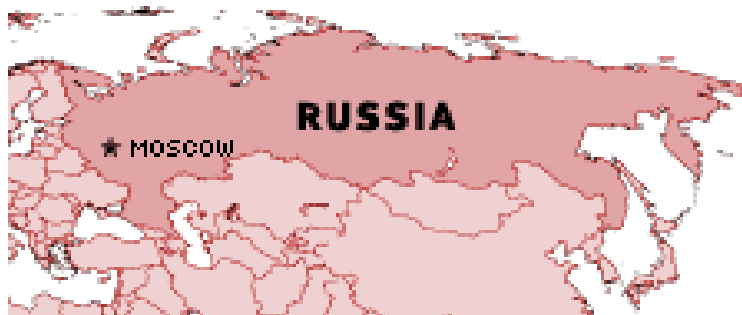


European Master's Degree in Human Rights and Democratisation

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Media freedom issues in Russia's relations with the United Nations

-Reflections on double standards-



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*I wish to thank my dear **parents**, **Alice** and **Gelu Preda**, with deep respect and all my love, for their permanent and unconditioned support, that were essential in overcoming difficult moments and in reaching this point in my life.*

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ABSTRACT:

The present thesis examines how effectively post-Soviet Russia has developed independent media and to what extent this process has been supported by the United Nations (UN). The author chose the UN as case study, because it is the only high-profile organisation with world-wide membership and global agenda, that aims at promoting and maintaining values of democracy and peace, and thus, it theoretically has the capacity of setting the trend on specific issues in international politics.

The key-question addressed in this research is: *What are the reactions, the very source of influence and media freedom promotion policies of the United Nations in its current relations with Russia?* The assessment of the UN reactions makes references to positive incentives or, on the contrary, to the sanctions, applied (or not) by the organization in its relations with the Moscow authorities.

The thesis also argues that, by not exposing and condemning periodically media freedom violations in Russia, the UN is susceptible of having used *double-standards*. The research brings evidence in supporting this hypothesis and it shows that the UN language is used differently for the same kind of violations, depending on the importance of each member state on the strategic map of the world. The UN has thoroughly condemned several countries considered non-strategic for the same kind of abuses for which, in the case of Russia for example it has simply conveyed warning signals.

In conclusion, the research asserts that media freedom development and, consequently, the democracy-building process in Russia, can really be supported through a more critical dialogue by the United Nations. This approach could be also taken as example by other international intergovernmental organisations.

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INTRODUCTION:

- a. *Purpose and problem*
- b. *Methodological discussion and material*
- c. *Structure of the thesis*

a. Purpose and problem:

Freedom of expression and *independent journalism* are the bed-rock of democracy. The fact that without them it is impossible to guarantee respect for pluralism and human rights has been officially acknowledged throughout the world.

Within the last years, after the collapse of the Soviet Union (USSR) in 1991, *the process of transition to democracy of former communist countries* has consequently involved more than attempts to introduce democratic elections, pluralism or free market mechanisms. One of the basic elements to the effective functioning of these economic and political reforms has been the **media** because its independence (or lack of independence) has provided a test for the quality of democracy and the rule of law, but also for the measurement of the respect for human values.

In **Russia**¹, after the fall of communism, respect for media freedom (and generally for human rights) has come a long way, some say. Others argue that they are still flouted, and that the return of unbridled market forces around the biggest country in the world threatens the strides made in the past half-century. Progress here, setbacks there, new demands everywhere.

The **present thesis** examines how effectively post-Soviet Russia has developed independent media and to what extent this process has received support from the international community, more specifically from the United Nations. The author considers UN representative, as it is the only high-profile intergovernmental organisation, with world-wide membership and global agenda, that aims at promoting and maintaining values of democracy and peace².

¹ Russia = The Russian Federation

²According to Nigel Dower the other two fully international organisations are International Monetary Fund –IMF- maintaining international monetary stability and the World Bank – WB-, aiming at promoting economic development - *Source*: N.Dower, World Ethics. The New Agenda, Edinburgh, Edinburgh University Press, 1998, pp.179-180.

The overall **aim** of the thesis is to increase the understanding of the importance of press freedom and of independent media development for the system of international relations, in general.

The key-question addressed in this research is: *What are the reactions, the very source of influence and media freedom promotion policies of the United Nations in its relations with Russia?* The thesis argues that these are too limited in number and appear to be not entirely reliable, as they lack a satisfactory level of consistency and have proved to be almost ineffective in terms of results.

The conclusion of the research is that media freedom development and, consequently, the democracy building process in Russia, can really be supported through a more critical dialogue by the United Nations. This approach could put pressure on the Moscow authorities to abide by their international obligations and really protect media freedom and, consequently, human rights in general.

The methodology of UN reactions' assessment is detailed further in the second part of the *Introduction*.

Due to the limited space and time for research, **delimitations** have to be made in the scope of the present study and, consequently, no claim to exhaustiveness is made. Still, in an attempt to make a contribution to the debate on media, human rights and international relations, the thesis aims to add relevant contextual data and qualifications.

As it has been already emphasized, **the choice of the UN** as case-study was pre-conditioned by its relevance for the present discussion. Different roles of other important actors in the field (such as regional organizations like the Council of Europe, the Organisation of Security and Cooperation in Europe, the European Union, international NGOs, international financial institutions or state actors) can also be discussed to a greater length than it was done in this case. Furthermore, **Russia** was chosen as subject for investigation because its role has always been essential within the international system and it has offered a characteristic example of the sometimes politically-driven approaches of intergovernmental organizations towards the main international state-actors³. Thus, the thesis argues that the United Nations is susceptible of having used *double-standards*⁴, because, in the case of Russia, unlike with other member states, it hasn't exposed and condemned periodically media freedom violations. The research brings evidence in supporting this hypothesis and it shows that the UN language is used differently for the same kind of violations, depending on the importance of each member state on the strategic map of the world (in terms of size, resources and political power). The UN has thoroughly condemned several countries considered non-strategic, for the same kind of abuses for which, in the case of Russia, it has simply conveyed warning

³ Further researches could focus on the roles of other political, nuclear and geographical powers, such as China or the United States.

⁴ A modulated assessment of how basic human rights are respected in different countries.

signals. This is because, despite its poor governance and backward economy, Russia continues to be a great power in terms of *politics, resources* and last, but not least, *geography*.

Lastly, the **situation of the media in Russia** was chosen as it represents one of the most relevant indicators for the quality of the Russian fragile democracy and, consequently, for the measurement of the respect for human rights in general, within this society.

b. Methodological discussion and material:

In answering the research question the thesis goes through four steps.

Firstly, it defines the concepts of “*media independence / freedom*” and “*double standards*” in international relations, that constitute the normative basis of the thesis.

Secondly, the work goes on with concise descriptions of the legal and historical frameworks of the Russian media development, of Moscow’s foreign policy on human rights in general (with a special focus on press freedom issues) and of the UN-Russia relations. These represent the empirical basis for the analysis.

Thirdly, the research sets the methodological background for the assessment of the United Nations reactions towards Russia, through justifying case selection. In doing so, the concept of “*incentives*” is being used together with a matrix comparing their consistency/ effectiveness/ reliability. The assessment patterns were derived intuitively, on the basis of several texts on comparative analysis, as well as relevant discussions with the professor supervising the thesis and interviews with representatives of intergovernmental organizations. From the theoretical point of view, by structure of *incentives*, the author understands the complex of international measures aimed at encouraging a specific state to democratise, in order to ensure and strengthen human rights, *including right to freedom of expression and consequently media freedom*.

Finally, all this information is put to work in order to answer the research question.

As for the selected literature used in the study, it was taken from both general theories of international politics and media studies, as well as from official Russian documents (such as *legislation*) and from UN publications.

Newspaper articles, country-studies and overviews on Russia and media freedom, produced by international non-governmental organisations have also been used. Among these, there are reports from: *Article 19, Human Rights Watch, Amnesty International - “Russia” Campaign, Center for Protection of Journalists, Reporters without Borders, International Journalists’ Network,*

European Journalism Center, Freedom House, BBC News, Radio Free Europe /Radio Liberty, Russian-language mass media, the Russian NGO -Glasnost Defense Foundation-, etc...

The research material was assembled through the above-mentioned literature, as well as personal contacts with UN representatives and study-visits to the UNHCHR headquarters in Geneva, and to different institutions based in the Russian capital, Moscow.

c. Structure:

The thesis is organised into four main parts. The purpose and aim of the study, as well as the research-question, are emphasized in the “*Introduction*”.

The first chapter – “*Definition of Concepts: Media Freedom & Media Independence, Double standards*”- addresses the problems of definition of double standards procedures in international relations and distinguishes between close terms as “*independence*” and “*freedom*” in the media, laying the theoretical grounds for discussion.

The second chapter, “*The struggle for media freedom in Russia*“ explores the historical and legal circumstances under which Russian media function, as depicted by domestic and international human rights non-governmental groups.

In the following chapter the emphasis shifts to the role of the international community. More specifically, the research focuses on the role of the UN, the leading high-profile international intergovernmental organization, in encouraging the development of free and independent media in post-Soviet Russia. Entitled “*UN Support for independent media development in Russia*“, the chapter firstly presents a historical overview of Russia’s relations with the UN. Furthermore, it exposes the current international intergovernmental responses to media freedom violations in Russia. Also, the chapter proposes an assessment of these reactions, using as reference terms for the analysis of the levels of consistency, effectiveness and reliability of UN’s incentives.

A *conclusion*, that includes the author’s own reflections rounds off the discussion in the fourth chapter.

The last part of the thesis includes an *annex* and the *bibliography*.

DEFINITION OF CONCEPTS

-Chapter 1-

1.1. *Press freedom as a crucial aspect of the right to freedom of expression*

1.2. *“Freedom” and “Independence” in the media*

1.2.1. *Media Freedom*

1.2.2. *Media Independence*

1.3. *Media Freedom in International Politics. “Double Standards” & the Russian case*

1.4. *Some concluding remarks*

The following chapter of the thesis lays the theoretical grounds for discussion, by addressing the problems of definition of the theory of *double standards* in international politics and the importance of *press freedom* for human rights. Also, the chapter distinguishes between close terms, such as *“independence”* and *“freedom”* in the media, and it drafts a list of potential media restraints, whose *“applicability”* is exemplified by the case of Russia.

1.1. Press freedom as a crucial aspect of the right to freedom of expression:

The *sine qua non* of a democratic society is the freedom of expression, as it is considered one of the most important political rights of citizens. *Press freedom* represents a crucial aspect of the right to freedom of expression, because without free speech and free media no democratic political action is possible. Furthermore, no resistance to injustice and oppression is possible. As history has shown so far, policies of contestants become known to the public opinion only by virtue of free speech and free media. Without these freedoms it is futile to expect political freedom and, consequently, economic freedom.

In order to describe all of the above, it is firstly necessary to explain *what* the international standards in the field are and *how* the different legal documents define the right to freedom of expression and its consequent link with the media.

Freedom of opinion and expression is closely linked with the freedom to seek, receive and impart information, with media freedom⁵. It is proclaimed in the *Universal Declaration of*

⁵ For more see: J.Symonides and V.Volodin, *A Guide to Human Rights: Institutions, Standards, Procedures*, UNESCO, 2001, Paris.

*Human Rights (UDHR)*⁶ from 1948. Also, the *International Covenant on Civil and Political Rights (ICCPR)* from 1966⁷ guarantees this freedom. Similar provisions are contained in major regional human rights instruments. The regional instruments that formulate the rights to seek, receive and impart information are the *European Convention for the Protection of Human Rights and of Fundamental Freedoms* of the Council of Europe (*ECHR*)⁸, the *European Charter of Fundamental Rights* of the European Union⁹, the *American Convention on Human Rights*¹⁰ and the *African Charter of Human and Peoples' Rights*¹¹. Among other relevant documents, one should also mention UNESCO's *Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights, and to Countering Racism, Apartheid and Incitement to War*¹² and the UN Human Rights Committee's *General Comment (GC) on Article 19 of the ICCPR*¹³.

The European idea about the freedom of expression is depicted, in general terms, by the ECHR of 1950 and by the jurisprudence of the *European Court of Human Rights* of the Council of Europe. As stated in the Convention¹⁴, the above right should be assured for any person and its “*ratione materiae*” refers to both opinions and ideas. It imposes the obligations to the states to abstain from any interference, as it is the public's right to seek information. There are, though, some restrictions, having mainly to do with reasons of national security, public order or public morals. Other than the negative obligations (not to interfere), states have also positive obligations to protect the freedom of expression. This mainly means that access to government information should not be denied and that the media should be protected, in order for pluralism to be ensured.

Trying to apply these principles, the European Court of Human Rights has faced different situations related to them¹⁵. Some of them had to do with the political speech and the debate on questions of public interest, as well as with the limit of expression by persons in a special

⁶ Article 19 of the UDHR states: “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers”.

⁷ Article 19 of the ICCPR states: “Everyone shall have the right to hold opinions without interference (paragraph 1); Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice (paragraph 2) and the exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: (a) For respect of the rights or reputations of others, (b) For the protection of national security or of public order (ordre public), or of public health or morals”.

⁸ ECHR, Article 10.

⁹ European Charter of Fundamental Rights, Article 11, Official Journal of the European Communities, 2000/c 364/01, 18.12.2000/C364/01.

¹⁰ The American Convention on Human Rights, Article 13.

¹¹ The African Charter of Human and Peoples' Rights, Article 9.

¹² Proclaimed by the General Conference of the UNESCO at its 20th session in Paris, on November, 28, 1978.

¹³ GC 10 (19) (Article 19), adopted by the Committee at the 46-st meeting on July, 27, 1983.

¹⁴ Article 10 of the ECHR states: “Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises (paragraph 1); The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary (paragraph 2)”; November, 4, 1950 (as amended by Protocol No. 11).

¹⁵ For more see: C.Ovey and R.White, *Third Edition of Jacobs and White - The European Convention on Human Rights*, Oxford University Press, 2002, pp.274-289; *Case Law Concerning Article 10 of the ECHR*, Council of Europe Publishing, 2001, F-67075, Strasbourg Cedex

authority, such as teachers or policemen. The freedom of expression also concerns obscene or blasphemous expressions, mainly in the form of art. Commercial speech and, finally, racist or intolerant speech are also some aspects of the right under examination, faced by the European Court. But, the case which is most closely related to the right to freedom of expression is the *freedom of the press*.

1.2. “Freedom” and “Independence” in the media:

As journalists themselves have many times acknowledged, it is difficult to objectively assess media freedom, because there are two conditions that should be taken into consideration at the same time.

On the one hand, as a structural condition, press freedom calls for the absence of a legally imposed censorship or licensing mechanism.

Secondly, as an operating condition, it calls for independence from the main kinds of constraint and pressure, encountered in public life, in terms of structure and conduct. The following paragraph explores the definitions of these two concepts.

1.2.1. Media Freedom:

Throughout the years, different emphasises have been placed on press freedom in different societies, depending mainly on the political regimes in power.

On the one hand, in Western democracies¹⁶, the emphasis has been mainly placed on freedom of information. Furthermore, according to the libertarian theory, media freedom has become identified with property rights, that safeguard as much diversity as exists and is expressed¹⁷. This liberal model of the press has also emphasized market competition and the right for private property of the media as the most important preconditions of press freedom. According to the one of the main media moguls in the world, Rupert Murdoch, "*market competition is the key condition of press and broadcasting freedom, understood as freedom from state interference, as the right of individuals to communicate their opinions without external restrictions*"¹⁸. Also, Western democracies emphasized the free performance as a communication principle, defined in the First

¹⁶J.H.Altschull, *Agents of Power: The Media and Public Policy*, NY: Longman, 1995, p. 435.

¹⁷D.McQuail, *Mass Communication Theory*, London, SAGE Publications, 1987.

¹⁸J.Keane, *The Media and Democracy*, Cambridge: Polity Press, 1991.

Amendment to the US Constitution, in terms of an unrestricted right to publish without prior permission or licence and without reprisal¹⁹.

On the other hand, in the socialist countries, there is another opinion about the nature of media freedom. This was firstly expressed by the creator of the former Soviet Union, V.I. Lenin²⁰, according to whom only when the opinions of all citizens may be freely published there can be genuine freedom of the press. But this has proved to be only theory, for, in reality, the repressive Communist regime created by Lenin allowed only the opinions that were not critical of the government to be published²¹.

In summary, as J.H.Altschull noted²², in Western democracies ("*market nations*"), a free media doesn't serve power and journalists are free of outside restrictive control (such as financial or political constraints). As a result, media cannot be manipulated. Also, no national official policy is needed in order to ensure the freedom of the press. Meanwhile, in the socialist word, the media policy is different. Theoretically, anybody has the right to publish his / her opinion, because nobody has absolute monopoly of the media. But, in reality, the leaders of these nations impose censorship upon the media because they consider that a national press policy is required in order to guarantee the correctness of the news or of the articles, in terms of accuracy of the conveyed message.

DIFFERENT POLICIES ON THE MEDIA	
<i>- Source: J.H.Altschull, "Agents of Power: The Media and Public Policy"²³ -</i>	
Western democracies	Socialist countries
Journalists are free of outside control.	Officially, all opinions are published, not only those of the rich / powerful.
A free press doesn't serve power; Also, it cannot be manipulated by it.	A free press is required to counter oppression of legitimate communities.
No national press policy is needed to ensure a free press.	A national press policy is required to guarantee that a free press takes the "correct" form.

As for the evaluation of the level of press freedom in a specific country, together with the emphasises placed on the media by different political regimes, there are also other specific criteria, that should be taken into consideration. They regard directly the different potential

¹⁹In its 1st amendment, *Freedom of Religion, Press, Expression*, the US Constitution states: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances".

²⁰Vladimir Ilich Lenin (1870-1924), a Russian revolutionary and political theoretician, who was the leader of the radical socialist Bolshevik Party, (later renamed the Communist Party) and created the former Soviet Union.

²¹ For more see: *Le testimonianze del Tribunale Sacharov dei diritti del uomo nel Unione Sovietica (The testimonies of the Sacharov Tribunal on human rights issues in the Soviet Union)*, The International Sahcarov Hearing, Copenhagen, Cooperativa Editoriale La Casa di Matrino, Milano, 1975.

²² J.H.Altschull , Op.Cit.

²³ J.H.Altschull , Op.Cit.

beneficiaries. According to J. Alschull, "for owners, it [press freedom] means property rights in the means of communication production; for editors and staff, it means professional autonomy and freedom to select, write and produce; for voices in society, it means the possibilities of access or adequate representation to the wider society; for audiences, freedom stands for wide choice of all kinds."²⁴. As Freedom House observers have noted, one could evaluate the media freedom in a specific country only by taking all the above mentioned criteria into account²⁵.

The *media restraints* usually considered in the monitoring reports of international human rights organisations²⁶ are mainly of *political nature* (political pressures, controls and violence that influence press content). Also, restraints of legislative and economical nature are taken into consideration (laws and regulations or economic influence and controls that influence media content). Depending on the specific numbers of these media restraints, countries are labelled as free or not. For instance, the Freedom House press ratings are: "not free" (for 61 to 100 restraints); "partly free" (for 31 to 60 restraints); "free" (for 30 to 0 restraints). In the latest survey of this organisation, Russian media developments are considered "partly free", because there are 60 registered restraints upon the media²⁷:

EVALUATION OF MEDIA FREEDOM IN RUSSIA– 2002	
<i>- Source: Freedom House, Annual Press Freedom Survey 2002-</i>	
Laws / Regulations that influence media content	13
Political pressures / Controls / Violence that influence press content	30
Economic influence / Controls that influence content	17
<i>Total</i>	<i>60 = Partly Free</i>

As the above chart shows, in summary, one could reasonably draw the conclusion that the guaranty to practice media freedom is generally considered in terms of its political and economic independence, because it is through independence that the press gets enough autonomy from both politics and market constraints.

The following paragraph explains how exactly media freedom relates to the concept of media independence.

1.2.2. Media Independence:

Independence is understood as a pre-condition of media's "watchdog" exercise of public vigilance in relation to those with most power (especially government and big business).

²⁴ J.H.Alschull , Op.Cit.

²⁵ Source: Freedom House, www.freedomhouse.org.

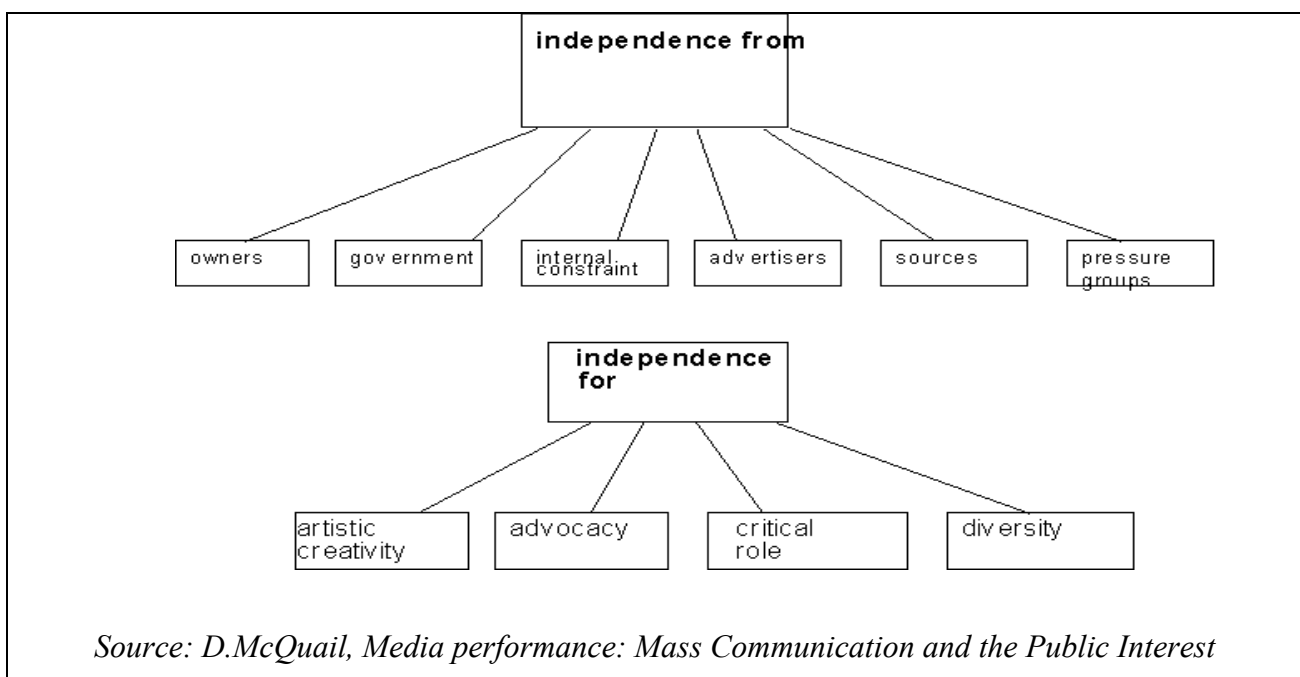
²⁶ Freedom Houses, Human Rights Watch, International Journalists' Network, Article 19, etc.

²⁷ Annual Press Freedom Survey 2002, Freedom House.

According to Dennis McQuail, there are several forms of media independence, the emphasis being on the need “to maintain an essential autonomy and freedom of action so that the credibility and good faith of the media as well as personal integrity can be sustained”²⁸.

The prime form of media independence is considered the independence “from” owners/chains, government, internal constraint, advertisers, sources, pressure groups.

Secondly, there comes independent media performance “for” artistic creativity, advocacy, critical role and diversity. Also, one of the most important requirements is that media should deliver “on the promise to stand up for the interests of citizens, in the face of the inevitable pressures, especially those which come from government or from big business.”²⁹



A synthesis of the main conditions for the media to be independent can be summarised as follows.

First of all, the *media relations with the government* should be based on the laws and administrative decisions, not influencing the structure and content of the media.

Secondly, *political conditions of influence* are considered because it is the holders of power who really shape public opinion by using the media as their agents. *Freedom House* observers for example consider fundamental the question of political influence because, as the word is power, history has many times shown that political power has tried to manage the wording in the

²⁸ D.McQuail, *Media performance: Mass Communication and the Public Interest*, London: SAGE Publications, 1992, pp.110.

²⁹ D.McQuail, Op.Cit.

news, even in the most democratic nations³⁰. In an ideal free press, media has to be above politics in order “*to present information impartially, without taking sides.*”³¹

Thirdly, the media should be *economically independent*. Although the need for the political independence of the media is great and even bigger than the search for economic efficiency, the level of material development constrains possible political freedom. But, as it happens in many former communist countries, including Russia, it is very difficult for journalists to be poor and independent at the same time.

Economic influence may result from governmental control of technical facilities, official advertising or from pressures on media content from market competition in the private sector. *On the one hand*, with regard to government control - the implementation of market mechanisms does not guarantee the independence of the press from the state authorities, because often the new economic laws are little more than a camouflage for indirect state interventions and restrictions. *On the other hand*, with regard to private companies - under the conditions of underdeveloped market mechanisms (as in the case of Russia), the media is dependent on the limited number of rich companies advertising their products. Even though many of these private corporations jeopardise a genuine plurality of the public sphere by promoting their own interests rather than the public interest, they are many times defended as guarantors of free expression. Especially in the new democracies, “*economic monopolies may turn easily into political ones, as political monopolies normally imply economic ones*”.³²

Fourthly, media independence should not be violated by *oppression* exhibited in any forms (killing or physically abusing journalists; censoring their products; interfering with news production or distribution). Currently, more than 80 different kinds of pressure on journalists are reported annually by the Freedom House³³. They are mostly from governments and aim to influence or control the content of news and information.

To conclude, it can be said that media independence is related to the willingness of the authorities to allow it, to an independent judiciary to safeguard it, to the economic conditions for achieving it, to the interests of the public in it, and to the commitment and professionalism of the journalists themselves.

The practical implications of these conditions, influencing independent media development in Russia, but also the approach of the United Nations towards this issue are studied in the following chapters.

³⁰ Source: Freedom House, www.freedomhouse.org.

³¹ J.H. Altschull, Op.Cit.

³² S.Splichal, *From State Control to Commodification: Media Democratisation in East and Central Europe*, in F.Corcoran, P.Preston (Eds.), *Democracy and Communication in the New Europe: Change and Continuity in East and West*, Cresskill: Hampton Press Inc, 1995, pp. 51-67.

³³ Source: Freedom House, www.freedomhouse.org.

1.3. Media Freedom and International Politics. Double Standards & the Russian case:

Considering what has been presented, it should be acknowledged that it is extremely difficult to objectively assess media freedom, because there are several conditions that should be taken into consideration at the same time.

The present paragraph argues that the international community proves as well to have a difficulty in correctly assessing media freedom. At least this is what one could say seeing the selective, double-standards-like condemnations of the media freedom abuses registered throughout the world, articulated by the international community. Guy Haarscher actually noted that, even for a democratic state, where the exercise of power is theoretically checked by the rule of law and civil liberties, it is difficult to reconcile on the one hand national egoism, geopolitical, military and economic strategies, the legitimate interests of its citizens, and, on the other hand, the intransigent defence of human rights everywhere in the world³⁴.

As states are immersed in the world of force relationships, one could also say that, consequently, the actions of *intergovernmental organisations*, formed by states, are dependent on the good will of their members – the governments. Although their mandate is that of strictly fighting to defend human dignity and promote human rights worldwide, at times, international intergovernmental organizations prove difficulty in objectively assessing press independence and, thus, they apply double standards, by sanctioning media freedom violations (and furthermore other human rights abuses), depending on the strategic interest of the major powers that are their members.

The author of the thesis argues that this is also the case of the *United Nations*, because, as the leading intergovernmental organisation, with world-wide membership and global agenda, that aims at maintaining international peace and democratic values³⁵, it sets the trend in international politics.

But what is exactly a *double standard*? According to the *New Cambridge Advanced Learner's Dictionary*, it represents a rule or standard of good behavior which, unfairly, some people are expected to follow or achieve but other people are not. Also, a government is being accused of (having) double standards in the way that it is so tough on law and order yet allows its own officials to escape prosecution for fraud.³⁶

³⁴ G.Haarscher, *Can Human Rights Be Contextualized*, paper presented at the 10th Annual Conference *The Individual vs. the State*, Central European University, Budapest, 14-16 June 2002, p.8.

³⁵ N.Dower, Op.Cit.

³⁶ *New Cambridge Advanced Learner's Dictionary*.

This is also the way media generally explains the issue of double standards in international politics.

As BBC reports, one of the most recent accuse of double standards came from the leader of Turkey's governing party, that attacked the European Union for applying double standards in its judgements about which countries might join the EU and when³⁷. Recep Tayyip Erdogan singled out Latvia's poor human rights record and said that the problem of the EU was not Turkey's human rights record, but the fact that it was an overwhelming Muslim society.

In the *theory of international relations* the term of double standards has not been established as a concept yet, although the researchers' interest for the issue has been growing gradually throughout the past years. The problems of its definition in these studies, but also its effects on human rights, more specifically on one of the application of the right to freedom of expression, media freedom can be summarized as follows.

David Easton could be considered one of the pioneers in the field, because he laid down the principles related to double standards. Easton placed related concepts (the so-called "rules of the game") within the general levels of the political system (office holders, regime, rules of the game, norms) and the domain or population subject to the system, in order to identify a set of political behaviors and an analytic theory that would help explain this "behavioral reality". His quest is for a general framework to describe politics at a sufficiently high level of abstractions, that encompass all of what politics is and affects, but also all of what it affects.³⁸ As for the difference between the "norms" and "the rules of the game", for Easton, the rules of the game announce the reality, while the norms set its boundaries³⁹. The rules of the game often contradict the juridical norms. In his view, political systems constitute life process and thus a self regulating system. He rejects equilibrium and sees the political system always in flux (never achieving equilibrium). In Easton's view, the political system is an open system, always responding to its environment. Also, he rejects the idea that different systems must be created for national and international politics and he seeks a unified theory of politics. It is here that it comes more into light the principles of the "rules of the game", considered as preceding the one of "double standards" in international relations theory.

In trying to apply universally the schemes related to all political activities and systems, *Adam Roberts* noted that one of the leading examples of double standards in international politics is the difference between the UN's *forthright condemnation* of Iraq⁴⁰ and its *disapproval* of Israel⁴¹: "*The comparison that is frequently made between Iraq's response to the resolutions relating to*

³⁷ *Turkey attacks EU double standards*, BBC report, December 9, 2002.

³⁸ Easton, D., *A reassessment of the Concept of political support*, in "British Journal of Political Science", vol. 5, 1975, pp.435-57.

³⁹ Easton, D., *The Political System: An Inquiry into the State of Political Science*, 1953: Alfred A. Knopf, N.Y.; 2nd ed. 1971, 1981.

⁴⁰ Resolution 1441 on Iraq adopted by the UN Security Council during its 4644th meeting, on November, 8, 2002.

⁴¹ *Source*: UN News Centre; www.un.org/apps/news/region.asp?Region=MIDDLE+EAST.

disarmament and Israel's responses to the resolutions about occupation of the West Bank and Gaza is a facile comparison"⁴².

Malcolm Chalmers pointed out that UN resolutions reflect, in general, political relationships between permanent members of the Security Council⁴³ and their allies. "*The way the Security Council works from the beginning is governed by its composition*"⁴⁴, he added.

In his turn, Guy Haarscher argued that several endemic and sometimes trivialized human rights abuses have always been known by all the specialized international organizations but "*they were tolerated by trying to make the situation evolve here and there*"⁴⁵. He added that, sometimes, progress in certain human rights was a consequence (but not necessarily an aim) of an international action, like the NATO intervention in Bosnia from 1994. In these particular cases, the protection of human rights was supplemented by other, geo-strategic or economic motives, linked to the particular interests of the intervening states.

But if some human rights violations generate attention and reactions from the part of the international community (including intergovernmental organisations) while others, are simply forgotten, sometimes in a quite deliberate, political way, one could say this is the proof that human rights are many times an excuse for hiding goals related to *real-politik*⁴⁶ and the geo-strategic interests of the great powers. Moreover, considering human rights only from the strategic perspective of the political (or military) leaders is a perverted view for it ipso facto aggravates the already blatant situation of human rights in a specific country⁴⁷.

This is valid for the whole range of human rights, including the right of people to information, to *freedom of speech* and, consequently, *media freedom* (which is in fact one of the essential indicators of the quality of democracy, rule of law and of the level of protection and respect for all other human rights in a given country).

As its role is essential within the international system, **Russia** offers a characteristic example of the sometimes politically - driven approaches of the international community, more specifically of intergovernmental organizations, towards the main international state-actors⁴⁸. Theoretically, the democratisation process of the country, after the dissolution of the Soviet Union, sets limits to the restrictions of human rights that could be imposed by the government. Still, the actual response of the international community (*including the United Nations*) to several human rights violations in

⁴²A.Roberts, professor at Oxford University, in *US Accused of Double Standards at UN*, in "The Guardian" newspaper (UK), September, 12, 2002.

⁴³ The UN Security Council has 15 members (5 permanent members -US, United Kingdom, France, Russia, China- and 10 elected by the UN General Assembly for two-year terms).

⁴⁴M.Chalmers, professor at Bradford University, in *US Accused of Double Standards at UN*, in "The Guardian" newspaper (UK), Op.Cit.

⁴⁵ G.Haarscher, Op.Cit.

⁴⁶ *Real-politik* = practical politics, decided more by the immediate needs of the country, political party, etc., than by morals or principles; Source: *The New Cambridge Advanced Learner's Dictionary*.

⁴⁷ For instance, one of its effects of the alliance, formed after the 11th of September attacks, between the US, EU and Russia in the struggle against international terrorism is that the already cautious criticism of president Putin's war in the Caucasus will be even further silenced; Source: G.Haarscher, Op.Cit, p.11.

⁴⁸ Further researches could focus on the roles of other political, nuclear and geographical powers, such as China or the US.

Russia, such as the barbarous war waged by the Russians in Chechnya⁴⁹, has shown the boundaries of restrictions are becoming more and more relative and not particularly restrictive.

Moreover, it seems Russia can likely get away not only with the disappearances or killing of Chechen civilians each year, but also with other less politically sensitive issues such as freedom of the press, denounced systematically by human rights groups, such as Human Rights Watch or Amnesty International. As it has happened in recent years, it takes a lot of world-wide international pressures from the civil society and media coverage on press freedom violations in Russia, in order for the international community to take a firm stand on the issue.

Radio Free Europe-Radio Liberty (RFE/RL) correspondent in Moscow, *Andrei Babitsky*, is among the lucky journalists whose voice was heard and echoed internationally. It is because of the protests of the former UN High Commissioner for Human Rights Mary Robinson, the OSCE Parliamentary Assembly president Helle Degn and of other international officials, that Babitsky was released, after having been arrested in 1999 by the Russian officials, that were not content with his reporting on the Chechnya war⁵⁰. But he is one of the very few examples. Journalists in many of Russia's 89 regions suffer more and more physical attacks or harassment and sometimes they even get killed because of their work. Furthermore, as the international Committee to Protect Journalists –CPJ- reports⁵¹, perpetrators are hardly even punished in Russia, fostering a *culture of impunity* in the country, as seen in June 2002, when a court initially acquitted six suspects who had previously confessed the 1994 murder of journalist Dmitry Kholodov⁵², that wrote extensively on corruption in the Russian military. It was only widespread criticism from both journalists and human rights organizations worldwide, that on May, 28, 2003, the Military Collegium of the Supreme Court of Russia ordered their retrial⁵³.

So far, the *United Nations* (or other international intergovernmental organizations) has taken no consistent action that would periodically expose and condemn the growing media freedom violations committed by Russian law enforcement officials and also put pressure on the Russian authorities to abide by their international obligations to protect press freedom and, consequently, human rights as a whole.

Meanwhile, in the case of other countries, considered non-strategic (in terms of size, resources, political power), international organisations (*including the UN*) have generally condemned immediately the lack of respect for the most elementary liberties (such as freedom of expression and consequently media freedom). They resorted systematically to a whole panoply of

⁴⁹ Chechnya, separatist republic in the South Caucasus region of the Russian Federation, whose self-proclaimed independence from Moscow in 1991 is un-recognized by the international community.

⁵⁰ The Russian authorities then claimed to have handed him over to Chechen rebels in exchange for several Russian prisoners of war, an exchange that Babitsky has said never took place and was only staged for the cameras.

⁵¹ Committee to protect Journalists –CPJ- Report on Attacks on Journalists- 2002.

⁵² Correspondent of “Moskovsky Komsomolets” newspaper (Russia), killed in 1994, when a booby-trapped briefcase exploded in his office.

⁵³ *CPJ News Alert 2003*.

diplomatic tools, that ranged from critical dialogue to isolation and, consequently, stuck to their mandate.

One of the most recent example is the case of media freedom in Zimbabwe⁵⁴. In 2001, the UN expressed *extreme concern* about reports of death threats against five Zimbabwean journalists who had publicly denounced the repeated violations of press freedom in their country⁵⁵. Still, the fact that, in the same year, 16 journalists were killed in Russia⁵⁶ or that, on April, 3, 2001, the Media Most company independent news outlet NTV was took over by Gazprom-Media (a subsidiary of the gas monopoly Gazprom whose majority shareholder is the Russian State) was not openly condemned. The UN limited its reactions to sending a warning signal to Moscow. The Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, Abid Hussain, transmitted a communication concerning the situation of NTV, in which “*concern was raised*”⁵⁷.

Still, having in mind the words of the former UN High Commissioner for Human Rights, according to which “*language is vital in shaping reactions to a critical event*”⁵⁸, the author noticed the difference in the use of language: towards Zimbabwe, UN’s concern was “*extreme*”, but not in the case of Russia.

Furthermore, as the abuses on media freedom have continued in Russia, one could reasonably say that the Moscow officials have interpreted the UN reactions as a *carte blanche* for most of their actions.

The research thus argues that the United Nations is susceptible of having used *double-standards*⁵⁹, because, in the case of Russia, unlike with other member states, it hasn’t exposed and condemned periodically media freedom violations.

The third chapter of the thesis brings empirical evidence in supporting this hypothesis and it shows that the UN language is used differently for the same kind of violations, depending on the importance of each member state on the strategic map of the world (in terms of size, resources and political power). The author argues that this situation happens because, despite its poor governance and backward economy, Russia continues to be a great power in terms of *politics* (because of the fact that it is a member of the UN Security Council), *resources* (mainly by virtue of its nuclear weapons) and last, but not least, *geography* (the country, with its 17.1 million square KM, almost as

⁵⁴ Source: UNHCR, www.unhcr.ch/hurricane/hurricane.nsf/view01/04F4192BE94AACBAC1256AB2002F3DB3?opendocument.

⁵⁵ Press release of the Special UN Rapporteur on the right to freedom of opinion and expression, Abid Hussain, issued on August, 24, 2001.

⁵⁶ Glasnost Defence Foundation (Russia) reported in February 2001 that these 16 journalists had been killed in Russia in 2000 in the course of their work; www.gdf.ru/monitor/2001/index.shtml.

⁵⁷ *Civil and Political Rights, including the question of freedom of expression*, Report of the Special Rapporteur, E/CN.4/2002/75/Add.2, February, 25, 2002, p.70, paragraph 247.

⁵⁸ M.Robinson, *Human Rights are as important as ever*, Comment distributed by “Los Angeles Times Syndicate International”, June , 21 2002.

⁵⁹ A modulated assessment of how basic human rights are respected in different countries.

big as the US and Canada combined, stretches across 11 time zones, from the Southern Baltic coast to the Bering Strait).

1.4. Some concluding remarks:

The chapter acknowledges that fact that it is extremely difficult to objectively assess media freedom, because there are two conditions that should be taken into consideration at the same time. On the one hand, as a structural condition, press freedom calls for the absence of a legally imposed censorship or licensing mechanism. Secondly, as an operating condition, it calls for independence from the main kinds of constraint and pressure, encountered in public life, in terms of structure and conduct.

Moreover, the United Nations, as the leading international organisation, proves to have a difficulty in correctly assessing press independence and it consequently condemns selectively media freedom abuses throughout the world. In the case of countries, that count little on the strategic map of the world, the lack of respect for the most elementary liberties (such as freedom of expression and consequently media freedom) are usually sanctioned immediately by the UN. But this is not the case of great powers whose role is strategic with the international community.

Russia is considered a relevant example by the author. Relevant proofs are provided furthermore in the research. Before exploring them, the thesis sets the specific historical and legal circumstances under which Russian media functions. They are considered a necessary element for the analyses of the UN reactions towards Russia, because they have help the author reach plausible conclusions.

THE STRUGGLE FOR MEDIA FREEDOM IN RUSSIA

-Chapter 2-

2.1. Recent developments

2.2. Legal base for press freedom and accountability systems

2.3. Statistical data:

2.3.1. Print media

2.3.2. Broadcast media

2.3.3. Internet

2.4. Media freedom and Russian foreign policy on human rights:

2.4.1. Historical background

2.4.2. Current policy patterns

2.5. Some concluding remarks

While conducting research in Moscow, it didn't take much time for the author before the Russians began using anecdotes in order to explain what their country have been going through over the last decade. One anecdote currently in fashion in Moscow now provides a very useful introduction to what the present chapter discusses - *the struggle for media freedom*.

According to the story, *there are two mountain climbers ascending the high peak in the mountains. After climbing a sheer rock face for many hours up into the clouds, one of the two loses his grip on the wet rocks and falls off. His friend calls out to him: "Sasha, Sasha, can you hear me?" Sasha replies that he can. Then his friend begins the questions: "Are your legs, back or your arms broken?" "No. It's fine " comes the reply. After a while, Sasha's friend who is still clinging to the wet rock calls out in frustration: "You seem to be in better shape than I am. Why don't you just climb back up here?". To which the voice of Sasha is heard through the mists: "But I'm still falling!"*

In the author's opinion, that is how Russians feel about the enormous changes they have been going through for the last decade and more. They haven't found yet an angle of repose from which they can begin to climb. Consequently, each snapshot of any particular moment of this period of great changes often leads to sweeping and contradictory conclusions about what is going. *Nowhere is that more true than in the case of the state of media freedom in Russia*. In the present chapter, the author brings arguments in favour of this opinion, by exploring the historical and legal circumstances under which Russian press functions. Also, the chapter explores the Russian foreign policy on human rights, with a special focus on media freedom issues, as it is considered relevant for the discussion.

2.1. Recent developments:

Since the collapse of the Soviet Union, Russia has been striving to overcome the legacy of communism by creating not only a democratic political system and a market economy to replace the bureaucracy and centralism of the past, but also by strengthening the right to freedom of expression and consequently media freedom. Still, many of these proved to be an elusive goal, *especially in the case of press freedom*. On the one hand, the current Russian president, Vladimir Putin⁶⁰, has issued a series of declarations concerning his commitment to free media and to all the other freedoms that are the essence of a civil society. His statements on this issue are often pointed to as virtual guarantees for democracy. But on the other hand, during his time in the presidency over the last three years, the government that he leads has taken a series of actions which have led others to conclude that Russia might be about to return to its very troubling autocratic past. Concerns about Putin's attitude towards freedom of speech and, consequently, press freedom were especially reinforced when independent TV broadcasters critical of the authorities were forced off the air in the first two years of his presidency⁶¹.

For most of the Soviet era, the news media were under full state control. The radio and television were state monopolies and the major newspapers (such as “*Pravda*”, “*Izvestiya*”, “*Krasnaya zvezda*” and “*Komsomolskaya pravda*”) were official government organs.

The fall of the Soviet Union has brought a great deal of freedom of expression⁶². However, the national and local governments have continued to exert more and more pressure on the print and broadcast media to alter coverage of certain critical issues -such as the Chechnya conflict, the economic crisis, government policies, politicians- because many media enterprises have continued to depend on government support. The pressure has grown especially within the last three years, since Putin's appointment to the Presidential Palace, the Kremlin.

If the second term of Boris Yeltsin⁶³ as president was characterised by the intensity of the so-called media wars between competing business-political groups, the first years of the Putin administration can be characterised by the new wave of media centralisation under the guidelines and control of the Kremlin. Media industry has undergone a rapid period of state-centralization and both national and local media outlets became controlled either by the state, or by private businesses working in the state's interest.

One relevant example is the case of the state-owned nature of all leading TV channels. Moreover, the creation of the *Ministry of Press, Broadcasting and Means of Mass Communications*,

⁶⁰ Elected president of The Russian Federation after the 2000 general elections.

⁶¹ The Russian president said this was business, not politics; *Source: Court upholds liquidation of independent Russian TV station*, IJNet, January 17, 2002.

⁶² Article 29 of the 1993 Russian Constitution provides for freedom of speech and of the press.

⁶³ The first president of the Russian Federation after the fall of the Soviet Union, USSR.

as well as the *All-Russia State Television and Radio Company (VGTRK)*, as an umbrella for regional stations seems to have created a single information flow all over the country. On the one hand, VGTRK symbolises the return of state control to the entire network of the country's television and radio channels. On the other hand, the ministry, directly accountable to the president, is the supervisor of both public and private media outlets in the country. The press minister, Mikhail Lesin, was famous for his statement that the Russian state should be protected from the media⁶⁴. The most debated form of *press accountability* before the ministry (and consequently the state as a whole) is the licensing of the media activities. Due to the limited number of television and radio frequencies and to the great competition for them, each media outlet is licensed to broadcast on a certain frequency for a specific period of time. When this period passes, a new competition can be opened. Media outlets can also be banned from broadcasting due to violations of laws or certain restrictions and measures⁶⁵.

International media watchdogs have also noted that both government officials and businessmen have used lawsuits, financial pressures, accreditation restrictions, and physical threats to limit the freedom of the press. *Glasnost Defence Foundation* reports that the Russian government is able to exert especially financial pressures over independent media outlets, because about 90 percent of print media organizations relies on state-owned organizations for paper, printing, and distribution⁶⁶. Also, private media outlets are vulnerable to arbitrary changes in tax laws⁶⁷.

Besides financial and legal pressures, Russian journalists also face a considerable amount of violence and physical threats. A recent example is that of a journalist with a local paper in Rostov-on-don, "*Nashe Vremia*", killed in March 2002, by a severe blow to the head⁶⁸. Natalia Skryl had been investigating the activities of large companies in the region.

The ongoing war in the separatist republic Chechnya had also a negative impact on the media industry in Russia. Journalists have been killed in this region, while others writing on this conflict have disappeared or were abducted, harassed and physically abused in Moscow and elsewhere. Moreover, the Kremlin maintained its information embargo, restricting the ability of both Russian and foreign journalists to report independently on the war. Journalists working in the region are required to travel with police escorts, which makes it difficult to interview the civilians who have been impacted by the ongoing hostilities as well⁶⁹.

Furthermore, in October 2002, president Putin revoked a 1991 decree that guaranteed the

⁶⁴ As quoted by a *European Journalism Centre* report, www.ejc.nl.

⁶⁵ *Law on Communication of The Russian Federation*, February, 16, 1995 N 15-FZ.

⁶⁶ *Glasnost Defence Foundation 2001 Report*.

⁶⁷ *Russia – 2002 World Press Freedom Review*, International Press Institute.

⁶⁸ *List of cases of violence and threats against journalists in 2002*, Committee to Protect Journalists

⁶⁹ *Russia – Attacks on the Press 2002*, Committee to Protect Journalists

legal and operational status of the Moscow bureau of Radio Free Europe/Radio Liberty (RFE/RL)⁷⁰. Media critics alleged that the decision was made in response to the station's increasingly critical coverage of the conflict in Chechnya. The government's information office said that the decree "*lost its original significance*" and had put the radio in a "*privileged position compared to other foreign mass-media outlets in Russia*"⁷¹. Still, in January 2002, a spokesman of the Russian authorities openly warned that the government would carefully monitor its broadcasts and would revoke its license if its coverage were deemed to have taken a "*biased and prejudiced form*".

Another important recent development in the media field is linked with two leading media magnates of the Yeltsin era - *Vladimir Gusinsky*⁷² and *Boris Berezovsky*⁷³ -, who lost control over the biggest parts of their media empires and also fled the country, being charged with fraud. Initially, only Gusinski was known for his critical attitude towards the Kremlin, but, afterwards, Berezovski as well. Berezovsky said that Putin's government was steering Russia back towards authoritarian rule. Russian state officials presented the conflicts with the two media moguls as entirelyly financial. However, independent reports on the issue gave enough reasons to suspect also their political implications.

As the result of all these changes in the media policy and practice in Russia, international human rights NGOs and media rights organisations, such as *Committee to Protect Journalists (CPJ)* or *Reporters Without Borders*, have expressed their concerns about the degree of media freedom and state control in the country. In 2001, the CPJ even included president Putin in its annual global list of the Ten Worst Enemies of the Press⁷⁴. The same year, Reporters Without Borders mentioned Putin's name among the world's predators of press freedom⁷⁵.

Overall, for the year 2002, the *International Centre for Journalist (ICJ)* noted a single positive development. Grigory Pasko, the Russian journalist imprisoned after having reported and videotaped Russian military ships dumping liquid nuclear waste into the Sea of Japan, was released after serving 20 months of his four-year sentence. Upon his release, Pasko pledged to prove his innocence⁷⁶.

⁷⁰ The decree was issued by Putin's forerunner, Boris Yeltsin.

⁷¹ *Putin revokes decree guaranteeing legal status of RFE/RL*, IJNet, October 7, 2002.

⁷² Russian tycoon, the former head of Media Most group, that included "NTV" channel, radio station "Ekho Moskvi", "Itogi" magazine and "Segodnya" newspaper; in 2000, he was briefly taken in police custody after being charged with embezzlement (he was accused of stealing state property valued at \$10m; *Source*: BBC News)

⁷³ Closely associated with former president Yeltsin, this Russian tycoon manages a multi-billion-dollar portfolio of assets, including Russian aluminium and oil, newspapers and television stations, and property all over the world (his real clout in the 1990s came from his former control of ORT, the main TV broadcaster and of the oil companies Sibneft and Lukoil); Currently, he is fighting extradition from London to Russia on charges of fraud, that according to him are politically motivated; *Source*: BBC News.

⁷⁴ *CPJ 2001 Report on Media Freedom*.

⁷⁵ *Reporters without Borders 2001 Report on Media Freedom*.

⁷⁶ *Released from prison, Russian journalist vows to clear his name*, IJNet, January 23, 2003.

2.2. Legal base for media freedom and accountability systems:

This part of the research deals with the issue of media legislation in Russia as a necessary condition of media independence. The legal frameworks encompass not only questions of ownership, control, procedures for licensing or rules for access, but also the freedoms and the constraints on communication.

Media legislation represents the most important step in the creation of the conditions for a free development of the press and for the whole process of democratising a country. Karol Jakubowicz, an OSCE consultant and the chairman of the Standing Committee on Trans-frontier Television of the Council of Europe, argues that media laws can even be analogous to mini-constitutions, reflecting the state of play in the political power struggle within a specific society. However, laws alone can not guarantee media independence⁷⁷. Furthermore, they should be included into the whole system and political culture of democracy, preventing politicians violating that independence. John Downing noted that especially at times of transition, formal statements captured in the words of laws cannot be taken at face value the language of media statutes may have a purpose of camouflage or may be designed to placate an international community rather than serve as the operative guide to conduct⁷⁸.

In Russia, there are over 20 media laws that regulate different aspects of the Russian mass media⁷⁹. Article 29 of the new *Russian Constitution*, adopted in 1993 states that "everyone has the right to freely seek, obtain, transmit, produce and disseminate information by any legal method." In addition to that, the "Law on Mass Media"⁸⁰ places judicial guarantees on freedom of expression. Among its main provisions, one should also mention that fact that the law provides for the registration of newspapers or broadcast media, and it forbids the closing down of any media outlet, except by order of a court after the warning⁸¹. It prohibits censorship or the establishment or financing of any censorship agency⁸², but also the disclosure of state secrets.⁸³ Lastly, it allows private broadcasting and prohibits ownership of mass media by foreign citizens, but not foreign companies⁸⁴.

Based on the tradition of western media legislation as well as on the recommendations of the Council of Europe, of the European Union and of other different international organisations, the media law in Russia that safeguards press freedom, seems to have absorbed the best examples of the

⁷⁷ K.Jakubowicz, *Media as Agents of Change*, in D.L. Paletz, K. Jakubowicz, P.Novosel (Eds), *Glasnost and After: Media and Change in Central and Eastern Europe*, Cresskill :Hampton Press, Inc., 1995.

⁷⁸ J.Downing, *Internationalising Media Theory*, London: SAGE Publications, 1996.

⁷⁹ Statistics of the International Journalist Centre's Network.

⁸⁰ *Law on Mass Media of The Russian Federation*, NO. 2124-1 of December, 27, 1991.

⁸¹ *Law on Mass Media of The Russian Federation*, Article 7-24, Chapter 2, Op.Cit.

⁸² *Law on Mass Media of The Russian Federation*, Article 3, Chapter 1, Op.Cit.

⁸³ *Law on Mass Media of The Russian Federation*, Article 41, Chapter 4, Op.Cit.

⁸⁴ *Law on Mass Media of The Russian Federation*, Article 7, Chapter 1, Op.Cit.

world's media legislation. However, its effectiveness in Russia is limited. Due to the weaknesses in the law enforcement, as well as to the lack of a law on media ownership, media outlets very often find themselves *legally accountable* in different ways before the state or their owners and creditors, who can decide to stop to finance them, any time they believe it is necessary. Also, press organisations have undergone series of tax audits, police confiscation and sanitary tests which are seen by many human rights groups as a way of unofficial state control of the media.

One of the most debated media legal collisions is the one between the *right of a journalist to seek and disseminate information and national laws on state secret and terrorism*. This problem is most obvious in the media coverage of the military conflict in Chechnya. The Press Ministry is particularly concerned for example with the long debated-legality of interviewing Chechen rebels. This became obvious especially after the October 2002 hostage crisis instrumented in Moscow by Chechen rebels⁸⁵, when at least three outlets were pressured to remove content related to the crisis⁸⁶. The same year, according to human rights groups, radio “*Ekho Moskvy*”⁸⁷, was warned not to broadcast statements by the Chechen rebels, after it aired an interview with one of the gunmen and “*Rossiskaya Gazeta*”⁸⁸ daily was threatened with punitive measures, after it published a photo on its front page of a female hostage shot dead by the Chechens. Moreover, the Media Ministry shut down the Moscow TV-station “*Moskoviya*” for 15 hours as punishment for “promoting terrorism”. Mikhail Seslavinsky, the government's deputy press minister, said then that the station's signal was pulled because it aired possible exit routes for the hostage-takers, as well as ethnic slurs against Chechens⁸⁹.

Furthermore, within the last years, several state policies on airing the “terrorist propaganda” have been adopted. As a result, because authorities don't allow the free access in Chechnya of journalists⁹⁰, the official *Russian Information Centre in Chechnya* has become the only source of valid information for journalists. This situation reached its climax in 2000, after the presidential elections, when the *Security Council's Information Security Doctrine* outlined the threats to Russian national security in the fields of mass media, means of mass communication, and information technology⁹¹. Also, following the hostage crisis in Moscow, in 2002, the Russian parliament passed new legislation that restricted media coverage of state “anti-terrorist” activities. The “*Law on Battling Propaganda of Terrorism in Mass Media*” would have prohibited media from printing or broadcasting anything that might justify extremist activities or resistance to counter-terrorist operations, hindered counter-terrorist operations or revealed anti-terrorist tactics. Following

⁸⁵ In Dubrovka Cinema Hall, situated in a very populated area of Moscow.

⁸⁶ *Report of the Committee to Protect the Journalists*.

⁸⁷ A Moscow-based radio station with a history of tense relations with the government.

⁸⁸ The government's own daily newspaper.

⁸⁹ *Russian hostage crisis brings more government media restrictions*, IJNet, October 30, 2002.

⁹⁰ Journalists are requested to have a special accreditation issued by federal authorities and also to be accompanied by federal representatives.

⁹¹ *Doctrine of the information security of The Russian Federation*, September, 9, 2000, No. Pr-1895; Chapter 6.

widespread criticism from both journalists and human rights organizations worldwide, president Putin vetoed the amendment on the November, 25, 2002, returning the issue for further consideration to the lower house of the Russian Parliament, the Duma. At the same time, he reminded journalists though that they should “*exercise restraint and not exploit terrorism to enhance ratings*”⁹².

Among other primary pieces of media legislation, there are the laws on: “*Protection of Citizens’ Honour, Dignity and Business Reputation*”; on “*Communications*”; on “*Procedure of Media Coverage of State Authorities by State Media*” or on “*State Support of Mass Media and Publishing*”. One should also mention the fact that, in 1994, a government order established the Federal Television and Radio Broadcast Service as the national licensing agency.

Within the last years, many of these laws and regulations have undergone serious revisions and corrections because of the ongoing discussions concerning laws on general and public broadcasting or media ownership⁹³. As noted in the first part of the present chapter, significant developments in media law have taken place especially ever since the election of president Putin in 2000. According to international media organisations, these indicate the intention of the Russian authorities to get the press to answer to the government, as it happened during Soviet times, when the media system was directly accountable to the Communist Party. A relevant example is the fact that in 2001, Putin signed a decree that re-nationalized all state-controlled broadcasting facilities, regrouping them into a single state company -the Russian Television and Radio Broadcasting Network- and, thus, establishing federal control over the broadcasting and relay stations for broadcast signals all over the country. In addition, the decree also granted the government the authority to cancel the agreements that would result in illegal estrangement of technical means and objects from federal ownership.

Another recent legislative obstacle in strengthening free media, is the fact that, within the last three years, the Russian judicial system has exerted more and more pressures on journalists and press outlets that report critically on government policy or operations⁹⁴. *Glasnost Defence Foundation* estimated that several hundred cases against journalists were brought before Russian courts in 2001⁹⁵. This trend continued in 2002, with judges rarely finding in favour of the media organizations or professionals.

Among the lawsuits of the past year –2002-, in a high profile case against one of the few remaining independent channels in Russia, the Russian Supreme Arbitration Court upheld the liquidation of *TV-6* channel ending an eight-month legal battle between the independent TV station

⁹² *Putin vetoes media laws, but warns journalists to exercise restraint*, IJNet, November 26, 2002.

⁹³ Changes in all these media policies are highly politicised questions and attract as much attention as the changes in the constitution.

⁹⁴ *Russia – 2002 World Press Freedom Review*, International Press Institute.

⁹⁵ *Glasnost Defence Foundation Report*.

and one of its minority shareholders -a subsidiary of the oil giant Lukoil Corporation-, which had demanded that the station be liquidated because its debts outweighed its assets⁹⁶.

Also, within the past years, Russian courts have become used to prosecute individual journalists for libel and slander. One of the most famous cases from 2002 was that of a libel suit launched by the authorities against an editor of “*Nezavisimaya Gazeta*” daily, Igor Zotov, for publishing allegations that various Moscow judges had accepted bribes from the lawyers of a prominent businessman. The international Committee to Protect Journalists alleged the case was a reaction to the paper’s previous publication of an article discussing a new film, backed by one of most fervent Putin’s critics, Berezovsky, that blamed the Russian security services for apartment building bombings throughout Russia in 1999⁹⁷.

2.3. Statistical data⁹⁸:

2.3.1. Print media:

Nowadays, according to the Press Ministry data⁹⁹, there are 37,425 officially registered print media outlets in Russia (22,181 newspapers and 12,726 magazines). Many of these have very low circulation because the increase in newspapers' prices after the fall of the Soviet Union has brought decline in their readership. Many Russians are unable to afford periodicals, and as a result, turn to free television programming instead¹⁰⁰. In order to adjust themselves to the new consumption preferences of their readers, many newspapers have moved from daily editions to weekly ones or have introduced special weekly editions.

The leading Soviet times newspapers, such as “*Izvestiya*”, the former organ of the Politburo¹⁰¹, “*Trud*” or “*Pravda*”¹⁰² have preserved their positions in the new Russia. Also, the publications popular during the perestroika era¹⁰³ stayed in the top of the readers’ preferences: “*Argumenty I Faktiy*”, “*Komsomolskaya Pravda*” and the daily “*Moskovskiy Komsomolets*”. In the early 1990s, other newspapers appeared, among the most influential ones being “*Kommersant*”, “*Novaya Gazeta*”, “*Nezavisimaya gazeta*”, “*Sevodnia*”, and the weekly “*Itogi*”. “*The Moscow Times*” is the most popular English-language daily in Russia. Also, official publications still have a

⁹⁶ Court upholds liquidation of independent Russian TV station, IJNet, January 17, 2002.

⁹⁷ Russia – Attacks on the Press 2002, Committee to Protect Journalists.

⁹⁸ See also the Annex to the thesis.

⁹⁹ Source: Press Ministry of The Russian Federation, www.mpnr.ru/.

¹⁰⁰ Russia – Nations in Transit 2002, Freedom House.

¹⁰¹ Politburo = the former central policy-making and governing body of the Communist party of the USSR and, with minor variations, of other Communist parties; it was created on the eve of the Bolshevik revolution in Russia in 1917; Source: *The Columbia Encyclopedia*, New York: Columbia University Press, 2002.

¹⁰² Currently available only on-line on the internet.

¹⁰³ Perestroika = the political, social and economic changes which happened in the USSR during the late 1980s; Source: *The new Cambridge Advanced Learner's Dictionary*.

place in the media: “*Rossiyskaya gazeta*”, the heavily subsidized organ of the Government, that publishes most of that body's official documents, including laws and decrees; “*Rossiyskiye vesti*”, organ of the President’s office; “*Krasnaya zvezda*”, representing the Ministry of Defense. These newspapers feature strongly pro-Government positions.

Other thousands of small newspapers, that appeared after 1991, were plagued by low advertising revenues, high production costs, delay of paycheques for the journalists, an increasingly apathetic public, and intense pressure from local authorities to slant content.

In the mid-1990s, the situation started changing when many new entertainment and fashion magazines of high printing quality began to appear, with the financial support of a new class of Russian businessmen¹⁰⁴. As these new businessmen began buying widely-circulated publications as well, by the second half of the 1990s, the majority of the print media had new owners¹⁰⁵. During general and regional elections, it became obvious these publications were used by their owners as political tools. Practically, each owner expected an outlet's loyalty and even extensive personal coverage in exchange for financial support.

Biased reporting and negativism towards political opponents – these were the outcome of economic dependency of the publications on their new owners. The example of “*Nezavisimaya gazeta*” is a relevant one. In 1995, the Moscow daily, which for five years remained true to its name (the translation from Russian is “the independent newspaper”) by refusing advertising and state subsidies, was forced to close because circulation had dropped to about 35,000 and many top journalists had left to work for other companies. The paper subsequently resumed publication under the ownership of a large bank consortium, the Unified Bank, that, according to independent observers, had though close ties to the Government.

2.3.2. Broadcast Media:

Television is the most popular media in Russia, for the simple reason that watching TV is currently much cheaper than newspaper reading. There is no fee that viewers have to pay to receive the regular national channels. The only costs involved are the costs of energy. Today, practically each Russian household owns at least one TV set and receives at least two national, one regional and one local TV channel¹⁰⁶. This is also because Russia has inherited a highly developed network of television transmission from the Soviet era¹⁰⁷. The first national channel, *Public Russian Television (ORT)*, is the biggest TV channel in the country with 51 % of the shares controlled by the

¹⁰⁴ Known as the New Russians - Hoviye Russkie.

¹⁰⁵ European Journalism Centre Report 2002.

¹⁰⁶ European Journalism Centre Report 2002.

¹⁰⁷ Due to the fact that all national programs at those times were broadcast from Moscow.

Russian state and a total penetration of 98 % of the Russian territory (140 million viewers). *TV channel Russia*¹⁰⁸ is the second national channel, completely state-run, with a total penetration of 98.5 per cent of the territory (50 million viewers).

*NTV*¹⁰⁹ is the only theoretically independent Russian TV channel with the status of the national channel. Part of the *Media-Most* press company¹¹⁰, it competes in popularity only with *ORT*. It covers approximately 95 per cent of the country's territory (110 million viewers). Starting with the year 2000, when Putin won elections, the channel began experiencing various economic and political difficulties, especially because of the criminal case against its former owner Vladimir Gusinsky¹¹¹.

On May, 11, 2000, armed police and tax authorities raided for the first time the Moscow headquarters of the *Media-Most*. Russian state officials presented the conflict as being an entirely financial one. The raid was officially motivated by the company's alleged violations of Russian tax law. But according to international media organisations, it was simply a measure to discourage independent journalism. This was actually the moment in which the battle over the NTV channel marked the beginning of the media outlets' redistribution. That battle was won by *Gazprom*, the state-owned oil company, whose first action was to change the editors and leading journalistic teams in two other outlets of the *Media-Most* group - the daily "*Segodnya*" and a weekly magazine, "*Itogi*". After the takeover of NTV, the core of its journalistic team fled to *TV-6*¹¹². But in 2002, this station was closed down by a disputed court order, as a result of a financial conflict with one of its shareholders, the oil company *Lukoil*. Like the NTV crisis, this conflict was officially of financial nature. However, according to the CPJ, *Lukoil* has strong links with the Kremlin and *TV-6*'s fate was seen by many Russian politicians and journalists as part of a state-orchestrated campaign to control Russian citizens' access to information¹¹³. The *TV-6* journalistic team currently works for a new TV station, *TVS*, that had previously won the competition for *TV-6*'s air frequencies organised by the Ministry of Press.

In general there are 3,267 television channels registered by the Ministry of Press. Also, there are 2,378 *radio stations* officially registered in the country. The most popular ones are the ones with all-music formats. As for the news and analysis radio, the list of the leading stations includes: the independent *Echo of Moscow*, the state-owned *Radio Russia*, the regional news-radio *Radio Mayak*, and *Voice of Russia*, for the Russians that live abroad. Two foreign radio stations, *Voice of America*

¹⁰⁸ Run by the state-owned Russian State Television and Radio Broadcasting Company (RTR).

¹⁰⁹ NTV received its status as a national channel in 1996, after Yeltsin's re-election as president and this was seen by many observers as a price the president paid to the NTV owner Gusinsky for his support during election campaign.

¹¹⁰ Together with the daily "*Segodnya*" and a weekly magazine, "*Itogi*".

¹¹¹ For this reason, Gusinsky fled the country.

¹¹² Formerly owned by tycoon Berezovsky, who was also in exile.

¹¹³ CPJ Report on Russian Media.

and *Radio Freedom-Radio Liberty* gained also more popularity within the last years¹¹⁴. For their programmes, radio and TV stations get also the wire information from the 30 large-scale information and news agencies in Russia, registered with the Ministry of the Press. Some of these agencies specialize exclusively in financial or economic news, but the majority has a broad coverage of general ongoing issues. Also, each news agency has practically well-developed online services. Among these, there are: the biggest state news agency *Itar-Tass*¹¹⁵, the state information and analytical agency *Ria Novosti*¹¹⁶, the agency *Interfax*¹¹⁷, the internet-based financial and economic news outlet *Ros-Business Consulting* (RBC)¹¹⁸ and the online agency with daily regional news *Russian Bureau of News* (RBN). The *Russian Information Center* should be also mentioned, although its functioning is quite controversial. Created by the *Ministry of Press* and *Ria Novosti* in 1999, it has the purpose to disseminate official news on the war in Chechnya. The agency is the main (and on many occasions the only) source of information on the military conflict in Chechnya for the Russian and foreign journalists that cover the war.

2.3.3. Internet:

Despite the difficulties in the internet technologies' development in Russia, evolution of online media is progressing rapidly. There are 868 online periodical outlets officially registered in the country.

All leading national TV channels are broadcasted on the internet in real-time and a new type of media, online journalism has received serious attention and development in the last five years.

The fast evolution of such outlets was possible due to high costs of print media production and distribution as well as the big numbers of young people with technical and journalistic education and very often without clear prospects of jobs.

The most prominent online papers are: *Polit.ru*; *Gazeta.ru*; *Lenta.ru*; *Russky Zhurnal*; *Utro.ru*; *Vesti.Ru*; *Strana.ru*. The most powerful information resources on the Russian internet are *Rambler.ru* and *Strana.ru*¹¹⁹. Although officially independent, they work closely with the state media, primarily with the state television, *Strana.ru* being very often seen as a mouthpiece for the authorities¹²⁰.

Russians got more acquainted with the internet primarily as news resources in 2000, after the

¹¹⁴ They were already broadcasting on short-waves band for a long time before the collapse of the Soviet Union.

¹¹⁵ Former major news agency of the Soviet Union.

¹¹⁶ Created in 1991 on the basis of the Soviet Press Agency Novosti.

¹¹⁷ A part of the international news network Interfax Information Services.

¹¹⁸ Founded in 1992, it is one of the most popular news internet resources as well.

¹¹⁹ A national information system, it includes a main portal and regional websites in each of Russia's federal districts.

¹²⁰ *European Journalism Centre Report*, www.ejc.nl/jr/emland/russia.html.

catastrophe aboard submarine Kursk¹²¹ and the fire in Ostankino TV tower¹²², which paralysed broadcasting of the leading national channels. Also, in 2001, online media obtained a new wave of popularity during the “NTV crisis”, that was connected with an expansion of Russian state control over private traditional media outlets. During that time, the online outlet *NTV.ru* (now *NEWS.ru*) was practically the only arm of Gusinsky's media group, that provided alternative news of the entire conflict in a different way from the official version.

2.4. Russian foreign policy on human rights. The lack of media freedom issues:

So far, the research has explored the Russian media landscape, emphasizing the lack of freedom of the press outlets. Furthermore, in order to set the media freedom issues within the framework of the Russia-UN relations, the thesis takes a brief look on the *historical factors governing Russian foreign policy* on human rights in general. This is considered of great relevance for the research because it proves that, although, formally, they are generally supportive of international law and human rights policies, Moscow's foreign policy institutions have long been highly selective about endorsement and action of a wide range of human rights issues, including the *right to freedom of expression* and consequently *media freedom*.

2.4.1. Historical background:

According to its new foreign policy concept¹²³, adopted in 2000, Russia commits itself “*to the values of a democratic society, including respect for human rights and freedoms*”. Furthermore, “*Russia sees its goals as being the following: to seek respect for human rights and freedoms (all over) the world over on the basis of respecting the norms of international law (...); to develop international cooperation in the humanitarian exchange area; to expand participation in international conventions and agreements in the human rights area; to continue bringing legislation of the Russian Federation in conformity with Russia's international obligations*”.

Still, as historians argue, Russia has been facing for centuries great difficulty in coming to terms with human rights in its own culture and foreign policy. This is because its intellectual tradition has been plagued by a paradox: the longing for modernization, which includes human

¹²¹ Russian submarine Kursk, sunk on August, 12, 2000, in the Subarctic Barents Sea.

¹²² Moscow's 485-metre Ostankino TV Tower (the second-tallest building in the world after Toronto's CN Tower) was diminished in broadcasting power, if not in height, when it was struck by fire in August 2000.

¹²³ *The foreign policy concept of the Russian Federation*, approved by the President of the Russian Federation V. Putin June 28, 2000.

rights, is matched in intensity only by the fear of it¹²⁴. Some students of the Russian mentality actually see in this experience the sources of Russia's traditional adherence to non-freedom and its antipathy to human rights issues¹²⁵. The debate is mainly about the lack of civil and political rights (such as freedom of expression) from the agendas of the Russian higher institutions.

Russian authoritarianism was perhaps personified in the best way by Ivan the Terrible¹²⁶, and later on by Peter the Great¹²⁷, the Tzar that began the modernisation of Russia. A famous example historians refer to is the moment in which Peter the Great wanted to watch a traditional corporal punishment (whipping with a seven-tailed jack-o'-seven) while visiting a British battleship and he couldn't understand the reason for which the captain opposed his wish arguing that there were no sailors who deserved to be punished. In Russia this circumstance might not have been viewed as an obstacle¹²⁸. Another widely debated example of the so-called Russian paradoxical approaches on human rights is Russia's initiative that led to the first world conference on international law to discuss humanitarian issues (1899, the Hague). The paradox was that Russia's then controversial prime minister¹²⁹ forcibly moved peasants to Siberia, but, nonetheless, paid special attention to the international human rights issues.

Furthermore, while reading Russian history, one could even say that the fear of excessive liberties (mainly civil and political rights) facilitated the acceptance of a totalitarian style of government after the Bolshevik revolution in 1917.

Paradoxically, the Soviet Constitutions¹³⁰ paid a lot of attention to economic and social rights. Although, practically, they were not allowed to freely express themselves, citizens were theoretically guaranteed minimal living conditions, but in a precise and planned context¹³¹. At the same time, Soviet constitutions banned private property and private enterprise. Practically, Soviet authorities and the Communist Party were granted total control over almost all aspects of its citizens' lives. Following the collapse of the Soviet Union in 1991, the new Russian Constitution was issued in 1993. It legitimates private property and private enterprise and it stresses freedom of economic activity for all Russian citizens. Also, the new constitution recognises civil and political rights as such, it accepts a multi-party political system and the diversity of ideological stances.

Moscow's controversial approaches towards human rights issues became much clearer and

¹²⁴ E.Chernyaeva, *The Search for the Russian Idea*, in "Transitions" magazine (Prague), no. 4/1, June 1997, p. 45.

¹²⁵ S.V.Chugrov, *Russian foreign policy and human rights: Conflicted culture and uncertain policy* in D.Forsythe (Eds), *Human Rights and Comparative Foreign Policy: Foundations of Peace*, United Nations University, 2000.

¹²⁶ The first Russian ruler to be crowned Tzar and to hold that official title was Ivan IV, known as the Terrible (1530-1584); he was responsible for centralizing the administration of Russia and expanding the boundaries of the Russian empire.

¹²⁷ The real name of Peter the Great (1672 - 1725) was Peter Romanov.

¹²⁸ V. Fyodorov, *K istorii telesnykh nakazanii v Rossii (On the History of Corporal Punishment in Russia)*, in *Problemy rossiiskogo zakonodatelstva (The Problems of Russian Law)*, Collection, Vladivostok: Far East University Press, 1997, pp. 133-138.

¹²⁹ Peter Stolypin, Russian prime minister in 1899.

¹³⁰ The first Soviet Constitution was issued in 1918, a year after the Socialist Revolution of 1917; it was changed two times along the years, in 1936 and 1979; the common feature of all Soviet constitutions was the legal reinforcement of the Socialist way of life.

¹³¹ Such as buying some limited food products with special cards

visible, in its foreign policy as well, at the beginning of the Cold War¹³². The Soviets abstained then on the Universal Declaration of Human Rights in the UN General Assembly on December, 10, 1948, stressing that some of its articles "ignored the sovereign rights of some democratic governments."¹³³ Also, USSR formally adhered to both of the Covenants¹³⁴, but it did not accept the Optional Protocol to the International Covenant on Civil and Political Rights, which permitted individual complaints about violations, and it argued that only national authorities, not international agencies, were competent to pass judgement on the implementation of the standards. Furthermore, Russia's voting for pacts dealing with liberal values was considered by international observers as quite formal, since virtually all international rights documents of the period stemmed from compromise between East and West. This resulted in a general language whose essence depended on subsequent interpretation¹³⁵.

After the improvement in East-West relations in the early 1970s¹³⁶, human rights became more important in Russian foreign policy, though not always the key issue. The signing of the Helsinki Agreement on August, 1, 1975 was a special event¹³⁷. *On the one hand*, provisions on human rights in the Agreement were a source of constant irritation to the Brezhnev leadership of the URSS¹³⁸. But, according to several researchers, it was only this way, by the continuing and unremitting pressure by the U.S. and the West on human rights that led to improvements in individual situations and the possibility of long-term systemic change¹³⁹. *On the other hand*, the Helsinki Act served as a source for the "new thinking" of the last Soviet leader Gorbachev¹⁴⁰. Gorbachev actually saw more clearly than any of his predecessors the links between domestic and foreign policy and appreciated that, as long as the Soviet Union persecuted dissidents, relations with the West -states actors or intergovernmental organisations- would be based on mistrust¹⁴¹. Implementation of at least some human rights was a cornerstone of his policy¹⁴². But this was not the case of the right to freedom of expression and, consequently, media freedom.

¹³² *Cold War*= expression used to define the relationship between the US and the USSR after the Second World War; a state of extreme unfriendliness existing between countries, especially with opposing political systems, which expressed itself not through fighting but through political pressure and threats; *Source: The New Cambridge Advanced Learner's Dictionary*.

¹³³ P.Meyer, *The International Bill: A Brief History* in Paul Williams (Eds.), *The International Bill of Rights*, Glen Ellen: Entwistle Books, 1981, pp. xxx–xxxii.

¹³⁴ E.Lawson (Eds), *Encyclopedia of Human Rights*, New York: Taylor & Francis, 1991, pp.1842–1843

¹³⁵ S.V. Sirotkin, *Novoe rossiiskoye zakonodatelstvo i Evropeiskaya Konventsiya o zashchite prav cheloveka (New Russian Laws and the European Human Rights Convention)*, in *Moskovskii zhurnal mezhdunarodnogo prava -Moscow Journal of International Law-*, no. 4, 1994, pp.28–34.

¹³⁶ Stemmed from the military parity achieved by the Soviet Union with the United States.

¹³⁷ Final Act of the Conference of Security and Cooperation in Europe (nowadays the OSCE), the Helsinki Agreement was signed by 35 nations from Europe, United States and Canada and it is considered it was in this moment that the Cold War began fading.

¹³⁸ Leonid Brezhnev ruled USSR longer than any previous leader except Stalin (1977-1982); *The Brezhnev Doctrine* states that when forces hostile to socialism try to turn the development of some socialist country towards capitalism, it becomes not only a problem of the country concerned, but a concern of all socialist states; the doctrine was used to justify the invasions of Czechoslovakia in 1968 and Afghanistan in 1979.

¹³⁹ M.Tsipkin, *Soviet Human Rights under Gorbachev (The Backgrounder)*, The Heritage Foundation, 10 February 1987, pp. 1–2.

¹⁴⁰ N.Marie, *Le Droit retrouve? Essai sur les droits de l'homme en URSS*, Paris: Presses Universitaires de France, 1989, p.175, 185; B. Gross, P. Juliver, E. Lukasheva, V. Kartashkin (Eds), *Prava cheloveka nakanune 21 veka (Human Rights on the Eve of the 21st Century)*, Moscow, Progress, Kultura, 1994, p.151.

¹⁴¹ A.Brown, *The Gorbachev Factor*, Oxford: Oxford University Press, 1996.

¹⁴² Only "some human rights", because, in reality, Gorbachev still saw a preferred role for his communist party; *Source: Amnesty International Report 1990* London: Amnesty International Publications, 1991, p.244.

After the Cold War, Russia made a breakthrough in expanding its formal acceptance of the international law of human rights. Nevertheless, the official attitude towards specific issues, such as press freedom, remained controversial.

2.4.2. Current policy:

After the collapse of USSR, Russia assumed Soviet assets and most of the Soviet international treaty obligations¹⁴³. That position allowed it to assume a ready-made role as a leading world power. Moreover, the new Russia made a breakthrough in expanding its formal acceptance of the international law of human rights and it even became an energetic actor in creating new human rights international infrastructures. For example, it worked extensively on the Vienna Declaration and Programme of Action, which was adopted by the World Conference on Human Rights in June 1993. Also, being interested in more focused international support for Russian-speaking minorities in the former Soviet republics, Russia insisted on transforming the Conference on Security and Cooperation in Europe into the more efficient Organization for Security and Cooperation in Europe (OSCE).

As previously mentioned, from a institutional internal point of view, after 1991, Russia brought its legal system into line with international standards. Some articles of the 1993 Russian Constitution concerning human rights declare the priority of international law over national legislation and the right of any citizen to address the European Court of Human Rights¹⁴⁴. Furthermore, by a presidential decree¹⁴⁵, a State Commission on Human Rights was formed. Also, the Russian parliament adopted a federal law for an Ombudsman¹⁴⁶. Freedom of expression and media freedom are also guaranteed by law.

At this point of the research, one could argue that the long-term potential of all these breakthroughs cannot be overestimated as many experts consider that, in general, in any society, the strengthening of national institutions devoted to the development of human rights is the best prevention against gross human rights violations¹⁴⁷. However, as human rights violations have continued in Russia and they even grow in size and number, one could reasonably say that the emergence of modern institutions such as ombudsmen and human rights commissions is a necessary but not a sufficient condition for the country's real adherence to human rights norms. Constitutional declarations do not change behaviour overnight¹⁴⁸ because Russian institutions reflect an underlying

¹⁴³ Russia was recognized by world states and international organizations as the USSR's successor state. Most notably, it took over the permanent seat of the Soviet Union in the UN Security Council.

¹⁴⁴ 1993 Russian Constitution, Articles 15(4), 16, 18, and 42.

¹⁴⁵ Decree of the Russian President no. 1798, 1 November 1993.

¹⁴⁶ Federal Law on Ombudsman, adopted by the Russian Parliament on December 25, 1996 (State Duma – the lower house) and on February, 12, 1997 (the Federation Council-the higher House).

¹⁴⁷ *HCHR News*, 1/2, December 1995, p. 4.

¹⁴⁸ V.Kartashkin, *Chelovek — vysshaya tsennost (Human Being as a Highest Priority)*, in “*Nezavisimaya Gazeta*” daily (Russia), July, 9, 1997, p.1.

conflicted political culture, and, therefore, their record is far from being in full conformity with international standards. The country remained thus a distinctive hybrid system¹⁴⁹, because it endorsed widely recognized different liberal rights (*including the ones related to media freedom*), while, at the same time, it kept looking back to its traditions of authoritarian rule. A relevant example is the fact that a 1993 survey of 113 Russian diplomats showed that 52 % adhered to Western-type democratic principles while 45 % considered themselves to be advocates of Russia's distinctive way of development¹⁵⁰. The author argues that as a result, Russian foreign policy on human rights is still marked by uncertainty, competition over values, and lack of predictability.

This is valid for the whole range of human rights, including the approach on the right to freedom of expression and media freedom. Russia's record in foreign policy has been rather poor, in terms of emphasizing domestic media freedom issues, although, formally, its authorities have supported relevant international laws and policies and created internal infrastructures in order to safeguard press freedom. In reality, the national attitude on press freedom prevailed in foreign policy as well. As the author of the present study has noticed during the research-periods in Moscow, from the standpoint of many Russian diplomats and also average people¹⁵¹, freedom of speech and media freedom seems to have led mainly to pornography or propaganda for violence.

2.5. Some concluding remarks:

The present chapter explored the historical and legal circumstances of the Russian media landscape, as depicted by human rights non-governmental groups. The lack of freedom of the press outlets was emphasised.

Also, the chapter explored the Russian foreign policy on human rights, as it was considered relevant for the general discussion. In order to allow the precise setting of the media freedom issues within the framework of the Russia-UN relations, the thesis took a brief look on the *historical factors governing Russian foreign policy on human rights*, with a special focus on media freedoms. This is considered of great relevance for the research because it proves that, although, formally, they are generally supportive of international law and human rights policies, Moscow's foreign policy institutions have long been highly selective about endorsement and action of a wide range of human

¹⁴⁹ S.Chugrov, *Russian Political Culture: Prospects for Democracy* in M.Salter (Eds), *After the Revolutions: Democracy in East Central Europe*, Uppsala: Life and Peace Institute, 1966, pp.35–36.

¹⁵⁰ A. N. Talalaev, *Sootnosheniye mezhdunarodnogo prava i vnutrigosudarstvennogo prava i konstitutsii Rossiiskoi Federatsii (Balance between International Law and Domestic Law and the Constitution of the Russian Federation)*, in "Moskovskii zhurnal mezhdunarodnogo prava (Moscow Journal of International Law)", no. 4, 1994, pp.3–4.

¹⁵¹ The Russian public has big doubts concerning civil and political rights because the reform resulted in a substitution of civil-political for socio-economic rights; this replacement was painful for the ordinary people, that under communism, were theoretically guaranteed minimal standards of socio-economic rights, although they lacked political freedoms.

rights issues, including the *right to freedom of expression* and *media freedom*.

In summary, it seems reasonable to assert that the complicated national attitude to human rights in Russia explains many of the zigzags of the country's foreign policy on specific human rights as well.

A logical step in the analyses would be to present *how* the international community, more specifically the leading intergovernmental international actor - the *United Nations*-, perceives the media situation in Russia and, thus, to demonstrate the presence, or the absence, of international influences over independent media development in Russia.

The author of the thesis is aware of the fact that generalising conclusions about the attitude of the whole international community towards media freedom in Russia cannot be drawn only from the organisation sample chosen for the present study. However, the analysis aims to demonstrate furthermore, that, in its policy towards Russia, the United Nations tends to leave media freedom violations off the hook and that this approach can influence the behaviour of other states/international actors as well.

The fundamentals of a proposed methodological framework within which the assessment can be carried out are laid down in the following chapter¹⁵².

¹⁵² It is a model that draws on related literature and experience, while at the same time, accounting for the specificity of the research problem.

3.1. *Methodological framework of analysis. Definition of incentives*

3.2. *Historical background of Russia-UN relations*

3.3. *Analysis of incentives:*

3.3.1. *General assessment*

3.3.2. *Outcomes*

3.4. *Some concluding remarks*

After the fall of USSR, strengthening Moscow's relations with international intergovernmental organisations became a priority of the Russian foreign policy¹⁵³. During his first state of the federation address to the Russian parliament, in February 1994, the very first president of the Russian Federation, Boris Yeltsin, emphasized the country's cooperation with the *UN* and with other intergovernmental organisations, such as the Group of Seven (*G-7*) of top world economic powers¹⁵⁴ or the Organization for Security and Cooperation in Europe (*OSCE*). In his second state of the federation speech¹⁵⁵, Yeltsin noted also the international prestige that Russia had gained through the membership in the *Council of Europe*.

Also, human rights have gained a privileged place, in the relations between the "new Russia" and international intergovernmental organisations, including in the ones with the United Nations. In all official documents – multilateral agreements, press releases-, the importance of upholding human rights was recognised as essential. But this didn't mean that, after 1991, Russia became a "paradise" for human rights overnight. On the contrary, human rights violations have continued, in spite of Moscow's new foreign policy promoting human rights and, in spite of the limits set within the country by the very democratisation process.

However, in practice, the actual response of the *United Nations*, but also of the other international intergovernmental organisations, to several current human rights violations in Russia has shown "human rights boundaries" are becoming more and more relative and not particularly restrictive in the case of Russia.

A relevant example is the fact that, no international organization mentioned any real

¹⁵³At the outset, Russia built upon many tenets of Mikhail Gorbachev's conciliatory foreign policy toward the international community, termed "New Thinking" by the last Soviet leader; New Thinking defined international politics in common ethical and moral terms rather than military force, largely abandoning the Marxist-Leninist idea that peaceful coexistence was merely a breathing spell in the worldwide class war.

¹⁵⁴ Later, it became G-8, together with Russia

¹⁵⁵ February 1996

proposal of sanctioning Russia on the issue of the war in Chechnya and they limited their actions to verbal condemnations. According to human rights groups, this was interpreted by many officials in Moscow as a *carte blanche* for such kinds of operations not only in Chechnya but also in other parts of in the vast space of the former Soviet Union.

Moreover, it seems Russia can likely get away not only with the disappearances or killing of Chechen civilians each year, but also with other less politically sensitive issues such as *freedom of the press*. As it has happened in the recent years, it takes a lot of pressures from the civil society and media coverage all around the world, in order for the international community to take a firm stand on press freedom violations in Russia

The present chapter proposes an analyses of the UN responses to media freedom violations in Russia and on the programs supporting independent media the United Nations has developed for Russia. It is divided in several parts that progressively lead to each other in order to demonstrate of the assessment model. Firstly, the chapter sets the methodological framework of analysis.

3.1. Methodological framework of analysis. Definition of incentives:

Promoting democracy, liberties and civil rights -including right to *freedom of speech* and consequently *media freedom*- is an issue present in the policies and agenda of all high-profile international intergovernmental organisations. Both at the global and regional levels, one can notice the huge endeavour of these organisations to generally assist peoples in asserting the basic rights and freedoms and encouraging the democratic political (re)establishing.

It can be thus reasonably argued that democracy and its “by-side products” -among which *media freedom* is one of the most “visible” for the people- have increasingly started to become a norm of internal political behaviour, deviations from which are periodically focused on and criticised by the international community.

The further *assessment* of the level of UN reactions and media freedom-promoting activities in their relations with Russia makes references to positive *economic / political incentives* or, on the contrary, to the *sanctions*, applied (or not) by the organisation. From the theoretical point of view, by structure of *incentives* (or its opposite - the structure of *sanctions*), as there is no single universally agreed measurement of the concept¹⁵⁶, the author understands the complex of international measures aimed at encouraging a specific state to democratise, in order to ensure and strengthen human rights (*including right to freedom of expression, media freedom*).

¹⁵⁶ According to the *New Cambridge Advanced Learner's Dictionary*, an *incentive* is “something which encourages a person to do something” (still, it seems to be a matter of subjective conviction how every international intergovernmental organisation chooses to do this).

The patterns proposed for the present analysis are *reliability*, *consistency* and *effectiveness* and their evaluation scale ranges from “*Plus*” (which means reliable/ consistent/ effective) and “*Plus-Minus*” (which denotes a satisfactory level of consistency/ effectiveness/ reliability, depending on the specific international context in which these incentives are implemented) to “*Minus-Plus*” (which denotes an unsatisfactory level of consistency/ effectiveness/ reliability, than might be adjusted only through special measures) and “*Minus*” (“-”, which means inconsistent/ ineffective/ unreliable):

- *Consistency* is based on the very commitment of the international organisation to independent media development and to democracy promotion activities, in general.
- *Effectiveness* is the ability of the actor to stimulate positive democracy, independent media development.
- *Reliability* relates to the clarity of signals sent out to the target states (Russia in the present study) in reaction to relevant developments within them.

All these reference terms were derived intuitively, on the basis of several texts on comparative analysis¹⁵⁷, as well as a result of relevant discussions with the professor supervising the thesis and interviews with representatives of intergovernmental organizations:

Theoretically, this structure presupposes certain *costs* and *benefits* on the part of the target country, as well¹⁵⁸. The outcome of the present analysis of UN incentives towards Russia shall not use it though, as the author brings historical evidence that shows that the cost-benefit structure has never been applied with Russia (for membership for example). Therefore, before presenting the actual evaluation of the incentives, the thesis sets the precise historical background of Russia – UN relations. This setting is considered a necessary element in order for the assessment to reach complete, objective and plausible conclusions.

3.2. Historical background of Russia-UN relations:

The former Union of the Soviet Republics is a founding member of the United Nations on October 24, 1945. In a letter dated December 24, 1991, Boris Yeltsin president of The Russian Federation informed the secretary general that the membership of the Soviet Union in the Security

¹⁵⁷ A.Liphart, *Comparative politics and Comparative Method*, in “American Political Science”, vol. 65, 1970, pp.682-693; G.Sartori, *Concept Misformation in Comparative Politics* in “American Political Science”, vol. 65, 1970, pp.1033-1053.

¹⁵⁸ For example, if integration into the political/ economic community of democratic states would impose costs as ratifying, but also honouring international human rights instruments, this would be considered an effective incentive for the specific state in question.

Council and all other UN organs was being continued by the Russian Federation, with the support of the 11 member countries of the Commonwealth of Independent States. It was actually in this very moment that human rights began to play a privileged role in the new relations between the United Nations and Russia.

In its relations with the UN, Moscow's official position was that the human rights issues should bring nations closer together not dividing them. In its view, the initial contribution of the Russian Federation actually catalysed UN activities on a number of human rights issues because, both at home and abroad, the new Russia had begun emphasizing more the civil and political rights¹⁵⁹. As a result, Russia has formally made the protection of human rights a priority of its foreign policy, especially in the territory of the former Soviet Union¹⁶⁰. In an address to the UN Security Council in 1999, Yeltsin publicly acknowledged the fact that *“providing respect for the whole range of human rights and freedoms is not an internal matter for any one state, but it is their duty under the statute of the United Nations, the international covenants and conventions.”*¹⁶¹

Researchers outlined several different periods since 1991 in Russia's relations with the United Nations, with a special focus on human rights issues¹⁶².

From late 1991 to mid-1993, Russian delegations to UN institutions voted with the other Western delegations on the majority of human rights-related issues. Moreover, Russia was one of the most energetic actors in creating new human rights infrastructures. For example, it worked extensively on the Vienna Declaration and Programme of Action, which was adopted by the World Conference on Human Rights in June 1993.

Important shifts in Russia's foreign policy occurred in the mid-1993. Washington rejected Russia's requests to share military and space technology markets¹⁶³. Even ardent supporters of Moscow's alliance with the West raised their voices in favour of Russia's pursuing distinct national interests in its foreign policy on human rights. Furthermore, after nationalists emerged victorious at the December 1993 general elections, they pressed the government to back Belgrade in the violent struggles in the former Yugoslavia. In early 1994, when the UN agreed to the use of force against the Yugoslav forces, Russian top analysts advised the parliament to abstain from ratifying the START-2 treaty in the event the bombing went ahead¹⁶⁴. The period of euphoria over cooperation with the Western countries represented in the United Nations ended suddenly. As a result, in post-Dayton Bosnia, notwithstanding Moscow's efforts to keep a high human rights-related profile,

¹⁵⁹ *Vedomosti Syezda Narodnykh Deputatov i Verkhovnogo Sovieta RSFSR /Collection of Documents of the Congresses of People's Deputies and the Supreme Soviet of the RSFSR*, no. 52, Moscow, 1991, p.1865.

¹⁶⁰ *Rossiia i OON: K 50-letiyu obrazovaniya OON (Russia and United Nations: 50 Years of the UN Founding. Facts and Figures)*, State Committee of the Russian Federation on Statistics, Ministry of Foreign Affairs of the Russian Federation, Moscow, 1995, p.30.

¹⁶¹ Amnesty International Country Report on Russia.

¹⁶² S.V.Chugrov, Op.Cit.

¹⁶³ As a result of Moscow's proposed sale of cryogenic rockets to India.

¹⁶⁴ S.Markotich, *Former Communist States Respond to NATO Ultimatum*, in “RFE/RL Research Report”, 3/8, Prague, February,25, 1994, p.10.

Russia began being routinely ignored by the United States and other UN member states that followed the US decision¹⁶⁵. As a result, up until the second period in its relations with the UN, Russia secured only the right to complain, not to decide¹⁶⁶.

Since 1995—96, notwithstanding UN's formal condemnation of authoritarian regimes, Russia's practical policies towards them became more pragmatic and flexible. Moscow demonstrated, thus, the legacy of its conflicted political culture and its mixed record of cooperation with the UN and its mechanisms.

On the one hand, on general issues, such as the role of the United Nations in the promotion of democratisation or the respect for the principles of national sovereignty¹⁶⁷, Russia usually sided with other Western countries. For instance, after the UN proclaimed 1998 to be the year of Human Rights, Russia was one of the first countries to form a national committee for the celebration of the anniversary of the declaration¹⁶⁸.

On the other hand, Russia's voting record concerning human rights in China, Cuba or Iraq remained rather contradictory. In the case of China, a relevant example is the 51st session of the UNHRC held in Geneva in 1995, when the Russian delegation initially voted procedurally for taking up the matter, but in the end, it voted against the resolution condemning human rights violations in China¹⁶⁹. Moreover, two years later, at the UNHRC session, Russia abstained in procedural voting on whether or not to adopt any resolution concerning human rights violations in China¹⁷⁰.

In its relations with Iraq, Moscow traditionally tried to appease the Western countries represented in the United Nations, in adopting resolutions expressing strong condemnation of the massive violations of human rights of the gravest nature in this country. Still, a particular moment was registered when the UN Security Council decided to extend the oil-for-goods deal with Iraq and Russia abstained¹⁷¹. This was because in 1996, when the UN Security Council relaxed the oil embargo so that Iraq could purchase food and medicine, it turned out that there had already been multiple contracts to provide these supplies, but none with Russian companies. The consequences

¹⁶⁵ Analysing the recent attack on Iraq by the American and British military forces, one could say this happened not only in the case of Russia, but also in the case of France or Germany.

¹⁶⁶ M. Mihalka, *Cauldron of the Emerging Security Order*, in "Transition" magazine (Prague), January, 12, 1996, p. 42; K. Gebert, *In Investigating Human Rights Abuses, Reporting Is Not Enough* in "Transition" magazine (Prague), January, 26, 1996, pp. 40–44.

¹⁶⁷ Strengthening the Role of the UN in Enhancing the Effectiveness of the Principle of Periodic and Genuine Elections and the Promotion of Democratization, GA Resolution 50/185, 22 December 1995, meeting 99; Respect for the Principles of National Sovereignty and Non-interference in the Internal Affairs of States in their Electoral Processes, GA Resolution 50/172, 22 December 1995, meeting 99.

¹⁶⁸ A. Kiva, *Ombudsmeny i derzhmordy. Pravozaishchitnaya deyatelnost: mirovoi opyt i rossiiskii put (Ombudsmen and Ruthless Cops. Human Rights: World Experience and the Russian Path)*, in "Vechnaia Moskva" (The evening Moscow) (Russia), June, 30, 1997, Moscow, p. 3.

¹⁶⁹ *Zametki o 51-i sessii Komissii OON po pravam cheloveka (Notes on the 51st Session of the UN Human Rights Commission)*, in *Pravozaishchitnik (Human Rights Defender)*, Moscow, no. 2-April–June 1995, p. 7.

¹⁷⁰ This position seems to have been dictated by a new rapprochement between Russia and China and to reflect Russia's pragmatic stance in 1997.

¹⁷¹ V. Abarinov, *Gazprom diplomacy* in "The Moscow Times" daily (Russia), Moscow, 24 October 1997, p. 3.

were painful for Russian oil companies, which, during the full embargo, had taken Iraq's place in certain markets, because of the similar chemical composition of Russian and Iraqi oil¹⁷².

As regards Cuba, when a UN body took up human rights abuses in Havana, Russia usually aligned with the general position on several matters, such as bringing the observance of human rights and fundamental freedoms in Cuba into conformity with international human rights instruments¹⁷³. However, there were cases in which Moscow was among the states that abstained¹⁷⁴.

The last period in Russian relations with the United Nations, explored by researchers, began in 1997, the year in which Russia actually took the decision of making UN resolutions less confrontational. At the UN Human Rights Commission session, Russia joined the consensus regarding the former Yugoslavia¹⁷⁵. At the same time, it made a special statement on the motives of voting, pointing to the necessity of restoring Yugoslav membership in the UN, the OSCE, and other international organizations.

In the years that followed, Russia backed most of the UN resolutions on human rights abuses in Cuba, Iraq, Iran, the Sudan, Burundi, Zaire, Nigeria, Rwanda, Equatorial Guinea, and Myanmar.

As a conclusion of all the above, one could say that, in its relations with the United Nations, Russia has always tried to shape an independent policy on human rights issues.

Furthermore, the thesis analyses UN's reactions and actions towards Moscow, in accordance with the methodological framework presented at the beginning of this chapter.

3.3. Analyses of incentives:

3.3.1. General assessment:

¹⁷² Russia was forced to leave these markets when Iraq was allowed to sell some oil once again.

¹⁷³ *Situation of Human Rights in Cuba*, UN GA Resolution 50/198, 22 December 1995.

¹⁷⁴ An example is the 1997 UNHRC session, when, by a vote of 19 to 10, with 22 abstentions, it was adopted the most detailed and critical US-sponsored resolution on the situation of human rights in Cuba.

¹⁷⁵ *Situation of Human Rights in the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro)*, UN GA Resolution 50/193, 11 March 1995

The United Nations' primary objective is "to maintain international peace and security". This ambitious goal is actually prompting the necessity of world-wide membership¹⁷⁶. Presumably, being a partner or a member of such international club is all a country needs in order to secure vital state interests. But is this directly conducive to embedding democratic political systems in certain states? According to several researchers, the influence exerted by this intergovernmental actor is essential in stimulating states to guarantee political rights and civil liberties and to uphold the rule of law. As Lawrence Whitehead noticed, "although the establishment of democratic regimes requires strong commitment from a broad range of internal political forces, the distinctively restrictive international context, under which the great majority of existing democracies became established or were re-established, must not be overlooked"¹⁷⁷.

From the early years of its existence, the UN has taken up the function of promoting the protection of a wide and ever increasing array of human rights in all its member states. Consequently, it set the "trend" on international political scene. The set of political rights and civil rights, most closely associated with democracy, have occupied an important part of the resources and activities of *Charter-based UN organs*¹⁷⁸, *Treaty-based monitoring bodies*¹⁷⁹ and *specialized agencies*¹⁸⁰.

After the fall of communism, one could easily notice increased references to human rights in general (including some associated with democracy) in the resolutions by the *Security Council* – SC-, the *General Assembly*- GA- and the *Economic and Social Council* -ECOSOC¹⁸¹. In the case of Haiti for example, the Security Council directly addressed the "need" for restoring the values of democracy¹⁸².

But General Assembly's activity in promoting civil and political rights (including media freedom related rights) has generally been more straightforward, perhaps due to the lack of constraints under which the Security Council operates. Of course, one should mention as land-mark document the Universal Declaration of Human Rights¹⁸³, which has urged states to establish legal procedures for the future protection of human rights. The author argues that the value of this document seems to be though predominantly political and the closest the General Assembly has

¹⁷⁶ Article 4 of the UN Charter says that membership is open to all peace-loving states "which accept the obligations contained in the Charter and, in the judgements of the organisation, are able and willing to carry out these obligations"

¹⁷⁷ L. Whitehead, *Democratic Regimes, Ostracism and Pariahs in The International Dimension of Democratisation: Europe and the Americas*, Oxford, Oxford University Press, 1996, p.3.

¹⁷⁸ Security Council, General Assembly, Economic and Social Council, Commission on Human Rights, Commission on the Status of Women, Commission on Crime Prevention and Criminal Justice, Sub-Commission on the Promotion and Protection of Human Rights

¹⁷⁹ Committee against Torture; Committee on Economic, Social and Cultural Rights; Committee on the Elimination of Discrimination against Women; Committee on the Elimination of Racial Discrimination; Committee on the Rights of the Child; Human Rights Committee

¹⁸⁰ High Commissioner for Human Rights; UN Educational, Scientific and Cultural Organization -UNESCO-; UN High Commissioner for Refugees - UNHCR-; United Nations Children's Fund -UNICEF-; Human Rights Field Operations; Food and Agricultural Organization -FAO-; International Labor Organization -ILO-; International financial institutions

¹⁸¹ P. Alston, *The United Nations and Human Rights. A critical appraisal*, Oxford, Clarendon Press, 1996.

¹⁸² Resolution S/RES/917 (1994) of May 6, 1994

¹⁸³ Adopted and proclaimed by GA Resolution 217 A III of December 10, 1948.

come though so far in codifying democracy, civil and political rights (including media freedom) is the 1966 International Covenant of Civil and Political Rights –ICCPR-¹⁸⁴, which contains human rights of “positive character”¹⁸⁵ and provides for a treaty based implementation mechanism¹⁸⁶. Still, there were recent upshots as well, among which the adoption of a draft declaration of “*Promoting and Consolidation Democracy*”¹⁸⁷. This declaration spells out the fundamental features of a democratic polity -including freedom of expression¹⁸⁸ - and it calls upon states to adopt and promote them.

As for other documents on freedom of opinion an expression of the UN treaty-based monitoring bodies, one should mention the *General Comments* of the *UN Commission on Human Rights*¹⁸⁹ and the periodical reports, communications, letters of allegations, press releases that the *UN Special Rapporteur on the promotion and protection of the right to freedom of expression* is regularly issuing with regard to specific violations of this right. Still, these are not binding documents.

In the specific case of Russia in 2002, the Special Rapporteur, Abid Hussain, sent to the Moscow authorities four urgent appeals and one communication that raised concern over media freedom¹⁹⁰. The urgent appeals regarded the case of journalist *Grigory Pasko*, convicted for treason and sentenced to four years’ imprisonment¹⁹¹; the closing down of the independent television station *TV6*¹⁹²; the charging with criminal libel of a journalist with *Nezavisimaya Gazeta* daily¹⁹³ and the potential closing down of the newspaper *Novaya Gazeta*¹⁹⁴. The last communication sent to the Russian authorities regarded eight cases of reporters, whose death or disappearance appeared to be in connection with their journalistic investigations.

Still, no press release was issued from the office of the special Rapporteur, in order to raise international public awareness on these specific issues.

With regard to the activities of UN’ specialized agencies- *UNESCO* is the only one that has among its official aims the promotion of freedom of expression and press freedom as a basic

¹⁸⁴ Entered into force on March 23, 1976, in accordance with article 49.

¹⁸⁵ M.Nowak, *The International Covenant On Civil and Political Rights* in R.Hanski, M.Suksi (Eds), *An introduction to the International Protection of Human Rights*, Abo Akademi University, Turku, Abo, 1997, pp.79-98.

¹⁸⁶ Enhanced by the 1st Optional Protocol entered into force on March 23, 1976, in accordance with Article 19.

¹⁸⁷ UN resolution A/C.3/55/L.40, adopted on November, 9, 2000, at the 55th Session of the Third Committee (145 votes for, 0 against, 14 abstentions).

¹⁸⁸ UN resolution A/C.3/55/L.40, Op.Cit, paragraph (b) (i), p.49.

¹⁸⁹ GC 10(19) - Article 19 of the ICCPR on the right to freedom of opinion and expression.

¹⁹⁰ Report E/CN.4/2003/67/Add.1, issued on February, 20, 2003, pp. 135 – 139.

¹⁹¹ The conviction from December 25, 2001 was based on the charge that Pasko presumably wanted to leak classified information about the Russian Pacific Fleet’s dumping of nuclear waste in the Sea of Japan to Japanese news outlets.

¹⁹² On January 22, 2002, TV 6, known for its critical attitude towards the authorities, stopped broadcasting after the Press and Media ministry suspended its broadcasting license.

¹⁹³ Igor Zotov, deputy editor-in-chief of the “*Nezavisimaya Gazeta*” daily was reportedly charged with criminal libel on the basis of an article published on November, 27, 2001, citing anonymous sources in the Federal Security Service (FSB) and other law enforcement bodies, reporting that three Moscow judges accepted bribes from the lawyers of Anatoly Bykov, a prominent businessman on trial for attempted murder.

¹⁹⁴ The newspaper could be ordered closed by the Basmany District Court of Moscow, following proceedings to seal the paper’s property initiated a week earlier by a bailiff. It was reported that these proceedings were the result of an award of damages in a libel suit against the daily, after a financial institution, Mezhprombank, sued the publication claiming that one of its business deals had collapsed because of a December 2001 article on money laundering. In February 2002, the court, which allegedly refused as evidence the documents procured by the paper and reportedly ordered *Novaya Gazeta* to pay 15 million roubles in damages to the bank.

human right (through sensitisation and monitoring activities) and the fostering of media independence and pluralism as prerequisites and major factors of democratisation (by providing advisory services on media legislation and sensitising governments, parliamentarians and other decision-makers)¹⁹⁵. Chief among other its activities in this field are: the *Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights, and to Countering Racialism, Apartheid and Incitement to War*¹⁹⁶; the proclamation of a *World Press Freedom Day* to be celebrated on May 3 of each year¹⁹⁷; the establishment of an advisory group on press freedom including media professionals from all parts of the world; the establishment in 1997 of the UNESCO/Guillermo Cano *World Press Freedom Prize*. Also, two other UNESCO programmes – “*International Programme for the Development of Communication*” and “*Information for All Programme*”-, are specifically designed to strengthen the human and technical capacities of the press, to enable it to effectively contribute to the processes of national development, good governance and democracy. The programs aim to reach these objectives by improving the quality of media output through training, by increasing access to the media through the reinforcement of media facilities especially new technologies, and the support of ethical practices of journalism agreed upon by the media professionals themselves.

As a result, several workshops and seminars on the issue have been organised throughout the world so far. They covered practical areas as desk-top-publishing, the management of small and medium sized media institutions, basic and advanced journalism courses, internet and email usages as well as communication, good governance.

Russia is not a prime target country for this kind of programmes. On the contrary, it is one of the regular sponsors of this kind of trainings for journalists, although the current state of free media in the country is far from being as perfect as to allow *know-how* sharing with other states. One of the most recent example is the “News Media Technologies” Course organised at the beginning of 2003 in Moscow, Velikii Novgorod and St. Petersburg for 20 media professionals from 11 countries¹⁹⁸. According to a UNESCO communication dated January 6, 2003¹⁹⁹, this training was offered by Russia to UNESCO's International Programme for the Development of

¹⁹⁵ The UNESCO media activities by theme are: ICTs and People with disabilities; Archives and Libraries; Community Media Community Multimedia Centres; Creative Content: Radio, TV, New Media; e-Governance; Ethical Issues; Freedom of Expression; ICTs and Education; Independent Press; Indigenous People; Information for Community Development; Information Processing Tools; Legislation; Media Education; Media Development; Multilingualism; Preservation; Public Domain Information; Public Service Broadcasting; Training; Women; Youth.

¹⁹⁶ Proclaimed by the General Conference of the UNESCO at its 20th session in Paris, on 28 November 1978.

¹⁹⁷ Proclamation in 1993 by the UN General Assembly of a World Press Freedom Day.

¹⁹⁸ The training course was organised by the ITAR-TASS information state agency; lectures and round-tables took place at the UNESCO chairs of the Moscow State University and the Moscow Institute of Economics; the practical training was held at the Ostankino Technical TV Centre, First channel of Russian Public television –ORT- and at leading Moscow and regional newspapers –“Moscow News”, “Izvestia” and “Kommersant”-.

¹⁹⁹ UNESCO, *Russian Federation Sponsors Training for Media Professional*, January, 6, 2003.

Communication. Also, the communications adds that “*this and other courses have helped almost 100 journalists to upgrade their professional skills over the last four years*”.

3.3.2. *Outcomes:*

All of the above point to the lack of *consistency* and *effectiveness* concerning UN’s media freedom promotion policy, in general and more specifically in the case of Russia. As for the structure of *incentives* – it is mainly political, but as reality has shown so far, it is obviously quite promiscuous because it allows for benefits to be gained without incurring the respective costs (for example the good name of the state party).

Moreover, it seems that, in general, press freedom issues and international media development are taken as a natural, implicit continuation of the on-going process of democratisation of the country²⁰⁰. A relevant example is the fact that in its technical programmes of cooperation with Russia, the Office of the UN High Commissioner for Human Rights – OHCHR- for example has not placed press freedom and independent media development among its priorities²⁰¹.

The author argues that, in the case of media freedom violations in Russia, *the UN can, thus, be relied on only to convey limited warning signals*.

Moreover, these are not publicised, though, as much as the ones directed to relatively small countries (judged according to territory under control, population, resources, economic and political power), that are considered by international observers to be more susceptible to outside influence²⁰². The cost-benefit ratio for them when participating to an international organisation such as the United Nations is quite likely to be higher than that of larger states. This is because it seems to be more difficult and costly for them to assert national interests if placed in a setting of anarchical competitive international politics²⁰³.

Zimbabwe is one of the most recent examples relevant for the discussion. In 2002, seven press releases on violations of civil and political rights (*including media freedom*) in Zimbabwe were issued by the United Nations. Meanwhile, the UN failed to raise public awareness on media freedom violations that happened the same year in Russia. The issued press releases conveyed

²⁰⁰ One of the great promises of the transition has been the freedom of thought, self-expression and association. Indeed, one of the major achievements of the 1990s in many countries was the shift from authoritarian regimes to independent, sovereign, functioning democracies; *Source: A decade of transition*, UNICEF Regional Monitoring Report no. 8-2001, The Monee Project. CEE/CIS/ Baltics, p.3.

²⁰¹ Annual Appeal 2002-OHCHR-Overview of Activities, OHCHR, Geneva, p.55.

²⁰² R.Alapuro (Eds.) , *Small States in Comparative Perspective: Essays 4* , Oslo, Norwegian University press, 1985, p.68.

²⁰³ P.Mayer, *Regime Theory*, in V.Rittberger (Eds.), *Regime Theory and International relations*, Oxford, Clarendon press, 1993, p.402.

messages on other important pressing issues, such as torture, children, displaced Chechen populations. None of these 18 public statements on Russia were on the topic of media freedom, although the right to freedom of expression is officially considered by the UN “*a fundamental and internationally recognised human right and a basic component of any democratic society*”²⁰⁴. The same document (a recent joint declaration of the UN Special Rapporteur on Freedom of Opinion and Expression, Abid Huassain, the OSCE Representative on freedom of the Media, Freimut Duve and the OAS Special Rapporteur on Freedom of Expression, Santiago Canton) states that “*independent and pluralistic media are essential to a free and open society and accountable systems of government. (...) Lack of a free media can often lead to economic stagnation and improper practises by both governments and businesses*”.

As one can reasonably notice these declarations remained at the state of intentions, in the case of Russia.

This point of the assessment of UN activities for independent media development prompts one of the initial research hypothesis, according to which the United Nations is susceptible of having used *double standards* by exerting diplomatic pressure more on other countries than on Russia, because of similar media freedom violations²⁰⁵.

The answer to this hypothesis coming from the academic world is generally in the affirmative. Several researchers assert that the United Nations, as other intergovernmental organisations as well, reflect preferences of the powers-that-be and prompt mainly less powerful states (not the great powers) to adjust their state behaviour accordingly²⁰⁶.

This view is contradicted by the Office of the UN High Commissioner on Human Rights (OHCHR), who officially asserts that double standards don't exist as such within the organisation.

In a meeting with the author of the present study²⁰⁷, Tanya Smith -human rights officer on Russian issues with the organisation-, said that there were no double standards applied in terms of procedures. She added that, in the case of Russia, one should not forget, thought, that for human rights violations complaints, the UN might not be perceived by many people as the best means for addressing their needs. According to the OHCHR official, this is at least the conclusion one could draw from the fact that not many complaints from Russia are received by the Office, as it happens in the case of other regional institutions, such as Council of Europe – the Court of Human Rights.

²⁰⁴ Declaration issued in London, on November, 26, 1999.

²⁰⁵ According to researchers, one of the most recent sub-context for the exercise of the international influence upon the choice of national institutions and policies is the conditionality approach. Philippe Schmitter defines it as the use of “*coercion by attaching specific conditions to the distribution of benefits to recipient countries on the part of the relevant international actors*”; Source: P.Schmitter, *The Influence of International Context upon the Choice of National Institutions and Policies in Neo-Democracies* in L. Whitehead (Eds), *The International Dimension of Democratisation: Europe and the Americas*, Oxford, Oxford University Press, 1996, pp.30-42.

²⁰⁶ S.Krasner, *Sovereignty, Regimes and Human Rights*, in V.Rittberger, Op.Cit, pp. 155-166.

²⁰⁷ The meeting took place on April, 9, 2003, at OHCHR - Geneva (Switzerland), in the presence of other European Master –EMA- students; *Contacts of Tanya J.Smith*: Office of the High Commissioner for Human Rights, Palais Wilson, Geneva (Switzerland), UNOG-OHCHR, CH-1211 Geneva 10; Tel: 41 (0) 229179176; Fax: 41 (0) 229179005; Email: tsmith@ohchr.org.

The UN procedures state that the Special Rapporteur (including the one for freedom of expression) can seize human rights violations to UN's Commission on Human Rights (HRC)²⁰⁸ and thus raise public awareness on a specific situation, if he / she receives relevant information from individuals, groups, NGOs, intergovernmental organisations or governments with reliable knowledge or cases. Still, it seems reasonable enough for the author to argue that, as this mandate is ensuring his/her quasi-independence from UN bodies²⁰⁹, the Special Rapporteur could have his own initiatives of signalling specific abuses, such as the media freedom violations in Russia for example. Therefore, in the case of Russia, the OHCHR arguments against double standards appeared to lack consistency and were not reliable.

In a meeting with the author of the present study²¹⁰, Julie de Rivero, human rights officer with OHCHR, working in the Rapporteur's Office, argued that, in reality, the UN Special Rapporteur on Freedom of Expression was concerned with what was happening in the Russian media and he actually asked permission to the Moscow authorities to visit the country. But, she added, one should not forget that Russia has a privileged position in order to resist criticism of human rights violations because of its own power in the world. One of the relevant examples is the fact that Russia is still absent from the so-called "blanket-list" of countries that launched to all UN Special Rapporteurs unconditional invitations to visit the country whenever they want. Also, according to Rivero, as the UN (or other international organisations) is a reflection of what states actually are, there is no secret in the fact that its decisions are sometimes politically driven by the interests of its strategic members. *"Many people would like to see for example a resolution on media freedom in Russia with the UN Commission on Human Rights or see appointed even a Rapporteur on Russian issues, but I don't think this shall ever become reality for these mentioned reasons"*, added the OHCHR officer.

The author argues that the explanations of the OHCHR officer are actually answering in the affirmative the research question whether the United Nations is susceptible or not of having used *double standards* by exerting diplomatic pressure more on other countries than on Russia, because of similar media freedom violations.

²⁰⁸ The UN Commission on Human Rights, composed of 53 states, meets each year in Geneva; www.unhchr.ch/html/menu2/2/chr.htm.

²⁰⁹ Mandate of the Special Rapporteur of the Commission on Human Rights on the promotion and protection of the right to freedom of opinion and expression; [www.unhchr.ch/huridocda/huridoca.nsf/\(Symbol\)/E.CN.4.1999.64.En?OpenDocument#annex](http://www.unhchr.ch/huridocda/huridoca.nsf/(Symbol)/E.CN.4.1999.64.En?OpenDocument#annex).

²¹⁰ The meeting took place on April, 9, 2003, at OHCHR - Geneva (Switzerland), in the presence of other European Master –EMA- students; *Contacts of Julie de Rivero*: Office of the High Commissioner for Human Rights, Palais Wilson, Geneva (Switzerland), UNOG-OHCHR, CH-1211 Geneva 10; Tel: 41 (0) 229179177; Fax: 41 (0) 229179006; Email: jderivero.hchr@unog.ch.

3.4. Some concluding remarks:

Thus far, the current framework of the UN influence upon independent media development in Russia has been presented (preceded by a historical setting).

The result of the analyses of United Nations reactions (*incentives*) towards the authorities in Moscow is that *this organization is not the best scoring actor in terms of media freedom promotion activities or reactions to press freedom abuses.*

The UN activities and reactions appear to be limited in number and almost *inconsistent* in terms of content.

As they don't really raise international public awareness on the issue of media freedom violations in Russia, they are, thus, only limited warning signals.

Therefore, the author argues that they are almost *ineffective* in terms of encouraging positive independent media and democratisation-related developments within Russia and, thus, *not entirely reliable* by the Russian and international media activists²¹¹.

Table 1

<i>United Nations Incentives towards Russia:</i>		
<i>Patterns</i>	<i>Assessment</i>	<i>Results</i>
Consistency	<i>"Plus-Minus"</i> (satisfactory level, depending on the specific international context in which incentives are implemented)	They are only limited warning signals, as they don't really raise international public awareness on the issue of media freedom violations
Effectiveness	<i>"Minus-Plus"</i> (unsatisfactory level of effectiveness, than might be adjusted only through special measures)	Limited ability of the UN to stimulate positive democracy and independent media development in Russia
Reliability	<i>"Plus-Minus"</i> (satisfactory level, depending on the specific international context in which incentives are implemented)	- Lack of clarity of signals sent out to media freedom activists. -Lack of commitment of the organisation in front of the public opinion

Based on all of the above, it seems reasonable to assert that the United Nations appears to have given a *carte blanche* to Russia in the press field.

²¹¹ As Table 1 shows.

For the authorities in Moscow, it is somehow easy now to calculate reactions to NGO allegations on media freedom abuses, adjust diplomatic behavior and, thus, benefit from positive images associated with UN membership and involvement in the other human rights-related activities of the organization.

Meanwhile, the abuses grow in number all over the country.

CONCLUSIONS

-Chapter 4-

The above study examined how effectively post-Soviet Russia has developed independent media

and to what extent this process has been supported the United Nations, considered by the author the most representative for the international community, as it the only organisation with world-wide membership and global agenda aimed at promoting democracy and peace values.

The key-question addressed in this research is: *What are the reactions, the very source of influence and media freedom related promotion policies, of the United Nations in its relations with Russia?* The question put forth in this thesis has been answered in both a theoretical and an empirical way. The definitions of the concepts of “media independence / freedom” and of the “double standards” in international relations, constituted the normative basis, while the legal and historical frameworks of the Russian media development and of Moscow’s relations with the United Nations were the empirical basis for the analysis.

The following are several points that summarize and complete the conclusions derived from the study.

Firstly, it is demonstrated that there are several structural factors influencing independent media development in Russia. Although there have been several developments in the legislative, economic and political base which have begun to create an institutional structure amenable to media independence, the recent developments have showed that in practice this *media independence has yet to be realised in Russia*. This is because the new changes do not imply a shift away from *centralisation*. The adopted laws broadly conform to international norms, in ensuring the rights of journalists to gather and disseminate information, and of citizens to receive such information. Still, the main problem that Russia has to solve is how to limit the control and power held by commercial groups and political institutions over the media. Faced with the financial dependence of media outlets, the political authorities have proved to be fast in learning that economic pressure and control over facilities are effective tools for controlling editorial policies. Under the existing conditions, *the media cannot remain an independent actor in Russia*.

Secondly, the thesis argues that a greater degree of freedom of the press in Russia will only be reached with the establishing of a more definite borders of property and power, with the progress of legal institutions and overcoming the general crisis in the country and, more importantly, with more pressure from the *international community*, more specifically from the leading international organisation -*United Nations*-, in stimulating independent media

developments in Russia.

The research suggests that a more critical dialogue by the UN in its relations with Moscow would stimulate media freedom development and consequently the democracy-building process in Russia.

According to journalist *Aleksei Simonov* -that leads a respectable and world-famous Russian human rights NGO-s, *Glasnost Defense Foundation*-, many Russian journalists expect the UN and other international intergovernmental actors to consider economical sanctions (such as conditionality or withdrawal of aid/assistance, reduced economic rating) as well political ones (such as the imposed isolation from global and regional political affairs) in their relations with Russia. During a meeting with the author of the present study²¹², Simonov argued that media freedom violations should be even up-graded to the level of gross violations of human rights, as lack of freedom of expression and lack of independent media provide the best test for the low-quality of democracy and rule of law in the Russian society. *“International organisations should harshly sanction the Russian authorities for how they’re treating the media. But, unfortunately, most of them seem to have chosen to close their eyes in front of the current abuses upon media freedom and, as I see it, their attitude shall not change soon”* he added.

Unlike Simonov, the thesis argues that the open linkage of financial assistance to Russia with observance of human rights would be an instrument with limited efficiency in the long run. If in some cases it may work, more often it appears to be counter-productive.

The author of the thesis suggests instead that a more active promotion policy of the UN-democracy models could be of much more help to the development of independent media in Russia. Also, international support for more education about media freedom and about human rights in general seems to be especially needed in Russia, as the country doesn’t have a strong tradition of respect for liberal and legal values. Also, the UN should thus expose and condemn periodically the media freedom violations, committed by Russian law enforcement officials and urge more systematically and, if necessary, assist the authorities to ensure that all those responsible for abuses of human rights are brought to justice before independent impartial courts. As the former UN High Commissioner for Human Rights, Mary Robinson, noted, *“language is vital in shaping our reactions to a critical event; the words we use to characterize the event may determine the nature of the response”*²¹³.

This more focused support, complemented by a more open critical dialogue, could really put pressure on the authorities in Moscow to abide by their international obligations to promote and

²¹²The meeting took place on April, 30, 2003, in Padua, Italy, in the presence of members of the Italian staff of Amnesty International; *Contacts of Aleksey K. Simonov*: Glasnost Defence Foundation; Zubovski Blvd. 4, apt. 432, 119021, Moscow; P.O.Box 536, Moscow, 119021 Russia; Tel/ Fax: 7-095-2014947; Email: simonov@gdf.ru.

²¹³ M.Robinson, Op.Cit.

protect media freedom and, consequently, human rights in general.

Still, as it has been proved in the thesis, the UN is not exposing and condemning periodically media freedom violations in Russia and it appears to be a low-scoring international intergovernmental actor in terms of media freedom promotion. As *Table 1* shows, the reactions of the United Nations appear to be not entirely reliable, as they lack an satisfactory level of consistency and they have proved to be almost ineffective in terms of results. The assessment of the level of UN reactions made references to positive economic / political incentives or to the sanctions, applied (or not) by the organization in its reaction with Russia. The patterns proposed for the present analysis were consistency, effectiveness and reliability. The conclusion of the assessment was that the UN can only be relied to convey limited warning signals in the case of media freedom violations in Russia. Moreover, these signals are not publicised as much as the ones directed to relatively small countries, judged according to territory under control, population, resources, economic and political power.

This point of the assessment of UN activities for independent media development in Russia prompted a follow-up of the initial research question: *Is the UN applying double standards by exerting diplomatic pressure because (of media freedom violations) more in other countries than in Russia, depending on the importance of each state in the world?*

The answer to this question coming from the academic world was generally in the affirmative. However, this view was contradicted by the representatives of the Office of the UN High Commissioner on Human Rights, interviewed by the author of the thesis, during a study trip in Geneva in April 2003. They officially asserted that double standards didn't exist as such within the organisation, during several meetings with the author of the present study.

In conclusion, the thesis argues that the UN appears to have given a *carte blanche* to the Russian authorities in the media field, being aware though of the growing number of press freedom violations within this country.

LEADING MEDIA IN THE RUSSIAN FEDERATION

-Annex ²¹⁴-:

<p>WRITTEN PRESS</p> <p>(37,425 print media outlets: 22,181 newspapers & 12,726 magazines)</p>	<ul style="list-style-type: none"> -Izvestia (www.izvestia.ru)- leading daily controlled by tycoon Vladimir Potanin -Kommersant (www.kommersant.ru/default..asp) - liberal, business-orientated, controlled by tycoon Boris Berezovsky -Nezavisimaya Gazeta (www.ng.ru) - influential independent daily -Rossiyskaya Gazeta (www.rg.ru) official government newspaper -Moskovskiy Komsomolets (www.mk.ru) - popular daily for youth controlled by Moscow mayor, Yury Luzhkov -Komsomolskaya Pravda (www.kp.ru)- mass circulation tabloid, controlled by tycoon Vladimir Potanin -Argumentiy I Faktiy (www.aif.ru) - popular weekly - Trud (www.trud.ru)- centrist, owned largely by Gazprom - Novaya Gazeta (www.novayagazeta.ru)-popular daily -Krasnaia Zvezda (www.redsatr.ru)- Defence Ministry newspaper -Sovetskaya Rossiya (www.sovrussia.da.ru)-pro-Communist daily - Moscow Times (www.themoscowtimes.com)- independent daily in English - Kommersant (www.kommersant.ru)-pro – economic daily - Itogi (www.itogi.ru)- popular weekly of political analyses -Segodnia (www.segodnia.ru)- popular daily with a liberal orientation
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²¹⁴ According to the Russian Ministry of Press data, to the reports of BBC, European Journalism Centre, etc.

<p>TV (3,267 television channels)</p>	<ul style="list-style-type: none"> - The first national channel ORT (www.ltv.ru) - public channel; the biggest TV channel with a total penetration of 98 % of the Russian territory (140 million viewers); the largest national joint-stock TV company with 51 % of the shares controlled by the Russian state and 49% by private shareholders - The second national channel Russia TV Channel (www.rtr-tv.ru) - run by the state-owned Russian State Television and Radio Broadcasting Company (RTR) with a total penetration of 98.5 % of the territory (50 million viewers); completely state-run. -NTV (www.ntv.ru/index.html) - the only private Russian TV channel with the status of the national channel; it covers approximately 95% of the country's territory (110 million viewers); it competes in popularity only with ORT. - TV-tsentr (www.tvc.ru), TVC (www.tvs.ru) channels - currently run by the former journalists of the NTV channel who left the previously mentioned channel as a result of its recent transformation and of their disagreement with the new owners of the broadcaster. -TV6 Moscow (www.tv6.ru) - ordered off the air
<p>RADIO (2,378 radio stations)</p>	<p>Music radio stations have great popularity in Russia. The leading Russian news & analysis radio stations include</p> <ul style="list-style-type: none"> - Radio Rosiya- (www.vesti.rtr.com)- run by the state-owned RTR -Moscow Echo (www.echo.msk.ru/index.html) - influential independent station - Radio Mayak (www.radiomayak.ru) - broadcasts mainly regional news -Voice of Russia -Golos Rossiy- (www.vor.ru/index_eng.html)- state radio company broadcasting for foreign audiences. - Foreign radio stations (which were already broadcasting on the shortwaves band for a long time before the collapse of the USSR)- Radio Free Europe / Radio Liberty (www.svoboda.org), Voice of America

<p>NEWS AGENCIES (around 30 large-scale information and news agencies)</p>	<p>- Itar-Tass (www.itar-tass-com/newsdir.htm)- state-owned the biggest state news agency, former major news agency of the Soviet Union-</p> <p>- Ria-Novosti (http://en.rian.ru/rian./index..cfm) - state-owned; multilingual state information and analytical agency, created in 1991 on the basis of the Soviet Press Agency Novosti</p> <p>- Interfax (www.interfax.ru) - independent, a part of the international news network Interfax Information Services</p> <p>- RosBusinessConsulting (RBC) (www.rbc.ru) - primarily internet-based financial and economic news agency founded in 1992.</p> <p>- Russian Bureau of News (RBN) (www.rbn.ru)- online agency with daily news from different regions of Russia.</p> <p>- Russian Information Center (www.infocentre.ru)- structure created by the Ministry of Press and Ria Novosti, with the purpose to disseminate an official view and news on the war in Chechnya.</p>
<p>INTERNET MEDIA PORTALS (868 online periodical outlets)</p>	<p>- Polit.ru (www.polit.ru) a news and politics internet portal, is one of the oldest Russian news sites on the internet (founded in 1996).</p> <p>- Gazeta.ru (www.gazeta.ru)- the first internet daily</p> <p>- Lenta.ru (www.lenta.ru) the first round-the-clock news service</p>

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