

**Statement by the National Television and Radio
Broadcasting Council of Ukraine
at the Working session 2: Fundamental freedoms I, including freedom
of expression and address by the OSCE Representative on Freedom of the
Media
(Warsaw, 23 September 2014)**

Dear friends! Dear Ms. Dunja Mijatovic!

Let me express my gratitude for your considerable efforts and your outstanding presentation that you have just made.

Regarding concerns about the situation in Ukraine, I would like to point out that the role of freedom of expression and media pluralism as human dimension is a corner stone and crucially important in the development of democratic society.

However, we should take into consideration that in time of crisis and antiterrorism protection, certain rights can be limited by the law in the interest of the national security.

In this respect Ukrainian legislation is in line with the European Convention for the Protection of Human Rights and Fundamental Freedoms in particular to part 2 of Article 10 – Freedom of expression.

It provides formalities, conditions and restrictions or penalties that are necessary in the democratic society in the interest of national security, territorial integrity and public safety.

The official monitoring, conducted by the National Television and Radio Broadcasting Council of Ukraine on the daily basis confirms that the main characteristic features of the most informational and analytical programs of Russian channels are the incitement of ethnic hatred, propaganda of exclusivity and superiority, violation of human dignity and humiliation on the basis of the nationality and ideology. Moreover, besides our official monitoring we rely on the expertise of other media organizations.

In this regard, in Ukraine there have been taken all possible appropriate measures (Court's decisions) aimed at strengthening the informational security of the country regarding the incompliance of some Russian programs with the Ukrainian legislation as well as with the European Convention on Transfrontier Television. This Convention has not been ratified by the Russian Federation.

On the basis of these norms and provisions of the Ukrainian and European legislation and after examining recordings the National Council of Ukraine applied to the Court of Ukraine to ban the retransmission of the following Russian TV channels:

- *First Channel. Worldwide Network*
- *RTR Planet*
- *Russian informational channel – Russia 24*

- *NTV World*
- *TVCi*
- *RBC-TV*.

The RBC-TV case was the last Court's decision taken on September 12 with the purpose to ban temporally the retransmission of this channel in cable networks of Ukraine.

Also relevant measures have been taken to nine Russian TV channels (*Russia 1, NTV, TNT, Peterbyrg 5, Star, Ren-TV, Life News, Russia Today, History*) in accordance with the Law of Ukraine on Television and Radio Broadcasting, article 42.

Moreover, this counteraction against hate speech becomes the challenge not only for our country.

It is necessary to develop the joint approach for providing clear balance between the freedom of speech and the protection of informational security.

We believe that the public benefits will be greater than the temporary prohibition on companies of rebroadcasting the Russian channel's programs in a manner that fundamentally harm society because of the content of news and other broadcasts.

Some restrictions on rights can be justified on the grounds of the public's right to security and stability of the state as such.

It has to be admitted that we have launched the reform in the broadcasting sector, aimed at establishing of public service broadcasting in the country.

Thank you for your attention!