



# THE BALKAN AND EUROPEAN MEDIA

1997

Declaration of 1997

SOFIA, BULGARIA  
10-13 SEPTEMBER 1997

*We*, the participants in the European Seminar on Promoting Independent and Pluralistic Media (with special focus on Central and Eastern Europe), organized in Sofia, Bulgaria, from 10 to 13 September 1997, by the United Nations Department of Public Information (UN/DPI) and the United Nations Educational, Scientific and Cultural Organization (UNESCO);

*Recalling* Article 19 of the Universal Declaration of Human Rights, which 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";

*Recalling* United Nations General Assembly Resolution 59 (I) of 14 December 1946, which states that freedom of information is a fundamental human right, and General Assembly Resolution 45/76 A of 11 December 1990 on information in the service of humanity;

*Recalling* Resolution 104 adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization (UNESCO) at its twenty-fifth session in 1989, focusing on the promotion of "THE FREE FLOW OF IDEAS BY WORD AND IMAGE AT INTERNATIONAL AS WELL AS NATIONAL LEVELS";

*Recalling* also resolution 4.3 adopted by the General Conference of UNESCO at its twenty-sixth session (1991) "RECOGNIZING THAT A FREE, PLURALISTIC AND INDEPENDENT PRESS IS AN ESSENTIAL COMPONENT OF ANY DEMOCRATIC SOCIETY", and inviting the Director-General "TO EXTEND TO OTHER REGIONS OF THE WORLD THE ACTION ... TO ENCOURAGE PRESS FREEDOM AND TO PROMOTE THE INDEPENDENCE AND PLURALISM OF THE MEDIA";

*Further recalling* United Nations General Assembly decision 48/432 of 20 December 1993 to declare 3 May World Press Freedom Day.

*Noting with satisfaction* resolution 4.6 of the twenty-eighth session of the General Conference of UNESCO (1995), which stressed

"THE OUTSTANDING IMPORTANCE OF", and ENDORSED, the Declarations adopted by the participants of the Seminars, held in Windhoek, Namibia (1991), in Almaty, Kazakstan (1992), and in Santiago, Chile (1994), and referring to 150 EX/Decisions 3.1 by which the Executive Board of UNESCO at its 150th session (1996) recommended to the General Conference to endorse the Sana'a Declaration (Yemen, 1996);

*Noting with appreciation* the statement made at the opening of the Seminar by the Vice Prime Minister of the Republic of Bulgaria, and the messages from the Secretary-General of the United Nations and by the Director-General of UNESCO, who emphasized that freedom of expression is the basic pillar of democracy that is particularly fragile in all transitional countries. The conditions in which the media operate, in this transition period, are extremely challenging;

*Expressing* our sincere appreciation to the United Nations and UNESCO for organizing the Seminar;

*Expressing* also our sincere appreciation to all the intergovernmental, governmental and non-governmental organizations, agencies and foundations which contributed to the United Nations/UNESCO effort to organize the Seminar;

*Expressing* our gratitude to the Government, people, and media organisations and professionals of the Republic of Bulgaria for their kind hospitality which facilitated the success of the Seminar;

**W**e reiterate that the establishment, maintenance and fostering of independent, pluralistic and free media is essential to the development and preservation of democracy;

*We re-emphasize* that twin functions of the press are to impart information and ideas on matters of public interest and to act as a watchdog of government;

*We express our commitment* to the principles of the Declaration of Windhoek, acknowledging its crucial importance for promoting free, independent and pluralistic print and electronic media, including Internet and interactive communications, in all regions of the world; we urge all parties concerned that the principles enshrined in this Declaration be applied in practice;

*We support* the world-wide movement towards democracy and freedom of expression and information which is a fundamental prerequisite for the fulfilment of human aspirations. To ignore these principles could undermine the development of civil society and even lead to the re-emergence of totalitarianism;

*We consider* all forms of censorship, whether direct or indirect, unacceptable; *we emphasize* that media practitioners continue to be victims of harassment, physical assault, threats, arrest, detention, torture, abduction, exile and murder. They are also subject to economic and political pressures, including politically motivated dismissal, misuse of existing laws and further restrictions under new laws. In addition to limitations on the free flow of news and information, and on the circulation of periodicals within countries and across national borders, the media are also often subject to restrictions in the use of newsprint, transmitter systems, Internet, interactive and other means of communication. Licensing systems, abusive and arbitrary controls and also excessive tariffs limit access to the media and the right to publish, transmit or broadcast information;

*We strongly deplore* that nearly all assassinations and other crimes against journalists and other media professionals in Europe as in other parts of the world go unpunished;

*We urge* intergovernmental organizations, both within the UN system and at the regional level, to coordinate their action to obtain from States concerned the relevant information on the results of their investigations and the legal measures they have taken on the assassinations and other crimes against journalists and other media professionals;

*We urge* Governments to free immediately those journalists who have been jailed for their professional activities;

*We further deplore* restrictions on travel and passport withdrawals or visa denials. There should be no discrimination between foreign and local journalists. Journalists should be free to work in the country of their choice and for any media, local or foreign;

*Being of the opinion* that freedom of expression, including press freedom and access to information, is a fundamental human right, we invite the General Assembly of the United Nations, at its next session, to decide on measures to reinforce practical application of and to make binding the Universal Declaration of Human Rights, especially Article 19. Such a decision would represent an important contribution to the 50th Anniversary of the Universal Declaration of Human Rights.

We invite all intergovernmental organizations concerned and donor agencies to make a special effort to provide increased assistance in establishing and strengthening independent and pluralistic media in all regions of the world.

*We Declare that:*

1. The welcome changes that an increasing number of Central and Eastern European States are now undergoing towards democracy provide the climate in which independent and pluralistic media can emerge and develop.

2. All States should provide, or reinforce where they exist, constitutional and legal guarantees of freedom of expression and of press freedom and should review, revise and/or repeal those laws, regulations and measures that limit the exercise of this fundamental right. They should pay special attention to ensuring the respect of these guarantees. Tendencies to draw limits or taboos outside the purview of the law restrict these freedoms and are unacceptable.

3. All countries should be encouraged to facilitate travel and granting of visas to foreign journalists wishing to travel, move and work within their borders; there should be no obstacle to bringing in and use of professional equipment.

4. Free access to information from public authorities must be granted. No journalist should be forced to reveal sources of information. Adequate guarantees must be established.

5. Truly independent, representative associations, syndicates or trade unions of journalists, and associations of editors and publishers should be established and/or reinforced. Any legal and administrative obstacles to the establishment of independent journalists' organizations should be removed.

6. Sound journalistic practices are the most effective safeguard against governmental restrictions and pressures by special interest groups. Any attempts to draw up standards and guidelines should come from journalists themselves. Disputes involving the media and/or the media professionals in the exercise of their profession are a matter for the courts to decide, and such cases should be tried under civil and not criminal (or military) codes and procedures.

7. In all media, professional independence and journalistic and editorial freedom should be recognized. State-owned broadcasting and news agencies should, as a matter of priority, be reformed and granted statutes of journalistic and editorial independence as open public service institutions. If supervisory regulatory broadcasting authorities are established, they must be fully independent of government. Creation of independent news agencies as well as private and/or community-owned broadcasting media, including in rural areas, should also be encouraged.

8. Special efforts should be made to support the creation of in-country journalism educational and training structures, in order to ensure the development of independent journalism and free media.

9. Taking into account the economic and social conditions which prevail in Central and Eastern European countries, including discrepancies within this sub-region, the international community (international organizations, development agencies and professional associations) should as a matter of priority agree long-term sustainable funding support directed towards the development of independent media. In addition, the World Bank, the European Bank for Reconstruction and Development, intergovernmental organizations and donor agencies concerned should work together to establish an independent Media Loan Fund.

10. The advent of new information and communication technologies representing new channels for the free flow of information could and should contribute to pluralism, economic and social development, democracy and peace. The access to and the use of these new media should be afforded the same freedom of expression protections as traditional media.

11. Xenophobia and clashes between different ethnic and religious groups threaten peace and democracy in many parts of Europe. Training programmes on journalistic ethics should sensitize journalists to prejudices and discrimination. It is also necessary to develop better recruitment policies within media which encourage journalists and journalism from ethnic and minority communities.

12. Non-partisan factual reporting and the highest professional standards are of crucial importance when in, and covering, conflict zones.

13. Effective measures and legislation should be enacted to include prevention of excessive concentration of media ownership, including that by the state, and any controls that reduce pluralism.

## *Promoting Independent and Pluralistic Media*

14. Public interest is determined without regard to forms of ownership. Ownership and financing of all media should be transparent and publicly declared. States must encourage diversity in forms of ownership by means of legal guarantees and by the allocation of public funds on a non-discriminatory basis.

15. With the increasing commercial and other pressures on all media it is essential to maintain the credibility of the media, by striving for quality of content.

16. This Declaration should be presented by the Secretary-General of the United Nations to the General Assembly, and by the Director-General of UNESCO to the General Conference, for follow-up and implementation.