

I am pleased to offer my thanks and support to the Elks Lodge of Forest Grove, Oregon, which has organized a Flag Day celebration to educate the community about our flag and its history. The Order of the Elks promotes American principles of individual freedom, opportunity, and dignity, consistent with the principles that the U.S. flag represents.

I am honored to provide the Elks Lodge of Forest Grove with a flag flown over the U.S. Capitol for their celebration, and I thank them for their service to our community and Nation.

CELEBRATING THE 25TH ANNIVERSARY OF THE FRIENDS OF THE PARKS AND TRAILS OF ST. PAUL AND RAMSEY COUNTY

**HON. BETTY McCOLLUM**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2010

Ms. McCOLLUM. Madam Speaker, today I rise to congratulate the Friends of the Parks and Trails of St. Paul and Ramsey County, on the occasion of the 25th anniversary of the organization. Since it was established in 1985, this group has been dedicated to serving and promoting parks and green spaces in St. Paul, Minnesota, and surrounding communities.

Executive Director Peggy Lynch has been there every step of the way, first leading a group of citizens to found the organization to keep a massive high-rise development out of Hidden Fall/Crosby Regional Park in order to preserve green space for everyone in our community. The Friends of the Parks and trails has since developed into a broad, membership-supported nonprofit group.

The Friends of the Parks has proven their commitment to St. Paul and Ramsey County parks by promoting open space preservation, protection, improvement, and development of new parks. And as a vital member of the community the Friends of the Parks have successfully laid the foundation for lasting change by working with St. Paul and Ramsey County to require no "net loss" of parkland in any deals the city or county makes, and also helped to create city and county park commissions.

Parks are essential to Minnesotans. They not only provide recreational opportunities and a connection to the natural world, they also provide employment, economic development and increase property values. For 25 years, the Friends of the Parks and Trails have been serving my community, ensuring that all Minnesotans have the opportunity to benefit from the positive resources provided by parks. This deserves our thanks, support and commendation.

Madam Speaker, please join me in rising to honor the 25th anniversary of the Friends of the Parks and Trails of St. Paul and Ramsey County, Peggy Lynch, and all its members and volunteers for their hard work and constant dedication to ensuring parks and green space are available for all to enjoy.

OSCE REPRESENTATIVE CITES  
THREATS TO FREE MEDIA

**HON. ALCEE L. HASTINGS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2010

Mr. HASTINGS of Florida. Madam Speaker, as Co-Chairman of the Helsinki Commission, I wish to draw the attention of colleagues to the timely and informative testimony of the OSCE Representative on Freedom of the Media, Dunja Mijatovic, who testified earlier today at a Commission hearing on "Threats to Free Media in the OSCE Region." She focused on various threats to journalists and independent media outlets, including physical attacks and adoption of repressive laws on the media as well as other forms of harassment. Most troubling is the murder of journalists because of their professional activities. According to the U.S.-based Committee to Protect Journalists, 52 journalists have been killed in Russia alone since 1992, many reporting on corruption or human rights violations. Ms. Mijatovic also flagged particular concern over existing and emerging threats to freedom on the Internet and other communications technologies. She also voiced concern over the use of criminal statutes on defamation, libel and insult which are used by some OSCE countries to silence journalists or force the closure of media outlets. With respect to the situation in the United States, she urged adoption of a shield law at the federal level to create a journalists' privilege for federal proceedings. Such a provision was part of the Free Flow of Information Act of 2009, which passed the House early in the Congress and awaits consideration by the full Senate.

As one who has worked to promote democracy, human rights and the rule of law in the 56 countries that comprise the OSCE, I share many of the concerns raised by Ms. Mijatovic in her testimony and commend them to them to colleagues.

ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE REPRESENTATIVE ON FREEDOM OF THE MEDIA

(By Dunja Mijatovic)

[From the Helsinki Commission Hearing on the Threats to Free Media in the OSCE Region, June 9, 2010]

Dear Chairmen, Distinguished Commissioners, Ladies and Gentlemen,

I am honored to be invited to this hearing before the Helsinki Commission at the very beginning of my mandate. I feel privileged to speak before you today. The Helsinki Commission's welcoming statement issued on the day of my appointment is a clear manifestation of the strong support you continuously show toward the work of this unique Office, and I assure you, distinguished Commissioners, that this fact is very much appreciated.

It will be three months tomorrow since I took office as the new Representative on Freedom of the Media to the OSCE. Even though three months may sound short, it has proved more than enough to gain a deep insight, and unfortunately also voice concerns, about the decline of media freedom in many of the 56 countries that today constitute the OSCE.

Although the challenges and dangers that journalists face in our countries may differ from region to region, one sad fact holds true everywhere: The freedom to express ourselves is questioned and challenged from

many sides. Some of these challenges are blatant, others concealed; some of them follow traditional methods to silence free speech and critical voices, some use new technologies to suppress and restrict the free flow of information and media pluralism; and far too many result in physical harassment and deadly violence against journalists.

Today, I would like to draw your attention to the constant struggle of so many institutions and NGOs around the world, including your Commission and my Institution, to combat and ultimately stop violence against journalists. I would also like to address several other challenges that I want to place in the center of my professional activities, each of which I intend to improve by relentlessly using the public voice I am now given at the OSCE.

Let me first start with violence against journalists.

Ever since it was created in 1997, my Office has been raising attention to the alarming increase of violent attacks against journalists. Not only is the high number of violent attacks against journalists a cause for concern. Equally alarming is the authorities' far too prevalent willingness to classify many of the murders as unrelated to the journalists' professional activities. We also see that more and more often critical speech is being punished with questionable charges brought against the journalists.

Impunity of perpetrators and the responsible authorities' passivity in investigating and failing to publicly condemn these murders breeds further violence. There are numerous cases that need to be raised over and over again. We need to continue to loudly repeat the names of these courageous individuals who lost their lives for the words they have written. I am sorry for all those whom I will not mention today; but the names that follow are on the list that I call "the Hall of Shame" of those governments that still have not brought to justice the perpetrators of the horrifying murders that happened in their countries.

The most recent murder of a journalist in the OSCE area is the one of the Kyrgyz opposition journalist Gennady Pavlyuk (Bely Parokhod), who was killed in Kazakhstan in December last year. It gives me hope that the new Interim Government of Kyrgyzstan has announced to save no efforts to bring the perpetrators to justice, as well as those involved in the 2007 murder of Alisher Saipov (Siyosat).

The Russian Federation remains the OSCE participating State where most members of the media are killed. Paul Klebnikov (Forbes, Russia), Anna Politkovskaya (Novaya Gazeta), Anastasia Baburova (Novaya Gazeta), are the most reported about, but let us also remember Magomed Yevloyev (Ingushetiya), Ivan Safronov (Kommersant), Yury Shchekochikhin (Novaya Gazeta), Igor Domnikov (Novaya Gazeta), Vladislav Listyev (ORT), Dmitry Kholodov (Moskovsky Komsomolets) and many others.

We also should not forget the brutal murders of the following journalists, some remain unresolved today:

Hrant Dink (Agos) Armenian Turkish journalist was shot in 2007 in Turkey.

Elmar Huseynov (Monitor) was murdered in 2005 in Azerbaijan.

Georgy Gongadze (Ukrainskaya Pravda) was killed in 2000 in Ukraine.

In Serbia, Slavko Curuvija (Dnevni Telegraf) was murdered in 1999, and Milan Pantic (Vecernje Novosti) was killed in 2001. In Montenegro, Dusko Jovanovic (Dan), was shot dead in 2004.

In Croatia, Ivo Pukanic (Nacional) and his marketing director, Niko Franjic, were killed by a car bomb in 2008.

Violence against journalists equals violence against society and democracy, and it should be met with harsh condemnation and prosecution of the perpetrators. There can be no improvement without an overhaul of the very apparatus of prosecution and law enforcement, starting from the very top of the Government pyramid.

There is no true press freedom as long as journalists have to fear for their lives while performing their work. The OSCE commitments oblige all participating States to provide safety to these journalists, and I will do my best to pursue this goal with the mandate I am given and with all professional tools at my disposal.

We also observe another very worrying trend; more and more often the imprisonment of critical journalists based on political motivations including fabricated charges. Let me mention some cases:

In Azerbaijan, the prominent editor-in-chief of the now-closed independent Russian-language weekly, *Realny Azerbaijan*, and Azeri-language daily, *Gundalik Azarbaycan*, Eynulla Fatullayev was sentenced in 2007 to a cumulative eight-and-a-half years in prison on charges on defamation, incitement of ethnic hatred, terrorism and tax evasion. The European Court of Human Rights (ECtHR) found Azerbaijan in violation of Article 10 and Article 6, paragraphs 1 and 2 of the European Convention on Human Rights, so there is only one possible outcome—Fatullayev should be immediately released.

In Kazakhstan, Ramazan Yesergepov, the editor of *Alma-Ata Info*, is serving a three-year prison term on charges of disclosing state secrets.

Emin Milli and Adnan Hajizade, bloggers from Azerbaijan, are serving two and a half years and two years in prison respectively since July 2009 on charges of hooliganism and infliction of light bodily injuries.

In Uzbekistan, two independent journalists, Dilmurod Saidi (a freelancer) and Solijon Abdurahmanov (*Uznews*), are currently serving long jail sentences (twelve-and-a-half-years and ten years) on charges of extortion and drug possession.

I will continue to raise my voice and demand the immediate release of media workers imprisoned for their critical work.

I join Chairman Cardin for commending independent journalists in the Helsinki Commission's recent statement on World Press Freedom Day. These professionals pursue truth wherever it may lead them, often at great personal risk. They indeed play a crucial and indispensable role in advancing democracy and human rights. By highlighting these murder and imprisonment cases, by no means do I intend to neglect other forms of harassment or intimidation that also have a threatening effect on journalists. Let me just recall that, with the heightened security concerns in the last decade, police and prosecutors have increasingly raided editorial offices, journalists' homes, or seized their equipment to find leaks that were perceived as security threats.

#### SUPPRESSION AND RESTRICTION OF INTERNET FREEDOM

Turning to the problems facing Internet freedom, we can see that new media have changed the communications and education landscape in an even more dramatic manner than did the broadcast media in the last half century. Under my mandate, the challenge has remained the same: how to safeguard or enhance pluralism and the free flow of information, both classical Helsinki obligations within the OSCE.

It was in 1998 that I read the words of Vinton G. Cerf in his article called "Truth and the Internet". It perfectly summarizes the nature of the Internet and the ways it can create freedom.

Dr. Cerf calls the Internet one of the most powerful agents of freedom: It exposes truth to those who wish to see it. But he also warns us that the power of the Internet is like a two-edged sword: it can also deliver misinformation and uncorroborated opinion with equal ease. The thoughtful and the thoughtless co-exist side by side in the Internet's electronic universe. What is to be done, asks Cerf.

His answer is to apply critical thinking. Consider the Internet as an opportunity to educate us all. We truly must think about what we see and hear, and we must evaluate and select. We must choose our guides. Furthermore, we must also teach our children to think more deeply about what they see and hear. That, more than any electronic filter, he says, will build a foundation upon which truth can stand.

Today, this foundation upon which truth could indeed so firmly stand is under continuous pressure by governments. As soon as governments realized that the Internet challenges secrecy and censorship, corruption, inefficiency and bad governing, they started imposing controls on it. In many countries and in many ways the effects are visible and they indeed threaten the potential for information to circulate freely.

The digital age offers the promise of a truly democratic culture of participation and interactivity. Realizing that promise is the challenge of our times. In the age of the borderless Internet, the protection of the right to Freedom of Expression "regardless of frontiers" takes on a new and more powerful meaning.

In an age of rapid technological change and convergence, archaic governmental controls over the media are increasingly unjust, indefensible and ultimately unsustainable. Despite progress, many challenges remain, including the lack of or poor quality of national legislation relating to freedom of information, a low level of implementation in many OSCE member states and existing political resistance.

The importance of providing free access for all people anywhere in the world can not be raised often enough in the public arena, and cannot be discussed often enough among stakeholders: civil society, media, as well as local and international authorities.

Freedom of speech is more than a choice about which media products to consume.

Media freedom and freedom of speech in the digital age also mean giving everyone—not just a small number of people who own the dominant modes of mass communication, but ordinary people, too—an opportunity to use these new technologies to participate, interact, build, route around and talk about whatever they wish—be it politics, public issues or popular culture. The Internet fundamentally affects how we live. It offers extraordinary opportunities for us to learn, trade, connect, create and also to safeguard human rights and strengthen democratic values. It allows us to hear each other, see each other and speak to each other. It can connect isolated people and help them through their personal problems.

These rights, possibilities and ideals are at the heart of the Helsinki Process and the OSCE principles and commitments that we share. We must find the best ways to spread access to the Internet, so that the whole world can benefit from what it can offer, rather than increasing the existing gaps between those who have access to information and those who do not. And to those governments who fear and distrust the openness brought along by the Internet, let me emphasize over and over again:

The way a society uses the new communications technologies and how it responds to economic, political and cultural

globalization will determine the very future of that society. Restrict access to information, and your chances to develop will become restricted. Open up the channels of free communication, and your society will find ways to prosper.

I was delighted to hear Secretary of State Clinton speak about a basic freedom in her January speech on Internet freedom in the "Newseum". This freedom is the freedom to connect. Secretary Clinton rightly calls this freedom the freedom of assembly in cyber space. It allows us to come together online, and shape our society in fundamental ways. Fame or money is no longer a requisite to immensely affect our world.

My Office is rapidly developing a comprehensive strategy to identify the main problems related to Internet regulation in the 56 countries of the OSCE, and ways to address these issues. I will count on the support of the Helsinki Commission to advance the universal values that this strategy will attempt to extend to those countries where these values are still being questioned.

Let me also mention the importance to protect the freedom of other new technologies.

Only two weeks ago, my Office organized the 12th Central Asia Media Conference in Dushanbe, Tajikistan, where media professionals from all five Central Asian countries adopted a declaration on access to information and new technologies. This document calls on OSCE governments to facilitate the freer and wider dissemination of information, including through modern information and communication technologies, so as to ensure wide access of the public to governmental information.

It also reiterates that new technologies strengthen democracy by ensuring easy access to information, and calls upon state institutions with legislative competencies to refrain from adopting new legislation that would restrict the free flow of information. And only this spring my Office published a guide to the digital switchover, to assist the many OSCE countries where the switch from analogue to digital will take place in the next five years. The aim of the guide is to help plan the digitalization process, and help ensure that it positively affects media freedom, as well as the choice and quality available to the audience.

Besides advocating the importance of good digitalization strategies, I will also use all available fora to raise attention to the alarming lack of broadcast pluralism, especially television broadcast pluralism, in many OSCE countries. As television is the main source of information in many OSCE regions, we must ensure that the laws allow for diverse, high-quality programs and objective news to easily reach every one of us. Only well-informed citizens can make good choices and further democratic values. Whether we talk about Internet regulation, inventive ways to switch to digital while preserving the dominance of a few selected broadcasters, attempts to limit access to information or broadcast pluralism, we must keep one thing in mind: No matter what governments do, in the long run, their attempts to regulate is a lost battle.

People always find ways to obtain the rights that are denied to them. History has shown this over and over again. In the short run, however, it is very clear that I will intervene with governments which try to restrict the free flow of information.

#### DEFAMATION

Similar to fighting violence against journalists, my Office has been campaigning since its establishment in 1997 to decriminalize defamation and libel in the entire OSCE region.

Unfortunately, in most countries, defamation is still punishable by imprisonment, which threatens the existence of critical speech in the media. This is so despite the consistent rulings of the European Court of Human Rights in Strasbourg, stating that imprisonment for speech offences, especially when committed by criticizing public figures, is a disproportionate punishment.

Let us again remind ourselves of the journalists and bloggers I have mentioned above when discussing violence against journalists. They are currently in prison because their writing was considered defamatory. Their fate reminds us all of the importance of the right to freely speak our mind.

This problem needs urgent reform not only in the new, but also in the old democracies of the OSCE. Although the obsolete criminal provisions have not been used in Western Europe for decades, their “chilling effect” remained.

Furthermore, the mere existence of these provisions has served as a justification for other states that are unwilling to stop the criminalization of journalistic errors, and instead leave these offenses solely to the civil-law domain.

Currently, defamation is a criminal offence in all but ten OSCE countries—my home country Bosnia and Herzegovina, Cyprus, Estonia, Georgia, Ireland, Moldova, Romania, Ukraine, the United Kingdom and the United States.

Last year, three OSCE countries decriminalized defamation, which I consider to be an enormous success: Ireland, Romania and the United Kingdom; the last being the first among the Western European participating States to officially decriminalize defamation.

Some other countries, such as Armenia, are currently reforming their defamation provisions, and I hope that I can soon welcome the next country that carries out this important and very long overdue reform.

#### CONCLUDING REMARKS

Dear Chairmen,  
Dear Commissioners,  
Ladies and Gentlemen,

The above problematic areas—violence against journalists, restrictions of new media including the Internet, lack of pluralism and resistance to decriminalize defamation—are among the most urgent media freedom problems that need our attention and concentrated efforts today. However, we will also not forget about the many other fields where there is plenty of room to improve. Of course, I will not miss the excellent opportunity that we are here together today to raise your attention to the topic that my distinguished predecessor, Miklos Haraszti, has already raised with you: the establishment and the adoption of a federal shield law in the United States.

As you know, my Office has been a dedicated promoter of the federal shield law for many years. If passed, the Free Flow of Information Act would provide a stronger protection to journalists; it could ensure that imprisonments such as that of Judith Miller in 2005, and Josh Wolf in 2006, could never again take place and hinder investigative journalism. But the passage of such legislation would resonate far further than within the borders of the United States of America. It could send a very much needed signal and set a precedent to all the countries where protection of sources is still opposed by the government and is still not more than a dream for journalists.

I respectfully ask all of you, distinguished Commissioners, to continue and even increase your efforts to enable that the Free Flow of Information Act soon becomes the latest protector of media freedom in the United States.

And of course I cannot close my speech without mentioning my home country, Bosnia and Herzegovina. As you know, not only Bosnia and Herzegovina, but also most of the emerging democracies in the Balkans enjoy modern and forward-looking media legislation. We can openly say that they almost have it all when it comes to an advanced legal and regulatory framework enabling free expression to thrive. But it is not that simple. I use this moment to pose several questions: if there are good laws, then why do we still face severe problems in relation to media freedom, why do we stagnate and sometimes even move backward? Where does the problem lie? And, more importantly, how can we solve it and move ahead?

What Bosnia and Herzegovina shows us is that good laws in themselves are not enough. Without their good implementation, they are only documents filled with unrealized potential. In countries that struggle with similar problems, we must stress over and over again: without the full implementation of valid legislation, without genuine political will, without a comprehensive understanding of the media's role in a functioning democracy, without the creation of a safe environment for journalists to do their work, and without true commitment by all actors, these countries risk falling far behind international standards.

Apart from unmet expectations and disillusioned citizens, we all know that the consequences of politicized and misused media could be very serious. In conclusion, let me assure you, dear Commissioners, that I will not hesitate to openly and vigorously remind any country of their responsibilities toward implementing the OSCE commitments to the freedom of the media.

I am also asking you to use this opportunity today and send a clear message to the governments of all OSCE countries to do their utmost to fully implement their media legislation safeguarding freedom of expression. The governments have the power to create an environment in which media can perform their unique role free of pressures and threats. Without this, no democracy can flourish.

Thank you for your attention.

HONORING COLONEL EDWARD J. KERTIS FOR HIS DISTINGUISHED SERVICE TO THE RESIDENTS OF GEORGIA

HON. PAUL C. BROWN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2010

Mr. BROWN of Georgia. Madam Speaker, I rise today to honor Col. Edward J. Kertis for a distinguished career and the outstanding help that he has been to me, my staff, and the people in my district.

Col. Kertis assumed command of the Savannah District, U.S. Army Corps of Engineers, on June 29, 2007. Since his appointment, he has been responsible for a \$4 billion military design and construction program; water resources planning, design and construction; hazardous, toxic and radiological waste cleanup; and real estate activities.

Residents of my district are especially grateful for his help with water resources management during an historic drought. As the rains finally began to return, Col. Kertis took the unprecedented step of stopping flow from Thurmond and Hartwell Dams, allowing the lakes to fill while water was flowing into the Savan-

nah River from flooding creeks and streams. This common-sense decision provided economic relief to those communities who rely so heavily on the preservation of the beautiful lakes and parks of the upper Savannah River. But he has served his country in other ways as well.

Prior to his assignment to the Savannah District, Col. Kertis commanded the Walla Walla District, USACE, in Washington State from 2002–2004. He has also served as a platoon leader, staff officer, and battalion executive officer in the 27th Engineer Battalion; company commander in the 41st Engineer Battalion; and engineer company commander in the 1st Special Forces Operational Detachment—Delta. He was also the inaugural commander of the Northern District, Gulf Region Division, Iraq, during Operation Iraqi Freedom, where he managed construction projects in support of Coalition forces and the Iraqi government.

I ask my colleagues to join me in thanking Col. Kertis for his service to the nation and the dedication he has given his duties, and in wishing him all the best as he assumes his new assignment as Pacific Ocean Division Commander.

HONORING ROCK BRIDGE BOYS  
HIGH SCHOOL TENNIS TEAM

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2010

Mr. LUETKEMEYER. Madam Speaker, I ask my colleagues to join me in congratulating the Rock Bridge High School Boys Tennis Team on their outstanding season.

The young men and their coaches should be commended for all their hard work throughout the regular season and bringing home the Class 2 State Tennis Championship to their school and community.

I ask that you join me in recognizing the Rock Bridge High School Tennis Team for a job well done.

KEN GRIFFEY, JR.

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 2010

Mr. REICHERT. Madam Speaker, I rise today in recognition of the recently retired Ken Griffey, Jr. Griffey retired last week from Major League Baseball after hitting 630 home runs, driving in 1,836 runs, and scoring 2,781 times. I won't even attempt to quantify the OOOHHHS and AAAAHS.

Griffey joined the Seattle Mariners in 1989, when I was with the King County Sheriffs Department. At times, I was assigned to provide security at many of the sporting events held at the Kingdome. At these events, I watched an assortment of professional athletes practice their trade in Seattle. When Ken Griffey, Jr., took the field, he scaled walls, hit tape-measure home runs, and rounded the bases with a smile on his face that made spectators instant fans. His career was extraordinary, his accomplishments legendary, and his impact on baseball in the Northwest may never be equaled.