

RESOLUTION No ПД-05-15

01 March 2022

The Council for Electronic Media (CEM) at its meeting held on 1 March 2022, having taken into account:

- the flagrant violation of international law by the Russian Federation and the violation of its territorial integrity through military intervention against the Republic of Ukraine;
- the restrictive measures taken within the European Union in response to the crisis in Ukraine, including the measures announced in a statement by the European Commission President Ursula von der Leyen on 27 February 2022 to ban the Russian programmes Russia Today and its subsidiaries as well as Sputnik and its subsidiaries;
- the support expressed in the Declaration of 24 February 2022 of the 47th National Assembly of the Republic of Bulgaria for Bulgaria's partners and allies in the European Union and NATO in discussing a package of measures, including sanctions, to de-escalate the conflict;
- the proposals by the Ministry of Foreign Affairs of the Republic of Bulgaria to take coordinated restrictive measures against the Russian Federation, including but not limited to Russian propaganda and disinformation – a general ban on the operation throughout the EU of Russia Today TV, as well as the Russian agency Sputnik, including broadcasting, publishing, etc.;
- the freedom provided for in Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) for Member States to take whatever they deem appropriate with regard to audiovisual media services which come from third countries and which do not satisfy the conditions laid down in Article 2 (preamble 54);
- the possibility provided for in the Convention on Transfrontier Television, if the alleged infringement is of a manifest, serious and grave nature, such as to raise important public questions and affect the provisions relating to Article 7, item 1 (but not limited to it), the receiving Party may suspend the retransmission of the programme concerned;
- the prohibition in the Radio and Television Act on media services inciting violence or hatred directed against a group of persons or a member of a group on any of the grounds set out in Article 21 of the Charter of Fundamental Rights of the European Union;
- the retransmission on the territory of the country by undertakings within the meaning of the Electronic Communications Act, carrying out electronic communications through cable and satellite electronic communications networks, of foreign programmes of Russian origin or close to the present Government of the Russian Federation, which may disseminate content inciting hatred, disinformation, discrimination, intolerance to justify the military action against Ukraine,

finds it appropriate to issue a resolution temporarily restricting the retransmission of the programmes Russia Today and its subsidiaries and Sputnik as well as its subsidiaries on the territory of the Republic of Bulgaria.

In order to protect important state and public interests related to avoiding the dissemination of disinformation regarding the military intervention against Ukraine, as well as content that incites hatred and discrimination and that may endanger the security and public order in the country, and in order to protect the public interest related to the provision of impartial information about events of general interest, CEM grants provisional execution of this Resolution.

In the light of the foregoing and on the basis of Article 32, Paragraph 1, Subparagraph 18, in conjunction with Article 8, Paragraph 2 of the Radio and Television Act, in conjunction with Article 24, Subparagraph 2 of the Convention on Transfrontier Television, in conjunction with Article 60, Paragraph 1 of the Administrative Procedure Code, the Council for Electronic Media

RESOLVED:

It temporarily restricts the retransmission on the territory of the Republic of Bulgaria of audio-visual media services (television programmes) Russia Today and its subsidiaries, as well as Sputnik and its subsidiaries.

Orders provisional execution of the Resolution.

It is hereby ordered to send this Resolution to the Communications Regulation Commission to take appropriate action within its competence.

The Resolution is to be announced through the Bulgarian News Agency.

The Resolution is subject to appeal within 14 days from its announcement before the Sofia District Administrative Court.

BETINA JOTEVA
CEM CHAIRPERSON