defamation such as guidelines adopted in Russia (2005) or defamation standards in Armenia (2011). Abolishment of libel has often been among RFoM priorities and it often mentioned new post-Soviet democracies that decriminalised libel quicker and more enthusiastically than some Western democracies. The RFoM believed that it was a necessary condition for the development of really free and professional media environment. The RFoM also praised the establishment or progress in setting up self-regulatory bodies or training on the topic. 2006 was the year of self-regulation in RFoM's focus. Lastly, the RFoM did not

leave without notice any establishment or reforms of public service broadcasters and always offered advice on the matter, just like for Ukraine and Georgia in 2010.

4.4. Legal comments and recommendations

The RFoM often reviews media-related (draft) legislation of participating states in order to assess its compatibility with OSCE commitments. Usually this process is coordinated with national authorities that also demonstrates a spirit of cooperation and openness from both sides. Reviews are concluded with specific or more general recommendations. This is also one of the most effective types of RFoM's interventions, since countries tend to follow some or all of the given recommendations and change the legislation. The rate of "effectiveness" is approximately estimated to 60% (Shayman, 133–138). The RFoM has actively offered its assistance in drafting media related laws to all participating states. However, this is also an activity that consumes large time and human resources, which often requires hiring experts outside of the OSCE. Finally, the RFoM often noted regret if its recommendations were ignored and *vice versa* – welcomed respective amendments in consecutive public communication.

Discussions or intentions for legal amendments in participating states drew the RFoM's attention too. It urged many times to veto, or raised concern over, new draft laws or administrative amendments. Examples of such cases could be the proposed mandatory registration of Internet websites in Ukraine (2005), initiative in the Russian Duma to criminalise speech on the Soviet Army and the World War II (2013), amendments to the Lithuanian Law on Protection of Minors (2009). The RFoM also did not hesitate to express its regret over changes in the media legal framework when adopting and not vetoing laws that are not favourable for the freedom of the media. In particular, it noted the cases when the RFoM's legal advice was not sought during discussions.

Most of RFoM's legal comments in the post-Soviet region were aimed at Belarus. RFoM commented on several presidential decrees and draft laws, including Media Law and Information Law, some of them were reviewed twice. RFoM also prepared model laws for this country. Unfortunately, Belarusian authorities took up just a few of recommendations. The laws in Moldova, Azerbaijan and Armenia were also often commented. The range of commented laws included information laws, radio and television laws, defamation-related laws, broadcasting and licensing laws, official secret laws and other. Legal regulation of defamation and respective developments in civic and penal codes was of particular

importance to the RFoM. This, in turn, suggests the conclusion, that on the one hand, the weaker democracies require more advice and on the other, they are also more open for seeking advice.

Among the Baltic states, RFoM reviewed Lithuanian Media Law back in 1999 and amendments to Criminal and Administrative Codes in 2014 as well as the Latvian Public Service Broadcasting Law in 2005. RFoM also expressed interest in the Law on Protection of Confidential Sources considered by Estonia in 2010. This illustrates the ability of these countries to develop their laws independently as well as their willingness to legally protect media freedom.

The RFoM provided legal advice to the Russian Federation only once, namely, on the Resolution on Transparency of Justice and Court Activities in 2012. Additionally, RFoM urged the Russian authorities not to sign or change particular bills on several other occasions. It is important to note that Russia has been one of the participating states protecting their internal legal discussions and processes from the OSCE and considered it as intervention into national politics, which is beyond the RFoM's mandate.

The RFoM offered legal assistance to Ukraine on several occasions. That resulted in RFoM's involvement in amendments of media ownership regulations (2006), draft Law on Access to Public Information (2009) and legal review on Public Service Broadcasting Law (2013). At the same period, Georgia profited from RFoM's legal assistance three times, including considerations on defamation section of their Criminal Code (2003) and guidelines for broadcasting and media ownership (2011).

Transition from analogue to digital television was one of the most important developments in the region in the recent decade. RFoM reacted to it by actively providing advice and legal analysis of transition's programmes (e.g. Moldova 2012) and publishing guidelines to the digital switchover (e.g. Armenia in 2011).

4.5. Visits and events

The practice of visiting the field is often considered an effective, though costly, activity. It provides the opportunity to meet the decisive authorities in a participating state and learn their attitude as well as to express concerns and direct influence. Visits also provide lots of visibility of the RFoM in the field. The visits are often covered by the local media, and provide a chance to meet and hear not only officials and authorities, but also other key actors such as journalists, their unions, NGOs and other activists of the public society. Visits also

provide an opportunity to witness personally and report on the real media situation and violations of media freedom instead of trusting other or local information sources. The products of such visits are reports, which is a valuable result of each trip since it gives good overview of the media situation. For the OSCE, it is not only interesting, but gives a basis to decide on further priorities and projects in a particular country.

The RFoM and its staff visited the post-Soviet region on numerous occasions. More than 70 visits were mentioned in the Yearbooks. The RFoM was present in the region most often in 1999 and 2007, but skipped the year of 2002. Some visits were dedicated for specific occasions, such as conferences, others responded to concerning situation or crises, some were planned as assessment visits. The biggest part of them were initiated by the RFoM, but on other instances the RFoM followed an invitation from a participating state. The most of the attention was paid to assessments visits. These usually included series of meetings with major stakeholders from all sides – government, civil society and the media – and were concluded by a comprehensive report. During this period, the situation in Moldova was assessed three times like no other country. That included one special report on Transnistria.

The Baltic states were the least popular destination of the RFoM. He never visited Latvia and went once to Estonia and Lithuania to attend different events on the topic of the media freedom. In addition to that, two another visits to Lithuania took place in relation with preparations for the Lithuanian OSCE Chairmanship 2011.

Among the most popular destinations were Russia, Ukraine and Belarus. The latter would have probably been even more popular but several visits had to be cancelled due to visa issues or local resistance. The RFoM paid special focus to Ukraine due to its importance to the development in the whole region. It included two assessment visits, as well as Ukraine inviting the Representative itself. In 2014, the RFoM was present in Ukraine exceptionally often because of the conflict in Eastern Ukraine. The RFoM visited Russia for various reasons – official visits, lectures to students, addressing conferences and meetings with journalists.

RFoM travelled to the post-Soviet area to attend and address numerous regional and national conferences, roundtables and forums that were organised by the RFoM, the Council of Europe or local journalists and organisations. For example, Georgia hosted at least eight regional conferences on media in the South Caucasus. These were dedicated for topics of self-regulation, Internet media, pluralism, OSCE commitments, and other. Different roundtables and forums were also one of the most common reasons for RFoM's visits to Armenia and Azerbaijan.

The RFoM organised a significant number of training and seminars for journalists and press officers, judges and lawyers in the region. Over twenty training sessions took place on

such topics as relations between media and government (Azerbaijan 2005 and 2006, Ukraine 2006, Armenia 2007 and 2008, Belarus 2007 and 2014, Ukraine 2007, Georgia 2008); media ethics (Armenia 2007); self-regulation (Ukraine 2008; Belarus 2009); media management (Georgia 2006). There were separate trainings for online journalists (Moldova 2011 and 2012, Belarus 2014). Judges and lawyers received training on defamation cases (Moldova 2006 and 2007, Armenia 2011) and the freedom of expression. Holding seminars became one of major RFoM activities around 2005 and grew in popularity since then. Some topics were demanded more often and some countries had even several training sessions on the same topic. In addition to that, RFoM and its Office gave lectures at numerous other non-OSCE trainings or journalism schools across the region. No training was held in the Baltic countries and the Russian Federation, less training was offered for Belarus and Azerbaijan.

Some visits had a purpose to present a new RFoM publication. Although the OSCE publishes a decent number of publications per year, but the RFoM took personal efforts for some of them and went to the region to present them. These publications included: “The Spiegel Affair” in 2003, “Media Freedom Internet Cookbook” in 2005 and “Media Self-Regulation Guidebook” in 2008.

4.6. Trends

The conducted systematisation of the RFoM activities and interventions reveals some trends of the RFoM work and attention paid to the region. The activities of RFoM were very dynamic in the given period. Its methods on how to draw attention to the media freedom issues in each participating state varied through the years.

The RFoM combined project activities with non-project or “quiet diplomacy” activities. Quiet diplomacy was pursued through statements, reports, interaction with authorities and reviewing legislation. In the beginning, the RFoM stepped out at the meetings of the OSCE Permanent Council more often – not only for regular reports, but also under the agenda item of reviewing current issues. However, that was not very effective since Permanent Council usually takes place just once a week and violations have to be prevented immediately. Later the RFoM started raising issues for the wider public and issued more press releases. Also, the style of reporting has changed with time. Early comments were more general commenting “deteriorating media situation”, “urgent need for legal reforms” or “disappearance of independent media”. Later pieces of communication became more specific, dedicated for special issues, violations or events. General comments and situation overviews

were left for country reports or for the very last sentence of a press release. At the same time, RFoM started to seek for direct contact with each participating state and addressed countries by letters, visits, and by meeting national representatives in Vienna instead of just reporting.

The analysis revealed that RFoM mostly criticised and commended the same countries. Countries with the worst media situation were observed most closely and criticised most actively. At the same time, they received also the most appreciations for all positive achievements. Countries with higher media freedom like the Baltic countries received less comments, both negative and positive.

Legislation reviews and consultations for participating states on media related (draft) regulations proved to be one of the most effective ways to promote media freedom. If successful, such interventions directly ensured the compatibility of national legislation with the OSCE commitments. Although resource-consuming, RFoM actively engaged in this kind of cooperation. Less developed democracies profited from it more than others. At the same time, not all countries were open and willing to coordinate their legal discussions with OSCE. Finally, not all countries were able to take up the RFoM's proposals.

In the meantime, project activities included positive contributions such as publications, conferences, training and other events. Training sessions for journalists, press officers and judges were one of the most effective tools used by the RFoM that directly helped to improve the media situation in participating states. For example, seminars on self-regulation held by RFoM in Armenia and Moldova led to the establishment of self-regulatory bodies in these countries. However, through the years, training sessions took place not in all analysed countries and just on several specific topics. There were cases when countries themselves refused offers of particular projects from the RFoM. The choice of training topics often reflected the biggest concerns of each country but sometimes were just a prioritised area by the RFoM, and the same training agenda was presented in several countries.

Another valuable RFoM activity – regional media conferences, including the annual South Caucasus Media Conference. These events often are the only platforms for discussions between journalists, public officials, lawmakers and experts. Every year a conference touches most relevant topic of the media freedom such as corruption, pluralism in the media, criminalisation of libel, self-regulation etc. At least, different sides of “the barricade” have a chance to meet, to get to know each other, and to share their expectations. Although the impact of such events is not clear, conferences draw attention of the whole society and support journalists working in the region.

RFoM publications handled important topics but just a few and relevant for small audience that was not even always easy to reach. An example is the “Guide to the Digital

Switchover” published in 2009 and 2010. The publication offered practical help to all stakeholders of the switchover process. It was a very timely and exemplary initiative as a digital switchover, when properly done, can safeguard human rights, ensure pluralism and, finally, strengthen democracy. A big potential still remains in project activities that build the level of professionalism in the region, however, these are costly and hindered by the obstacles of reality that do not let the new skills to be adopted in real life of journalists.

Recently, online media and its regulations gained RFoM’s priority. The Internet is a new opportunity for the spread of information and diverse views as well as a new challenge for authorities, tending to regulate. Through different laws and regulations, countries limit access and free use of the Internet. Limitations are often justified by intention to protect public safety, morals or national security. These measures, however, are often not proportional and not necessary, moreover, they limit free expression and free media. The OSCE RFoM has always agreed that authorities have to fight child abuse, terrorism, and other national threats, but criticised attempts to contrast free speech and security concerns. It claimed that freedoms of expression and media can never be an obstacle for effective intelligence, police and military actions (RFoM Yearbook 14, 37–67). That is why, the RFoM paid special attention to the Internet media and used all available instruments to protect its freedom. The RFoM raised cases of suspended websites, blocked Internet access, and arrested bloggers. It also provided legal comments on relevant laws and regulations. Finally, RFoM published the “Media Freedom Internet Cookbook”, took part in numerous events on Internet media and addressed online journalists.

5. CHAPTER: Post-Soviet Media

All former Soviet countries have been developing according to their politics, economics, laws, and other national and international factors. They also share many common conditions and problems: including Central Asia, the post-Soviet area is the region, where OSCE commitments are violated most often. This chapter will overview the main trends and similarities in the region, its common political, legal and economic environment of the media.

5.1. Political environment

The political media environment closely correlates with the development of each post-Soviet democracy. The definition of the post-Soviet media can be linked to the post-Soviet democracy. In 1992–1993, the Freedom House indications on the level of democracy were promising that the post-Soviet countries were following the democratic development path (Puddington, 2011). The “Freedom in the World” ranked Lithuania as “Free” and all other post-Soviet countries as “Partly Free”¹⁰. However, after more than twenty years (ratings for 2014–2015), it is clear that only three Baltic states have fully established democracies, while others demonstrated less and less enthusiasm and prospects for democracy. Today the Freedom House calls the Baltic states “Free”, Russia, Azerbaijan, and Belarus “Not Free” and the rest “Partly Free” (Freedom in the World Country Ratings 1973-2015).

The environment in Baltic countries is favourable and secure for journalists. In the rest of the region, however, many shortcomings result from the growing or “standstill” democracy. All post-Soviet governments and societies emerged from communicational dictatorship where one ruling party maintained one ideology and censored all media. Eventually, it still takes generations to change the political and informational culture as well as to develop journalists’ professionalism and public support to media freedom. Generations’ work cannot be completed overnight and, apparently, 20 years is also not enough.

Any political instability in the non-Baltic countries has a tendency to cause suppression of the media freedom. The political media environment is especially repressive in Belarus. Opposition views are also suppressed in Russia, Azerbaijan. The authorities do not want that news about fragility of their regime spread, and as a result, journalists have to pay

¹⁰ Latvia and Estonia were also “free” in 1991–1992, but went to being marked as “partly free” in 1992–1993.

for their work by being subjected to punishments, threats and attacks. During peaceful periods, many politicians in the post-Soviet region still believe to be above any criticism so that an attack against them constitutes an attack against state interests. In real democracy, politicians cannot expect any protection, quite the opposite: they have to be ready for special attention and special criticism, which will expose them with every scrutiny. Changes in media pluralism are often directly influenced by changes in the government. That could be illustrated by observed examples in Ukraine and Moldova.

The OSCE RFoM pays particular attention to the development of sustainable relations between media and politicians or government representatives by providing training and seminars to both sides. Training covers such topics as public access to information, corruption, lack of professionalism and obstacles for communication. It also serves as a forum for both sides to meet and express their expectations. Participating states usually appreciate and welcome this active contribution improving media environment in the OSCE.

Violence against journalists in the post-Soviet area was also high on the agenda of the RFoM. Most often victims are journalists reporting on such social problems like organised crime, corruption, human rights violations, and criticism of the government. Attacks against journalists in the OSCE region diminished in the post-Soviet region but continue to occur and journalists still die performing their tasks. One journalist lost his life in the year 2013 and more than 100 were detained during this year. In 2014, RFoM reported on seven journalists killed and 170 attacked in Ukraine only. Moreover, decrease in violence does not necessarily mean that the environment of news gathering had become safer. Journalists are the least safe (and consequently the least free) in Azerbaijan, Russia and conflict-affected regions of Georgia, Ukraine, Transnistria and Nagorno-Karabakh.

The RFoM was also particularly attentive to the handling of the media during political demonstrations in the OSCE region and often reported on cases of not appropriate treatment of journalists. It provided special reports on treatment of journalists by law enforcement officials during demonstrations with observations and recommendations (e.g. Yearbook 9, 2007, 179). More or less often, violations of journalists' rights were observed in the whole post-Soviet non-EU region, especially during unsanctioned mass demonstrations.

Due to all above-mentioned issues and threats, the former Soviet censorship shifted today to self-censorship of independent media. In Belarus, independent media has almost disappeared. Media pluralism is the least developed in the broadcasting sector. It does not exist in Belarus, Russian Federation and Azerbaijan. Newspapers more often provide alternative and opposition views, but their circulation is low, and their messages do not reach broader masses. Radio stations focus more on entertainment not political issues. Finally, in all

countries, including Baltics, quality of information on current affairs falls, fewer news items related to politics and public policy are published and broadcasted.

5.2. Legal environment

The overview of legal media environment of the post-Soviet Europe would not be full and true if it included national constitutions only. All countries in the region provide freedoms of speech and opinion, but not all governments respect them. *De jure* democratic institutions and *de facto* control and censorship is a frequent combination in the region. For example, journalists are often not able to do their job when they do not have access to information and official documents. Although the law provides for freedom of information, authorities are still not willing to cooperate with the media and hinder its work. In addition to that, such important issues as libel, limitations due to excessive national security, self-regulation, visa regulatory framework, and prosecution of breaches of journalists' rights have to be mentioned.

The generally low-degree establishment of rule of law and (in)dependence of judiciary in the post Soviet non-EU region affects the media directly. Frequent cases of impunity and lack of prosecution for those who attack journalists are reported from post-Soviet countries. Unnecessary legal provisions and obstacles, politicised and corrupt courts hamper the independent media. In less free countries, independent media suffers administrative discrimination and bureaucratic obstacles. That includes restrictions in media registration schemes, accreditation of journalists, rules of licensing, and frequency allocation. Journalists are indirectly harassed by tax inspections and legal investigations.

Surprisingly, young post-Soviet democracies were among the pioneers of the OSCE to decriminalise defamation. That includes Estonia, Georgia, Ukraine and Moldova. On the other hand, post-Soviet countries where defamation is still a crime, are also among those who use and overuse these provisions. In this area, the OSCE RFoM provided training for judges on libel and defamation legislation, provided legal advice and followed political discussions in parliaments. That is an example of an active contribution by the RFoM to its prioritised topic. The RFoM supported the principle that criminal defamation itself is a breach of the freedom of expression or, at least, is not a justifiable restriction. The RFoM aimed to remove it fully from the legislation of participating states, including those which do not even use these legal possibilities (e.g. Lithuania and Latvia).

The phenomenon of paying for “national security” with the price of freedom is widely spread in the post-Soviet region. Countries face challenges defining and regulating hate

speech, protecting national secrets and personal honour as well as protecting journalists' sources of information and fighting extremism. Regulations, discussions over them, and room for legal interpretations vary across the region. In Minsk 2011, presidents of Armenia, Belarus, Russia and three Central Asian countries met to discuss common strategy to regulate the Internet, including social networks, for security reasons. The attention paid by the highest level officials illustrate the significance of the matter as well as growing risk for online freedom of expression. That makes this illusionary national safety too costly and other ways to ensure it should be found.

Another common quality of the post-Soviet countries is a tendency for special visa regulations for foreign journalists. Foreign media plays a key role reporting to the world on inside stories which cannot be reported by the local suspended media. Thus, not surprisingly, authorities often decline or withhold visas for foreign journalists. Visa issues were reported even from the Baltic countries that rarely limit the freedom of movement to anyone. The reasons behind often are political ones.

Better and more effectively than any government, the self-regulation can foster ethics and media quality, editorial independence and professionalism. The establishment of press councils is a significant step for new democracies and their previously-controlled media that needs to regain public trust. Very few countries in the post-Soviet region have effectively functioning self-regulatory organisations. Existing self-regulatory bodies often lack independence, clear functions, budgeting or trust among journalists themselves. Media councils even in the Baltic countries (except Estonia) have links to the government. The issue is very closely linked to the level of journalists' professionalism that is still growing in different speed across the region.

5.3. Economic environment

The economic media environment correlates with the development and conditions of the national economy. Financially independent and self-supporting media outlets are able to operate in a liberal free-market economy, but not all FSU countries can claim to have it functioning. All post-Soviet countries went through severe economic difficulties and even two dramatic crises – after the collapse of the Soviet Union and in 2008. Financial risks significantly hit advertising revenues and also discouraged foreign investors from investing into post-Soviet media.

Scores of GDP¹¹ per capita reveal that economically stronger post-Soviet countries such as Estonia, Lithuania and Latvia (GDP approx. \$16,000–20,000) ensure better economic conditions for journalists. In economically weakest Moldova, Ukraine, Armenia, Georgia (GDP approx. \$2,200–3,600), despite growing political and legal freedom, economic realities hinder the development of the media. Financial independence, stable income, normal equipment, and adequate salaries are hardly guaranteed for independent journalists in economically weak post-Soviet countries. Finally, in the “middle” countries Russia, Belarus, Azerbaijan (GDP approx. \$8,000–12,700), in addition to repressive political and legal environment, economic possibilities of the media are also limited. Due to low circulation and complicated distribution, the print media is often weaker than television. That also contributed to the rise in popularity of television across the region.

The relationship between media and economic situation is twofold. Not only economic environment has to be favourable for the independent media to flourish, but freedom of expression and information affects the economic development too. Quoting the former President of the World Bank J. D. Wolfensohn: “A free press is at the absolute core of equitable development, because if you cannot enfranchise poor people, if they do not have a right to expression, if there is no searchlight on corruption and inequitable practices, you cannot build the public consensus needed to bring about change” (Remarks to the World Press Freedom Committee, 1999). However, it is difficult to fight corruption when it is also widespread in the media market. Cases of corruption among journalists were particularly frequent in the last century, but also remain today to a different extent in all countries.

Next to the culture of corruption, another major economic limitation for the media freedom is its opaque ownership. After Soviet years of fully state-owned media sector, immediate privatisation was not real. But twenty years later, news cannot be owned by democratic government, and privatisation has to be supported. In the Baltic countries, media is concentrated in the hands of private media concerns that also hinder media pluralism. This Baltic experience illuminates the issue of ownership from the other perspective: media outlets fall into the hands of interest groups because they are no longer able to maintain themselves independently due to economic difficulties, shrinking advertising market, and competition with online media. The RFoM paid many efforts fostering legal reforms to improve transparency and regulation of media ownership.

The economic environment also covers the structural censorship that is common for

¹¹ List of countries by GDP (nominal) per capita; World Bank (2014), [https://en.wikipedia.org/wiki/List_of_countries_by_GDP_\(nominal\)_per_capita](https://en.wikipedia.org/wiki/List_of_countries_by_GDP_(nominal)_per_capita)

transitional post-Soviet countries. In some of them, indirect pressure by tax police, distribution and printing companies, office-space owners, other inspections and authorities is used against independent media. Such economic pressure might be stronger than direct government interference (e.g. in Ukraine) and often leads to self-censorship. Structural discrimination of some media outlets is also observed when a government financially subsidises some media outlets against others that is not compatible with advanced democracy. Similarly, when establishing public service broadcasters, their financial independence has to be ensured.

Number of issues challenged countries during the introduction of digital broadcasting. Part of post-Soviet countries already went through this switchover, while others are still in the process. This constitutes not only a financial and technical, but also a political challenge. Initial investment costs of such switchover as well as the risk of monopolisation are high. This complex process needs some clear and fair rules and, if possible, an independent regulator who would decide on licensing matters. The RFoM was very active advising countries and following the transition processes in the region. However, the results of the switchover in FSU are not yet thoroughly evaluated.

5.4. Post-Soviet media path?

There are several media issues that all post-Soviet countries share in common as an outcome of the Soviet experience. These can be called the Soviet heritage but they are not significant enough to unite the whole region under single “post-Soviet media” flag. There is no common “post-Soviet path” in the field of media freedom. The main common factors are the same “starting point” after the collapse of the Soviet Union and the post-communism media democratisation. Further development depended on numerous other factors such as membership in international organisations (CIS, EU, CoE etc.), economic prosperity, democratic traditions before WWII, neighbouring countries etc. Common patterns of development can be found only in smaller geographical regions e.g. the Baltics or South Caucasus. Instead of grouping all ten countries under a single title, a more narrow differentiation would make sense. A possible grouping was proposed in the cross-regional comparison of the variation of Freedom House scores (see Ch.3.1.). Additionally, allocation in accordance to the economic scores (GDP per capita) or democratic development (“Freedom in the World” index) would also be meaningful.

The heritage of 75 years under Soviet power and totalitarian rule does not fade so

easily even after 25 years of independence. The society may be changing quicker or slower, but traditions, including tradition of free expression, take longer time to develop. In the most FSU countries, this tradition never existed, even before the WWII. The Soviet time left a significant mark on the professionalism of journalists. It's especially true for the older generation, who was trained to spread the state propaganda. Journalists, who started their carrier in years of early independence, when many media outlets were established, also lack experience and proper education. The new generation of journalists is growing, but not evenly. Other "specialties" of the Soviet heritage include corruption, immunity of public officials from critics and reluctance to share information.

Many current media problems and challenges in the post-Soviet Europe can be united under the term of post-communism media democratisation. In the beginning, the post-Soviet media remained fragile and often faced discrimination; journalists were criminalised as the state did not want to pass over the control of the press to civil society so easily. Countries and their journalists reacted in different ways. Also in the Baltics, there were attempts to nationalise media outlets right after the collapse of the Soviet Union by new authorities. However, the journalists protested and independent media outlets survived all attempts to sanction them. The nationalised media outlets later did not withstand the competition from the independent part of the sector (Veidas, 2012, 14–32). The RFoM many times expressed concern for such post-communism processes as banning censorship, privatising the print press, transforming state news sources into independent, licensing private radio and television outlets (RFoM Yearbook 10, 20–21). All of them challenged the whole region.

No assessment of the FSU media situation would be complete without special attention to Russia who still plays a significant role influencing the climate in the region. Russia sets a significant example in the development of the media freedom for the CIS countries. Right after the collapse of the Soviet Union, journalists from Belarus and Central Asia used to seek refuge in Russia and found there support and employment opportunities. Nowadays, as the media environment in Russia deteriorates, Russian journalists head to Europe (Panfiliov, 71–76). Clearly, Russia often sets a bad example for FSU, especially CIS countries. The less media freedom is observed in Russia, the more restrictive and violated becomes the media environment in other CIS countries. Attacks against journalists in Russia have adverse repercussions in the whole region.

A clear example comes from media freedom on the Internet. The current growth of new media sources and means of communication triggers a repressive backlash by authoritarian regimes. As soon as Russia adopted additional restrictions on the online content, it negatively influenced also the rest of the region. As mentioned previously, highest officials

of several CIS countries under the Russian leadership met to discuss common strategy for Internet regulation. These attempts of online control, according to Freedom House, have greatly influenced the recent low rankings of the media freedom in authoritarian regimes (Karlekar, Dunham, 2013, 1). Interestingly, the interpreters of the “Freedom in the World” indices also claim that the Russian experience in many ways reflect the trajectory of the region as a whole. A. Puddington (2011) nominates President Putin as the “enabler” for despots in surrounding countries, who supported authoritarian leaders when the international community criticised their democratic failings. Future improvements in the region could be expected after respective changes in the situation of Russia or countries’ alienation from Russian impact.

Although this relationship is not observed in the Baltic countries, political tensions with Russia sometimes affect media freedom here too. That is illustrated by the observed issues of visa and freedom of movement of journalists, re-translation of Russian programmes and channels. Finally, involvement of Russia in regional military conflicts e.g. Georgia, Ukraine has also greatly affected the local media environment. In addition to the highly restrictive media environment in Russia, Moscow pays many efforts to spread its propaganda outside its borders throughout the FSU. On the other hand, the regions also try to offset this “information war”.

The overview of the regional situation, as provided in the section above, allows distinguishing the following most pressing media freedom issues. Firstly, violent attacks and harassment of journalists and media outlets is the worst type of censorship. Moreover, authorities’ indifference to such cases and failures to find perpetrators create an atmosphere of fear where journalists censor themselves. Murder of such exclusive journalists as A. Politkovskaya in the Russian Federation, E. Huseynov in Azerbaijan and G. Gongadze in Ukraine caused big resonance in the public, drew international attention and gravelled all human right defenders. Secondly, criminalisation of journalist activities officially deprives the freedoms of journalists. That is why, speech offences have to be immediately decriminalised, and journalists should not be prosecuted for their professional mistakes. Furthermore, state hostility open the way for unofficial violence and *vice versa*. Thirdly, the described cases show that it is the independent, non-state and the opposition media that suffers from all kinds of harassment and discrimination. Fourthly, the level of respect to freedom of expression, to free assembly, and to free media can be measured during demonstrations, especially if they are unsanctioned or related to opposition or elections. Cases of violence against journalists by law enforcement officers, who are later not even prosecuted, show government’s intolerance to alternative views. Finally, all further media freedom issues, including access to information

and media ownership, need quick solutions and political will. The list of these most pressing issues is also similar to the list presented by the RFoM in 2007 for the whole OSCE area (RFoM Yearbook 9, 271–282).

Four ombudsman institutions of UN, OSCE, OAS and ACHPR also jointly declared a list of ten key challenges to freedom of expression in 2010–2020 (Tenth Anniversary Joint Declaration, 2 February 2010, Washington). It includes the challenges applicable to the post-Soviet countries. These are: government control, criminal defamation, violence, limits to the right to information, discriminatory enjoyment of freedom of expression, commercial pressures, support for public broadcasters, confrontation between security and freedom of expression, the Internet, and access to technologies. Such application of globally acknowledged challenges shows that the post-Soviet region faces very similar issues as the rest of the world, where media freedom is not yet established. Although the depth and spread of problems vary across countries, their identification could be the starting point for actions to improve the media situation.

6. CONCLUSION

“Melting” commitments

The current world order faces a meltdown of international commitments, especially of those politically binding. The legitimacy of global governance, commitments, and principles is being questioned. Democracy, including fundamental freedoms, becomes a matter of interpretation, and internal affairs are increasingly protected from any outside interventions. International structures of interests become less coherent and stable. Local interest often surpass international commitments in the “world of fragmented powers and pluralistic domestic politics” (Keohane, 2012, 128). Michael W. Doyle (2008, Q5) offers two solutions to this dilemma of the “new world order”: either to reduce commitments, or to further develop institutions. Institutional liberals would suggest broadening and deepening the legitimacy of international institutions that help to surpass collective problems. However, they are less specific on the terms and scopes of such institutions and do not guarantee that the extension of law and legally binding commitments would cause greater social progress.

The OSCE could also illustrate the presumptions of Keohane (2012, 126-127, 129). The “attempted regime” of the OSCE becomes a complex, composed of loosely coupled arrangements of rules, norms and institutions that lack overall architecture and hierarchy. The OSCE attempts to cover all aspects of security, including human rights, economics and ecology, though is not able to implement it all. It is difficult to change OSCE as this big network of norms and institutions is locked in its own policies. If international institutions are justified as “foundations of social progress”, does the decline of institutions also mean a social regress or that government “by the people” is no longer effective? The meltdown of OSCE commitments does not presume they are not effective and should be eliminated, but any international law needs interests and engagement of the agreeing parties. Legalisation needs power structures in order to create the order it aims to create. Unfortunately, the research revealed that OSCE is no longer able to keep the initial strength of interest of participating states, especially those to the East of Vienna.

In the last decades of the 20th century, international cooperation was built on mutual interest without much legalisation. However, today political agreements continue to lose their significance, and many other international regimes try to increase legalisation. Meanwhile, the OSCE commitments expand at every Ministerial Council but “melt” in terms of robustness and implementation. The establishment of the RFoM can be also interpreted as an attempt to legalise the domain of human rights. Although the Representative does not provide formal

legalisation or legal protection and cannot enforce any rules, it plays a significant role promoting the “soft law” of the OSCE and facilitating its implementation. The RFoM project activities accomplished tangible, although low-scale, results in the post-Soviet region that were observed in the course of this research.

A worrying challenge for the RFoM is to prove the universality of the OSCE commitments. On the international level, it is difficult to prove the individual equality by the means of morality, not power. According to Keohane, the “language of moralism” was started in the previous century with numerous human right agreements and a continuous push for their implementation. Twenty years ago, Western powers used this language to promote and establish democratic practices in the new unstable regimes of the post-Soviet Europe. Keohane argues this moralism to be the liberalism’s strength that enables to build social movements around values and not only material interests (Keohane, 2012, 129–131) The moral guidance is often one of biggest RFoM’s powers to convince the participating states and get their support. RFoM used it numerous times in its reports, press releases and letters addressed to the relevant stakeholders of the analysed region.

Recommendations for the RFoM

The very fact that 57 governments in the framework of the OSCE agreed to uphold and foster the media freedom, committed themselves to a set of commitments, and established a separate office to monitor the implementation is already a remarkable achievement that distinguishes the OSCE from many others. It is difficult to argue against the existence of the RFoM as an institution, against its priorities and the defended values. However, its existence is not enough, success has to be maintained and proved in everyday activities. Its functional, not only moral, terms have to be discussed in order to increase its effectiveness and efficiency. The completed research has elaborated on the prioritised and most effective RFoM activities in the post-Soviet region that allow to draw some recommendations.

The most numerous and visible RFoM activity is the monitoring and reporting on violations of media freedom and OSCE commitments. However, what happens when the RFoM points out a violation? Some countries reply and provide explanations, while others ignore or argue not to have information. Is that the expected result of the RFoM efforts in monitoring? Pointing a finger at a violator is not always an effective way to improve the media situation there. States make efforts to defend and explain themselves, but are not encouraged for changes. Practical, clear and future-oriented recommendations are much more

useful and are accepted more often. They can have a real impact on the situation and law-making procedures. Observation, cooperation, recommendation, and other RFoM instruments have to be balanced in order to achieve best results and greatest impact. Long-term planning, structure-changing projects in parallel with interventions (not *vice versa*) would give more significant results.

It is easy to draw a conclusion that RFoM should clearly set priorities, plan long-term and focus on most effective activities. However, it is difficult to implement it in the RFoM's daily work. The OSCE media watchdog also needs to react to everyday realities, which might sometimes take a major part of its attention, like the recent example of the conflict in Ukraine. Structure-changing projects are fewer when RFoM activities lack consistency and independence. The participating states and the Chairman-in-Office try to influence the work of RFoM. They can have their own priorities, task the OSCE institutions or decide to allocate extra-budgetary funds to particular projects, mandate their nationals to the Office and use other channels of influence. It gets more difficult to keep activities coherent, plan long-term and implement costly projects. It leads towards more control and observation instead of law reviews or educational projects. Nevertheless, RFoM has more financial freedom than any other OSCE institution because its budget is approved as a whole and not by individual lines (Yearbook 12, 29–40). Despite all outside factors, the final decision theoretically belongs to the RFoM. The Office's independence is an outstanding feature that is necessary in order to prioritise areas and activities as well as to protect media freedom.

The scope of RFoM activities may also depend on the personality of the person taking up the position. The mandate requires the person to be an eminent international personality with long-standing relevant experience and to perform his/her functions impartially. The Chairmanship initiates the selection and has to ensure the consensus on one of the candidates, which has to be approved by the Ministerial Council. This is often a very lengthy process but ensures the support for the incumbent from all countries. Each RFoM in his/her inaugural statement usually announces specific plans and priorities. He or she has the freedom to decide which countries or events or organisations to visit, which projects to develop and sponsor. Each incumbent remains in the office for at least three years according to the mandate that is enough to set and keep priorities throughout the term. RFoM also decides on the addressee of each communication, level of criticism, and what tool to use for every case, whether to publish a press release, to send a letter to national authorities, or to report to the OSCE Permanent Council etc. The analysis has also illustrated that the RFoM had sufficient freedom, space for interpretations of the mandate and space to react to the most relevant topics and situations throughout years.

RFoM should assist all stakeholders to media freedom – government, journalists and public society and not to differentiate between regions and countries. Back in 2000, the RFoM Freimut Duve reported to the OSCE Permanent Council that he intervenes only if the following conditions are met: if a particular journalist or media outlet is not able to defend himself, if a country lacks the necessary legal framework and unbiased judiciary system, if the case could be solved by the European Court on Human Rights, and if draft media-related law lacks public debate (Yearbook 2000/2001, 160–166). All cases reported by the RFoM from the post-Soviet countries during the analysed region conform with these requirements. That explains why the post-Soviet countries and their fragile democracies receive so much attention. That also defends the RFoM from accusation for focusing more on countries to the East from Vienna and being indifferent for media freedom breaches in the West.

Finally, problems of “melting” commitments or ineffectiveness of the RFoM would not even exist if participating states and their people were truly engaged. International institutions remain essential for cooperation, but they also need engaged members ready and willing to strive for the “better lives”. Higher awareness of media freedom is one of the successes in the post-Soviet region reached through the efforts of the RFoM. The aim is not only to make governments to stop abusing the media, but engaging them to create conditions and safeguard the prosperity of the free media. Not the legalism or moralism, but coalitions and engaged parties will decide on the future of multilateral institutions.

Regional perspectives

One of secondary objectives of this research was to evaluate the current level of post-Soviet media freedom in accordance to OSCE standards. However, there is no media freedom in the post-Soviet region, as we understand it in OSCE terms. Only three Baltic countries succeeded developing real, functioning media freedom. Other countries are either still in transition or their governments are not even interested to have a truly independent media. The activity of the RFoM in the region was one of many factors, but not the decisive one, that has led to the current situation. Media environment in each FSU country has to be interpreted in the context of local political and social structures. It would be more realistic to look for common patterns in the post-Soviet non-European area since Baltic countries clearly stand out from the rest.

Besides the most convenient grouping of countries into geographic regions of Baltic, Eastern Europe, South Caucasus and Russia, the research also pointed some other meaningful

groupings of FSU countries according to the media situation. That includes the allocation according to the variation of Freedom House index as illustrated by a graph in the 3.1. Chapter. Also, as the analysis of the political, legal and economic environments revealed, the media independence level correlates with the economic development (GDP scores) and level of democracy as in the “Freedom in the World” index. The groupings would slightly change depending on the chosen reference, but the Baltic countries would always comprise the single leading group.

The research showed that Baltic countries developed free and pluralistic media environment but there is still room for improvement. Constant efforts are also needed to maintain and secure this freedom. That leaves space for cooperation with the RFoM. Advanced countries could also take a more proactive position and support other transitional countries by sharing their experience and best practices, or also financing RFoM projects. Other FSU countries could benefit even more from their OSCE membership if they engaged openly and were willing to take up the changes. As previously mentioned, the list of challenges that media faces in the region is still long and pressing. Until today, the OSCE commitments were poorly implemented, and the RFoM reported on numerous cases of violations, loopholes in the law and suggested recommendations which were not taken up. The possibilities of cooperation and projects with the RFoM are far from being exploited. No matter how big financial and human resources of the RFoM would be (though currently they are not), nothing was possible and successful without the engagement of participating states and their readiness to work for improvement. It would be interesting to conduct another research on the domestic reasons of this “stubbornness”.

Although not decisive, the role of RFoM was still significant in the region. Authorities, at least partially, followed recommendations provided by the RFoM. For instance, Georgia resumed the broadcasting of the television station *Imedi* after the RFoM’s visit to the country and acted on the solution that they worked out during discussions. Such cases are indeed encouraging for both sides. It proves the authority and respect to the RFoM just like it shows an example of a mutual and beneficial cooperation for other countries, especially those which often refrain from allowing RFoM to “interfere”. RFoM’s support was the most welcome and most effective in countries of “transitional” media environment – Georgia, Armenia, Moldova and (partly) Ukraine. Authoritarian regimes of Russia, Azerbaijan, and Belarus took a rather defensive stand and often did not even admit the need for support from the RFoM.

The research also proved the definite interdependence between media freedom and democracy. That is even more evident than the relationship with liberal market or strong

national economy. The free exchange and publication of ideas and views strengthen democracy, nations and bonds between people. There is no other way for the transitional democracies of the post-Soviet region to develop healthy democracies without the freedom of expression. Democratic governments are based on moral principles and many of them are difficult to introduce and justify in non-democratic forms of governance. The media freedom is one of these principles that are often suppressed in pseudo-democracies. As democracy is not able to flourish without free media, it should be a top priority to preserve it. The observations of this research could therefore contribute to a broader knowledge of democratisation processes in the post-Soviet region.

Discussion on future perspectives for the RFoM and the post-Soviet media would not be complete without mentioning the Internet. The protection of human rights online has barely kept up with technological changes. More attention has to be given to defend the online freedoms of opinion and expression, both nationally and internationally. As the struggle for control over its content started on the day when the Internet was launched, the struggle to ensure human rights has to run on a parallel pace. Online communication plays a key role spreading independent information and alternative ideas in the post-Soviet countries where traditional media faces different means of suppression. Internet access is unlimited in Baltics, but limited elsewhere by authorities, lack of infrastructure or education. Despite the wide and rapid expansion of new communication technologies, there are still large areas in the post-Soviet countries with few Internet connections. It is a question of time when these areas will be connected as well as when local authorities will attempt to control the online content. By today, all countries lack clear legislation and standards for the online media. This “cyberspace governance” will remain a challenge for the OSCE RFoM trying to ensure that technologies serve the people.

In the end, it is worth to look at the freedom of the media from a bit different perspective. It is the side of journalists, their ethics and professionalism. Professional journalism is a requirement and condition both for the media freedom and for any democracy. Efforts defending media freedom might be fruitless without educating journalists, and even the best legal framework will not ensure media freedom without diversity of opinions among journalists. Right after the collapse of the Soviet Union, the level of journalists’ professionalism was rather low. Most of them, who previously were a part of the Soviet propaganda machine, were no longer capable to adopt to new circumstances and tended to follow previous practices. It takes time to change the mentality of society as well as of journalists. Their willingness to present more views and deliver more balanced information, their knowledge of ethics as well as legal competences would raise the quality and the

independence of the media. Self-regulation and conflict solving skills between journalists are more effective than any international monitoring. Higher consciousness of journalists can also initiate changes in the mind of authorities. That is why, new generations of journalists in the FSU countries will play a decisive role creating free media environment.

Variation of Freedom House scores in post-Soviet countries, 1991–2014

	RF	ARM	AZR	GEO	EE	LV	LTU	BY	MD	UA
1991										
1992										
1993										
1994	40	52	70	73	28	29	30	66	41	44
1995	55	57	69	70	25	29	29	67	47	42
1996	58	56	69	68	24	21	25	70	62	39
1997	53	56	74	55	22	21	20	85	57	49
1998	53	56	74	56	20	21	17	90	58	49
1999	59	56	73	57	20	21	18	80	56	50
2000	60	57	70	47	20	24	20	80	58	60
2001	60	59	76	53	20	24	20	80	59	60
2002	60	60	77	53	18	19	19	82	59	60
2003	66	65	73	54	17	18	18	82	59	67
2004	67	64	71	54	17	17	18	84	63	68
2005	68	64	72	56	17	17	18	86	65	59
2006	72	64	73	57	16	19	18	88	65	53
2007	75	64	75	57	16	19	18	89	65	53
2008	78	66	77	60	16	22	18	91	66	53
2009	80	68	78	60	15	23	18	91	67	55
2010	81	66	79	59	17	26	21	92	65	53
2011	80	65	80	52	18	27	23	93	54	59
2012	81	61	82	49	16	28	24	93	53	60
2013	81	62	84	47	16	28	24	93	53	63
2014	83	61	87	48	16	28	25	93	55	58

free
partly free
not free

RFoM Activities in the Post-Soviet Europe

		SOUTHERN CAUCASUS			BALTIC STATES			EASTERN EUROPE		
	RUSSIAN FEDERATION (RF)	ARMENIA (ARM)	AZERBAIJAN (AZR)	GEORGIA (GEO)	ESTONIA (EE)	LATVIA (LV)	LITHUANIA (LTU)	BELARUS (BY)	MOLDOVA (MD)	UKRAINE (UA)
Freedom House Score 1991	USSR: partly free;	USSR: partly free;	USSR: partly free;	USSR: partly free;	USSR: partly free;	USSR: partly free;	USSR: partly free;	USSR: partly free;	USSR: partly free;	USSR: partly free;
1992	USSR: partly free;	USSR: partly free;	USSR: partly free;	USSR: partly free;	free	free	free	USSR: partly free;	USSR: partly free;	USSR: partly free;
1993	partly free	partly free	not free	partly free	partly free	partly free	partly free	partly free	partly free	partly free
1994	40 partly free	52 partly free	70 not free	73 not free	28 free	29 free	30 free	66 not free	41 partly free	44 partly free
1995	55 partly free	57 partly free	69 not free	70 not free	25 free	29 free	29 free	67 not free	47 partly free	42 partly free
1996	58 partly free	56 partly free	69 not free	68 not free	24 free	21 free	25 free	70 not free	62 not free	39 partly free
1997	53 partly free	56 partly free	74 not free	55 partly free	22 free	21 free	20 free	85 not free	57 partly free	49 partly free
1998	1998	1998	1998	1998	1998	1998	1998	1998	1998	1998
Freedom House Score	53 partly free	56 partly free	74 not free	56 partly free	20 free	21 free	17 free	90 not free	58 partly free	49 partly free
NEGATIVE	On killing of Youdina; On assaults on several journalists; On G.Pasko case; Commented statement of Makahov at Duma; On killing of		Concern for secondary license for print media; Concern on halting of Radio Liberty broadcast; Concern for libel suits and licensing ind.	On violence cases ag. journalists; Requested info. on beaten journalists during demonstrations and on drafting new				Concern for cases of Sheremet (travel restriction to receive Int. Press Freedom Award) and Khashchevatsky and discrim-		Concern before parliamentary elections; Concern for closure of Pravda Ukraine newspaper; On attack ag. Odaritch and

	Starovoitova;		TV stations; Concern for beatings and harassment of journalists;	Freedom of Information act; “near-total absence of Ind. TV sta- tions”				ination of ind. media; On licensing dissemina- tion of legal info and robbery from <i>Naviny</i> newspaper.		court for Ale- xandrov; On registra- tion annul- ment for newspaper Polityka
POSITIVE			Commended decree to abolish cen- sorship;					Hoped for establish- ment of WG on press freedom in Minsk;		
LEGAL								Urged to withdraw amendments on defama- tion		
VISITS EVENTS	Official visit and lecture to journal- ism students;		Visit by RFoM Adviser and to seminar on Gov- Media relations;	Advisor's visit for mtgs and OSCE PA session;				Visited for mtgs and seminar on democra- cies;		Assesment visit by 2 advisers after ODIHR report on Parl. Elec- tions; Mtg w/MFA (x2 at the MC);
OTHER: Opening of the RFoM								“reestab- lishment of free debate without fear remains essential need”;		
1999	1999	1999	1999	1999	1999	1999	1999	1999	1999	1999
Freedom House Score	59 partly free	56 partly free	73 not free	57 partly free	20 free	21 free	18 free	80 not free	56 partly free	50 partly free
NEGATIVE	On harassment of	On sentenc-	Concern for					On harass-	On confiscation	On harass-

	journalists in Chechnya, some killed (x2); Hoped that case of arrested Nikitin for state secret is solved soon;	ing editor to prison for slander;	series of libel suits; On closing of SARA-TV; Urged release of imprisoned journalists; Concern for series of violent attacks ag. journalists;					ment of Navy newspaper (x2 on libel case); On continuing admonitions ag. newspapers (for offending dignity; form of censorship) and importance of public TV and radio establishment; Concern for hiding of two journalists from state security service; Concern for abuse of libel laws and censorship through warnings; Raised PC Current Issue that 6 ind.newspapers received warnings before covering opposition in presid.elections and urged to	of <i>Nowaya Gazeta</i> prints in Transdnistria;	ment of <i>STB</i> TV station; Concern for private media work covering presidential elections; Protested ag. harassment of <i>Chernomorskaya Zarya</i>; “widespread abuse of libel cases ag. media”; Raised PC Current Issue for increasing incidents ag. ind. media in light of upcoming elections, esp.<i>STB</i> channel and several stations in Crimea;
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								ensure success of tri-partite mtg under OSCE;		
POSITIVE	Happy for release of Pasko, but reminded similar case of Nikitin;		Proposed seminar on gov-media relations; Appreciated amnesty to journalist Qahramanli					Welcomed beginning of dialogue btw Gov and opposition under OSCE;		
LEGAL	Urged President not to sign bill on establishing councils to protect moral standards in broadcasting;		Commented new media law limiting freedom and licensing ind. TV;				Commented amendments to law on Media and creation of Media Protection Commission;	Commented the Law of Press; Prepared model laws on transformation from state to public media;		Offered assistance resolving excessive libel fees;

VISITS EVENTS	Visit;		Official visit, gov. mtgs;					Attended seminar "Information Society" on free flow of info and off.mtgs;	Advisor's As- sessment visit: "situation not much different from the re- gion", "genu- ine public de- bate", spec. look to <i>Novaya Gazeta</i> case, Transdnistria "stuck in pre glasnost time";	Visit by two advisors; RFoM visit for of.mtgs: "sit- uation not really im- proved"; Advisor's visit for con- sultations w/CoE and ODIHR; Advisor's visit for preparation of the roundtable; Held and attended round-table on libel is- sues and asked Gov to follow up recommen- dations;
OTHER Published statistics:	7 assaulted; 2 im- prisoned; 12 killed; 3 sup- pressed; 2 threat- ened;	2 assaulted; 1 censored; 2 harassed; 1 suppressed;	4 assaulted; 1 censored; 1 killed; 2 sup- pressed;	1 harassed;	1 har- assed; 1 sup- pressed;	1 har- assed	1 sup- pressed;	4 assaulted; 1 censored; 9 harassed; 5 sup- pressed;	1 assaulted; 2 harassed;	2 assaulted; 2 censored; 1 harassed; 1 imprisoned; 1 killed; 1 sup- pressed; 1 threatened;
2000	2000	2000	2000	2000	2000	2000	2000	2000	2000	2000
Freedom House Score	60 partly free	57 partly free	70 not free	47 partly free	20 free	24 free	20 free	80 not free	58 partly free	60 partly free

NEGATIVE	Concern on harassment of Khinshstein; Commented Kremlin spokesperson statement; Concern for Babitsky missing in Chechnya (PC); Concern on Chechnya conflict effects on media; Requested to release Babitsky; constrains for those reporting on conflict by anti-terrorist legislation; "one-sided coverage"; Death of editor Borovik; Raid on <i>Media-Most</i> holding by Tax Police; Concern on protection of journalists in conflict zones; Addressed on media issues in Belgrade (x2); Arrest of V.Gusinsky; Death of Novikov, <i>Vesna</i> radio; On Tepsurgaev killed in Chechnya; On A. Politkovskaya,		Concern on arrest of R.Arifolgu (later welcomed release); On case of ICBS-SARA Broadcast.agency; Violations ag. Zamin, Mansaroglu, <i>DMR</i> TV and <i>Mingecevir</i> TV; Commented media during parliamentary elections;	Raised murder of Rso, Italian journalist, reporting on Chechnya;				Concern for 30 arrested journalists during oppos. demonstrations; Increased distribution for ind. media; Threatening of Y.Mayorchy k from <i>Radio Liberty</i>; Warnings to ind. newspapers <i>Nasha Niva</i>, <i>Narodnaya Volya</i> etc; Confiscation from <i>Rabochy</i> newspaper and related arrests; Case of <i>Magic</i> publishing house - confiscation due to tax violations; Commented on "major shortcomings", Recent elections not "free and fair" & failed	"Special focus" due to importance for region development; Case of Chernomorskaya Zarya newspaper (since 1999): 20 lawsuits; Case of <i>Silski Vesti</i> newspaper accused for taxes; Disappearance of Gongadze;
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	reporter in Chechnya; PC Statement on Kursk tragedy effect on media and crisis coverage: "Current volatile situation" (early-warning); Following the trial for murder of Khodolodov (1994);							to meet Europ. standards"; Zavadsky (ORT) went missing;		
POSITIVE	Addressed on OSCE Prize for Journalism and Democracy candidate Babitsky (x2); later regretted that Prize not received); Commented President Putin's address as commitment to FoM and conviction of challenges faced; Welcomed release of photographer Fleutiaux, hostage in Chechnya;			Supported establishment of a newspaper in high school, Tbilisi;						Suggestions on how to implement 1999 roundtable proposals; Continues to successfully cooperate on 2 projects - following the roundtable: brochure and TV programme;
LEGAL										
VISITS EVENTS	Adviser participated in roundtable for ombudsmen from post-Soviet countries;			Country Report: "Ind. media active despite severe econ. conditions; situation compares favourably to						Adviser's visit for mtgs w/journalists and for TV programme on FoM; Country Report;

				other post-Soviet countries" etc;						
OTHER: spec.focus on post-conflict media development in SEE; 11 journalists killed/ OSCE	17 assaulted; 19 censored; 32 harassed; 3 imprisoned; 5 killed; 3 suppressed; 5 threatened;	2 assaulted; 1 harassed; 1 imprisoned;	2 assaulted; 6 censored; 23 harassed; 3 imprisoned; 2 suppressed; 2 threatened;	2 assaulted; 1 harassed; 1 killed; 2 threatened;	1 suppressed;		1 suppressed;	2 assaulted; 1 censored; 45 harassed; 2 suppressed; 1 missing; 1 threatened;	2 assaulted; 2 threatened;	2 assaulted; 2 censored; 2 harassed; 1 killed; 2 suppressed; 2 threatened;
2001	2001	2001	2001	2001	2001	2001	2001	2001	2001	2001
Freedom House Score	60 partly free	59 partly free	76 not free	53 partly free	20 free	24 free	20 free	80 not free	59 partly free	60 partly free
NEGATIVE									Followed pressure on media outlets	Presented report on Gongadze disappearance;
POSITIVE										
LEGAL										
VISITS EVENTS	Visited to present "The Caucasus - Defence of Future" publication;			Visited to present "The Caucasus - Defence of Future" publication;						Adviser's visit on disappearance of Gongadze;
OTHER										
2002	2002	2002	2002	2002	2002	2002	2002	2002	2002	2002

Freedom House Score	60 partly free	60 partly free	77 not free	53 partly free	18 free	19 free	19 free	82 not free	59 partly free	60 partly free
NEGATIVE	On death of N.Skryl and cases of libel against "Novaya Gazeta"; Killing of V.Ivanov; Inquiry on visa denial for RFoM official to conference by Russian Journalists Union; Appealing for pardon of G.Pasko (2); On terrorist attack in Moscow and its consequences to journalists;	Intervened on license denial for independent a+1 TV; Murder of T.Nagdalyan, Head of ARM Public TV and Radio;	Intervened due to defamatory campaign (suits) against private media by the official press;			More information on licence denial for radio "Biznes&Baltia";				
POSITIVE									"Media in Multilingual Societies" project;	
LEGAL			Concern on draft law "On TV and Radio Broadcasting";							
VISITS EVENTS										
OTHER										
2003	2003	2003	2003	2003	2003	2003	2003	2003	2003	2003
Freedom House Score	66 not free	65 not free	73 not free	54 partly free	17 free	18 free	18 free	82 not free	59 partly free	67 not free
NEGATIVE	On dissolution of TVS, last private TV with national reach; On cases ag. two journalists on di-	Assault on opposition journalist M.Ghalechian;	Violent attack of daily <i>Yeni Musavat</i> ; Police attack on journalists during rally;	Intervended on lawsuit ag. investigative news programme;				Intervened on cases of harassment of journalists; On killing of	Concern over <i>TeleRadio Moldova</i> : cancellation of talk show and change of staff;	Concern over death of Karachevtsev, Chairman of Ind. Reg. Union of

	vulging state secrets; On sentencing "Robochaya Gazeta" journalists; On journalist O.Kitova; Concern over death of Sidorov (same as his predecessor in 2002) from <i>Toliatinskoie Obosrenie</i> ("censorship by killing")		Intervened on beating of journalists during and after presidential elections; Concern over violence ag. journalists during post-election protests and prevention covering elections; Concern on arrest of <i>Arifoglu</i> (opposition newspaper) (x2); Concern over six leading newspapers suspended due to printing problems;					UA journalist M.Kolomiets ; Suspension of two independent newspapers BDG; Concern over actions ag. non-state <i>Narodnaya Volya</i> ;		Journalists;
POSITIVE										
LEGAL		Intervened on debate on libel;		On draft Criminal Code on defamation and insult sections;						
VISITS EVENTS	RFoM farewell and present "der Spiegel Affair" book visit;	Adviser's visit;	RFoM research officer's visit;							
OTHER										

2004	2004	2004	2004	2004	2004	2004	2004	2004	2004	2004
Freedom House Score	67 not free	64 not free	71 not free	54 partly free	17 free	17 free	18 free	84 not free	63 not free	68 partly free
NEGATIVE	Concern over dismissal of Parfenov (after interview w/Chechen); Raised issues of Babitsky, Politkovskaja and detained crew of <i>GEO TV Rustavi2</i> ; Concern over journalists prevented to report Beslan events; Concern over arrest of Afanasyev; Concern over explosive in front of Tregubova house; Concern over arrest of Mija in Transdnistria;	Concern over A1+ and <i>Noyan Tapan TV</i> without broadcasting frequencies for 2 years; Urged the Gov to ensure the independence of National Commission on TV and Radio; Asked about investigation of violence during rallies in April;	Following criminal libel case ag. Huseynova (later welcomed closure of the case); Concern over violent attacks ag. Quliyev and Fatullayev (x2); Concern over libel suit ag. Huseynov; Asked about the violence case of Kazimov;	Concern on Babitsky not granted visa to cover Pres. elections;				Reacted to CoE report on "systematic violation of fundamental freedoms and Helsinki obligations"; Failed trip to BY (never received visa as no instructions from Minsk); Concern over closure of several newspapers in two weeks; "Media situation systematically deteriorated"; Asked for swift investigation of murder of Cherkasova; Concern over deportation of UA journalist Podolyak;	Following protests by nat.broadcaster Teleradio Moldova staff demanding major changes; Concern over arrest of Mija in Transdnistria; concern over situation of <i>TeleRadio Moldova</i> ;	Concern over harassed several media outlets during post-elections period;

POSITIVE		Welcomed partial decriminalisation of libel;	Welcomed release of Ismaylov (detained during demonstrations);						Welcomed decriminalisation of libel;	Welcomed decriminalisation of libel;
LEGAL	Raised the need to decriminalise libel;		Legal review;	Legal review;						
VISITS EVENTS			Organised w/CoE legal roundtable on libel and inform. freedom;						Assessment visit: "media pluralism is highly developed"; (report+recommendations);	1st Assessment Visit: "pluralism is present"; broadcasting media heavily tilted towards Gov; "two-headed" licensing needs to be abolished; needs transparent public relations strategy; need answers in Gongadze case;
OTHER	Report on media coverage of events in Beslan;							Extensive report on media freedom violations in BY 2004;		
2005	2005	2005	2005	2005	2005	2005	2005	2005	2005	2005
Freedom House	68 not free	64 not free	72 not free	56 partly free	17 free	17 free	18 free	86 not free	65 not free	59 partly free

Score										
NEGATIVE	On detention of 3 POL journalists; Asked for info on detention of several journalists during demonstration; On prison sentence to Chayka for defamation; On sentencing Abrosimov for not-published article; Concern on prison sentence to Goshko for libel und urged for decriminalisation;		Asked info on beating of Kazimov by police; On attacks ag. journalists during post-election demonstration; On murder of Huseynov;	Raised case of Ramishvili and Kokhreidze, sentenced;				On detention and assault of journalists covering a rally; On adm. measures ag. Narodnaya Volya newspaper; On “worsening media situation”; Concern on criminal investigation for cartoons with President;		Following investigation of case of Gongadze; Asked to suspend mandatory registration of websites;
POSITIVE	Invited Gov.Officials to Internet Conference; Praised Supreme Court Decision on guidelines for limits in defamation cases and encouraged to decriminalise further;		Congratulated on Nat. Press Day;							Praised suspension of decree on websites registration;

LEGAL						Com- mented draft laws on Public Service Broad- casting and on Radio and TV;		Commented Presid. de- cree to for- bid words “national” and “bela- rusian” in titles of NGOs and enterprises (also news- papers); Urged to veto amendment of Crim. Code on “discredit- ing Bela- rus”;	Commented on Draft Laws on State and Offi- cial Secrets and On Information;	
VISITS EVENTS	Presented Media Freedom Internet “Cookbook” in Russian;		Assessment visit and Country re- port: “diversi- ty not extend much beyond print media and low circu- lation and weak”; Seminar on Media-State interaction; Roundtable on TV and radio licens- ing;	S.Caucasus Media Con- ference on Public Ser- vice Broad- casting;				RFoM Visit and report on media situation: “situation deteriorat- ed” “only one ind. daily news- paper and no broad- casting out- lets”;	Adviser’s As- sessment visit to Transdnies- tria and Coun- try Report: “situation of ind.media is very difficult”, “restrictive media cli- mate”;	
Number/ PRs	2	0	4	1	0	0	0	6	0	0

OTHER Prepared Int. Matrix on libel/ defamation practises;										
2006	2006	2006	2006	2006	2006	2006	2006	2006	2006	2006
Freedom House Score	72 not free	64 not free	73 not free	57 partly free	16 free	19 free	18 free	88 not free	65 not free	53 partly free

NEGATIVE	Concern on sentencing Dmitrievsky for “incitement of hatred” when reprinted letters (x2); Concern over murders of Zimin, Barabishkin, Akatov, Kretenchuk; Murder of Politkovskaja (“her sacrifice for freedom of journalism”) (“extremely important to break the circle of inconclusive investigations into recent murders of journalists in RU”); Concern over case ag. Korolev for “dissemination of state secrets”; Concern over murder of Voronin;		Raised the murder of Huseynov and called for justice <i>asap</i>; Concern for Adigozalov imprisonment for libel; Concern for arrest of Zahidov (x2); Concern over proceeding ag. “Gun” for ethnic/relig. incitement; Concern over numerous cases of libel suits: 4 journalists imprisoned; Asked about warnings to ban BBC, Voice of America and Radio Liberty; Concern over shutting down ANS TV and Radio stations and eviction of Azadliq newspaper office (“deteriorating media situation”);				Concern over a search in “Laisvas Laikrastis” and detention of Drizius to identify confidential sources;	Concern over detentions of BY and foreign journalists in aftermath of presidential elections; asked to ensure safe working environment; Encouraged to drop the case ag. Rhoda, closed for reprinting Danish cartoons;	Concern over <i>Antenna-C</i> broadcasting interruption and plans for its privatisation;	Concern over attack ag. Yanovsky;
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POSITIVE	Welcomed overturned sentence to Smirnova for re-printing Danish cartoons;	Noted progress in establishing self-regulatory body;	Welcomed President decision to cancel debts to all newspapers to State Publishing House; Welcomed creation of self-regulation mechanism; Supported conference on media self-regulation in post-soviet countries; Welcomed dec. to allow ANS to resume transmission;	Welcomed creation of self-regulation mechanism (year?);					Sent letter with proposals for cooperation;	Fin. support in Transdniestria to 2 independ. media outlets "Celovel i ego pravo", "Novaia Gazeta"; Welcomed rejection of draft law on nat. register for periodicals; Noted progress in establishing self-regulatory body;	Welcomed creation of self-regulation mechanism;
LEGAL		Analysis of digital radio and TV broadcasting implementation draft plan;	Recommendations for draft law on Defamation; Encouraged to start legal reforms on defamation; Urged to decriminalize defamation;							Leg. review of draft Audiovisual Code;	Supported drafting amendments on media ownership;
VISITS EVENTS		Assessment visit and report: "pluralism remains limited", print media weak	Visited "in response to new wave of prosecutions" and chaired roundtable on defamation;	Several trainings for lawyers on freedom of expression; Training on basics of						Training for judges on defamation issues;	Several training programmes on interaction btw. media and state press ser-

		(small circulation), lack of transparency reg. media ownership etc.;	Training on interaction btw. media and state press services;	management for journalists; S. Caucasus Media Conference on "the Business of Media";						vices; Visited for HLPM on Media Issues;
Number of PRs	2	4	7	0	0	0	0	2	1	0
OTHER			Distributed booklet on OSCE commitments and Freedom of Information Law;							
2007	2007	2007	2007	2007	2007	2007	2007	2007	2007	2007
Freedom House Score	75 not free	64 not free	75 not free	57 partly free	16 free	19 free	18 free	89 not free	65 not free	53 partly free
NEGATIVE	RFoM report on media freedom violations during Duma electoral campaign; Worried about death of Safronov; Following case of Politkovskaya (and 7 other murders of journalists) (x2); Concern over treatment of journalist at demonstrations; Concern over civil libel case against <i>Kommersant</i> (x2); Regret that attacks	RFoM called to lift restrictions on independent media placed since state of emergency on 1 March (several independent and opposition websites blocked, foreign radio and television coverage re-	Concern over dramatic increase in defamation charges; Alarmed about continuous harassment and wave of imprisonments ("highest number of journalists in prison in the OSCE"); Concern about detention of three	Concern over suspension of <i>MediTV</i> and <i>KavkasiaTV</i> ; ("selective silencing");				Condemned sentencing of newspaper "Novy Chas"; Regret that no improve on independent media situation;	Concern over Atena radio disruption and its privatisation; Interest in revocation of <i>TVR1</i> ;	Interest in closure of <i>Toloka</i> talk-show;

	on journalists continue; Concern over suspension of BBC on Moscow radio;	stricted); <i>Gala</i> TV law suit: RFoM asked to preserve pluralism and find compromise; RFoM asked to investigate explosion in front of an opposition newspaper; PR on increased tension in media environment;	journalists, <i>ANS</i> TV license and eviction of Azadliq; Reminded about case of Huseynov; Concern over two largest independent newspapers closure; Sentencing of Guliyev and Zahidov and Fatullayev; Called to release the imprisoned, decriminalise defamation and guarantee freedom; RFoM: "grave situation of the independent media"; PR: "Media under serious threat";							
POSITIVE	Commended progress in Politkovskaya and Dominikov's cases; and reopening of Shekhochikhin death case;	Welcomed amendments of regulations of National TV and Radio commission (but "not robust enough");	Greeted re-licensing of <i>ANS</i> TV;	Welcomed reopening of " <i>Imed-iTV</i> "						

LEGAL	Asked to re-examine legal framework on extremism;	Reviewed draft plan for digital broadcasting; Concern over draft law on Television and Radio (later not adopted) that would ban only foreign "Radio Liberty"; Concern over draft laws "on amendments to TV and Radio Law".	Recommendations on the regulation of Internet media; Urged to decriminalise defamation;					Interest in new draft law On protection of information; Review of draft law On information (later welcomed that some recommendations taken); Offered assistance drafting Internet regulation;	Reviewed new Audiovisual Code and regulation of broadcasting licences;	
VISITS EVENTS	Attended roundtable on self-regulation; Made speech at Congress of Journalists Federation;	Training on interaction btw press and press services; Seminar on media ethics;	Conference on media self-regulation; Mtg w/President Aliyev; Participated in conference on role of media in tolerance;	S.Caucasus Media Conference on self-regulation;				Visit and training for journalists and gov press secretaries;	2 Seminars on defamation for judges;	Participated in HL Policy Mtg on Mass Media; Training for journalists and press officers on cooperation; Participated in opening Int.Journalism school;
Number of PRs	3	2	7	4	0	0	0	1	0	0
OTHER: Focus on self-regulation										
2008	2008	2008	2008	2008	2008	2008	2008	2008	2008	2008

Freedom House Score	78 not free	66 not free	77 not free	60 partly free	16 free	22 free	18 free	91 not free	66 not free	53 partly free
NEGATIVE	Reported on presidential election campaign: "lack of equal access"; Submitted summary of outstanding concerns to new president; Urged investigation of murders of Dagestani journalists (welcomed some resolved); 9 journalists arrested and beaten at street rally in Nazran; Violence attack against M.Beketov; Monitored prosecution in A.Politkovskaya case (x2); Addressed several "extremism"-based court decisions, incl. <i>Ingushetiya.ru</i> ; Publisher of <i>Ingushetiya.ru</i> killed during police custody ("the only remaining indep. news source in region silenced"); Inquired on journalist N.Morar denial to re-entry RF;	Police attacked two journalists; Recommended reforming TV licensing process as limiting pluralism (<i>A+1</i> TV station case); Concern on violence against journalists, incl. Radio <i>Liberty</i> and Zhamanag (x2 ag. Nalbandian, Chairman of Investig. Journalists Association); Raised cases of violence ag. Bagdasaryan, Barseghyan and Melkumyan (purpose - censorship);	Requested information on 3 journalist imprisonment cases, incl. Huseynov; Protested against other sentences of journalists, encouraged to stop imprisoning critically minded journalists, incl. cases of Fatulayev, Zahidov, Zahidov;. Reported continuing prosecution of independent journalists; Asked to investigate several physical attacks on journalists, incl. Huseynov; Reported on attack ag. journalist A.Khalil (x3 two new attacks and	Monitoring closure of <i>ImediTV</i> , <i>Kavkazia</i> and <i>25Channel</i> due crisis; Called for free and safe access to journalists to crisis regions; 3 journalists dead and 12 wounded during war in Geo and not yet restored flow of information;				Protested against sentence of A.Zdvizhkov for religious hatred (later welcomed release); Several journalist arrested in unsanctioned rallies or equipment confiscated; Addressed use of Law "on counter-extremism" against media, case of Svaboda newspaper; Criticized clampdown on independent journalists and media outlets;	Recommended <i>Teleradio Moldova</i> transform to public-service broadcaster; to make licensing process more transparent; to complete privatisation of state media; broader access to gov. info; Urged to renew license for <i>ProTVChisinau</i> (minor violations of broadcasting law) and ensure media pluralism before parl. elections;	Asked for information on confiscation of video tapes from RU journalist A.Shirokov as "unaccredited journalism"; Concern over imprisonment of I.Yakovlev and interruptions to foreign television channels;

			investigation progress); Called to renew FM licenses for foreign public-service radio broadcasters, incl. BBC, Radio Liberty, <i>Voice of America</i> (x2);							
POSITIVE	Welcomed annulment of M.Aslamazian case on smuggling; Welcomed started Duma discussions of media legislation;		Sponsored vests to journalists during public events; RFoM welcomed release of 5 imprisoned journalists and urged to release other 3;	Welcomed return of broadcasting pluralism and encouraged to improve transparency of media ownership;				Suggested further co-operation areas: defamation, public broadcaster, administrative barriers etc;		Welcomed developments in murder of G.Gongadze case;

LEGAL	Warned on media law amendments that would allow to close media for libel (later welcomed rejected); Expressed concern on new legislative initiatives on anti-extremism that would allow to block websites (x2);	Asked to review TV and Radio law that does not allow new licenses until digit. switchover; Legal opinion on draft law "On Information, its technologies and its protection"; Legal review of amendments to "TV and Radio Law"	Criticised President Administration suggestion to send for pre-approval all publications on President;					Cooperated on draft law "on information and its protection" and presented legal review (later on 2nd draft); Legal review on draft law "on Mass Media", but law remained restrictive; Called BY Parliament not to adopt "Law on Mass Media", but unsuccessfully; Called to legal reforms that hate speech regulations are not used to persecute journalists.	Recommendations on draft law "On state secrets" (regretted that passed without debate);	
VISITS EVENTS	Staff went to "Law&internet" int. conference;	Coorganized w/CoE Conference on Media Diversity; Training seminar for press officers and	Visited to present "Media Selfregulation Guidebook" and meet w/imprisoned journalists;	Regional conference on Media Self-Regulation and accountability systems for the South				Co-hosted a roundtable on Internet media regulation (x2 thanked for cooperation and assurances that	Training seminar for press officers and journalists on effective interaction; Visited for EU Seminar on Expression	Visited on HLPM on media legislation reform; Training on media self-regulation;

		journalists on interaction;		Caucasus (also visited); Training seminar on interaction btw. state and media;				Internet remains free);	Freedom and mtgs;	
Number of PRs	4	3	6	1	0	0	0	3	1	
OTHER RFoM publishes Media Self-Regulation Guidebook										
2009	2009	2009	2009	2009	2009	2009	2009	2009	2009	2009
Freedom House Score	80 not free	68 not free	78 not free	60 partly free	15 free	23 free	18 free	91 not free	67 not free	55 partly free
NEGATIVE	Asked to protect journalists physical security and raised cases of murder of Baburova, Markelov, Am-rakhov, Zakharcuk; Asked Gov. to resolve “the chronic safety crisis”; Asked more info on violence ag. Rogozhin; Regret the death of Yaroshenko and no progress in previous investigations; Inquired on cases of Yaroshenko, Rogozhin, Protazanov, Baburova,	Concern over continuous violence ag. journalists (x2); Asked for swift investigation of attack ag. Kiviryan and Mnatsakanian; Raised unsolved 2008 attacks: Barseghyan, Zhamanak, Melkumyan, Baghdasaryan;	Regret for imprisonment of Quliyev for “insult”; Asked info about imprisoned Fatul-layev, Zahi-dov, Huseynov, Quliyev; “highest number of imprisoned journalists in the OSCE”; Concern over prosecution on questionable crime. charges: Ab-	Asked info on violence ag. journalists covering protest rallies: Kalandia, Khavtasi; Concern on explosion in front of Maestro TV;				Raised new case of “Extremism” law application for censorship: magazine <i>Arche</i> ; Asked to review requests for accreditation from POL TV <i>Bel-sat</i> and journalists Paczobut, Roman, Pisalnik and simplify the process of	Asked to investigate complaints from journalists about mistreatment during demonstrations after elections; Urged to renew license of <i>ProTVChisinau</i> ;	Concern over attack ag. Dokunov, Klintsova and asked for swift investigation;

	Zolotarev; Monitoring the trial ag. “<i>Chernovik</i>” newspaper for critics of authorities; Together w/KY “number of brutal and murderous attacks on journalists” highest in the OSCE; Raised issue of trial ag. Memorial HR center for damages to “honour/dignity”; “violence reached levels no longer tolerable”, urged Govern, for action plan to end this “<i>HR crisis</i>”; Concern over murder of Akhmedilov and attack ag. Afanasyev (also prosecuted for defamation); Asked to stop intimidation by <i>Nashy</i> movement ag. Podrabinek; Monitoring trials ag. Orlov and ag. Averkiyev; Regret outcome of Yevloyev murder case (accidentally killed by police); Concern over	Monitoring trial ag. Pashinian (opposition newspaper) for “provoking riots”;	dullayev, Hajizade and Ismayiloglu; Urged to resume broadcasting for BBC, Radio Free Europe and Voice of America; Concern over 2 new crim. defamation trials and 5 imprisoned: Alibayli, Allahverdiyev, Tagiyev, Azamat, Mukhtarly; Followed cases of bloggers Hajizade and Milli, strongly objected the imprisonment (x2); Condemned imprisonment of Fattulayev;					accreditation; reminded cases of Svoboda and Arche;		
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	prosecution of investigative journalists, incl. cases of Murtazin and Makhmutova;									
POSITIVE	Commended civil and parliam. initiatives to fight violence ag. journalists;		Welcomed release of imprisoned journalists: Zahidov, Hasanov, Marzili; Expressed hope that President's urge to avoid imprisonment of journalists will be transformed into legal reform;				Thanked for ExB donation to CA Media Conference;			

LEGAL		Legal review of amendments to Broadcasting Law (advised against);	Hope that draft law “on Defamation” will decriminalise speech offences; Commented amendments to the law “On the Mass Media” that would allow Gov. to suspend media outlets; and “On TV and Radio Broadcasting” that limit the rights of foreign stations (x2);				Concern over amendments to law “Protection of Minors” (x2 discriminatory elements removed but some provisions remain vague, hope for further improvements);	Concern over President’s initiative to incorporate “extremism” into Adminstr. Code and asked to revise law “On countering extremism”,	Disappointed that “State Secrets” law adopted ignoring RFoM recommendations; Legal review on amendments to “Broadcasting Code”;	Recommendations to improve draft law “on Access to Public Information”;
VISITS EVENTS	Online addressed Int. Journalism Festival for CIS; Visited for off. mtgs and met journalists and HR defenders;	Staff went to HR Conference by Open Society Foundation;	Visited to present “Media Self-regulation Guidebook” and for offic. mtgs and met imprisoned journalists Fatullayev, Zahidov;	Visited for S.Caucasus Media Conference and off. mtgs;				Staff went to roundtable “Role of Media legislation”; Staff attended conference “Media in Global econ. crisis”; Training for journalist on media ethics through Self-regulation;	Visited after government changed for mtgs w/Gov and media community (“ <i>observed more media pluralism</i> ”); Training for journalists on Media ethics through Self-regulation;	
Number of PRs	6	1	6	0	0	0	1	0	3	0

OTHER	Replied to criticism from RU MFA Spokesperson for “tendentious and provocative character”;									
2010	2010	2010	2010	2010	2010	2010	2010	2010	2010	2010
Freedom House Score	81 not free	66 not free	79 not free	59 partly free	17 free	26 free	21 free	92 not free	65 not free	53 partly free
NEGATIVE	Concern for sentencing Podrabinek for history critics; Concern for attack ag. Lander; Followed series of attacks ag. journalists in Dagestan, St. Petersburg, Tomsk, Krasnodar and arrest of Dudko; Hope charges for criminal libel to be dropped for Orlov; Condemned attack ag. Kachin and another ag. Adamchuk; Called to turn declarations into actions and ensure safety of journalists; Followed case of attack ag. Beketov;	Regret that law on “Radio and TV Broadcasting” failed to ensure pluralism (though RFoM legal review);	Hoped for justice for Huseynov’s murder; Asked to release Fatulayev (as proved by European Court of HR) (x3); Requested secure release of Hacizade;	Called all broadcasters to abide ethical standards and not to spread false info; Requested info on attack ag. Kobakhidze and another ag. Tanamgzar-vi;		Concerned for murder of Nemcovs; Concern for home search of Nagla;		Concern ab. intimidation by authorities of Radina, Khalip, Kalinkina and Koktysh (x2); Concern for criminal defamation investigation ag. “Charter97”; Called for independ. investigation of death of Bebenin (Charter97); Raised issue of accreditation of foreign journalists (incl. Blest and Radyo Racyja); Concern over treatment of		Concern for attack ag. Demyaniv; Concern over President’s decision to dissolve nat. fee speech commission (threatens media pluralism); Concern for 5Kanal and TVi declining broadcasting frequencies; Concern over disappearance of Klymentyev (x2); Asked about gun shots incident at Svitlytsya newspaper and attack ag. Ivanovsky; Asked info on

								journalists;		attack ag. "Silske Zhitty" offices;
POSITIVE	Welcomed progress investigating assassination of Markelov and Baburova; Welcomed recalling defamation lawsuits ag. Orlov, Alekseyeva and "Novoya Gazeta"; Welcomed rejection of proposal to criminalize "falsification of history"; Welcomed "landmark" Supreme Court resolution on how to interpret the "1991 Media Law"; Welcomed Supreme Court resolution preventing abuses and setting limits on compensation in civil libel lawsuits; Welcomed announced reopening of several cases of murdered journalists;	Commended for decriminalising defamation (11th in OSCE); Welcomed initiative to create WG on new law on "TV and Radio Broadcasting";	Welcomed considerations on decriminalising libel; Welcomed pardon of Zahidov (<i>questionable charges</i>); Welcomed release of bloggers Hacizade and Milli (2009);	Welcomed reform of Public Service Broadcasting and its financing reform; Welcomed steps towards decriminalising defamation; Welcomed Parliament call for new legislation on media ownership transparency;				Encouraged by readiness of officials to discuss media problems at meetings and offered assistance; Pleased to hear that mandatory identification of Internet cafes customers might be abolished;		Welcomed President's pledge to honour media pluralism and OSCE related commitments; Welcomed reopening of investigation of death of Gongadze; Welcomed adoption of concept for public service broadcasting; Pleased that Rada voted for draft law on access to information;

LEGAL	Concern and further monitor amendments to Code of Administrative Violations and FSB Law that might imply media freedom; Welcomed draft amendments to Criminal Code on tougher punishment for attacks ag. journalists;	Analysis for “Migrating to Digital Radio and TV Broadcasting” (pleased that suggestions followed) (x2 - amendum); Analysis of draft laws amending defamation legislation”;	Called to decriminalise defamation;	Hope for media legal reforms to continue;	Requested info about considered law on protection of confidential sources;			Asked more info on amendments to law “On Executive and Investigative Activities” (limits online freedom); Legal analysis for decree “Measures to improve the use national segment of Internet”; (later regret that approved without prior consultation); Called not to limit Internet media freedom by any laws and hope for consultations with RFoM;	Legal review on amendments to “Broadcasting Code”; Legal analysis of draft law on “freedom of expression”;	
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VISITS EVENTS	Visited for int. media conference and mtgs with government;	Visited for discussion ongoing media re- forms and digital switchover, incl. mtg w/President;	Visited for reg. CoE conference n freedom of expression guarantees and off. mtgs; Seminar on gov-mdia relations in democr. soci- ety;	S.Caucasus Media Con- ference on access to info and new tech- nologies;			Visited for prep.mtg on HD for in- coming OSCE Chairman- ship of LTU (x2);	Visited for roundtable on Internet regulations and official mtgs on invitation from Gov;	Training for journalists on Internet media	Visited on invitation from Presi- dent (en- couraged by openness for dialogue, media re- mains pol. Priority); Spoke at CoE / EU confer- ence on "Media Plu- ralism in Ukraine;
Number of PRs	4	3	4	3	0	0	0	4	1	3
OTHER										
2011	2011	2011	2011	2011	2011	2011	2011	2011	2011	2011
Freedom House Score	81 not free	65 not free	79 not free	55 partly free	18 free	26 free	22 free	93 not free	55 partly free	56 partly free

NEGATIVE	Monitored the case of blogger Dudko; Called to protect journalists reporting at public protests from police harassment; Condemned the murder of Kamalov;	Finish media crew denied entry visas; Concern about civil defamation suits; Followed the case of defamation to Zhamanak; Raised the case of legal dispute of <i>GALA TV</i>;	Followed imprisonment of Fatul-layev; Concern about convictions of two bloggers (x3); Concern over attacks on Azadliq journalists and custody of two journalists; Called authorities to allow more pluralism; Raised the issue of police attack against three journalists; Asked for info on the arrest of Zeynali; Sorry for the death of Tagi and called for prosecution;	Concern over police violence against journalist during rally; Sought clarification about charges on news photographers;			Concern over defamation lawsuit against Radzevicius;	Condemned (2) over indictment of Khalip and Radina and searches at journalists' homes; Called to stop continued intimidation and harassment of journalists and flagrant violation of OSCE commitments (x2); Alarmed about lawsuits aimed to shutdown largest independent pol newspapers - Nasha Niva and N.Volya; Condemned olive attacks over journalists; RFoM: "<i>Critical state of media freedom since crackdown of independent media after 2010 presidential</i>	Required info about detention of Bagirov; Concern about damage award against Ziarul de Garda;	Concern over investigation of the murder of Gongadze (x2); Worried about disappearance of Klymentev; Concern about lower court fees for moral damages; Called to restore pluralism in Kharkiv region;
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								<i>elections"</i>		
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POSITIVE	Welcomed release of Makhmutova and Murtazin; Welcomed bringing to justice murderers of journalists; Cooperated with the Investigative Committee;	Published guide to the digital switchover in Armenian; Welcomed court ruling about defamation standards;	Welcomed release of Fatullayev and suspension of Macidli's case; Welcomed release of one of the two imprisoned bloggers; Contributed to conference "Freedom Online"	Welcomed initiative for a roundtable for police;				Proposed a round-table on media law amendments;	Satisfied with conference on reforming <i>Tele-radio Moldova</i> ;	Commended adoption of access-to-information law and called for adoption of law on broadcasting; Welcomed creation of President's inter-agency on media and violations of media freedom;
LEGAL	Welcomed criminal code amendments to punish for violence against journalists; Welcomed amendments seeking decriminalise libel and insult (later returned); Concerned over amendments to the statute on the mass media;	Followed the reform of Broadcasting Law;		Proposed guidelines and legal analysis on law on broadcasting related to media ownership; Later welcomed adoption of respective amendments;			Stressed the need to decriminalise defamation.			
VISITS EVENTS	Visited Moscow;	Training for judges on defamation;	Visit and conference on decriminalisation of defamation;	S. Caucasus Media Conference on pluralism and internet governance;					Training for journalists on efficient and sustainable online media outlets;	
OTHER RFoM: "a										

year marked with successes"; Media issues - CiO priority;										
2012	2012	2012	2012	2012	2012	2012	2012	2012	2012	2012
Freedom House Score	80 not free	65 not free	80 not free	52 partly free	18 free	27 free	23 free	93 not free	54 partly free	59 partly free
NEGATIVE	Continue to follow prosecution of Grishchenko, Dongur-ool, Tolmachev; Concern over decision to expel A.Nivat (FR) (later reversed); Asked for more info on attack on Gereyev and investigation on murder of Kamalov; Concern over detention of dozens of journalists during protests in Moscow and cyber attacks on 5 media websites; Condemned attack on Aslanyan; Asked about entry denial for UA Shevchenko; Regret for conviction of <i>Pussy Riot</i> band;		Continues to follow detained Bayramli case(x2); Continue to follow Zeynali's investigation (x2); Raised the issue of Abbasavo and Vaqifoglu, injured covering demonstrations; Concern over negative media developments to President; Continue to follow Quliyev and Qonaqov in custody; Condemned assault on several journalists; asked	Called for investigation of attack on Vachiberadze; Concern over preventing to cover public events; Worrying trend of increased violence ag. media; Concern over intimidation attempts of Chachua; Asked about <i>Maestro</i> TV antennas import (later reversed); Asked about arrest of Gvaramia;	Concern over RU journalist Korotchenko annulled visa case;	Called for info on attack on Jakobsens and it investigation; Asked about denial of entry to two RU journalists; Asked about leg. proceedings ag. Gilmans (criminalisation of debates on history);	Concern over fining Radzevicius for defamation (<i>urgent need to decriminalise it!</i>);	Protested imprisonment of Barazanka for recording unsanctioned event; Concern about constant harassment of independent media; Asked info about no allowing Litvina to leave Belarus; Letter to President on "dismal media situation" and asked to end repressions; Raised cases of Khalip and Poczo-	Continue to follow several civil defamation cases, incl. "Garda" newspaper; Concerned about NIT TV license that harms pluralism; Concern over attack against Vivici; Asked about attack of Prime TV staff;	Raised arrests of <i>Tvyu Chas</i> staff; kidnapping of Zheved; assaults to Kolesnik; Tyzhden and Lomakin; Concern over several violence ag. journalists cases, incl. Movchan, Feldman, Gukov; Concern over violent assault of Rozyńska; Concern over several violence cases ag. media in Odessa; Concern over investigation of <i>TVi</i> and tax inspection;

	Concern over murder of Gekkiyev; Asked about legal proceedings ag. Panama;		to end violence ag. journalists; Concern over arrest of Mammadov for illegal narcotics (x2 for addit. accusations for state treason); Hope that Novruzoglu released; Drew attention to <i>Azadliq</i> newspaper close to bankruptcy; Concern over arrest of Qurbanli (later released); Concern over four beaten journalists by police during opposit. rally;					but conviction for criticism of authorities; Raised several arbitrary detentions, esp. covering public protests; Condemned the arrest of Poczobut on libelling the President; Asked to release Suryapin (x2) (teddy bears reporting); Concern over detention of politically oriented social media groups; Concern over detention of journalists covering protest rally; Concern on denied registration for <i>Arche</i> magazine (later reregistered);	Asked to ensure transparent investigation of Klymentiev and Gongadze;
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POSITIVE	Welcomed adoption of court “media-friendly” resolution on terrorism crimes; Welcomed President decree to establish public service broadcaster (ready to advise); Welcomed Court authorising journalists to report freely from lower commercial court sessions (without spec. permission); Welcomed Supreme Court resolution to open courtrooms to journalists in most situations;		Welcomed court decision to release Hajiyeu; Welcomed reduced sentence for Bayramli and to release Bayramo;				Welcomed dec. to dismiss Radzevicius (“<i>momentum to decriminalise defamation!</i>”); Thanked for sponsoring online media regulation event in Istanbul;	Appreciated state nominations for EE training on Internet media; Offered a joint project on interaction during public events (x2);	Welcomed dec. to dismiss defamation suit ag. Ziarul de Garda;	Support to Interagency WG on speech freedom and journalists protection; Commended establishment of absolute right of journalists to protect sources of info.;
LEGAL	Provided advice on draft court resolution on transparency of justice and courts activities; Concern over draft law on protection of children from harmful information; Regret for adopting amendments decriminalizing libel (pleased that prison sentences removed) (returned after 7						Hopes that speech offences are decriminalised soon;	Assessed amendments to Adm. Code; Concern over 1st reading of amendments to laws on terrorism and extremism that further limit the freedom of expression; Raised the	Legal analysis of programme of transition to digital television;	Concern over leg. steps to recriminalize defamation (later welcomed rejection); Hope that law on Public Service Broadcasting adopted and offered assistance;

	months);							need to re- form current media ac- creditation system;		
VISITS EVENTS	Visited for RU Journalists union roundtable; Working visit to Moscow;		Visited for Internet Gov- ernance Fo- rum; Two trainings - on safety of journalists during demon- strations; and on interaction btw. govern- ment and journalists;	S.Caucasus Media Con- ference “From tradi- tional to online me- dia”;	Participat- ed in pan- el on HR and Inter- net		Adressed roundtable to promote decriminali- sation of defamation;		Training for online journal- ists (both sides of Nistru) un- sustainable online media management; EE Reg. train- ing on Internet Media for online journal- ists;	
OTHER	Following discus- sions on future public tv broad- caster;							Answered about EU sanctions ag. BY communica- tions pro- vider (out- side RFoM mandate);		
2013	2013	2013	2013	2013	2013	2013	2013	2013	2013	2013
Freedom House Score	81 not free	61 not free	82 not free	49 partly free	16 free	28 free	24 free	93 not free	53 partly free	60 partly free

NEGATIVE	Concern over biggest cyber attack ag. <i>Russia Today</i> TV; Regret the death of Beketov; Concern on unannounced inspections of media NGOs, asked to end these measures; Follows the work of Investigative Committee; Condemned murder of Akhmednabiyev; Concern over arrest of Sinyakov covering <i>Greenpeace</i> action and called to release Bryan (UK); Asked about denial to renew visa for Hornstra from Holland; Condemned attack on <i>Moskovskiy Komsomolets</i> newspaper office; Condemned violent attack on invest. journ. Reznik; Concern about <i>Rosbalt</i> Information Agency (court for violated mass media law and posted obscene language) (x2 criticized court	Concern over attack ag. Karapetyan covering election campaign and ag. Jebejyan mistreated by police during protests; Concern on attack on V.Minasyan;	Concern on police force ag. journalists during public protests; Concern on sentence to Zeynalli and trials of Qonaqov and Quliyev; Asked on RU journalists Fatullayev denied entry; Concern over sentencing of Gulyev; Hope that imprisoned journalists released incl. Mammadov, Sado, Aliyev, Allahverdiyev; Concern on intimidation of investig. jour. Ismaylova (x2); Criticized imprisonment of Zeynalli (x2 w/CoE HR Commissioner); Asked about arrest of Alibeyli (on hooliganism); Asked about	Concern over developments at Georgian Public Broadcasting (resignation of director);			Concern over broadcasting suspension of First Baltic Channel's RU programmes for 3 month after historic documentary ("limits media pluralism") (x2); Concern on Special investigation service interrogating BNS reporters to disclose their sources;	Concern on detention of Yarashevich and Galko; Concern for detention of Leonova (x2) and asked stopping the practise of short detentions and train law enforcement agencies; Concern on short detention of 10 journalists covering arrival of P. Sevyarinets; Concern on short detention of 5 journalists reporting civil activists at cemetery ("confirms troublesome situation with enormous chilling effect on media community");	Concern over lengthy and nontransparent process of relicensing NIT TV;	Concern over attack ag. Chornoivan; Hope that TVi to continue work (staff went on strike); Concern on denied entrance to Barabash (RU); Condemned attack ag. Bogdanov and another ag. 5 journalists by police covering demonstrations; Concern over attack ag. Ostapenko (investigative journalist); Asked about Chernivtsi Regional TV: halted broadcasting after fire in office; Concern on attack ag. ATV and InterTV journalists by police when covering public unrest;
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	dec. to cut its registration; Asked about attacks ag. Novikov and Achitayev; On detentions of Norwegian TV2 reporters; Concern on sentencing S.Reznik (later upheld conviction) (but later new criminal case filed);		arrest of Hashimli (on smuggling); Called to stop prosecution of journalists following imprisonment of Mamedov (drugs, hatred); Condemned attack ag. several journalists in Sabirabad in presence of police; Concern over convictions of Alibeyli and Ramaanov; hope to review case of Aliyev (drugs, hatred); fate of Azadliq newspaper (payment demands) gets ("hostile environment for free media is getting worse; 10 in prison"); "Several worrying developments": sentencing; arrest and							Condemned attacks ag. journalist covering Kyiv demonstrations; "Magnitude of violence" also by police in Maidan; On journalists rights violations covering Kyiv protests; Condemned attack ag. T.Chernovil;
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			warning of journalists;							
POSITIVE	Noted the progress in investigation of murder of Domnikov;	Encouraged to continue reforms;	Welcomed release of Bayramli, Janiyev, Khasmammadov and hope that all imprisoned journalists will be set free; Welcomed release of Qonaqov and Quliyev;				Thanked for ExB support for conferences and training (x2); Pleased with court's ruling on BNS disclosure of sources as unlawful;	Welcomed dropped charges for Poczobut (libelling) and Suryapin; Welcomed lifted restrictions to Khalip; Welcomed dismissal of charges to Poczobut (for insulting President);		Welcomed the progress in murder trial of Gongadze;

LEGAL	Concern over Duma initiative to criminalize speech on Soviet Army in WW2;		Need to reform crimin. and civ. defamation laws and offered support; Concern on <i>increasingly hostile media situation</i> and Crim.Code amendments extending application to online defamation (<i>"drive AZR even further away from OSCE recommendations"</i>);	Legal review of Law on Broadcasting;				Legal review of law "On Information and its protection, technologies" (x2 staff attended panel discussion); Review of some President Decrees (regulation of licensing);	Welcomed amendments of Adm. Code lifting sanctions on "non-traditional family" information ("contributes to media freedom");	Legal review on proposed law on Public Service Broadcasting; Welcomed adoption of law on Public TV and Radio and providing more transparency on media ownership;
VISITS EVENTS	Staff went for a university roundtable on media law; Staff went to RU Journalists Union "Festival of Journalists"; Staff went to Int. Media readings conference; Moderated roundtable on mass media law anniversary;	Visited for offic. mtgs and participated CoE Conference on Racism and Intolerance;		Visit for offic. mtgs and w/civil society and for S. Caucasus Media Conference on OSCE Commitments reflecting; Training course capacity building for young reporters;			Spoke at conference "Civic Responsible Media"	Went for official visit and opened seminar "Internet Media";		Staff went to conference "Building safety and independence for FSU journalists"; Participated in conference on "Establishing dialogue"

OTHER	Replied to RU MFA criticising RFoM statements as “in-correct and out-side the mandate”;									
2014	2014	2014	2014	2014	2014	2014	2014	2014	2014	2014
NEGATIVE	Concern for sentence to A.Panova (later welcomed lifting the ban); Concern on banning entrance to RU for U.S. journalists D.Satter; Concern for sanctions sg. <i>Dozhd</i> TV; Concern for detention of V.Badmaev and confiscation; Concern for denied UA <i>Channel5</i> entry to RU; Concern on detention of Mamon and Podenko from <i>ICTV</i>; Concern for detention freedom defender A.Sharoggradskaya; On RU letter on violations of RU journalists rights in UA; Called to end impunity for crimes ag.journalists; Called to release UA journalist Agarkov;	Condemned police for obstructing journalists covering public demonstrations, incl. detentions, called for investigation (later welcomed started internal investigation); Concern about court ruling to disclose sources; On attack of M.Khachatryan; On “climate of impunity for attackers ag.journalists and several cases;	Concern for arrest of O.Mamedov; Concern for terminations for selling newspapers; On Imayilova to disclose her sources and cases of bloggers billow and Mamedov; Concern for arrest of R.Mirkadyrov ; Raised attack on F.Ilgaroglu; Condemned police attack ag.E.Budagov and detention of other journalists; Condemned attack on H.Azizoglu in presence of police; Outrage for sentence on P.Hahimli and	Disappointment for no progress in Public Broadcaster Board of Trustees elections (later welcomed developments); On detention of TV3 crew crossing border w/S.Ossetia (later released); Concern for surveillance of <i>Rustavi2</i> office; On attack ag. Z.Davitaia (later attacked again);	On 2 RU journalists deported;	Concern for court decision to fine <i>Cits Medijs</i> for libel;		Detention of <i>BelsatTV</i> journalists; Detention of several journalists; Detention of <i>Radio Svo-boda</i> crew (“harassment of journalist continues”); Urged to reform accreditation and concern for related fines (x2); Detentions during Ice Hockey World Championship; Concern on sentence to A.Zhelnov; On blockage of <i>char-ter97.org</i>; On short-term detention and accredita-	Condemned exclusion of channels from cable networks (later pleaded that resumed); Concern for delays in digital switchover; Concern for delay electing Nat.Public Service Broad-caster Supervisory Board;	PR: on “in-formation war” in Crimea and outside; PR on RU journalists denied to enter UA and limited movement to Crimea; PR to stop propaganda and media manipulation; Concern for “<i>massive problems</i>”: violence ag.journalists , blocking broadcast signals, denial of movement to journalists, use of propaganda; On cases of violence ag.30 journalists; On killing V.Veremyi and other

	On violent death of T.Kuashev; Attack ag. Khanmahomedov; Attack ag.A.Vesnina; Condemned attacks in Pskov region, incl.case of Schlosberg (x2); On intimidation of journalists reporting on UA conflict; On violence ag. A.Krutov; Concern for assaults in Novosibirsk; On attack ag.<i>Pretsedent</i> crew (x2); Condemned “growing violence ag.journalists”, incl. BBC crew; Concern for attack ag. M.Zakharov; On sentencing A.Tolmachev; Detention of O.Potapenko;		called to stop imprisoning journalists; Attention to lengthy sentences to other journalists; Concern for expulsion from country of 2 FR journalists; Attacks on <i>Azadliq Radiosu</i> reporters in presence of police (x2); On cases of A.Abilov and P.Hashimli; On several suits incl.defamation ag.journalists (x2); Convictions (x3) of H.Mamedov; N.Aliyev and A.Guliyev; Condemned sentences to Mamedov and Abilov; On confinement of R.Mairkadyrov (x2); On arrest of free expres-					tion limits (x2); On <i>BelaPAN</i> journalists detained; On fine to A.Burakov; On fine to A.Meleshko for working to Radio <i>Raciya</i> (often fines for cooperation w/foreign media);		violence; Concern on initiative to ban specific broadcasts; Concern on army’s control of national TV and Radio in Crimea; Urged to stop harassment of journalists in Crimea; Condemned continuing attacks in Crimea; On denial of entry to RU journalists (x4); Called for release of two kidnapped journalists; Concern on attempts to stop transmitting RU TV channels; On attack ag. President of Nat.TV Company of UA; On murder of V.Sergiyenko; Concern on attacks
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			sion advocate R.Jafarov; On suspension of publication of <i>Azadliq</i>; Alarmed on charges ag.NGOs supporting media freedom; Concern on travel ban for E.Huseynov; Continuing intimidation of journalists and activists (“wide-scale deterioration of media freedom situation”); On arrest of M.Adilov; On brutal attack on I.Nasibov (x2); On detention on S.Hazi (<i>Azadliq</i>) (x2); Visa refusal to AT journalist; O numerous cases of harassment, incl. <i>Azadliq</i>; and offered assistance and a visit;						ag.media in E.UA (x3); Condemned seizure of TV tower in Sloviansk; Disappearance of 3 journalists in Dnepropetrovsk (x2 new cases of kidnapping); Called to respect media freedom in Luhansk; 15 new cases of kidnapping and attacks; Arrest of M.Saichenko and O.Sidyakin; Called to stop targeting journalists covering the crisis; On killing of 2 journalists; New acts of violence and denials of entry (x2); Killing I.Kornelyuk; Condemned media control and attacks in Do-
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			On detention of M.Huseynov;							netsk; Death of A.Klyan and “very worrying security situation”; Called to stop intimidation of journalists in Crimea (x3 “deteriorating situation”); Concern on Nat.TV and Radio Council initiatives that limit pluralism (x2); Denounced attacks across UA (x2); On demolished TV tower in Sloviansk; Condemned attack ag. <i>Vesti</i> office(x2 called for respect); Continuing attacks ag. TV in Luhansk and Crimea; Condemned abduction of A.Skiba (later welcomed
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										release) and other intimidation in E.Ukraine, incl.foreign journalists; Demanded release of missing journalists in E.Ukraine, incl.from RU (x2); Condemned seizure of <i>Chernomorskaya</i> in Crimea (x2); Missing A.Stenin; Number of attacks and violations across UA; On banning RU journalist to enter UA by Security Service; On case of <i>Advet</i> (Crimea); Condemned abuse of press insignia in E.UA; Called to release S.Skadynskiy and R.Cheremsky and media
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										threats in Kherson;
POSITIVE	Welcomed conviction of Sopot who ordered murder of Domnikov; Welcomed potential amnesty to <i>Pussy Riot</i> (later pleased with release); Welcomed Supreme Court decision on <i>Rosbalt</i> case; Welcomed sentences to murders of Politkovskaya;		Pleased for amnesty to Allahverdiyev and F.Huseynov;				Welcomed court's ruling that <i>Baltic News Service</i> wire-tapping was illegal;			
LEGAL	Called to reconsider changes to Information Law that allow blocking websites (later disappointed that passed); Extreme concern on Information Law amendments that "seriously inhibit	Review of draft amendments to Civil Code on insulting comments;				Concern on amendments to Criminal Law outlawing denial or glorification of Sovi-	Review of draft amendments to Criminal and Adm. Codes ("positive impact on media freedom"); Welcomed	Concern for changes in law On Information and ignoring RFoM recommendations;	Review of amendments to the audiovisual legislation; Concern for draft amendments of anti-extremism law (allowing to block websites);	Pleased for adopting law on Public Broadcasting reinforcing media freedom (incl.RFoM recommendations); Concern for

	citizen rights" (later passed); Disappointed for criminalising glorification of Nazism and false info on Soviet Union in WWII; Criticised amendments to Criminal Code that would increase control of Internet (later regretted adoption); Called to veto Advertising Law amendments (later regretted adoption); Concern for Mass Media Law amendments lowering foreign ownership share that limit pluralism (regret for adoption);					et/Nazi actions; Adopted the above law;	Provision of Information Law amendments to provide more protection for journalists; sources;			Criminal Code amendments that decriminalise defamation (later welcomed repeal); Welcomed improvements of Access to Information Law; Welcomed adoption of Public Broadcasting Law (incl.RFoM recommendations); Concern for draft Law on Sanctions (later adopted with some measures lifted);
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VISITS EVENTS	Visited for Euro.Federation of Journalists annual mtg and roundtable on New Internet Legislation, mtgs w/editors; Addressed on "Journalism in Conflict"; Participated in RU Union of Journalists festival; Organised roundtables btw.RU and UA media trade unions (in Vienna) ;	Went to S.Caucasus OSCE Heads of Missions mtg;	Planned visit;	Visit for S.Caucasus Media Conference "Public Service Broadcasting" and mtgs;			Attended conference on TV ad Radio Challenges;	Seminar on Internet media; Official visit (continuing "short-term detention practise; accreditation requirements"; Training course on Relations btw.Law Enforcement and Media;	Off.Visit mtg w/Gov, c.society and journalists of both Nistru banks;	Went to int.partnership mission on current press crisis; Visit to Kyiv and Crimea ("to stop information war and ensure journalists' safety"); Visit ("deterioration of journalists' safety", esp.Crimea); Attended seminar by CoE on safety of journalists; Visit to attend "Global Forum for Media Development" and off.mtgs; Went to E.Europe OSCE Heads of Missions mtg; Participated in roundtable on Cooperation btw.Law Enforcement and Media;
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OTHER Focus: UAxRU Conflict & "Open Journal- ism"			more than 10 journalists in prison - high- est number in the country ever ob- served by RFoM							UAxRU Con- flict: " <i>critical situation for journalists</i> ": 7 killed, 170 attacked, 30 offices van- dalised; RFoM en- gaged as "observers and facilita- tors"; ~30proc in- terventions on UA is- sues;
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