

64TH EBU General Assembly
Baku, Azerbaijan

**Declaration on freedom of expression, media independence and
democracy**

2 July 2010

Context

The EBU's 64th General Assembly, held in Baku, Azerbaijan, at the invitation of the national broadcaster Ictimai, focused in particular on two key principles of public service media: freedom of expression and information, and freedom and pluralism of the media. The EBU has defended these principles, and their corollary, the editorial independence and institutional autonomy of public service media, ever since its foundation 60 years ago, and they are enshrined in Article 1 of the Union's Statutes.¹

Following discussions in the General Assembly on how to guarantee and enhance impartial reporting and quality journalism, the 150 delegates adopted the following declaration:

- The EBU calls for freedom of expression and freedom and pluralism of the media to be respected everywhere, and specifically in all countries represented in the EBU's Membership², in line with the Council of Europe's European Convention on Human Rights (Art 10).

The EBU notes that:

- The right to freedom of expression and information takes precedence over political or economic interests, and States have a duty to ensure and protect this fundamental cornerstone of democracy,
- All members of the Council of Europe, including Azerbaijan, have committed themselves to respect the European Convention on Human Rights(ECHR),
- Azerbaijan's media laws aim to ensure greater media freedom in the country than in the past, and the establishment of Ictimai following Azerbaijan's admission to the Council of Europe has helped to improve the quality of journalism.

However, reflecting concerns expressed by its Members, the EBU:

- Condemns arrests, harassment and intimidation of journalists and calls upon governments to investigate all instances of violence against journalists and bring to justice those responsible;
- Calls on authorities to respect the rulings of the ECHR and to resolve all cases against journalists through fair, transparent procedures in line with international legal standards³;

- Demands that legislators and authorities develop amendments to the criminal code so as to decriminalize defamation, and to refrain from bringing any new criminal prosecutions against journalists for defamation;
- Calls upon all governments to take concrete steps to create an environment conducive to freedom of expression, including by preventing the abuse of defamation laws and other legal provisions to silence critical voices;
- Calls on all governments to avoid undue government regulation and interference with freedom of expression, and stresses that censorship and jamming of broadcaster signals have no place in a democratic society;
- Urges governments to create conditions for freedom of expression on all media platforms, to ensure impartial and independent journalism, including reporting by independent journalists, and full and open democratic debate without interference from authorities or fear of violence or other forms of intimidation;
- Recalls that the Internet and social media networks are crucial to media pluralism in a democratic society and urges all governments to respect the freedom of individuals to express themselves through these networks.⁴

The EBU recognizes further that media freedom must go hand in hand with media responsibility and with journalists acting in line with our professional standards and values.

It pledges to support the development of fair and balanced quality journalism within Ictimai, as also within all its other Members, through the organization of training, professional discussion and the exchange of best practices.

Finally, the EBU supports its Members unreservedly in ensuring that the principles contained within this declaration are respected in their countries.

Editor's notes:

¹ Statutes of the European Broadcasting Union, Art. 1(2): "The purpose of the EBU is to contribute, in the field of broadcasting, to:

- (a) promoting and developing the concept and values of public service broadcasting (i.e. radio, television and other electronic media);
- (b) safeguarding and improving freedom of expression and information, which is one of the essential foundations of a democratic society and one of the fundamental conditions for its progress and for the development of every individual;
- (c) enhancing the freedom and pluralism of the media, the free flow of information and ideas, and the free formation of opinions;
- (d) employing and developing information and communication technology as a means to further the right, regardless of frontiers, to express, seek, receive and impart information and ideas, whatever their source;
- (e) developing cultural diversity, intercultural dialogue and exchanges in conditions which safeguard such fundamental values as tolerance and solidarity;
- (f) protecting and promoting Europe's cultural heritage and the development of its audiovisual creation by offering an increasing choice of programmes and services;
- (g) reinforcing the identity of the peoples, social cohesion and the integration of all individuals, groups and communities;
- (h) fulfilling the public's expectations in the information, educational, cultural and entertainment fields through the production and dissemination of a diversified range of high-quality programmes."

² List of EBU Members' countries: Albania, Algeria, Andorra, Armenia, Austria, Azerbaijan, Belarus, Belgium, Bosnia-Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Egypt, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Jordan, Latvia, Lebanon, Libya, Lithuania, Luxembourg, FYR Macedonia, Malta, Moldova, Monaco, Morocco, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Russia, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tunisia, Turkey, Ukraine, UK, Vatican State

³ EU statement on Media Freedom in Azerbaijan, OSCE Permanent Council No. 794, Vienna, 10 February 2010

http://www.delvie.ec.europa.eu/en/eu_osce/eu_statements/2010/February/PC%20no.794%20-%20EU%20on%20media%20freedom%20in%20AZE.pdf.

⁴ EU Declaration by HR Ashton on World Press Freedom Day - 3 May 2010

http://www.europa-eu-un.org/articles/en/article_9712_en.htm.

"The European Union recalls the consensus reached at the Human Rights Council on Freedom of Opinion and Expression, which recognises the importance of the Internet in the exercise, promotion and protection of the right to freedom of opinion and expression. It urges all States to take all necessary measures to guarantee that the right of freedom of expression in all its forms is respected through respect for international human rights standards and in cooperation with all relevant international actors."
