



PISM | POLSKI INSTYTUT SPRAW MIĘDZYNARODOWYCH  
THE POLISH INSTITUTE OF INTERNATIONAL AFFAIRS

# BULLETIN

No. 7 (1078), 17 January 2018 © PISM

Editors: Sławomir Dębski ● Bartosz Wiśniewski ● Rafał Tarnogórski

Karolina Borońska-Hryniewiecka ● Anna Maria Dyrer ● Aleksandra Gawlikowska-Fyk  
Sebastian Płóciennik ● Patrycja Sasnal ● Justyna Szczudlik ● Marcin Terlikowski ● Tomasz Żornaczuk

## Media “Foreign Agents:” Implications for U.S.-Russia Relations and International Cooperation

Andrzej Dąbrowski, Agnieszka Legucka

*U.S. authorities ordered Russia’s RT and Sputnik news agencies to register as foreign agents. In response, the Russian parliament amended its law on media that receive foreign funding, giving them similar status. With the drop in confidence in Russia by both parties in Washington, the U.S. administration is using existing regulations to avert accusations that Donald Trump favours Russia. That in turn has prompted Russia to further increase government control over media coverage in the country.*

The investigations carried out by the FBI and in the U.S. Congress on Russian interference in the U.S. presidential campaign in 2016 pointed to the significant role of disinformation in both traditional and social media during the election period. The purpose of this disinformation campaign was to undermine Americans’ confidence in their democratic institutions. On Facebook alone, content and comments generated by accounts apparently created for propaganda purposes reached 126 million Americans. During the election in the U.S., Russian television network RT (formerly Russia Today) spent almost \$275,000 on ads on Twitter. While the Russian government’s Internet Research Agency, through various Facebook accounts, spent more than \$100,000 promoting content that aimed to undermine confidence in the U.S. federal government.

In January 2017, the U.S. intelligence services recognised that RT and Sputnik were spreading Russian propaganda and recommended they be registered as foreign agents. This categorisation is historically associated with espionage activities for a foreign state, and is stigmatising.

**The American Regulations.** The Department of Justice (DoJ) demanded RT and Sputnik register as foreign agents, based on the Foreign Agents Registration Act (FARA), which created a list of natural and legal persons (political parties, PR companies, media) disseminating messages on the order of a foreign principal. RT and Sputnik complied in November 2017. FARA obliges the agent to inform its readers/viewers/users of its foreign agent status and requires the agent to submit documents on sources of funding and produced or published materials to the DoJ. Refusal to register as a foreign agent can result in a penalty of at least \$10,000, 5 years in prison if a natural person, or deportation in the case of a foreigner.

FARA registration includes other media in the U.S., including the Chinese *People’s Daily* and Japanese state television NHK. In contrast to the Japanese and Chinese entities, however, RT’s press accreditation in Congress was revoked. The administration wanted to emphasise its negative attitude towards these Russian media. It also demonstrates an attempt to distance administration officials from entities operating in the U.S. and related to Russian Federation authorities.

**Russia’s Reaction.** In response to the U.S. actions, the Russian authorities put further limitations on media receiving foreign financing. Formally, this was presented as a symmetrical response to the U.S. decision on

RT and Sputnik, but it also served as a pretext to increase control over networks operating in the Russian Federation. In 2016, Russia limited foreign entities to 20% of the shares of media organisations in the country).

On 25 November 2017, President Vladimir Putin signed the amended media bill into law. On 5 December, the Russian Ministry of Justice published a list of nine broadcasters that had to comply with the changes, including Voice of America (VoA) and Radio Free Europe/Radio Liberty (RFE/RL). The State Duma and the Federation Council banned U.S. media outlets from the Russian parliament and recommended regional parliaments block them as well.

The amended media law requires press materials be marked with information about the entities' foreign agent status. It also allows the authorities to block websites, radio and television stations, and other communications anytime they deem them to be violating the public order. On 12 January, the Russian Duma voted to allow penalties to be imposed on media (legal entities) and natural persons conducting such activities. According to experts, the maximum penalty could be RUB 5 million (\$86,000), and for individuals, up to 15 days of administrative detention.

The law, though, is yet another action aimed at control of Russian civil society. The rights and duties of media listed as foreign agents are now equivalent to the status of NGOs, which operate under a law in force from 21 November 2012. At that time, after a wave of mass demonstrations in Russia, the authorities accused numerous NGOs of promoting American interests. The authorities ordered many to register as foreign agents. Later, the newly imposed special reporting rules were used as a pretext to close some of the registered NGOs. According to an Amnesty International report from November 2016, 148 organisations were included on the foreign agent list over the four years, with 27 closed. This has hindered the work of independent civic organisations and is a form of intimidation of Russian citizens who disagree with the ruling regime.

**Media as a Weapon of Rivalry.** Although the U.S. authorities recognise RT and Sputnik as foreign instruments of government propaganda of the Russian Federation, it does not mean that they are not allowed to operate in the country. Blocking them entirely could be viewed by courts as contrary to the American constitution, which prohibits the creation of a law restricting freedom of expression. Moreover, RT and Sputnik conduct their business activities according to U.S. law. In Russia, unlike in the U.S., VoA and RFR/RL do not have access to a wide audience and function mainly on the internet (VoA has its headquarters in Washington, RFR/RL in Prague). In addition, journalists working for these media have been arrested and convicted for writing articles and preparing materials deemed unfavourable by Russia's authorities.

Mass media from the U.S. and Russia play an important information role abroad. VoA reaches an estimated 236 million people weekly, RFR/RL up to 25 million, while the global network of RT viewers is about 150 million people. RT is supported directly from the Russian state budget. In 2017, its funding reached about \$340 million, but that was supplemented by an additional \$21 million to launch a French outlet just before the presidential campaign in that country. That is one reason why the winner of the elections, Emmanuel Macron, in a meeting with Putin in May 2017, called RT and Sputnik "agents of influence and propaganda." In 2016, the budget of just the U.S. branch of RT amounted to about \$300 million.

Other states are fighting Russian propaganda in various ways, for example, by blocking the broadcast of Russian TV channels (Ukraine, Lithuania, Latvia), imposing financial penalties for publishing unverified and manipulated materials (Georgia, UK), and establishing government centres to fight disinformation (Czech Republic). Within NATO (from 2014) and the EU (from 2015), institutions dealing with strategic communication have been established for these purposes.

**Conclusions.** Casting media as foreign agents is a further manifestation of deteriorating U.S.-Russian relations. At the same time, both the American and Russian authorities instrumentally use new and existing regulations to further their domestic politics. In the U.S., the acts were intended to portray the Trump administration's firm stance towards Russian media operating in the country. In Russia, the laws allow greater government control over mass media financed from abroad. This will strengthen anti-U.S. messaging during Putin's upcoming re-election campaign.

Russia will not stop using disinformation and propaganda to further its foreign policy. These tools have proven to be effective and cheap, and are therefore attractive. Measures by NATO and EU countries to limit their effects should be intensified. It is also important to develop a public communications strategy to reach many groups of recipients, including national minorities. It is also advisable to use the anti-disinformation practices developed in NATO (StratCom) and the EU (East StratCom). At the national level, national "StratComments" could be created, which would cooperate with the relevant EU institution in researching attempted sabotage techniques, counteracting disinformation, and educating citizens. It is worth considering introducing techniques to combat propaganda and disinformation to civil society institutions and expert institutions on a partnership basis.