



THE PERMANENT MISSION
OF THE
UNITED STATES OF AMERICA
TO THE
UNITED NATIONS AND OTHER INTERNATIONAL ORGANIZATIONS
IN GENEVA

May 14, 2018

Mr. David Kaye

Special Rapporteur on the promotion and protection
of the right to freedom of opinion and expression
Office of the United Nations High Commissioner for Human Rights

Dear Mr. Kaye:

In response to your written inquiry dated February 2, 2018, we are pleased to provide further information regarding the recent registration under the U.S. Foreign Agents Registration Act (FARA) of T&R Productions and RTTV America (hereinafter referred to collectively as “RT”).

Please find the United States response attached.

Sincerely,

A handwritten signature in blue ink that reads "Jason Mack".

Jason R. Mack
U.S. Deputy Permanent
Representative to the UN Human
Rights Council

SUBJECT: U.S. response to the SR on freedom of expression regarding the designation of RT America as a foreign agent under FARA

We appreciate the opportunity to clarify any misunderstandings that may have led some to incorrectly believe that freedom of expression, including for members of the media, is under assault in the United States. RT continues to broadcast freely on U.S. television. Freedom of speech is a pillar of U.S. law and one of our founding principles, and the United States fully respects its international legal obligations, including under Article 19 of the International Covenant on Civil and Political Rights (ICCPR).

FARA is a disclosure statute that requires persons or entities in the United States who engage in specified activities at the order, request, or under the direction or control of foreign principals to register with the Department of Justice (DOJ). The Act aims to promote transparency by ensuring the American public and our lawmakers know when the source of information is a foreign principal, particularly if that information may be intended to influence U.S. public opinion, policy, or laws. FARA is designed to encourage transparency by foreign principals attempting to influence the U.S. government or public through public speech, political activities, and lobbying through agents in the United States – but it does not discourage, block, or prohibit that conduct itself.

RT chose to register under FARA after receiving DOJ’s communications explaining why the statute required registration.

Importantly, the FARA statute in no way impedes media outlets’ operations; they can print and broadcast stories and opinions without restriction or interference from the United States government. The FARA statute simply defines who must register with DOJ as a foreign agent, what they must disclose, and how they must label their materials. FARA does not limit what registered foreign agents may say or publish, nor does it

curtail their ability to report on, register for, or attend events in the United States. FARA registration requirements for media outlets are not new; in fact, media outlets have registered for years with no impact on their ability to work in the United States. Like other FARA-registered media outlets, RT continues to perform its work, as it did before.

In response to specific questions about restrictions on RT's ability to access Congressional and other governmental proceedings, we refer you to the websites of the Radio-Television Correspondents Galleries, <https://radiotv.house.gov/> and <https://www.radiotv.senate.gov/>, as well as the Radio-Television Correspondents Association (RTCA) website, <http://rtcacaphill.org/>.

Freedom of expression, including for members of the media, enjoys strong legal and constitutional protection in the United States, creating an environment in which media organizations – including foreign media organizations – can operate freely and flourish.