



## United States Mission to the OSCE

# Reply to the Russian Federation on Media Freedom in the U.S.

As delivered by Chargé d'Affaires Carol Fuller  
to the Permanent Council, Vienna  
February 4, 2010

In response to the Russian Federation, the United States does not believe that raising concerns in the Permanent Council under Current Issues is inappropriate or meant for any political end. On the contrary, we believe it is not only an appropriate form of conflict prevention - as has been mentioned previously in our Corfu discussions - but an obligation, a commitment on all of our parts under the Helsinki Final Act. The Permanent Council, and particularly this topic of Current Issues, exists for peer review and dialogue.

With respect to the question of evenhandedness raised by the Russian Federation, the real answer is for each participating State to fulfill our media freedom commitment equally. When that is the reality, individual participating States will have no more cause to feel singled out, either by the Representative on Freedom of the Media, Mr. Haraszi's office, or by other international watchdogs like the Committee to Protect Journalist, Reporters Without Borders and Freedom House.

Mr. Chairman, as President Obama has said, we are trying to reset our relationship with the Russian Federation and we are actively seeking out areas of agreement. In that respect, I might note that our two governments appear very close to completing a new START agreement. But, we also recognize areas where we will continue to disagree, and we will not shy away from confronting those differences in an open and forthright manner. We are not afraid of criticism by our partners. As we advance our relations with Russia, we will not abandon our principles or ignore concerns about democracy and human rights. We are willing to listen to any concern of criticism that might be made about our government during Current Issues.

My Russian colleague is correct in stating that there are "no ideal states." I would note, however, that if the United States is number 44 in the world on freedom of the press, the Russian Federation is 148th. And I would note specifically the comment that has been made by the very report he cited that "Russia continues to be one of the deadliest countries for journalist."

In our statement on Freedom of the Media in the OSCE Region, we emphasized the fact that grave threats are gathering in the OSCE area, impacting on the universal right to freedom of expression. I note that in none of the incidents cited by Ambassador Azimov did he allege that: violence was perpetrated against journalists in the United States with impunity; that journalists were killed and investigations were not conducted; that overly harsh prison sentences or outrageously punitive fines were imposed; or that the U.S. Government

demonstrated outright hostility towards the exercise of freedom of speech—i.e., all of the items that I referred to as areas of concern in our observations on the previous agenda item.

With regard to the extremely rare cases in the United States where a reporter has been jailed, it is not for the content of their reporting, but for failing to comply with a subpoena in a criminal investigation – the rule of law prevails. The U.S. Supreme Court has held that in such cases, reporters enjoy no privileges that exempt them from having to provide testimony before a grand jury. Nonetheless, the Administration supports passage of a federal media shield law provided it does not undermine the government’s ability to enforce the law and protect national security.

Mr. Chairman, we would like to respond fully to the specific cases cited by Ambassador Azimov, and we will be glad to do so in writing to save time--as you would like us to be increasingly short and brief in our statements in the Permanent Council sessions. We are, of course, also willing to discuss any cases informally and in human dimension review events. We do so in the hope that we can count on the Russian Federation’s continuing commitment to fruitful conversation on media freedom – not just the Russian Federation, but all 56 of us – whether the cases under discussion be those in the United States, or Russia itself.

Thank you, Mr. Chairman.