



Canadian Radio-television and
Telecommunications Commission

Conseil de la radiodiffusion et des
télécommunications canadiennes

Ottawa, Canada
K1A 0N2

Ottawa, 13 December 2021

BY EMAIL

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**Re: Complaint by Safeguard Defenders regarding the programming broadcast by
CGTN and CCTV-4**

Dear Ivy Nie,

On 16 December 2019, the Commission received a complaint from Safeguard Defenders regarding the programming broadcast by CCTV-4 and CGTN (formerly CCTV English News), two services that have been added to the Commission's *Revised list of non-Canadian programming services and stations authorized for distribution* (the List) in Broadcasting Public Notice CRTC 2006-166¹ and Broadcasting Decision CRTC 2012-347², respectively.

The Commission notes that Safeguard Defenders' complaint:

- includes serious and detailed allegations about content broadcast on the aforementioned services over the years;
- points to several broadcasts that allegedly featured forced confessions by a number of individuals, including Canadians;
- includes an assessment of credibility of the evidence provided therein; and
- calls for the removal of these services from the List³.

¹ *Addition of nine non-Canadian Chinese-language services to the lists of eligible satellite services for distribution on a digital basis*, Broadcasting Public Notice CRTC 2006-166, 22 December 2006.

² *Addition of CCTV English News to the List of non-Canadian programming services authorized for distribution*, Broadcasting Decision CRTC 2012-347, 26 June 2012.

³ Removal of a previously approved non-Canadian service from the List means that Canadian broadcasting distribution undertakings (BDUs) are no longer authorized to distribute the service in Canada, since BDUs may only distribute services that they are authorized to distribute pursuant to section 3 of the *Broadcasting Distribution Regulations*.

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The broadcasting policy for Canada is set out in section 3 of the *Broadcasting Act* (the Act). These policy objectives apply with respect to all programming broadcast in Canada, whether provided by Canadian or non-Canadian services. Pursuant to section 5 of the Act, the Commission is required to regulate and supervise all aspects of the Canadian broadcasting system with a view to implementing these policy objectives. By allowing Canadian broadcasting distribution undertakings (BDUs) to distribute non-Canadian services in Canada, the Commission recognizes that the availability of certain of these services can serve the public interest by adding choice, diversity and alternative perspectives to the Canadian broadcasting system, thereby furthering the broadcasting policy set out in section 3. While there are no regulations applicable directly to these services, the underlying policy objectives which form the basis of the regulatory framework applicable to Canadian services apply with respect to all programming broadcast in Canada, whether provided by Canadian or non-Canadian services.

The Commission considers that the allegations in Safeguard Defenders' complaint raise significant concerns with respect to the aforementioned non-Canadian services and how their programming would be contrary to many objectives of the Act, including that the Canadian broadcasting system should:

- serve to safeguard, enrich and strengthen the cultural, political, social and economic fabric of Canada (subparagraph 3(1)(d)(i));
- encourage the development of Canadian expression by providing a wide range of programming that reflects Canadian attitudes, opinions, ideas, values and artistic creativity (subparagraph 3(1)(d)(ii));
- serve the needs and interests, and reflect the circumstances and aspirations of Canadian men, women and children, including equal rights (section 3(1)(d)(iii)); and
- provide a balance of information (subparagraph 3(1)(i)(i)).

If the allegations contained in Safeguard Defenders' complaint are true, the distribution of such content in Canada is antithetical to the policy objectives of the Act and does not serve the public interest in any way. As such, the Commission is currently considering the possible removal of CGTN and CCTV-4 from the List. In this regard, when the Commission authorized CCTV-4 for distribution by Canadian BDUs in Broadcasting Public Notice CRTC 2006-166, the Commission made it clear that removal of a non-Canadian service from the List is a remedy that it will be prepared to exercise should content aired on the service be contrary to Canadian broadcasting policy.

With this letter, the Commission hereby provides CGTN and CCTV-4 the opportunity to respond to the attached complaint and to address the allegations therein. The Commission takes this complaint seriously. It intends to consider the allegations as well as any response provided by the services in view of the Canadian broadcasting policy objectives. Thus, it is incumbent on the services to provide evidence in support of its submissions and clearly address why the services should not be removed from the List in light of the broadcasting policy of Canada.

Following its review of the services' response to the complaint, if the services are unable to address the allegations in the complaint to the Commission's satisfaction, including

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demonstrating how the content aired is consistent with the Act and the public interest, the Commission may remove the services from the List. Consequently, BDUs would no longer be authorized to distribute the services in Canada.

The Commission requires that the response be filed **by no later than 21 January 2022**.

Yours sincerely,



Doucet, Claude
2021.12.13 11:46:
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Claude Doucet
Secretary General

Attachment: Complaint by Safeguard Defenders against CGTN and CCTV-4

c.c.: Peter Dahlin, Safeguard Defenders (info@safeguarddefenders.com); David Spodek, Senior Specialist, Regulatory Affairs, Bell Canada ([REDACTED]@bellmedia.ca); Pamela Dinsmore, Vice President, Regulatory Cable, Rogers Communications Canada Inc. ([REDACTED]@rci.rogers.com); Lecia Simpson, Director, Regulatory Affairs, TELUS Communications Inc. ([REDACTED]@telus.com); Peggy Tabet, Vice-President, Regulatory and Public Affairs, Québecor Média inc. ([REDACTED]@quebecor.com)