



**Statement by the Delegation of the Republic of Azerbaijan
1121th Meeting of the Permanent Council,
01 December 2016**

*in response to the OSCE Representative on
Freedom of the Media, Mrs. Dunja Mijatovic*

Mr. Chairperson,

The Delegation of the Republic of Azerbaijan welcomes the OSCE Representative on Freedom of the Media, Mrs. Dunja Mijatovic to the meeting of the Permanent Council and thanks her for presenting a comprehensive report on the activities of RFoM.

We have carefully studied the report and took note of a number of cases of non-compliance with the relevant OSCE commitments in various OSCE participating States. Nevertheless, we have to stress that not all cases where freedom of expression has been violated were duly registered by the Office of the Representative and in this regard we would encourage Mrs. Mijatovic to demonstrate an inclusive approach while observing media related developments in all OSCE participating States in a comprehensive and objective and impartial manner.

We continue to proceed from understanding of necessity for the OSCE institutions to act strictly in line with the mandate and tasking given by the participating States. In this regard, we would like to recall the Brussels (2006) and Madrid (2007) Ministerial Council decisions that specifically call to ensure professionalism, accuracy and adherence to ethical standards among journalists. The importance of this aspect is even more acute in the context of reporting on conflicts, as their sensitive nature requires the highest level of professionalism and ethics of journalists.

Our Delegation would like to see more active engagement of the Office of the Representative on Freedom of the Media in the area of increasing the level of professionalism of journalists and consider adoption of the OSCE Guidelines on fair journalist reporting of the conflict situations.

The report also addresses many concerns in EU Member States, such as numerous cases of attacks, intimidation, threats, physical and verbal abuses against journalists, also by the police, issues of protection of secrecy of the journalists' sources and introduction of legal amendments limiting access to information and thus affecting freedom of expression. We share the concerns expressed by Mrs. Mijatovic and will continue to closely follow the situation of freedom of expression and free media in these countries. In this regard, we call on EU Member-States and those who aligned to the EU statement today to cooperate with the Office of the RFoM with a view to address current challenges and concerns mentioned in the report, as well as to strictly comply with the relevant commitments undertaken within OSCE.

We also call on Representative on Freedom of the Media to continue working with EU Member States to ensure that international standards on freedom of expression are also fully met in the defamation law and practice of EU countries. There is much room for improvement.

Furthermore, it is deplorable that certain nationals of some EU Member States, including journalists from France, Germany, Bulgaria, Lithuania, Netherlands, Czech Republic, Poland, Italy, Great Britain, Luxemburg, Portugal and Romania travel to the Nagorno-Karabakh region and other occupied territories of Azerbaijan without prior authorization from Azerbaijan and are included in the list of those whose entry to Azerbaijan is denied. We reiterate that such visitors run a risk of facing appropriate legal proceedings, including in the form of administrative or criminal prosecution. Under international law activities in the occupied territories may be qualified as war crimes that entail criminal liability.

States have an obligation to faithfully observe the generally accepted norms and principles of international law by taking measures that would prevent their nationals, including journalists, operating on their territories, to engage in activities that violate these norms, in particular those related to respect for the sovereignty and territorial integrity of other States.

In conclusion, we thank once again Mrs. Mijatovic for her presence at today's deliberations and wish her success in her future endeavors.

Thank you, Mr. Chairperson.