

PC.DEL/713/12  
16 July 2012

ENGLISH  
Original: RUSSIAN

Delegation of the Russian Federation

**STATEMENT BY MR. ANDREY RUDENKO,  
DEPUTY PERMANENT REPRESENTATIVE OF THE  
RUSSIAN FEDERATION, AT THE 920th MEETING OF THE  
OSCE PERMANENT COUNCIL**

12 July 2012

**In response to concerns regarding Russian draft laws**

Mr. Chairperson,

We note our colleagues' interest in the law-making process in our country.

The Russian position on draft law No. 102766-6 on the introduction of amendments to certain legislative acts of the Russian Federation regarding the regulation of the activities of non-commercial organizations acting as foreign agents was set out in detail at the previous Permanent Council meeting. I see no reason to repeat it.

I should just like to note that at its first reading at the State Duma on 6 July, 323 deputies voted in favour of the draft law, including those from the opposition parties, the Communist Party of the Russian Federation and the Liberal Democratic Party of Russia. There were four votes against and one abstention. In other words, the initiative has the almost unanimous support of a broad spectrum of political forces.

The draft law continues to be discussed widely. The opinion of Russian civil society is taken into account even at the highest levels. As a result of a meeting on 10 July between Mr. Mikhail Fedotov, Chairman of the Presidential Council for Civil Society and Human Rights, Mr. Vladimir Lukin, Human Rights Ombudsman and Mr. Boris Titov, Commissioner for Entrepreneurs' Rights and the President of the Russian Federation, Mr. Vladimir Putin, a conclusion on the draft law was transmitted to the State Duma. This contains a proposal that the law should not apply to religious organizations and various other non-governmental organizations. Otherwise, it also stresses the need to define the concept of "political activity" more precisely.

At the same meeting, the recent initiative of the deputies of the State Duma to strengthen liability for slander was discussed. As a result, in a conclusion on draft law No. 106999-6 on amending the Criminal Code of the Russian Federation, a proposal was made to exclude punishment in the form of deprivation of liberty and forced labour. This draft law was adopted at its first reading just yesterday.

I should also like to point out that in many OSCE participating States to the west of Vienna, defamation carries extremely harsh penalties, from huge fines to prison terms. It would not be uninteresting to hear about the experience of the United States in this area. It is a known fact that there are provisions on this in the criminal code of several North American states.

The statement by our American colleagues and a recent statement by the OSCE Representative on Freedom of the Media touched on another draft law aimed at protecting children from information that could harm their health and development.

Russia accords priority to implementing an effective child protection policy and this draft law represents part of an ongoing process to improve legislation in that area. It was submitted by all four factions of the State Duma and approved at its third reading yesterday.

It aims to update the provisions of laws already in force and to increase the effectiveness of their implementation, and provides for the establishment of mechanisms to mandate the blocking of Internet pages containing information whose distribution is prohibited. This includes information on the sexual exploitation and pornographic images of minors, propaganda about narcotic substances and information inciting children to commit acts endangering their life and health.

The draft law proposes to establish a single Register. Internet resources distributing prohibited information, aside from materials subject to a fast-track process, would be included in the Register by court decision. The authority designated to manage the Register could be a non-commercial organization.

A legal basis is also being established for using the information from “black” lists (Registers) managed by bodies and organizations abroad, such as the Internet Watch Foundation (United Kingdom), the International Association of Internet Hotlines and the National Center for Missing and Exploited Children (United States).

Practice in other countries was taken into account in drafting the law. For example, in the United Kingdom, the circulation of child pornography and other inappropriate material has been restricted since 2006 through blocking access to a list of illegal sites drawn up with the participation of leading Internet service providers, mobile network operators, law enforcement bodies and the public.

The Child Sexual Abuse Anti-Distribution Filter system operates in Denmark, Finland, Italy, Malta, New Zealand, Norway, Sweden and Switzerland. This prevents Internet users from going to web addresses at which child pornography is distributed. In the countries in the system, comprehensive blocking, that is, the inability to visit sites using the same web address as sites with child pornography, is considered an advantage because it clamps down on domain name owners and hosting providers.

Legislation on the mandatory blocking of prohibited Internet resources has been extremely robust in many countries over the past few years. Specifically, Bill C-22 that came into force in Canada in December 2011, mandates communications providers, e-mail providers and other Internet market stakeholders to report the distribution of child pornography in the information and telecommunications networks to the law enforcement authorities.

The relevance of efforts in this area has been repeatedly emphasized in this setting too. An individual Madrid Ministerial Council decision was dedicated to combating the sexual exploitation of children on the Internet. We have a common duty to strengthen the system for protecting children's rights. Russia affirms its willingness to share its positive experience and best practices in this area to date with interested countries.

We should once again like to draw our colleagues' attention to the fact that any amendments to laws are the prerogative of the legislative authorities of the sovereign countries of the OSCE and any attempts to interfere in this process from the outside are counter-productive.

In conclusion, we should like to affirm that we are open to dialogue on the issue of ensuring human rights with the OSCE participating States. We also note that several of our concerns about the situation in this regard in European Union countries, including our statement of 17 May, still remain unaddressed. We hope that our partners will nevertheless provide the Permanent Council with detailed information on all the issues raised by us.

Thank you for your attention.