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Medvedev's Digital Split Personality

By Alexei Pankin

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Sometimes I think President Dmitry Medvedev has a split personality. On one hand, he stubbornly fights legal nihilism in public and official life. Many still recall the public dressing down he gave in February to the heads of the Federal Security Service and Investigative Committee for announcing that the Domodedovo bombing had been solved "before carrying out all investigative procedures." On the other hand, he sometimes displays an astonishing level of legal nihilism himself, despite the fact that he does not have to pursue insurgents in the Caucasus mountains or storm their strongholds.

The most recent example of this doublethink came last week when in a single day Medvedev commemorated the 20th anniversary of the founding of the All-Russia State Television and Radio Broadcasting Company, or VGTRK, and signed a decree designating eight mandatory channels for nationwide broadcasting that will be given away free of charge as part of the transition to digital broadcasting that the government is slated to complete by 2015.

To begin with, no separate law has been adopted during the 20 years of post-Soviet Russian history that would create at least a parliamentary if not an independent public entity for the

oversight of television and radio — a singularly important area of the country's social, political and economic life. Medvedev's decision is an unprecedented step for any country claiming to be a democracy.

In Russia, the executive branch of government regulates broadcasting. Broadcasting licenses are handled by the Federal Supervisory Agency for Information Technologies and Communications, known as Roskomnadzor, part of the Communications and Press Ministry. It forms the Federal Competition Commission, consisting of five government officials and four members of the public. I recently asked two of the public members — Mikhail Fedotov, secretary of the Journalists Union, and Henrikh Yushkyavichus, counselor to UNESCO's director-general — whether they were aware of any formal criteria used in selecting them for the job. Both answered independently that they were not.

Be that as it may, the licensing process is conducted on a competitive basis, commission members frequently argue, and decisions are not always made unanimously. In other words, some form of procedural structure has taken shape so that, despite being under full government control, the commission does have some autonomy.

President Dmitry Medvedev should have availed himself of that procedure to stage a competition between the 19 companies holding federal broadcasting status for the right to the eight most lucrative digital frequencies designated for "creating the conditions for the population to receive socially significant information." This would be especially beneficial because a contest would involve the discussion of planned programming. Both the Federal Competition Commission and the public are ready for such consultations. The hundreds of posts on the presidential blog testify to this. They underscore strong public discontent with information disseminated over federal channels.

But instead of "carrying out all necessary licensing procedures," to paraphrase the lawyer-president's own words to the siloviki, Medvedev went and signed a decree giving away those frequencies to the four state-owned channels belonging to VGTRK, state-controlled Channel One, Gazprom-controlled NTV and Channel 5, owned by oligarch Yury Kovalchuk.

The fate of terrestrial television — which will continue to be Russians' main source of information for at least another 10 years — has thereby been sealed. Now Medvedev can continue his fight against legal nihilism by the Russian people.

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