

## Recommendations on Electoral Reform

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# Media and Freedom of Expression in the EU – Eastern Partnership and Russian Federation



*This publication was prepared by EPDE to inform relevant stakeholders and decision makers in the European Union, the Eastern Partnership, and globally in the field of electoral legislation and administration. Please feel free to forward and share our analysis.*

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## GLOSSARY

BHC	Belarusian Helsinki Committee	ISFED	International Society for Fair Elections and Democracy
CEC	Central Election Commission	ODIHR	Office for Democratic Institutions and Human Rights
COE	Council of Europe	OSCE	Organization for Security and Co-operation in Europe
CVU	Committee of Voters of Ukraine	PACE	Parliamentary Assembly of the Council of Europe
ECHR	European Convention on Human Rights	RFOM	Representative on Freedom of the Media (OSCE)
ECtHR	European Court of Human Rights	TIAC	Transparency International Anticorruption Center
EMB	Election Management Body	UN	United Nations
EMDS	Election Monitoring and Democracy Studies Center	UNCAC	United Nations Convention Against Corruption
EU	European Union	VC	Venice Commission of the Council of Europe
HCAV	Helsinki Citizens' Assembly - Vanadzor		
IFES	International Foundation for Electoral Systems		
ICCPR	International Covenant on Civil and Political Rights		

## FOREWORD

This report was drafted in 2019-2020 and updated in early 2022. It is published at a time of Russian invasion of Ukraine, in a moment critical for the protection of fundamental rights and international order in the region. Earlier, in September 2020, another armed combat took place in South Caucasus, reigniting a frozen conflict over the disputed territory of Nagorno-Karabakh that has been lingering in the region since the collapse of the Soviet Union.

Both conflicts, although of different scale and nature, highlight the fundamental link between observance of human rights, strength of democratic institutions, and security. It is by no chance that in the war in Ukraine, the aggressor is Russia, where the respect of freedoms of expression and media has been on a steady decline over the last years. In the Nagorno-Karabakh conflict, the first military offensive was carried out by the authoritarian regime in Baku which, over the last 20 years, has consistently destroyed media pluralism by banning all independent media and persecuting their journalists.

Putin's regime in Russia is aided in its invasion of Ukraine by Lukashenka's regime in Belarus. This is also not accidental, as mass protests in Belarus following the 2020 presidential election led to a massive crackdown on civil society and the elimination of all independent media. The non-democratic regimes that do not respect fundamental rights are on the offensive against Ukraine where, despite remaining shortcomings, consistent efforts over the last decade to improve democratic institutions and protect fundamental freedoms have set the ground for a functioning democratic system.

Respect for freedom of expression appears to be a clear litmus test for the functioning of democratic institutions. Following the invasion of Ukraine, access to information was further curtailed in Russia. The few remaining independent media ceased their work – *Echo of Moscow* was closed by its shareholders (one of which is Gazprom), *TV Rain* suspended its services, websites of many regional outlets were blocked. Access to social media has been curtailed by the Russian authorities as in the case of Facebook, Instagram, and Twitter (and YouTube is apparently to follow), just as the authorities suspended access to major international media outlets such as BBC, Deutsche Welle, RFE/RL and others. In a rather unusual move, Meta Platform has allowed forms of speech against the political leadership of Russia and Belarus as well as the Russian military that would normally be prohibited under its policy.

Parallel to this process of destruction of the free media, Russian state and para-state agencies are conducting large-scale disinformation campaigns throughout

this study's focus region. Coordinated disinformation activities are additionally conducted by internal actors associated with certain political parties and government agencies, aimed at manipulating public opinion, especially during elections.

Many Russian citizens now rely on VPN clients to circumvent the restrictions, but the majority of media consumers is now only presented with a carefully curated picture of the ongoing war against Ukraine on state-controlled media outlets and social media (*VK* most importantly). *Novaya Gazeta*, the last remaining national independent media outlet, initially decided to continue its work but imposed severe self-censorship upon itself, complying with the government's instruction to not call the war "a war" but rather "a special operation".<sup>1</sup> This self-censorship is clearly linked to the swift adoption and signing of a law that makes spreading information about the nature and purpose of the activities of the Russian military in Ukraine that is contrary to the official narrative punishable by up to 15 years in prison.

Since the beginning of the war, more than 14,000 peaceful anti-war protesters have been detained in Russia. In Belarus, such protests are less visible and the numbers of those detained are in the hundreds, as it has become virtually suicidal to protest given the crackdown on post-election demonstrations of dissent. Similarly, no media outlets in Belarus have been shut down since the war started, as none were left to express a dissenting opinion.

International organizations, such as the OSCE and the UN, have issued statements highly critical of the curtailment of freedom of expression in Russia, but have themselves avoided calling the invasion of Ukraine a "war", instead opting for the term "conflict". The Council of Europe went further and suspended the representation of the Russian Federation in its Committee of Ministers and the Parliamentary Assembly, a move that was followed by the Russian Federation leaving the Council of Europe before it could be formally expelled. This leaves Russian citizens without protection of the European Court of Human Rights.

The timing of this publication underscores the central role of freedom of expression in the maintenance of democracy at home, as well as international order and security abroad. The currently ongoing aggression of the Russian Federation against Ukraine also demonstrates that the diverse paths chosen by countries in the region of the EU's Eastern Partnership and Russian Federation are first and foremost about their will to ensure and protect fundamental rights and freedoms.

1 On 28 March, *Novaya Gazeta* officially announced that it would terminate its work, although a new investigation was published several days later on its website.

## SUMMARY

Freedom of expression and the right to impart and receive information are fundamental in a democracy. Information empowers citizens and allows them to make informed decisions. Media serve as an invaluable link between political events and processes, and the public. During elections, their role is to provide diverse, balanced, and impartial information about campaigns and political alternatives. Contestants should be granted by law and in practice equitable opportunities to reach out to the public through the media. In exercising their public information role, media should be free to establish editorial policies and to operate without any undue influence, harassment, or intimidation.

These ideals are not sufficiently or consistently reflected in regulation and practice in the countries of the European Union's (EU) Eastern Neighborhood. While legal frameworks in all of these countries guarantee the freedom of expression and prohibit censorship, various restrictions and problematic practices impair the work of the media and hamper the free dissemination of information. The state of freedom of expression is particularly deplorable in Azerbaijan, Belarus, and Russia, where the authorities actively use restrictive legal provisions to control, pressure and punish journalists and independent media. While Armenia, Georgia, Moldova, and Ukraine have considerably more liberal and pluralistic media environments, a variety of issues continue to affect media and the public information space. In particular,

obstruction, harassment and acts of violence against journalists; lack of prompt and vigorous investigations to hold perpetrators accountable; detrimental impact of concentrated and opaque media ownership; and bias in media coverage are among the chief common concerns in the focus countries.

The increasing role of the online domain and social media platforms, the surge in coordinated disinformation campaigns and propaganda, and the menace of hate speech in public discourse pose additional challenges in the focus countries. Moreover, as has become evident in countries that have imposed stricter regulation of social and online media, heavy-handed legislative measures may have the effect of restricting discourse and taking a toll on freedom of expression.

This report provides the analysis and conclusions on the state of freedom of expression and the work of the media in seven countries of the EU Eastern Neighborhood, namely Armenia, Azerbaijan, Belarus, Georgia, Moldova, Ukraine, and Russia. The report is drawn on the basis of reports and conclusions by citizen and international observers, and relies on the EPDE open source multi-country online Catalogue of Recommendations on Electoral Reform for assessments on the extent of implementation of past recommendations. The report captures common challenges and trends and provides recommendation on necessary improvements.

## ABOUT THIS REPORT

This report considers the extent of compliance of regulation and practice in the focus countries in the field of freedom of expression and with regard to the work of the media with existing international obligations, standards and good practice. It provides assessments and conclusions on the media environment and the overall state of freedom of expression in the region. In offering a snapshot of approaches to regulation, the report also considers challenges related to some of the emerging issues.

EPDE's objective in putting out this report is to encourage governments, parliaments and regulatory authorities to put considerations of freedom of expression at the center of decision-making on legislative, oversight and enforcement measures in relation to the media. By outlining the existing shortcomings, in particular the detrimental effects of oppressive practices towards media and journalists, EPDE strives to stimulate a review of approaches in the focus countries and to provide a basis for its member organizations for follow-up and further reforms in this area.

This publication is based on most recent reports published by EPDE member organizations and other citizen and international observer organizations in the focus countries. It also relies on the assessments provided in the EPDE online Catalogue of Recommendations on Electoral Reform. The analysis of conditions for the work of the media and the situation with the freedom of expression in Russia is based exclusively on open-source information, including information published by election management bodies, state institutions, domestic and international observer groups, party observers, and journalists.<sup>2</sup>

The comparative analysis and the overview of issues and approaches in the area of freedom of expression and the work of the media are grouped in this report around three main areas: (1) media environment and regulation, including conclusions on such aspects as media ownership, hate speech, disinformation, and propaganda, as well as the conditions for the work of media and journalists; (2) online content and social media; and (3) media during elections. To provide reference points for assessments of legislation and practice, each section

2 Following the listing of EPDE in March 2018 as an "undesirable foreign organization" in Russia, any collaboration of EPDE with civil society partner organizations in Russia puts them at risk of administrative and criminal sanctions.

and several individual sub-sections outline applicable international obligations, standards, and good practice in the respective areas. Examples from the focus countries included in this report reference the names of

organizations that reported on the respective issue, and the year of the respective report's publication or of the election to which the comment relates.

## MEDIA ENVIRONMENT AND REGULATION

### Applicable International Standards and Good Practice

Article 19(2) of the ICCPR provides that “Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.”

Article 10 of ECHR stipulates that “Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.”

Paragraph 9.1 of the 1990 OSCE Copenhagen Document states that “everyone will have the right to freedom of expression including the right to communication. This right will include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.”

The PACE Resolution 1636 (2008)<sup>1</sup> states that “state officials shall not be protected against criticism and insult at a higher level than ordinary people, [...] Journalists should not be imprisoned, or media outlets closed, for critical comment.” Paragraph 38 of the 2011 General Comment No. 34 to Article 19 of the ICCPR highlights that, “in circumstances of public debate concerning public figures in the political domain and public institutions, the value placed by the Covenant upon uninhibited expression is particularly high,” and requires that “laws should not provide for more severe penalties solely on the basis of the identity of the person that may have been impugned.” See also paragraphs 42 and 47 of the same document.

In the 2019 Joint Declaration on “Challenges to Freedom of Expression in the Next Decade”, the UN, OSCE, OAS and ACHPR Special Rapporteurs highlighted that in order “to create enabling environments for freedom of expression, States should [among other things] ensure protection of freedom of expression as a matter of domestic legal, regulatory and policy frameworks in accordance with international standards, including by limiting criminal law restrictions on free speech so as not to deter public debate about matters of public interest.”

### Overall media environment

The overall media environment in most of the focus countries is characterized by the presence of numerous media outlets, both public and/or state and private, operating at the national and regional/local levels. The stark exception to this are Russia and Belarus where access to the independent media at the national level has been severely limited in the course of 2020-2021. In Belarus, there are virtually no local or regional independent media remaining, while the last remaining independent media in Russia have been shutdown shortly following the invasion of Ukraine in February 2022. In Russia, of the larger independent media, *Novaya Gazeta* initially decided to continue its operations at the cost of unprecedented self-censorship but soon suspended its activities altogether. Despite the increasing popularity of online media, television remains the leading source of information, in particular for more comprehensive political and analytical content. The print media market continues to shrink, with readership and circulation dropping and outlets struggling to remain financially sustainable. There is a tremendous increase in the use of Telegram channels as

the sources of current independent political information that is not formally verified and often not subject to journalistic standards.

However, the multitude of information sources that are available should not be confused with genuine media pluralism. The plurality of sources does not automatically mean that citizens – and during elections, voters – are offered diverse, honest, balanced, and comprehensive information that enables them to make fully informed decisions and choices. It is also not necessarily a sign of a flourishing media market, where journalists and outlets are afforded the freedoms enshrined in international standards. In fact, reports by international organizations and NGOs working in the field as well as citizen observer organizations, mostly draw disappointing – and in some cases truly alarming – conclusions about the freedom of media and expression in their respective countries, expressing concerns regarding restrictive elements in regulatory frameworks and the deteriorating conditions for the work of journalists, including obstruction,

harassment, and prosecution. These concerns are discussed in more detail in the ensuing sub-sections.

In [Reporters Without Borders World Press Freedom Indices](#) for 2019-2021 and [IREX Media Sustainability Index](#) (MSI) for 2019 (last edition of the MSI), Armenia, Georgia, and Moldova ranked as the top three among the focus countries in regard to media freedom. Armenia, according to IREX, saw a considerable improvement in meeting multiple media sustainability objectives, including legal norms, professionalism, and a business environment supportive of independent media.<sup>3</sup> Still, since 2019, according to the Reporters Without Borders World Press Freedom Indices, Armenia fell back slightly in its ranking.

Ukraine ranked fourth among the focus countries in both indexes, indicating somewhat less favorable conditions for the media, although also belonging to the MSI's 'nearly sustainable' category, along with the three top-scoring countries. Importantly, according to the Reporters Without Borders World Press Freedom Indices, Ukraine has shown considerable progress since 2019, rising by five positions. At the same time, Georgia found itself in the category of 'Slightly vibrant', albeit a top-scorer among the countries there, in the [IREX Vibrant Information Barometer \(VIBE\)](#) launched in 2021 to replace the MSI.

In contrast, Azerbaijan, Belarus, and Russia ranked the lowest among the focus countries and among the lowest globally. In particular, the media environment in Azerbaijan was categorized as 'very bad' and 'unsustainable anti-free press' in the respective indexes, with the latter signifying action on the part of the government and laws that actively hinder free media development. Azerbaijan scored lowest in the [IREX VIBE index](#) for 2021. The

ranking of Belarus, according to the Reporters Without Borders World Press Freedom Index, sank from 2019 to 2021 by five positions. This is due to the unprecedented crackdown on independent media since August 2020 resulting in the closure of more than 30 media outlets and the unyielding repressions against the media community.<sup>4</sup>

Russia saw one of the largest decreases in the overall MSI scores globally until 2019 and was assessed as not meeting the majority of sustainability indicators. Its ranking remained consistently low until 2021. Russia also scored first in the number of violations pertaining to freedom of expression among the cases decided upon by the European Court of Human Rights (ECHR) in 2020, replacing Turkey in this statistic.<sup>5</sup> Domestic observers ([Golos 2019](#)) assessed that the space for free expression and exchange of information was shrinking in 2019, further calling in 2020 the "state propaganda and manipulation of public opinion" the "traditional methods" ([Golos 2020](#)), and noting in the context of the 2021 elections that the "state monopolization of the media" was one of the major factors contributing to the advantage of the incumbents ([Golos 2021](#)). Since the invasion of Ukraine, Russian authorities have blocked online access to dozens of media outlets, both domestic and foreign, for violating the instructions of avoiding the term "war" in describing the invasion of Ukraine. A number of media outlets have either ceased their operations or resorted to self-censorship of an unprecedented scale to remain open. Among the latter is *Novaya Gazeta* who has amended a number of its already published items to remove the term "war" which it now does not use. (See detailed accounts at [OVD-Info 2022](#))

## Media regulation

### Applicable International Standards and Good Practice

The PACE Resolution 1636 (2008)<sup>1</sup> states that "state officials shall not be protected against criticism and insult at a higher level than ordinary people, [...] Journalists should not be imprisoned, or media outlets closed, for critical comment." Paragraph 38 of the 2011 General Comment No. 34 to Article 19 of the ICCPR highlights that, "in circumstances of public debate concerning public figures in the political domain and public institutions, the value placed by the Covenant upon uninhibited expression is particularly high," and the requires that "laws should not provide for more severe penalties solely on the basis of the identity of the person that may have been impugned." See also paragraphs 42 and 47 of the same document.

The 2018 OSCE Ministerial Council Decision No. 3/18 calls on participating States to "[e]nsure that defamation laws do not carry excessive sanctions or penalties that could undermine the safety of journalists and/or effectively censor journalists and interfere with their mission of informing the public and, where necessary, to revise and repeal such laws."

3 In a July 2019 [Joint UPR Submission](#) to the UN Human Rights Council, civil society organizations, including TIAC and HCAV, also came to the conclusion that freedom of expression and of media have substantially improved since the 2018 change of government.

4 According to the Belarusian Association of Journalists, in the course of 2021, 13 media outlets were recognized as extremist, 113 journalists have been detained, 32 journalists and media workers were imprisoned, etc. (See [BAJ 2021](#) for more details).

5 According to the [ECHR statistics for 2020](#), among the 80 cases pertaining to violations of freedom of expression considered, 23 related to Russia. Notably, Belarus is not included in the comparison as it is not a CoE Member State.

Paragraph 2(b) of the 2017 [Joint Declaration on Freedom of Expression and “Fake News”, Disinformation and Propaganda](#) stipulates that “criminal defamation laws are unduly restrictive and should be abolished. Civil law rules on liability for false and defamatory statements are legitimate only if defendants are given a full opportunity and fail to prove the truth of those statements and also benefit from other defenses, such as fair comment.”

In the 2019 [Joint Declaration on “Challenges to Freedom of Expression in the Next Decade”](#), the UN, OSCE, OAS and ACHPR Special Rapporteurs highlighted that in order “to create enabling environments for freedom of expression, States should [among other things] ensure that regulatory bodies for the media are independent, operate transparently and are accountable to the public, and respect the principle of limited scope of regulation, and provide appropriate oversight of private actors.”

Paragraph 2.b.vi of the 2021 [Joint Declaration on Politicians and Public Officials and Freedom of Expression](#) calls on the States to “ensure mechanisms, such as systems of accreditation, are in place so that journalists can access locations (such as parliaments) and events (such as press conferences) to gather information on matters of public interest for purposes of reporting them to the general public” and lists criteria for such mechanisms.

Legal frameworks in all of the focus countries, including constitutions and specialized laws, contain overall guarantees pertaining to freedom of expression; the right to obtain, produce, and disseminate information; and media freedom. Censorship is explicitly prohibited. However, despite these welcome general guarantees, legal frameworks in several countries contain various restrictions of these rights, which detract from the guaranteed freedoms and have a constraining effect on the work of media and journalists. These include:

**Criminalization of defamation and libel:** Despite past recommendations by international bodies and citizen election observer organizations, defamation, libel, and insults of public officials remain criminal offences in Azerbaijan, Belarus, and Russia ([IREX 2019](#)). These provisions are often used to exert pressure on journalists and sanction critical reporting. In Azerbaijan ([ODIHR 2018](#)) and Belarus ([BHC and Viasna 2018](#), [ODIHR 2019](#)), particularly high sanctions are imposed in cases related to public officials – in Azerbaijan, up to five years of imprisonment if targeting the president. On the positive side, Armenia, Georgia, Moldova, and Ukraine have decriminalized defamation and insult.<sup>6</sup> Nonetheless, even under the administrative procedure, the fines imposed might be significant. Armenia has seen a three-time increase of the fines for libel and defamation (which was accepted by the Constitutional Court), and suggestions to re-criminalize defamation and libel do not cease to appear.

**Restrictions related to foreign funding:** In Russia, according to [IREX](#) (2019), the so-called “foreign agents” law applies since 2017 also to media entities, which are obliged to report any foreign funding and undergo regular auditing. In further tightening of control, in November 2019, the Russian parliament adopted in the third reading amendments that would allow labelling individual journalists working for such media as “foreign agents.”<sup>7</sup> In addition, it is prohibited by law

to use information released by organizations that are considered “undesirable,” while information published by NGOs and media considered “foreign agents” has to be labeled accordingly. The year 2021 saw the regulations from 2019 enforced ruthlessly. The number of media “foreign agents” by the end of 2021 is 111, including 74 individuals ([OVD-Info 2021](#)). These legal measures have been broadly criticized by international – Council of Europe ([CoE 2018](#), [CoE ECRI 2019](#), [CoE Venice Commission 2021](#)) and OSCE ([OSCE RFoM 2021](#)) and domestic organizations ([OVD-Info 2021](#)).

**Accreditation requirements for foreign media:** In Belarus, failure by foreign media to obtain accreditation by the Ministry of Foreign Affairs entails fines. ODIHR (2019) has reported difficulties faced by some media representatives in obtaining such accreditation. Representatives of foreign media operating in the country without accreditation by the Ministry of Foreign Affairs often face fines. The OSCE RFoM (2018, 2016, 2015) has repeatedly called on the authorities to review the accreditation requirements to facilitate rather than hamper the work of the media. The key development of late is the adoption of the amendments to the set of media laws in Belarus (in May 2021), including with regard to the accreditation rules as well as the earlier release of a new government regulation of the same issue (in October 2020). The amendments to the media law introduced restrictions on registering new media outlets by those whose media have been previously shut down, further limiting foreign participation in the ownership of media outlets, and regulating in detail the domain names for online media outlets. Additional amendments further regulated relations between media outlets in what has to do with quoting the sources or re-publishing the information, prohibited quoting information that is “forbidden”, and severely limited the ability to publish results of opinion polls. These amendments have been sharply criticized by the OSCE RFoM as further limiting the media space in Belarus.<sup>8</sup>

6 See the 2017 [Defamation and Insult Laws in the OSCE Region: A Comparative Study](#) by the OSCE Representative on Freedom of the Media.

7 See <https://www.kommersant.ru/doc/4170106>.

8 See the OSCE RFoM statement from [24 June 2021](#) (along with the accompanying [legal analysis](#)) and the [legal analysis published in March 2021](#).



**Temporary economic sanctions in connection with national security considerations:** In Ukraine, since 2017, temporary economic sanctions have been imposed through presidential decrees on a number of television channels, social networks, and search engines from Russia. According to ODIHR (2019 presidential), some 200 websites that were regarded to be anti-Ukrainian have been blocked by the authorities, with further related legislative proposals pending. These measures were adopted initially for a period of three years and were meant to tackle the in-flow of disinformation and propaganda. However, they were criticized for endangering media freedom and the free flow of information.<sup>9</sup>

**Broad regulatory powers of the state authorities:** the new media law adopted in late 2021 in Azerbaijan raised serious concerns of the domestic civil society and media community (see reports by [Eurasianet 2021](#)) and the international community alike (see [CoE 2022](#) and [RSF 2022](#)). Among other things, the law introduces a registry of journalists, penalizes those operating without journalistic accreditations, mandates that the media owners are based in Azerbaijan, and prevents publication of any image of a person without their prior consent making critical reporting virtually impossible.

### Impediments to the work of media: lack of access, intimidation, prosecution, and violent acts

*“Journalists are the targets but it is freedom of opinion and the right of citizens to be informed which are attacked. Fundamentally, what is under assault is the role of the media*

*in democracy.”* – Harlem Désir, OSCE Representative on Freedom of the Media, 4 July 2019 [Regular Report to the OSCE Permanent Council](#).

### Applicable Standards and Good Practice

In the 2018 [OSCE Milan Ministerial Council Decision No. 3](#), the participating States “urge the immediate and unconditional release of all journalists who have been arbitrarily arrested or detained, taken hostage or who have become victims of enforced disappearance.” It also called on States to “take effective measures to end impunity for crimes committed against journalists, by ensuring accountability as a key element in preventing future attacks, including by ensuring that law enforcement agencies carry out swift, effective and impartial investigations into acts of violence and threats against journalists, in order to bring all those responsible to justice, and ensure that victims have access to appropriate remedies.”

In a 2000 [Joint Declaration on International Mechanisms for Promoting Freedom of Expression](#), UN, OSCE, and OAS Special Rapporteurs emphasized that “States are under an obligation to take adequate measures to end the climate of impunity and such measures should include devoting sufficient resources and attention to preventing attacks on journalists and others exercising their right to freedom of expression, investigating such attacks when they do occur, bringing those responsible to justice and compensating victims.”

In the 2019 [Joint Declaration on “Challenges to Freedom of Expression in the Next Decade”](#), the UN, OSCE, OAS and ACHPR Special Rapporteurs highlighted that in order “to create enabling environments for freedom of expression, States should [among other things] take immediate and meaningful action to protect the safety of journalists and others who are attacked for exercising their right to freedom of expression and to end impunity for such attacks.”

Obstruction to the work of journalists is regrettably a common concern across the focus countries, although the forms, gravity, and the executors of obtrusive action vary.

In countries with restrictive media environments, the state and various branches of the state apparatus are often the main oppressor. In Azerbaijan, Belarus, and Russia, authorities are making active use of available restrictive legal provisions to hamper journalistic work; discourage criticism and critical reporting; and control, pressure, and punish journalists and independent media. Citizen and international organizations report on various

measures and tactics being employed to exert pressure and suppress critical voices, including:

- Threats to revoke or revocations of broadcasting licenses;
- Initiation of administrative and criminal proceedings;
- Arbitrary detentions and imprisonments;
- Inspections, searches, and seizures of property;
- Travel bans;
- Non-issuance or withdrawal of journalist accreditations;
- Requests or pressure to disclosure confidential sources;

<sup>9</sup> See related statements by the OSCE RFOM of [6 July 2018](#), [25 May 2018](#), [12 August 2014](#).

- Delays or denials of access to information or institutions.<sup>10</sup>

Obstruction and harassment are increasingly proliferating to forms of expression in the online domain, with journalists, bloggers, and influencers in the above countries finding themselves under growing scrutiny and threat of impending repercussions (see Online Content and Social Media sub-section).

In addition, a considerable number of acts of physical violence and assault against journalists have been reported from across the focus countries. Regrettably, countries with more liberal media environments and regulation, including Armenia, Georgia, Moldova, and Ukraine, are not an exception and have according to IREX (2019) seen an increase in the number of attacks on journalists in 2018-2019. The [IREX Vibrant Information Barometer \(VIBE\)](#) has provided additional details on the

cases of attacks on journalists in Azerbaijan, Georgia, Russian Federation and Ukraine. The safety of journalists is particularly under threat when they engage in investigative reporting, including on cases of corruption and abuse of power, report in a critical manner on matters of public interest or on sensitive national security-related issues, as well as during the coverage of demonstrations and election rallies. While acts of violence are often committed by unidentified perpetrators, concerns are at times raised that law enforcement is not reacting decisively to prevent them (see, for instance, [TIAC, HCAV and others 2020](#); see also [Media Advocacy Coalition 2021](#) on Georgia). There is a widely shared concern that acts of violence are not investigated promptly and vigorously and that perpetrators are not systematically held accountable, which emboldens them and potentially leads to more violence.<sup>11</sup>

## Opaque media ownership: issues of transparency and independence

### Applicable Standards and Good Practice

In Paragraph 8.2 of [Resolution 2254 \(2019\) on Media Freedom as a Condition for Democratic Elections](#), PACE called on member States to “avoid media concentration, also paying attention to the problem of cross ownership,” and in Paragraph 8.9 to “ensure total transparency with regard to the public when media are owned by political parties or politicians.”

[Recommendation CM/Rec\(2018\)1\[1\] of the Council of Europe’s Committee of Ministers to member States on media pluralism and transparency of media ownership](#) states that “the adoption and effective implementation of media-ownership regulation can play an important role in respect of media pluralism. Such regulation can enhance transparency in media ownership; it can address issues such as cross-media ownership, direct and indirect media ownership and effective control and influence over the media.” Paragraph 3.5 further provides that “States can set criteria for determining control of media outlets by explicitly addressing direct and beneficial control. Relevant criteria can include proprietary, financial or voting strength within a media outlet or outlets and the determination of the different levels of strength that lead to exercising control or direct or indirect influence over the strategic decision making of the media outlet or outlets, including their editorial policy.”

In the 2019 Joint Declaration on “Challenges to Freedom of Expression in the Next Decade”, the UN, OSCE, OAS and ACHPR Special Rapporteurs called on the States to “Promote media diversity, including by “developing rules on transparency of ownership of the media and telecommunications infrastructure”, particularly urging the development of “effective rules and systems to address, in relation to companies providing digital communications services, undue concentration of ownership and practices which represent an abuse of a dominant market position.”

Concerns related to media ownership and how it impacts media outlets’ economic and editorial independence have been raised with regard to all of the focus countries, albeit with somewhat varied focus.

In Azerbaijan, Belarus, and Russia, government control over state and other main broadcasters and their reliance on direct and indirect state funding have been seen as

impacting these outlets’ editorial policies and decisions, which favor incumbents, state institutions, and authorities in their coverage, and disadvantage other political actors and contestants.<sup>12</sup> Past recommendations by international and domestic actors calling for a transformation of respective state-controlled broadcasters into independent public service media to ensure that they provide impartial and balanced reporting have not been

10 Concerns related to the latter practice have also been raised in Moldova ([IREX 2019, ODIHR 2019](#)), where authorities have been reported as demonstrating a selective approach toward providing information or refusing to provide it, invoking legislation on protection of personal information.

11 See [Report on the Human Rights Situation in Ukraine](#) by the UN High Commissioner for Human Rights, 16 August to 15 November 2018, p. 17; [Annual Report on the Situation with Freedom of Expression and Violations of Rights of Journalists and Media in Armenia-2018](#), Committee to Protect Freedom of Expression; IREX 2019 Russia.

12 See ODIHR Election Observation Reports on the [2018 early presidential election in Azerbaijan](#), 2019 parliamentary elections in Belarus, and [2018 presidential election in Russia](#). See also [IREX Media Sustainability Index 2019](#), Europe and Asia, Executive Summary, x.

implemented.<sup>13</sup> In Georgia ([ISFED 2017](#)), the appointment of a close affiliate to the board of trustees of the public broadcaster and the subsequently announced reform plans raised suspicions of the broadcaster’s bias. In Moldova ([IREX 2019](#)), public broadcasters continue to receive state funding, which is seen as affecting staffing decisions and resulting in coverage that tends to favor authorities. In addition, while, in a positive development, new media ownership disclosure requirements were introduced in 2019, they have not been extended to all media types, omitting online and print media ([ODIHR 2019](#)). The shortage of funding was seen as negatively affecting the ability of the public broadcaster in Ukraine ([ODIHR 2019 presidential](#) and [parliamentary](#), [ODIHR 2020 local](#)) to perform its public service role.

The impact of ownership was also noted with regard to private media. Opaque ownership structures and political

affiliations, and interests of media owners have affected media autonomy, impartiality, objectivity, and public trust in Armenia ([TIAC 2018](#), [TIAC](#), [HCAV and other 2020](#), [ODIHR 2018](#)), Georgia ([IREX 2019](#), [ISFED 2020](#) and [ISFED 2021](#)), Moldova ([ODIHR 2019](#)), Ukraine ([COE and NGOs 2019 presidential](#), [ODIHR 2019 parliamentary](#) and [presidential](#), [ODIHR 2020 local](#)), and Russia ([Golos 2018](#), [Reporters Without Borders 2019](#)). Media outlets’ loyalty to their owners results in ample and favorable coverage of supported political forces, limitations on access for other political actors or contestants, and engagement in evidently coordinated media campaigns. In cases of both state/public and private media, self-censorship was noted to be a widespread practice among media outlets and journalists in many countries in the region as a way to avoid making difficult editorial decisions and out of fear of retribution.

## Hate speech: regulation and practice

### Applicable Standards and Good Practice

The 1948 Universal Declaration of Human Rights (UDHR) provides in Article 2 for equal enjoyment of the rights and freedoms set forth in the Declaration, “without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.” Article 7 also provides for equal protection for all against discrimination in violation of the Declaration, and against incitement to discrimination.

The 1976 International Covenant on Civil and Political Rights (ICCPR) affirms in Article 19 that “everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds,” while at the same time recognizing that free speech may be subject to certain restrictions if “provided by law” and “necessary: (a) For respect of the rights or reputations of others and (b) For the protection of national security or of public order, or of public health or morals.” Article 20 imposes a duty on states to prohibit by law any incitement to hatred by “advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence.”

Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) asserts “States Parties ...(a) Shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof [..]”

The Council of Europe Committee of Ministers Recommendation No. R (97) 20 1997 states that “the governments of the member states should establish or maintain a sound legal framework consisting of civil, criminal and administrative law provisions on hate speech.”

In its 2015 General Policy Recommendation No. 15, the COE European Commission against Racism and Intolerance (ECRI) recommends governments to “take appropriate and effective action against the use, in a public context, of hate speech which is intended or can reasonably be expected to incite acts of violence, intimidation, hostility or discrimination against those targeted by it through the use of the criminal law provided that no other, less restrictive, measure would be effective and the right to freedom of expression and opinion is respected.”

In the 2021 “[Joint Declaration on Politicians and Public Officials and Freedom of Expression](#)”, the UN, OSCE, OAS and ACHPR Special Rapporteurs called on the States to “prohibit by law any advocacy of hatred that constitutes incitement to discrimination, hostility or violence, in accordance with international law.” This echoed the concerns the Special Rapporteurs expressed in the 2020 “[Joint Declaration on Freedom of Expression and Elections in the Digital Age](#)” when they denounced “dis-, mis- and malinformation and ‘hate speech’, which can exacerbate and even generate election related tensions.”

<sup>13</sup> See 2017 Golos [Report on Implementation of OSCE/ODIHR recommendations](#). On 20 February 2019, the [OSCE RFOM](#) called on Azerbaijan to establish a transparent and fair economic system of support to the media and a legal environment enabling pluralistic and independent media.

The possibility and need to ensure legislative regulation of speech that advocates for national, racial, or religious hatred and incites discrimination, hostility, or violence is recognized in a number of international obligations and standards (see above). However, regulatory solutions aimed at preventing hate speech may be controversial and are challenging to design and apply as they are difficult to reconcile with the fundamental right to freedom of expression, restrictions to which are only permissible based on explicitly stipulated and limited grounds.<sup>14</sup>

Hate speech regulations also carry a significant risk of being applied in a way that is overly broad, restrictive, or politicized. International and regional human rights bodies have emphasized in this respect that offensive speech does not amount to hate speech and warned against applying “incitement” provisions not only with respect to cases of national, religious, and racial hatred but also to criticism of authorities, institutions, and religions.<sup>15</sup> For these reasons, literature and research on the issue suggest that sanctions should not be the primary focus of action against hate speech and propose prioritizing self-regulatory and other policy measures aimed at encouraging a change in the overall public discourse.<sup>16</sup>

The legal frameworks in the focus countries contain regulations on action and forms of expression that fall under the broad definition of “hate speech,”<sup>17</sup> including, with variation of formulation and scope of application, restrictions on speech that incites enmity, hatred, and violence towards a person or group based on race, national origin, religion, sex, disability, or sexual orientation. Some countries (Ukraine, Belarus, Moldova) use the term “hate speech” in defining applicable restrictions on forms of expression and campaigning. Several laws explicitly apply the provisions on prohibited speech to mass media and the online domain (Russia, Moldova, Azerbaijan).

Despite regulations in place, the recurrence of resort to action and expression amounting to what is perceived to be hate speech remains high, with media and especially online information sources often serving as the catalyst.<sup>18</sup> Citizen observers in the focus countries (for

instance, [TIAC 2018](#) and [HCAV 2018](#) in Armenia and Promo-LEX [2018](#), [2019/1](#) and [2019/2](#) in Moldova) have noted an increase in the amount and intensity of hate speech in the run-up and during electoral campaigns, and called for monitoring and more effective and timely responses.

A variety of issues noted in the focus countries in this area require further review and action:

**Definition and scope of application:** In Georgia, in 2019, amendments were proposed to prohibit “hate speech and xenophobic statements” in campaign programs, activities, and discourse. The proposed changes appear to have been conceived as a response to the increase in negatively charged, harsh, confrontational, and at times violent campaign rhetoric, which according to the ODIHR (2018) on occasion bordered on xenophobia and hate speech. The civil society, including ISFED (2019), criticized the proposal as ill-conceived since (1) the legislation already contains restrictions on speech that incites national discord and enmity, and religious or ethnic confrontation; (2) there is no definition of “hate speech” in the Election Code or in any other legislation; and (3) the key problem the amendments sought to address were smear campaigns rather than hate speech.

**Overly broad and restrictive application:** In Russia, where hate speech and anti-extremism laws are some of the toughest globally,<sup>19</sup> serious concerns have been raised with the perceived tendency to apply the respective provisions not only to genuine cases of use of hate speech and incitement to hatred and violence, but increasingly as a tool for silencing political dissent, especially in the online domain. Calls have been made by international organizations, NGOs, and media ([Mail.ru 2019](#)) to review the existing restrictions and ensure their due application and the proportionality of measures applied. It is not uncommon, however, for TV pundits in Russia and Belarus to utilize hate speech and incitement to violence in their broadcasts (Solovyov in Russia, Azarenok in Belarus) without any consequences. In Azerbaijan, the legislation provides overly broad stipulations of what amounts to

14 The UN HRC [General Comment No. 34 to Article 19 of the ICCPR on Freedoms of Opinion and Expression](#), CCPR/C/GC/34, 12 September 2011, para. 52 stipulates that “In every case in which the State restricts freedom of expression it is necessary to justify the prohibitions and their provisions in strict conformity with article 19.” Paragraph 22 outlines the specific conditions in Article 19(3) of the ICCPR under which restrictions may be imposed: they must be “provided by law”; they may only be imposed to protect the rights or reputations of others, of national security or of public order, or of public health or morals; and they must conform to the strict tests of necessity and proportionality.

15 International Foundation for Electoral Systems (IFES) [White Paper on Countering Hate Speech in Elections: Strategies for Electoral Management Bodies](#), p. 12-13.

16 For instance, the European Commission Against Racism and Intolerance (ECRI) in its [General Policy Recommendation No. 15 on Combatting Hate Speech](#) CRI(2016)15, places an emphasis on openness, education, pluralism, and self-regulatory mechanisms as means of countering manifestations of hate speech, and states that “addressing the conditions conducive to the use of hate speech and vigorously countering such use are much more likely to prove effective in ultimately eradicating it.” The Special Rapporteurs of the UN High Commissioner for Human Rights have [recommended](#) that “The strategic response to hate speech is more speech: more speech that educates about cultural differences; more speech that promotes diversity; more speech to empower and give voice to minorities, for example through the support of community media and their representation in mainstream media. More speech can be the best strategy to reach out to individuals, changing what they think and not merely what they do.” IFES concludes in its [White Paper on Countering Hate Speech in Elections: Strategies for Electoral Management Bodies](#) that regulatory solutions can be controversial and their effectiveness is limited and recommends EMBs “to explore non-regulatory solutions in collaboration with both state and non-state actors.”

17 International obligations and standards do not provide a universally accepted definition of hate speech and incitement to hate, with various definitions used in different international documents.

18 For instance, PromoLex’s 2019 [Hate Speech and Incitement to Discrimination](#) report indicates that media are the most important source of spreading intolerance in the public space and that the 319 cases identified were spread by 627 various sources, of which 519 were online media.

19 [https://www.academia.edu/37511082/Russian\\_Hate\\_Speech\\_Legislation\\_in\\_the\\_International\\_Context](https://www.academia.edu/37511082/Russian_Hate_Speech_Legislation_in_the_International_Context)

expressions of hatred, animosity, and extremism, and does not take into account the context and the probability or imminence of harm stemming from various “calls” for violent actions. These broad provisions have been applied arbitrarily in the past to sanction public expressions of disagreement.<sup>20</sup>

**Insufficient enforcement and sanctioning in the political and electoral context:** In Moldova, Promo-LEX

([2019/1](#) and [2019/2](#), [2019](#)) pointed out that with hate speech being dealt with predominantly as a civil matter, there is neither a pertinent legal framework nor mechanisms to effectively respond to instances of hate speech in political discourse and during elections. This leaves it effectively uncontrolled despite its negative impact on electoral processes.

## Disinformation and propaganda

### Applicable Standards and Good Practice

Paragraph 3(a) of the 2017 [Joint Declaration on Freedom of Expression and “Fake News”, Disinformation and Propaganda](#) stipulates that States have a positive obligation to promote a free, independent, and diverse communications environment, including media diversity, which is a key means of addressing disinformation and propaganda. Paragraph 2(a) provides that “general prohibitions on the dissemination of information based on vague and ambiguous ideas, including “false news” or “non-objective information,” are incompatible with international standards for restrictions on freedom of expression [...] and should be abolished.”

In Paragraph 9.1 of the [Resolution 2254 \(2019\) on Media Freedom as a Condition for Democratic Elections](#), PACE called on member States to “refrain from disseminating or encouraging the dissemination on the internet of statements, communications or news, which they know or can reasonably be expected to know to be disinformation or undue propaganda.” It also called in Paragraph 10.6 on the media sector to “expose any attempt to manipulate information during the election campaign in the professional media or on social media platforms.”

In the 2020 [“Joint Declaration on Freedom of Expression and Elections in the Digital Age”](#), the UN, OSCE, OAS and ACHPR Special Rapporteurs called on the governments “to refrain from abusing their positions to bias media coverage, whether on the part of publicly-owned or private media, or to disseminate propaganda that may influence election outcomes.”

There is a growing realization and concern globally that the information space, including traditional media and the online domain, is being increasingly misused on a massive scale by different actors to spread false information with the purpose of manipulating public perceptions and behavior.<sup>21</sup> Information environments in the focus countries have not remained immune to the spread of disinformation. On the contrary, all of the countries have seen a surge in seemingly coordinated disinformation campaigns and dissemination of falsehoods aimed at influencing public opinion. Recent reports by citizen observer organizations in the focus countries express concerns with the damaging impact of disinformation and propaganda on the information environment.<sup>22</sup> In particular, in the run-up to and during elections, the uncontrolled and unchallenged dissemination of false and skewed information and of strategically crafted content is seen as distorting the picture for voters, fueling polarization, intensifying existing divides, and encouraging heated discourse.

In particular, social media platforms have been increasingly used as a medium for spreading and amplifying manipulative messaging and information.<sup>23</sup> Research suggests that in most of the focus countries disinformation efforts are predominantly internally-originating and are focused on influencing public opinion about political opponents, policy, and in-country events. In six countries, namely Armenia, Azerbaijan, Georgia, Moldova, Russia, and Ukraine, computational propaganda is reported to be utilized by various government agencies, political parties and politicians, and private contractors, as well as government-friendly civil society organizations, with some variation, to influence public attitudes.<sup>24</sup> In contrast to this predominant use of propaganda at home, Russia employs its extensive disinformation machinery to influence processes and perceptions also outside its borders. Analysis indicates that all of the EaP countries have featured among the targets of Russian disinformation and propaganda efforts, while Ukraine belongs to the top-targeted list of countries.<sup>25</sup>

20 [Analysis of Azerbaijani Legislation on Freedom of Expression](#), European Union and Council of Europe, 2017, p. 7, 12-13.

21 See IFES Working Paper [‘Social Media, Disinformation and Electoral Integrity’](#) August 2019.

22 See ISFED 2017, Opora 2019.

23 The [2019 Global Inventory of Organized Social Media Manipulation](#) by the University of Oxford has collected evidence of organized social media manipulation campaigns in 70 countries, an increase from 48 countries in 2018 and 28 countries in 2017. The study points out that in each of these countries there is at least one political party or government agency using social media to shape public attitudes.

24 Ibid, p. 10. Belarus was not covered by the analysis.

25 [Analysis](#) by East StratCom Task Force of the EU External Action Service based on 6,500 of analyzed disinformation cases since 2015.

In following the global trend of identifying appropriate responses to the spread of disinformation,<sup>26</sup> most of the focus countries have initiated or adopted measures in an attempt to tackle various aspects of this negative phenomenon. In Moldova ([Freedom House 2018](#)) and Ukraine ([Committee to Protect Journalists 2018](#)), laws were enacted banning or imposing restrictions on broadcasting and retransmission of Russian media to prevent the spread of external misinformation and propaganda. These legislative measures were criticized, among other bodies, by the OSCE RFOM as excessive and in breach of international standards on media freedom.<sup>27</sup> Questions were also [raised](#) in Moldova as to the genuineness of intent behind the adopted “anti-propaganda” restrictions, with allegations that they might have rather been an attempt by media oligarchs and political figures to further concentrate control over Moldovan media.

In Belarus and Russia, far-reaching provisions aimed at countering the creation and dissemination of “fake news” and disinformation have been adopted in 2018 and 2019, respectively. These laws have also been met with widespread criticism domestically and internationally as overly broad, excessive, and imposing undue restrictions on freedom of expression.<sup>28</sup> In Azerbaijan, a range of prohibitions on the distribution of deliberately false information are included as part of widely criticized defamation regulations (see Media Regulation sub-section).

Georgia and Ukraine both announced at the end of 2019 the intention to put forward legislation to tackle disinformation.<sup>29</sup> In Ukraine the draft law was met with substantial criticism of the civil society and media and was sent for redrafting in February 2020. In Georgia the initiative did not materialize, also due to the sharp criticism by the civil society. In Armenia, no attempts have been made thus far to legislatively regulate disinformation, although appeals have been made by civil society organizations ([HCAV 2019](#)) to consider appropriate safeguards. Against this background, calls made by the government in 2019 for the National Security Service to launch a fight against fake news resulted in fears of attempted censorship and interference with freedom of expression.<sup>30</sup>

In reflecting various concerns invoked in relation to initiated or adopted regulations on disinformation in the focus countries, the NATO Strategic Communications Center of Excellence, which analyzed “[Government Responses to Malicious Use of Social Media](#)” for 2016-2018, has concluded that most of the countermeasures adopted were “fragmentary, heavy-handed, and ill-equipped” to curb harmful content. The report also emphasizes the dangers that regulation in this area may pose to freedom of expression, having highlighted that authoritarian governments often embark on a fight against disinformation with the aim of tightening their control over media and the online domain.

## ONLINE CONTENT AND SOCIAL MEDIA

### Applicable Standards and Good Practice

Paragraph 13 of the 2011 General Comment No. 34 to Article 19 of the ICCPR states that “a free, uncensored and unhindered [...] media is essential in any society to ensure freedom of opinion and expression and enjoyment of other Covenant rights.” Paragraph 43 states that “Any restrictions on the operation of websites, blogs or any other internet-based information dissemination system ... are only permissible to the extent that they are compatible with [freedom of expression].”

In its Recommendation CM/Rec(2018)2 on the roles and responsibilities of internet intermediaries, the Committee of Ministers of the Council of Europe [SeeCM] called on states to apply a human rights and rule of law-based approach to regulation. Frameworks should create a safe and enabling online environment, encourage the development of appropriate self- and co-regulation, and ensure the availability of redress mechanisms for all claims of violations of human rights in the digital environment.

26 According to the NATO Strategic Communications Centre of Excellence study [Government Responses to Malicious Use of Social Media](#), as of November 2018 at least 43 countries have proposed or implemented measures aimed at combating influence campaigns on social media.

27 See the OSCE RFOM [February 2014 statement](#) with regard to Ukraine and the [July 2016 statement](#) in connection with Moldova.

28 With regard to measures in Russia see: [New Russian laws could further limit media freedom](#), OSCE FROM, 19 March 2019; [General Prosecutor's Office Did Not Support Bills on Insulting Authorities and Fake News](#), Vedomosti, January 14, 2018; [Council of Federation Approves Anti-Fake News Law and Law Prohibiting Disrespectful Treatment of Authorities](#), NEWSRU.COM, March 13, 2019 [more] and with regard to Belarus: [Belarus moves to prosecute 'fake news,' control the Internet](#), Committee to Protect Journalists, 8 June 2018, xx With regard to measures in Russia see: [New Russian laws could further limit media freedom](#), OSCE FROM, 19 March 2019; [General Prosecutor's Office Did Not Support Bills on Insulting Authorities and Fake News](#), Vedomosti, January 14, 2018; [Council of Federation Approves Anti-Fake News Law and Law Prohibiting Disrespectful Treatment of Authorities](#), NEWSRU.COM, March 13, 2019 [more] and with regard to Belarus: [Belarus moves to prosecute 'fake news,' control the Internet](#), Committee to Protect Journalists, 8 June 2018, xx

29 [Georgian Government hits out at 'fake news' after Facebook takes down pro-government pages](#), OG-Media, 24 December 2019, [Zelenskiy orders law regulating Ukraine's media, causing uproar](#), Euroactiv, 13 November 2019.

30 [Armenian National Security Service taking on fake news](#), April 2019; [Opposition Leaders Question Government Crackdown On 'Fake News'](#), April 2019.

Paragraph 1(f) of the 2017 [Joint Declaration on Freedom of Expression and “Fake News”, Disinformation and Propaganda](#) stipulates that “State mandated blocking of entire websites, IP addresses, ports or network protocols is an extreme measure which can only be justified where it is provided by law and is necessary to protect a human right or other legitimate public interest, including in the sense of that it is proportionate, there are no less intrusive alternative measures which would protect the interest and it respects minimum due process guarantees.”

In Paragraph 9.2 of [Resolution 2254 \(2019\) on Media Freedom as a Condition for Democratic Elections](#), PACE called on member States to “develop specific regulatory frameworks for internet content at election times and include in these frameworks provisions on transparency in relation to sponsored content published on social media [...]” However, in Paragraph 9.4 calls to ensure that “sanctions [...] for unlawful content are not diverted to force self-censorship or opponents’ opinions and critical views, and limit the application of extreme measures such as the blocking of entire websites, IP addresses, ports or network protocols to the most serious cases [...]”

In expanding ECtHR internet-related jurisprudence, the Court emphasizes that Internet-based expression is entitled to all the protections of Article 10 of ECHR, and underlines that any restrictions of online content must be prescribed by law and be necessary in a democratic society to secure a legitimate aim recognized by ECHR.

In the 2019 Joint Declaration on “Challenges to Freedom of Expression in the Next Decade”, the UN, OSCE, OAS and ACHPR Special Rapporteurs noted that “The exercise of freedom of expression requires a digital infrastructure that is robust, universal and regulated in a way that maintains it as a free, accessible and open space for all stakeholders.” They also called on the States to “respect international human rights standards, including those of transparency, when seeking to regulate or influence expression on online media platforms.”

## Increasing Popularity: A Double-Edged Sword

In following the global trend, the information space in the focus countries has grown considerably over the last years to include various types of online information sources, including official websites of public institutions, online versions of traditional media, online media, and information portals. Social media platforms have become a widely used tool for sharing and receiving information and are increasingly used in an organized and targeted manner in all of the focus countries during election campaigns. Armenia ([TIAC 2018](#), [IREX 2019](#)), Georgia ([ISFED 2017](#) and [2018](#), [ISFED 2020](#) and [ISFED 2021](#), [IREX 2019](#)), and Ukraine ([Opora 2019 parliamentary](#), [COE and NGOs 2019 presidential](#), [Democracy Reporting International 2019 presidential](#)) have seen considerable growth in campaign spending on online political advertising, in particular on Facebook and through Google’s AdSense tool. In restrictive media environments, including Azerbaijan ([EMDS 2019](#), [ODIHR 2018](#)) and Belarus ([BHC 2020](#)), online and social media have become the main platforms for independent and critical views.

In adjusting to these new realities, international and citizen election observers have been expanding their media monitoring methodologies to cover campaigning in the online domain. While being clearly an effective communication and outreach tool, online sources and social media platforms have also become a cause of concern as they have proven to be as effective in

spreading malicious, negative, false, and damaging information. In Armenia ([HCAV 2018](#)), Georgia ([ISFED 2018](#)), and Ukraine ([Opora 2019 parliamentary](#), [CVU 2019 parliamentary](#), [2019 presidential](#), and [2017 local](#)) citizen observers reported increasing use of online and social media during elections for organized discrediting campaigns targeting opponents, messaging fueling political confrontation, black PR, and smear campaigns, including through anonymous and fake user accounts. As was noted for the case of Belarus ([BHC 2020](#)), “For the first time ever, Telegram channels were actively used to promote the negative image of alternative candidates and their programs, as well as to discredit them,” reflecting the coverage in the state-owned traditional media.

Another phenomenon worth noting is the increasing importance of search engines as the sources of information. Already in 2012, the Council of Europe noted the importance of search engines in shaping the information landscape and issued a corresponding recommendation.<sup>31</sup> This recommendation was referenced again in 2018 by the Council of Europe when it addressed the issue of internet intermediaries more broadly.<sup>32</sup> This presence of search engines as a stand-alone issue in the attempts to set the ground for further regulation is not accidental. According to research, in Moldova, for example, 80 per cent of the people like to receive their news from search engines, second only to social media with 84 per cent.<sup>33</sup>

31 See Recommendation [CM/Rec\(2012\)3](#) of the Committee of Ministers to member States on the protection of human rights with regard to search engines

32 See Recommendations [CM/Rec\(2018\)2](#) of the Committee of Ministers to member States on the roles and responsibilities of internet intermediaries.

33 See Thomson Reuters Foundation [report](#) “Moldova: Media Consumption and Audience Perception Research.”

## Regulation of online and social media

The focus countries have adopted two different approaches to regulation of online and social media.

Countries with more liberal media environments, including Armenia, Georgia, Moldova and Ukraine, have thus far established no or very loose frameworks in this field, with the online space remaining largely unregulated. The non-interference of the authorities and the freedom of the online information space in these countries is praiseworthy and has also been recommended as a general approach by international organizations. At the same time, citizen observer organizations in these countries have been increasingly raising questions in the last years whether the complete absence of regulation and oversight is still appropriate and whether it does not detract from effectiveness of regulation in other areas, in particular during electoral campaigns.

In Georgia and Ukraine, where the widely resorted to advertising online and on social media platforms is not covered by the definition of campaigning and is thus left unregulated, citizen observers ([ISFED 2018](#), [Opora 2019 parliamentary, 2020](#)) have called for a review of approach and development of appropriate regulations. According to TIAC ([2018](#)) in Armenia, ISFED ([2018](#)) in Georgia, and Opora ([2019 parliamentary, 2020](#)) in Ukraine, regulation should ensure *inter alia* greater transparency and accountability for spending on online campaigning and provide the basis for enforcement by oversight bodies.

In addition to the perceived need for appropriate domestic control mechanisms for the online domain, there is also an increasing demand for social media platforms such as Facebook, Google, and Twitter to foster accountability through enhanced transparency of spending on political advertising ([Opora 2019 parliamentary, TIAC 2018](#)).

In contrast, in Azerbaijan, Belarus, and Russia, the relatively rigid regulations applicable to traditional media have been extended to online information sources, and internet-specific laws aimed at tightening control over the online information space have been adopted. One particularly disconcerting common feature in regulations of the three countries is the granting of broad powers to designated administrative bodies<sup>34</sup> to exercise control over the online domain. This includes, with some variation, the authority to issue warnings and fines, to request removal of publications deemed inconsistent with the law, and to block access to websites without judicial oversight. The latter measure was assessed particularly critically by ODIHR as contrary to international obligations and challenging the freedom of the media.<sup>35</sup>

Other concerns raised by international organizations and citizen election observers with regard to the far-reaching regulations and their effect in this area include:

- Azerbaijan: According to EMDS (2019), some 20 websites remain blocked, including those of the main independent media outlets, which severely restricts the freedom of expression and considerably narrows the range of independent information sources. In addition, with criminal liability for defamation and libel having been extended since 2016 to the internet domain, online journalists and bloggers have been increasingly facing arrests and detentions based on related charges ([EMDS 2017](#)). The [2022 report of EMDS](#) notes with concern that “the new media law, adopted in the end of the year [2021], was considered as an attempt to restrict the activities of independent media outlets and journalists.” In particular, the law mandates online media outlets to publish a certain number of news items per day, encroaching on the editorial freedom.
- Belarus: The 2018 amendments to the media law introduced additional regulations for online media. These introduced further bureaucratic hurdles for websites to register as official online media so they can receive access to and cover activities of official institutions; imposed an obligation for online media to collect the personal data of persons submitting comments and to disclose this data to the authorities; and made owners of registered online media liable for the content of comments posted on their sites, including through criminal prosecution. These measures were assessed by [Amnesty International](#) (2018) as having a chilling effect on the media and further restricting open debate and freedom of expression. The latest changes were also criticized by the [OSCE RFOM](#) (2018) as “excessive and disproportionate.” In the course of 2020 and 2021, most independent media outlets in Belarus were deemed extremist, as were multiple Telegram channels and blogs, with the citizens being the end users held responsible for subscribing to or sharing the contents.
- Russia: The existing broad anti-extremism legislation is increasingly applied in relation to online speech, including comments by bloggers and social media users. In two recent cases involving Russian bloggers ([Stomakhin v. Russia](#) *Stomakhin v. Russia* and [Savva Terentyev v. Russia](#)) sentenced *inter alia* for promoting extremism, the ECtHR found violations of Article 10 of ECHR and underscored that the authorities must meet a high margin when identifying online speech as inciting hatred or violence, or when applying the overbroad extremism-related offenses.<sup>36</sup>

34 The main oversight authorities include the Ministry of Communication, Transport, and High Technologies in Azerbaijan; the Ministry of Information in Belarus; and the Federal Service for Supervision of Communications, Information Technology, and Mass Media in Russia. In Russia, according to [ODIHR](#), the General Prosecutor, the Ministry of Internal Affairs, the Federal Tax Office, and the Federal Service for Surveillance on Consumer Rights Protection and Human Well-Being (Rosпотребнадзор) are also authorized to block websites without a prior court ruling.

35 ODIHR [Final Report on the 2018 early presidential election in Azerbaijan](#), p. 15, [Statement of Preliminary Findings and Conclusions on the 2019 early parliamentary elections in Belarus](#), p. 12, and the [Final Report on the 2018 presidential election in Russia](#), p. 15.

36 [The Freedom of Expression in 2018](#), COE Directorate General Human Rights and Rule of Law, DGI (2019)3, p. 17.



In February 2019, the [OSCE RFOM](#) expressed concerns with then-draft legislation granting the regulator further powers “to increase the supervision of Internet control and traffic, manage the public communications networks, and restrict access to information deemed illegal under Russian law”. The [OSCE RFOM](#) has also criticized a set of new laws on “disrespect” to the state and the spread of “fake news” as imposing excessive restrictions on speech

and information on the Internet and further limiting media freedom. Domestic civil society organizations criticized the most recent laws as further restricting the media environment in the country ([Free Word Association 2019](#)). In December 2020, a package of laws was adopted to further extend the possible grounds for blocking internet content. The package has been criticized by international NGOs.<sup>37</sup>

## MEDIA DURING ELECTIONS

### Applicable International Standards and Good Practice

Paragraph 7.8 of the OSCE Copenhagen Document stipulates that “no legal or administrative obstacle stands in the way of unimpeded access to the media on a non-discriminatory basis for all political groupings and individuals wishing to participate in the electoral process.”

CoE CM Recommendation 23 states that rules should be defined to protect media regulatory bodies against any interference, in particular by political forces or economic interests, including applicable incompatibilities. Such rules should prevent that “regulatory authorities are under the influence of political power,” and that “members of regulatory authorities exercise functions or hold interests in enterprises or other organizations in the media or related sectors, which might lead to a conflict of interest in connection with membership of the regulatory authority.” Rules should also “guarantee that the members of these authorities: - are appointed in a democratic and transparent manner; - may not receive any mandate or take any instructions from any person or body; - do not make any statement or undertake any action which may prejudice the independence of their functions and do not take any advantage of them. Finally, precise rules should be defined as regards the possibility to dismiss members of regulatory authorities so as to avoid that dismissal be used as a means of political pressure.”

### Free and Paid Airtime

Media conduct during elections is regulated in the focus countries by the respective media and election laws, as well as by regulations of oversight bodies. On the plus side, all countries require broadcasters and print media to allocate set amounts of free airtime and print space for contestants to present their campaign platforms and to reach out to the electorate, including through interviews, speeches, and campaign spots. ODIHR media monitoring findings<sup>38</sup> indicate that these requirements are generally complied with and do not raise major concerns. An exception to this finding are the reported ([BHC and Viasna 2019](#); [ODIHR 2019](#)) refusals by some broadcasters in Belarus during the 2019 elections to air campaign speeches of opposition candidates, negatively impacting their ability to reach out to voters. In Azerbaijan, EMDS ([2020](#)) points out in connection with the 2020 parliamentary elections that only political parties that registered candidates in more than 60 single-mandate constituencies are entitled to receive free airtime. The

non-registration of candidates of some parties rendered them ineligible for airtime.

Paid political advertising is allowed in all 7 focus countries and constitutes an important form of campaigning. It is, however, broadly recognized that contestants with greater financial resources are the ones that can afford and benefit the most from paid advertising. In Ukraine, the excessive reliance and spending by election contestants on paid campaign spots has led to recommendations to limit political advertising in media and outdoor spaces ([IFES 2019 presidential](#)). In addition, serious concerns continue to be raised concerning the widespread practice for media to publish unmarked promotional materials (known as ‘jeansa’) in news and other editorial formats in exchange for payment. Citizen and international observers have repeatedly criticized this practice as misleading for voters and not providing genuine information on contestants and campaign platforms ([CVU 2019 presidential](#); [ODIHR 2019 presidential](#); Opora, [IFES 2019 presidential](#)).

<sup>37</sup> See the [statement by Article19](#).

<sup>38</sup> Results of ODIHR media monitoring in connection with the most recent elections held in the focus countries were reviewed and form the basis for the analysis presented in this section. For detailed findings, see individual ODIHR Final Reports at [www.osce.org/odihr/elections](http://www.osce.org/odihr/elections) for the respective countries.

Pre-electoral debates provided for by laws and facilitated by public/state and private broadcasters in all of the focus countries provide an additional important platform for contestants to present their programs. Observer reports welcome and note the positive impact of debates on the ability of voters to form opinions about candidates and make a more informed choice. While it is the right of candidates to decline participation in debates, non-participation of key candidates or party leaders in some of the debates – as was the case, for instance, in Ukraine

([CVU 2019 presidential](#); [ODIHR 2019](#)) and Russia ([Golos 2018](#), [Golos 2018](#)) – may detract from their value for the electorate. In addition, in Belarus ([ODIHR 2019](#)) and Russia ([Golos 2018](#)) the format of some debates has been criticized for not facilitating a genuine or meaningful exchange and contributing to further political polarization. In Azerbaijan ([EMDS 2018](#)), while a range of candidates were invited and participated in debates during the 2018 elections, most of them used their allocated time to praise the authorities.

## Comprehensiveness and Balance of Coverage

Formally, legislation and regulations in all of the focus countries oblige media to ensure that the coverage of campaigns and contestants is fair, balanced, and impartial. However, observers' monitoring reports indicate that media on the whole do not satisfactorily meet this requirement. With some rare exceptions, the coverage of most recent campaigns and electoral contestants by different broadcasters in the focus countries has been evaluated as biased and not balanced. Many of the monitored media outlets manifested their political affiliations and preferences in their reporting, especially in news and analytical programs. This was noted with regard to private media even in relatively free media environments of Moldova ([ODIHR 2019](#)) and Georgia ([ISFED 2020](#) and [ISFED 2021](#)).

Coverage of campaigns in Azerbaijan ([EMDS 2018](#))<sup>39</sup>, Belarus, and Russia ([Golos 2019](#), [2018](#)), especially by state and affiliated broadcasters, is characterized by extensive and favorable coverage of authorities and incumbents. This coverage is usually disproportional to the amount of time allocated to other contestants, especially those considered to be oppositional. Contrary to international standards requiring a clear separation between party

and state, such reporting typically blurs the distinction between incumbents' official post-related activities and campaigning.

In some cases, existing legal provisions were assessed by observers as not facilitating comprehensive and balanced reporting. For example, in Azerbaijan the prohibition for the state broadcaster to air any campaign-related materials, as well as a broad definition of what constitutes election campaigning, were interpreted as a prohibition to cover any campaign activities in newscasts, or for paid coverage to be aired by private broadcasters. Of a similar effect of interfering with editorial freedoms are the imposed legal obligations on state media in Russia to cover the activities of state officials ([Golos 2017](#)). In Georgia, the lack of clear regulations on campaigning outside of the official campaign period after the announcement of elections, and in the period between election rounds, was found by observers ([ODIHR 2018](#)) to detract from existing guarantees and to leave space for departure from requirements of balance in coverage. Past ODIHR and citizen observer recommendations to address the above shortcomings remain unheeded.

## Oversight

The effectiveness of regulations and of guarantees enshrined in legislation is largely dependent on their implementation in practice and their enforcement. Media oversight bodies play therefore a crucial role in monitoring and ensuring compliance. Regrettably, this is an area where international and citizen observers see plenty of room for improvement and point out various shortcomings:

**Composition and appointment procedure:** In Belarus ([ODIHR 2019](#)) and Ukraine concerns were raised that the composition of media regulatory bodies does not ensure their impartiality and effectiveness.

**Decision-making:** In Belarus ([BHC and Viasna 2019](#)), the decisions taken by the oversight body are not made public, which is not conducive to openness and transparency in its work. In Georgia ([ISFED 2018](#)), the substance of some decisions taken by the body have called its objectivity and impartiality into question.

**Campaign-related media monitoring:** In Russia ([Golos 2017](#), [2018](#)), no specific election campaign media monitoring is envisaged and carried out. Media monitoring that is carried out by the regulatory body as part of its general operation does not subject election-related coverage to a more nuanced and focused scrutiny and does not allow for timely corrective action to be taken.

**Monitoring methodology:** In some countries, the methodology used by oversight bodies was criticized for not ensuring comprehensive control and assessment of coverage provided by media outlets. This includes the absence of qualitative monitoring to measure and evaluate the tone of coverage ([ODIHR 2018](#) on Armenia, Georgia, Russia ([Golos 2017](#)), and the performance of limited monitoring or of random checks rather than systematic comprehensive monitoring ([ODIHR 2018](#) on Armenia, [ODIHR 2019](#) on Moldova).

**Insufficient mandate or capacity:** Issues related to insufficient capacity were seen as negatively impacting

39 EMDS Final Report on findings of monitoring the 11 April 2018 early Presidential Election in Azerbaijan, VII. Pre-election campaign, pages 14-17

the work of the oversight body in Armenia. In Ukraine, the legislation does not give the oversight body sufficient

sanctioning powers to perform its mandate in a timely manner during an election period.

## RECOMMENDATIONS

### Six key take-aways and considerations for all the countries

1. Ensure that laws and regulations pertaining to media are in line with international standards, and that any restrictions imposed are strictly compliant with requirements of proportionality and necessity.
2. Refrain from using the absence of regulation as a pretext for introducing undue restrictions and repressive measures that have the effect of curtailing the freedoms of expression and access to information.
3. When considering responses to hate speech and disinformation, ensure that measures are proportional and do not infringe on the principle of freedom of expression.
4. Foster a genuinely free environment for media and journalists, free from direct or implicit pressure and intimidation. Investigate any cases of harassment, pressure, or obstruction in a timely and comprehensive manner to hold perpetrators accountable.
5. Facilitate legislatively and foster in practice comprehensive and balanced coverage of election campaigns by media outlets to support the ability of voters to make fully informed choices.
6. Take proactive steps to combat disinformation and dissemination of hate speech, especially online, that are compliant with the international human rights law.

### Per-country recommendations

#### Armenia:

- Introduce regulatory and enforcement measures to achieve full transparency of media ownership by requiring clear identification of ultimate donors and to ensure proper oversight over media funding;
- Enable voters to make a free and informed choice through TV debates, increasing free airtime, regulating online media, making campaign materials accessible, and enforcing stricter criminal liability for cases of forcing someone to campaign or to refrain from campaigning;
- Consider appropriate regulation of disinformation and hate speech, including proportional and effective sanctions;
- Carry out full and impartial investigations of all cases of violence against journalists and of obstruction to their professional activities;
- Extend requirements for impartial election coverage by public media to the complete election cycle;
- Enhance the capacity of the media regulatory body to carry out comprehensive media monitoring of all relevant coverage during election campaigns;
- Ensure the independence of the regulatory body by instituting public control mechanisms.

#### Azerbaijan:

- Bring laws pertaining to freedom of expression in line with international standards and remove the undue restrictions, including by decriminalizing defamation;

- Abolishment the provisions on blockage of internet resources, including based on out-of-court decisions;
- Stop the prosecution of social media activists, bloggers, and journalists, and release journalists and others held in prison for politically motivated charges;
- Define more precisely and narrowly what content and acts amount to hate speech and incitement to violent action, including guidance on the context of prohibited expression and probability of harm being inflicted;
- Revise regulations on election campaign coverage to ensure that voters are provided with a wide range of views. Remove any limitations on editorial campaign coverage in analytical programs and news;
- Remove the provisions requiring journalists to obtain prior registration and penalizing non-compliance;
- Improve in law and in practice the accessibility of the media to all political groups.

#### Belarus:

- Bring the laws and sub-legal regulations in line with international standards, including by revising the provisions allowing to recognized media outlets and individual journalists as extremists;
- Revise the legal framework pertaining to the freedom of expression to decriminalize defamatory offenses and to abolish criminal liability;
- Bring regulations pertaining to online information sources in line with international standards

guaranteeing media freedom. Abandon the practice of out-of-court blocking of online-media;

- Reconsider the accreditation requirements for journalists in order to facilitate rather than hamper their work;
- Ensure in practice the ability of all candidates to address the electorate using free airtime / space;
- Review the appointment procedures for the media oversight body to ensure a more balanced membership. Ensure that the body is adequately mandated and resourced to carry out comprehensive media monitoring.

**Georgia:**

- Clarify regulations on media campaigning for the period after the announcement of elections but before the start of the regulated campaign, and between the rounds of elections;
- Review the definition of campaigning to provide reference and enforcement basis for campaigning in online media. This should include a stipulation that civil servants are prohibited from campaigning during work hours, including through the use of personal social media accounts;
- Acts of violence, harassment, and obstruction to the work of journalists should be investigated in a timely, objective, and impartial manner to determine the legal responsibility of perpetrators;
- The regulatory body should act within the scope of legislation and not impose on broadcasters disproportionate or additional obligations beyond the scope of law. The body should ensure that all of its decisions are legally well-reasoned and substantiated in order not to create risks of selective approach, bias, or perceptions of interference with broadcasters' editorial freedom;
- Political parties and candidates in elections should refrain from aggressive rhetoric, attacking one another, discrediting opponents, engaging in negative campaigning, using hate speech, and engaging in any other actions that may polarize society.

**Moldova:**

- Review the electoral legal framework with a view to providing an appropriate definition of hate speech and identifying ways of discouraging its use. Establish a mechanism for monitoring, documenting, and sanctioning hate speech during election campaigns;
- Guarantee in practice the right of access to information. The practice of not providing information to the media on time and of justifying delays by invoking the laws on petitioning and on protection of personal data should be abandoned;
- Extend media ownership disclosure and transparency requirements to print and online media;
- Consider establishing an early-warning system against propaganda and disinformation to cover both

traditional and online media. Such a system could include monitoring and reporting mechanisms that combine human and technological solutions.

**Russia:**

- Repeal provisions of anti-extremism legislation and other restrictive provisions of the regulatory framework governing the work of media so that these are in line with international standards;
- Remove the legal provisions on foreign agents and their application to the media outlets and journalists;
- Repeal the provisions granting the regulatory authority to block websites without a prior court ruling;
- Reconsider legal obligations imposed on state media to cover the activities of state officials;
- Ensure in practice the ability of media outlets to determine their editorial policies freely and independently;
- Require the CEC, as the body responsible for ensuring the equality of conditions for contestants, to carry out media monitoring during electoral campaigns. The media monitoring methodology should be made public.

**Ukraine**

- Identify an effective state regulator to oversee how mass media comply with electoral law, and to ensure their compliance.
- Improve legislation on the transparency of media ownership and ensure its proper implementation.
- Politicians, media owners, and authorities should refrain from attempts to influence media content or interfere in any other way in the activities of the media and journalists.
- Review the electoral legislation and introduce regulation of activities on the internet during elections, both in terms of campaigning and informing the public, as well as from the political finance perspective;
- Take additional efforts to safeguard the public broadcaster's editorial independence by providing it with sufficient funding and granting it full financial autonomy.
- Take additional measures to protect safety of journalists, in particular those who investigate and report on matters of public interest.

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## EPDE AND ITS MEMBERS

EPDE was set up in December 2012 in Warsaw by 13 independent European citizen election observation organizations. The aim of EPDE is to support citizen election observation and to contribute to democratic election processes, both in the EU and in EU-Eastern neighborhood countries.

EPDE 's now 16 member organizations have considerable experience in election observation and in helping their respective countries conduct genuinely democratic elections. Collectively, they have observed over 80 electoral processes domestically and many contributed to election observation internationally. They deploy continuously growing numbers of observers, both long- and short-term, and assess electoral processes comprehensively, providing independent evaluations of all the key processes and stages – from the pre-electoral campaign to post-election developments. Through their observation work, reports published, and recommendations offered, they strive to improve election legislation and practice, in line with international obligations and standards and national laws. Beyond the observation work, EPDE

member organizations carry out other activities throughout the electoral cycle, including voter information and education campaigns to promote political engagement, to encourage informed voting, and increase voter participation.

Most of EPDE member organizations are signatories of the Declaration of Global Principles for Non-Partisan Election Observation and Monitoring by Citizen Organizations, which was launched in 2012 and is now endorsed by more than 290 citizen observer groups in 93 countries, and supported by 13 key intergovernmental and international non-governmental organizations. Many are also members of renowned election observation networks, such as the Global Network of Domestic Election Monitors and the European Network of Election Monitoring Organizations. All EPDE member organizations apply established and published methodologies, based on the principles of impartiality, independence, non-interference, and transparency.



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