

**2021-02-18: Letter of concern regarding the Canadian Radio-television and Telecommunications Commission (CRTC) and its failure to act on irrefutable evidence of systematic transgressions by Chinese State broadcaster CCTV in Canada**

On 4 February 2021, UK regulator Ofcom revoked the broadcasting licence of CGTN to air in the United Kingdom due to serious non-compliance offences and violations of the law, including obtaining and holding a licence illegally and being owned and controlled by a political party.

Documentary evidence [provided to Ofcom by the human rights group Safeguard Defenders](#) proved conclusively that CCTV/CGTN is controlled by a political party, prohibited in many jurisdictions. Only a few days after Ofcom's ruling, [state regulators in Germany took CGTN off air](#), with further consequences in Europe to come<sup>1</sup>.

Before this, and **of significant relevance to Canada**, CGTN was [also found guilty by Ofcom on 6 July 2020 of serious broadcasting law violations by airing "forced TV confessions"](#). The regulator has said it is preparing statutory sanctions for these offences. Several more decisions on the same type of broadcast violations are expected within weeks.

The content of these aired "confessions" are extracted from suspects long before any trial, and in often while the victim is held incommunicado, with no access to legal counsel, and at secret locations (rather like Canada's two Michaels were held). Many victims are journalists, lawyers, NGO workers, and others who are political targets. Many of those victims have, after these broadcasts and after release from captivity, spoken of prolonged torture carried out to force them to record such confessions. Almost all speak of these "confessions" being scripted by the police.

Of note, during CCTV's communication with the UK regulator, they have refused to rule out airing more. In the same spirit of defiance, the head of CGTN, when approached by a French journalist, refused to answer if it would cease such broadcasts<sup>2</sup>.

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In Canada, in 2006, after a lengthy process, **CRTC gave permission for Chinese TV CCTV-4** to be added to the list of eligible digital broadcasters<sup>3</sup>. It did note in its decision that CCTV-4 had aired abusive content in the past, but it allowed its inclusion with the expressed expectation that such content would no longer be featured. As of today, CCTV-4 (the international Chinese language channel), China Global Television News (CGTN<sup>4</sup>), which airs in English, and CGTN Francais (French), are all on the list of channels authorized for distribution<sup>5</sup>. All of them have aired such abusive content, and done so systematically, over many years.

In its public decision, CRTC noted that if abusive content was aired again it retained the right to **remove a service from the list of eligible channels for distribution**. In fact, it stated:

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<sup>1</sup> Due to the Council of Europe's [European Convention on Transfrontier Television](#)

<sup>2</sup> See the documentary from ARTE [here](#).

<sup>3</sup> List of non-Canadian programming services and stations authorized for distribution

<sup>4</sup> CGTN is still often referred to under its old name, *CCTV News* or *CCTV English News*.

<sup>5</sup> <https://crtc.gc.ca/eng/archive/2019/2019-2.htm>

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*The Commission will expect that the CCTV-4 service that will be distributed in Canada will be free of abusive comment.*

*Removal of a service from the lists of eligible satellite services authorized for digital distribution is a remedy that the Commission will **be prepared to exercise if it finds that abusive comment has been aired on the service while it is distributed in Canada.***

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On 16 December 2019, some 14 months ago, Safeguard Defenders **provided a comprehensive set of evidence proving the systematic, intentional and widespread airing of such abusive content in Canada.** The 28-page complaint provided irrefutable evidence that these violations were repeatedly perpetrated from 2013 to 2019, on both CCTV-4 and CGTN.

When the complaint to CRTC was filed it was just after yet another one of these forced TV confessions had been aired in Canada, on CCTV-4 *and* CGTN, of a victim, Simon Cheng, who worked at the UK's Consulate General in Hong Kong. The complaint presented clear evidence of the systematic nature of how CCTV-4 and CGTN broadcasts such content across Canada, with impunity.

Since it received this material, however, CRTC has failed to take action as the responsible regulator and state agency. After more than 14 months, neither Safeguard Defenders nor any Canadian media who asked have been given a straight answer by CRTC as to the status of the complaint, nor as to whether any investigation into the allegations has been carried out at all.

**This failure to halt abusive content on Canadian airwaves and the failure of a regulatory body to perform its duty is a significant blow to human rights protections** and rule of law, both of which are keystones of Canadian life and society. Chinese TV's blatant disregard for rules and laws, in Canada and elsewhere, cannot be countered, nor expect to change, if the regulatory bodies in question refuse to apply existing rules on them. Failure to act is to invite continued, and expanded, violations.

It is not for Safeguard Defenders, nor anyone else, to perform this duty; it is the *raison d'être*, mandate and duty of CRTC. However, we feel the that CRTC's failure to investigate and assess the very clear evidence provided and to carry out an investigation, will damage Canada's rule of law, and will leave the door open to further and expanded violations. Canada just this week **led a coalition against arbitrary detention**, with a focus on Canadian's Michael Kovrig and Michael Spavor, and these "confessions" are often linked to such detentions, especially when foreign citizens are targeted. In fact, many analysts see the launch of investigations into CGTN and CCTV by the UK TV regulator as a key reason why neither of the two Michael's has yet been forced to make such "confessions", as CGTN has had to cut back on this practice while being investigated. CRTC can and should play an equally constructive role in countering these violations.

After 14 months we feel there is no alternative than to spotlight this failure, and bring it to the attention of high-level Canadian institutions and political leaders, in the hope that CRTC will rectify its shortcomings and perform its duty to protect Canadian airwaves against abuse.

Yours sincerely,

Safeguard Defenders

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**Attached to this letter:**

- The original complaint
- A database of broadcasts concerned
- [Scripted and Staged](#) – a research report on the subject
- [Trial by Media](#) – a book on CCTV/CGTN and including extensive victim testimonies