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Delegation of the Russian Federation

**STATEMENT BY  
MR. MAXIM BUYAKEVICH, DEPUTY PERMANENT REPRESENTATIVE OF  
THE RUSSIAN FEDERATION, AT THE 1389th MEETING OF THE  
OSCE PERMANENT COUNCIL**

15 September 2022

**On the political persecution of the Russian media in the European Union**

Mr. Chairperson,

We are deeply concerned about the gross infringement on the right to freedom of expression and freedom of the media in the European Union and its member countries. The use of censorship is becoming increasingly frequent there, as is the persecution of “undesirable” channels under the pretext of tackling imaginary hostile foreign agents and disinformation and combating purported cyberattacks.

In early March of this year, following a decision by the Council of the European Union, restrictions were imposed on some news agencies and television channels, including Russia Today, and their broadcasting was suspended. Almost immediately, RT France lodged an appeal with the General Court of the Court of Justice of the European Union.

The channel’s representatives pointed out that the broadcasting ban flagrantly violated the fundamental documents and principles of the European Union. Neither the Treaty on European Union, nor the Treaty on the Functioning of the European Union allows freedom of speech and information to be restricted or the media or its content to be controlled. What is more, the aforementioned treaties do not provide for restrictions on fundamental freedoms even in the event of a conflict between two third parties.

What we are also dealing with here is the Council of the European Union flouting its mandate by arrogating to itself the powers of a national regulator. We would remind you that it is the Regulatory Authority for Audiovisual and Digital Communication (ARCOM) which is meant to monitor RT France’s compliance with rules and standards. In all the time that Russia Today has been operating, ARCOM has issued only one formal warning to the channel. No other infractions have come to light. Similarly, no sanctions whatsoever had been imposed on the media outlet in the past.

Moreover, the channel provided all necessary guarantees as to its editorial independence, which includes independently determining its broadcast content. Oversight over its compliance with basic journalistic principles is provided by an ethics committee operating under the channel’s aegis.

Nor do the criticisms and attempts to make the channel out to be somehow engaged in propaganda through its formal ties to a third party involved in a conflict stand up to scrutiny. Not a single such instance

has come to light in relation to RT France. On the contrary, the media outlet submitted copious evidence attesting to its respect for pluralism of opinions and points of view. As for the coverage of Russia's position, provided that other points of view are taken into account, that cannot be subjected to sanctions as it constitutes information from a specific source.

Nevertheless, on 27 July this year, we learned of the dismissal of the action brought by RT France by the General Court of the European Court of Justice, sitting as the Grand Chamber. All the arguments cited were rejected.

Invoking some sort of "judicial practice", the General Court found that the Council had the competence to restrict freedom of expression and information provided that certain conditions were met. Moreover, the temporary suspension of broadcasting was allegedly compatible with "the essential content of the freedom of expression", given the role played by audiovisual media in modern society. In other words, Europe's "Lady Justice" is of the view that giving airtime to only one point of view is compatible with "the essential content of the freedom of expression", as is denying people access to information and an alternative opinion, not least in the context of the events in Ukraine.

Mr. Chairperson,

There can be no doubt that, with this ruling, the European Union's judicial body, that is, the EU bloc, has once again demonstrated its bias and anti-Russian propensity. How else can one explain that European "justice" turned a blind eye to an on-the-spot preventive ban on broadcasting that was adopted outside the framework of established procedures and without a public discussion? Or the failure to conduct impartial judicial proceedings or the disregard for the lack of any supporting evidence to confirm that the television channel's journalists had been spreading disinformation? Not to mention the fact that the Council's actions were not compatible with its powers.

The explanation is quite simple. It turns out that the European Union's respect for the principle of the rule of law is likewise far from perfect. This is borne out by the European Commission's recent report on that topic. The lack of objectivity and critical self-awareness in this report with regard to what is happening in the EU area is ever so telling.

We thus have confirmation that, for the sake of opportunistic considerations, European officials are without further ado willing to resort to the curtailment of human rights and freedoms. True, they do not always follow that approach. For example, under the pretext of the allegedly absolute nature of freedom of speech, the officials in Brussels consistently pander to the organizing of neo-Nazi marches and to discrimination of the Russian and Russian-speaking population.

The consequences of the ruling that has been issued, including its legal consequences, will be examined by the competent Russian bodies, not least from the angle of adopting possible response measures.

We believe that the RT France "saga" calls for a clear and public reaction from the OSCE Representative on Freedom of the Media, Teresa Ribeiro. Jesuitical and wishy-washy phrases will not do. They merely serve to strengthen our conviction that the rights and freedoms of Russian citizens and any organizations that are in some way connected to Russia are always expected to give way to the European Union's geopolitical interests. We exhort Ms. Ribeiro to finally begin reacting comprehensively, as opposed to selectively, to violations of freedom of speech and freedom of the media in the OSCE area.

Thank you for your attention.