



**New Media: The Press Freedom Dimension  
Challenges and Opportunities of New Media for Press Freedom  
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**New media and freedom of the press in the Baltic States**

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To understand the relation between freedom of the press and new media in the Baltic States, we have to take a look back at recent history. The three Baltic States – Estonia, Latvia, and Lithuania, may be “new democracies”, as the title of this panel would have it. Nevertheless, their new democratic systems are just a bit older than “new media”. This chronology has had a major influence on the place of new media in the Baltic public sphere in general, and on the influence of new media on freedom of the press in particular.

The three Baltic States all regained their independence from the Soviet Union in 1991 thanks to peaceful, democratic revolutions. Freedom of speech was not only one of the major demands of the independence movements, but also the most important tool for dismantling the totalitarian Soviet system of political and social control. This experience meant that from the beginning the

governments of the newly independent countries firmly believed in maintaining freedom of speech as a fundamental right.

These convictions were reinforced by the desire to get as close to the West as possible. Joining NATO and the European Union meant, among other things, having a functioning democratic system with a free press. Freedom of speech became a fundamental element of the Baltic social and political landscape.

Thus, the nature of political change and a strong desire to conform to norms laid out, for instance, in the Copenhagen criteria for joining the EU, meant that freedom of the press was established and maintained at a high level very early on. The international human rights organization Freedom House started evaluating freedom of the press in the Baltic States in 1992, and since 1994 it has consistently rated the press in all three countries as being free. For over ten years their scores have placed them comfortably in the company of long-established democracies such as the US and Great Britain.

You will note that this took place before the internet age. As a consequence, in contrast to some other countries, in the Baltic states the internet has played no role as a medium by which to bypass restrictions imposed on other media such as the press, TV or radio.

In the meantime the internet has become a part of everyday life in Latvia, Lithuania and Estonia. Despite being small and not especially wealthy countries by EU standards, internet usage is on par with that in France or Spain and is continuing to grow rapidly. Estonia has even made a name for itself as an internet pioneer, because the well-known internet telephone service Skype is based in the Estonian capital Tallinn.

Nevertheless, the very newness of it all means that the Baltic States face certain challenges.

The first is what we might call the “Delfi effect”. Again – a little history. When the internet started to become popular in the Baltic States at the end of the nineties, one of the first web sites to attract significant traffic was an Estonian portal called Delfi. The main thing it did was simply publish articles from the wire services and let people post anonymous comments about these news stories. It was a quick and easy way to follow the headlines. Equally important, it gave people a chance to vent their frustrations, suspicions, prejudices and to spread a few rumors, all without having to answer for the consequences. This model became wildly popular and has been adopted by almost every other news portal in the Baltic states. Delfi itself soon founded sister companies in Latvia and Lithuania, and has maintained its popularity against all comers as the internet has continued to expand. In all three Baltic States it is the top news site and among the top four sites overall. To a significant degree, Delfi has defined the new media culture in all three countries.

This has not been an unqualified boon for freedom of expression. The aggressive, not to say vituperative tone of the anonymous commentators creates a great deal of heat but precious little light, with ad hominem attacks the weapon of choice for the masked Delfi warriors. As a well-know Estonian journalist recently told me, some people say that they are wary of expressing their opinion in public because they will be subject to what he calls a public stoning on the internet. Yet attempts to limit anonymous postings have raised storms of protest. The ability to express yourself without the responsibility of

attaching your name to what you say is being perceived by some people as a right.

In this context, it is significant that none of the Baltic States have developed an influential blog culture, where the virtues of the net – its informality, speed and connectedness are reinforced by the responsibility of actually signing what you write with your own name.

All of this raises important questions about the role of new media in ensuring democratic accountability. Given the small size of their markets, traditional news outlets in the Baltic States may find it even more difficult to sustain high-quality journalism on the web than is the case in other Western countries. Unfortunately, there is no obvious candidate to take their place. Because of the Baltic's size and readiness for rapid change, we may be facing these issues much sooner than larger countries with greater institutional inertia.

A second issue, almost inevitable in an environment where anonymous comments are given such free rein, is the issue of hate speech on the internet. All three Baltic States have laws forbidding hate speech and all three have pursued, tried and convicted a handful of the most egregious propagators of anti-semitism or racism on the web. Internet portals are not held legally responsible for comments posted on their sites, but all the major portals have a policy of screening these comments and expunging the ones likely to run afoul of the law. Lithuania and Estonia both passed laws last year regulating new media (in Estonia it was known as the "Delfi law"), but in neither case have the laws introduced fundamentally new principles.

If the purpose of all this has been to promote tolerance on the web, it has not succeeded. It is not at all difficult to find offensive material in the comments posted on the internet in the Baltic States. Of course, as in all cases of laws limiting freedom of expression, one has to wonder: if the governments were to promote a tougher crack-down on hate speech, might not the cure be worse than the disease. The real answer, as in so many cases, would be transparency – making the anonymous commentators come out of the shadows and take responsibility for what they say. Unfortunately, nobody has found a way to do that.

A third issue regarding new media and freedom of speech in the Baltic States is actually a one-off case, but I think it bears mentioning anyway. On Monday, September 13, 2004, the Lithuanian ambassador to Russia was summoned to the Russian foreign ministry and told that if Lithuania did not close down a Chechen separatist website [www.kavkazcenter.com](http://www.kavkazcenter.com), which was hosted on a server in a private apartment in Vilnius, the Russian government would consider this - I quote – “an openly unfriendly step by the Lithuanian government to exert a negative influence on the atmosphere of our bilateral relations”. By the end of the week the Lithuanian security police had shut the web site down.

This was neither the first nor the last time the Russian government had gone after Kavkazcenter. In 2003 it had already been evicted from Lithuania once, moved to Estonia, then bounced back to Lithuania. At the end of 2004 it shifted to Finland, but pressure by the Finnish authorities forced another move, this time to Sweden.

In May 2006, due to demands by the Russian embassy, a Swedish prosecutor impounded the servers hosting kavkazcenter. However, at this point the Swedish legal system pushed back. In September 2006, a Swedish court fined the public prosecutor's office for confiscating the servers. In October, the Swedish Chancellor of Justice, who has jurisdiction in cases regarding freedom of speech, stated with regard to kavkazcenter that - and I quote - "the content of these texts cannot, according to my opinion, be regarded as instigation to violence or racial agitation."

Last weekend in Munich Russian president Putin took great umbrage at the way in which the United States quote unquote «imposes» its system of values on other countries. The case of kavkazcenter is a vivid example of the fact that the world is not quite as unipolar as President Putin was complaining it was. It is also a cautionary tale about the way in which the internet's lack of borders can boomerang. Regimes that want to limit free speech may find it easier in some cases to shut down servers in foreign countries rather than trying to block access to them in their own.

So, to conclude. You can't have experienced the last fifteen years in the Baltic States without coming out an optimist. Against all odds, three countries the world had forgotten managed not only to regain their independence but to rapidly join two of the world's most exclusive clubs – the EU and NATO. So, in spite of the slightly cranky tone of this talk, I have to say that I love the web and I'm optimistic about the future. Nevertheless, in the Baltic states the new media in their present form have yet to prove themselves as a force for fostering democratic accountability – which is, after all, the fundamental practical argument for fostering freedom of speech. We will need

new business models, perhaps new journalistic models, for that to happen. In our countries the internet is still like a primeval forest, full of strange whoops, screeches and chatter, an unrelenting, slightly threatening sound track accompanying the events of the day. You can hear it all, but you can't see anything. The challenge is to clear a public space where all that noise can be turned into the kind of speech that serves democracy and at the same time to protect that democratic space from the authoritarian challenges that lurk in the twilight.