



United States Mission to the OSCE

Reply to Russian Federation on Response to Report by Representative on Freedom of the Media Dunja Mijatović

As delivered by Ambassador Daniel Baer
to the Permanent Council, Vienna
December 1, 2016

Thank you, Mr. Chair. Allow me to make a response to the comments just made by our distinguished Russian colleague.

First, our distinguished Russian colleague said that not a word was said about concerns about journalists in the United States. That is simply false. In fact, my statement started today in recounting an exchange that we had with the Representative on Freedom of the Media about concerns raised about journalists in the United States, about the actions of my government. Her report only includes public engagements by the Representative but I have also received other letters from her, including one about concerns about treatment of journalists at political rallies, which I responded to. We have no problem – and I think we have a pretty good track record of responding to genuine concerns about journalists in the United States, and I would point to the fact that the President of the United States has spoken compellingly and at length about the centrality of the protection of journalists and the protection of freedom of expression to our democracy, on multiple occasions.

Second, our distinguished Russian colleague accused me of aggression in my reply to him about his concerns about criticisms of Russian state media and its use of false news and propaganda. He raised concerns that Russian state media was criticized; I attempted to explain that the reason they are criticized is because Russian state media is state-controlled and uses false stories to attempt to accomplish political aims of a repressive regime. That's not specious criticism - I'm explaining the grounds of our criticism. He can disagree with it, but I wanted to explain that it wasn't random or somehow conjured out of thin air. We have a reason for our criticism, and we are not alone with that criticism.

Third, he said that I wrongly said that he had referenced the UDHR and ICCPR – let me clarify that. When our distinguished Russian colleague said that the right of persons to seek, receive, or impart information by any media was formally entrenched, I took that to be a reference to Article 19 of the UDHR or Article 19 of the ICCPR. If it was in fact not a reference, I'm sorry, it echoes so similarly that language – that was what I was referring to.

Fourth, the point made about our reservation of Article 20 – yes, we have a reservation. The United States has a very high threshold for restrictions on speech relative to other countries. And we think that over time, empirically, that approach has borne out that actually restricting speech does not achieve the laudatory aim of restricting hate. People can disagree, but there is a lot of empirical evidence that suggests that actually societies that ban speech, that ban defamation of religion, are actually more intolerant, and have more social hostility, than societies that have very high thresholds for restrictions on speech. And we continue to think that that approach is the right one.

And fifth, our distinguished Russian colleague said that we and others are saying that all information from abroad is disinformation. That is not the case. There is some disinformation from abroad that has been aimed at accomplishing political objectives for the Russian state, for example. But not all information that comes out of Russia is disinformation. Not all information that is on Russia Today is disinformation. A lot of it is, but not all of it. And so we have concerns about specific content that is knowingly falsified for a political objective, and that's the concerns that we raise.

Thank you, Mr. Chair.

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