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**STATEMENT BY MR. ANDREY KELIN,  
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION,  
AT THE 984th MEETING OF THE OSCE PERMANENT COUNCIL**

20 February 2014

**Regarding the situation with the television channel Dozhd and  
freedom of speech in the United States of America**

Mr. Chairperson,

We should like to provide clarifications regarding the situation surrounding the television channel Dozhd, a topic that has been raised by several delegations. It appears that there is a clear lack of knowledge about the real state of affairs. First of all, the television channel Dozhd is operating as normal. This is something I was able to confirm yesterday by watching several of its programmes – which were, incidentally, fairly poor – but the channel does have its network of correspondents. It is unclear what the concern is about.

On the eve of the 70th anniversary of the end of the siege of Leningrad, Dozhd broadcast and published on its website a fairly underhanded question for its audience: would it not have been better to hand over Leningrad to fascist occupation in order to save hundreds of thousands of lives? Even though the channel later recognized that the survey was a “mistake”, the affair was, understandably, widely discussed. In our country, people are well aware of Hitler’s intent to wipe Leningrad off the face of the Earth and refuse any offer of surrender that might be made. Most Russian citizens, and particularly veterans of the siege, were offended by the very fact that the question had been asked by Dozhd. It also drew criticism from the Russian Union of Journalists. The channel was literally showered with harsh criticism.

In its legal assessment of the incident, the Prosecutor General’s Office of the Russian Federation saw no evidence of extremism in the actions of the television channel. The Russian communications regulator, Roskomnadzor, confirmed that the survey on the siege of Leningrad was a minor violation of article 49 of the Law on Media, which obliges journalists carrying out their professional duties to respect the rights and lawful interests of citizens. A warning letter to this effect was sent to the channel, but no sanctions from government bodies followed.

However, several cable television operators did take the independent decision to stop broadcasting Dozhd. From a legal perspective, this cannot be called “cutting off” the channel. The media always respond to signals emanating from large sections of the public, and these

were perfectly clear. And it is hardly relevant here to talk about “economic deals” or political “orchestration” of the actions of the channels. Once again, I reiterate that today, Dozhd continues to operate, if only my distinguished colleagues from the European Union and the United States would care to check their facts before making statements.

I should like to emphasize that this situation could serve as a useful lesson to the media as a whole, as journalists should not only be conscious of their right to freely receive and disseminate information, but should also take responsibility for their words. In this context, we welcome the apologies made by CNN management representatives for publishing offensive comments regarding the monument to the defenders of the Brest Fortress.

The case against Aksana Panova is of the same ilk. Corruption amongst journalists and their use of investigative tactics for blackmail or extortion should not only be punished, but become a subject of serious concern for OSCE participating States. Such “specialists”, if they can be described as such, blacken the name of this noble profession, casting a shadow over thousands of other media professionals for whom conscientious reporting is more than an empty phrase.

Regarding the claims made by the distinguished Ambassador of the United States of America on the broader use of Russian laws to combat extremism, it is strange to hear such concerns expressed by a country that, it turns out, has been eavesdropping on telephone conversations and other forms of communication around the world, in so doing violating the right to privacy. Their motivation for this is the same: combating extremism and terrorism.

I should also like to underscore that amendments to Russian legislation regarding extremist statements and incitement to hold unauthorized public protests provide for the temporary suspension of websites pending the decision of a court.

The most recent attempt to depict a Russian law to protect children from information that is harmful to their health as a violation of fundamental rights to freedom of expression and of assembly is bewildering. We have stated our position on this issue on several occasions. As you have raised the subject, we should like to draw your attention to what is taking place in the United States itself. On 3 February 2014 in the centre of the capital city of Idaho, 43 gay rights activists were detained for blocking the entrance to the Senate chambers. However, for some reason, this case did not provoke a vehement response in the United States in the context of violations of the aforementioned freedoms.

It is interesting to note that we hear deep concern on the topic of freedom of expression from countries where the situation in this regard could hardly be described as a model to be imitated. In the latest rating of media freedom from the international non-governmental organization Reporters Without Borders in 2013, the United States fell 13 places to number 46. Rights activists note that under the current administration, the aggressive fight against leaks poses a new threat to the First Amendment to the Constitution, which guarantees freedom of speech and free access to information. The eavesdropping on the offices of Associated Press in spring 2013 is also described as an attack on the press.

It is surprising that the United States authorities were also not concerned by the case of the FBI arresting former soldier Brandon J. Raub for his online criticism of the United States Government, and, in particular, the use of unmanned aircraft for the surveillance of United States citizens. The dismissal of Phil Robertson, star of popular

television show Duck Dynasty, by the management of the production company A&E, after he gave an interview to GQ magazine in which he expressed a negative view of homosexual relations, and described them as “sinful”, also passed without comment.

Finally, for some reason, representatives of the United States who push within the OSCE issues relating to the protection of sexual minorities – something that is not part of the Organization’s remit – stubbornly refuse to notice the discriminatory laws on same-sex love on their own territory. In Texas, Kansas, Montana and Oklahoma, homosexual activity is criminalized, not to mention the ban on homosexual men donating blood. Russia has had no such regulations for a long time now.

Of course, the topic of ensuring freedom of expression merits serious attention. However, might it not be time for us to take a fresh look at these issues, carry out serious research – first and foremost, on finding the right balance between freedom of speech and its limits – and make use of the human dimension of the OSCE to develop a discussion in this area?

Thank you for your attention.