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To the attention of the US Federal Communications Commissions

Ms Jessica Rosenworcel, Acting Chairwoman

CC: Commissioner Carr, Commissioner Starks, Commissioner Simington

March 17, 2021

Re: CGTN / CCTV Complaint

Dear Chairwoman Rosenworcel,

On December 16, 2019, Safeguard Defenders submitted a comprehensive 30-page complaint to the FCC along with relevant references and appendixes, demonstrating how two TV channels owned and controlled by the Chinese Communist Party have been broadcasting content on United States airwaves that is illegal under FCC rules.

As a reputable human rights group with a focus on China with a well-recognised global footprint and extensive media exposure, we are surprised the FCC has so far not taken any knowledgeable action to remedy these egregious abuses of the air waves by CCTV and CGTN, notwithstanding the fact that in a brief proforma response to our December 2019 complaint the FCC stated the complaint *“provides valuable information to spot trends and practices that warrant investigation and enforcement action”*.

On February 5th, 2019, CGTN was even labelled a “foreign agent” under America’s FARA law and the State Department has since determined that CGTN and a number of other CCP media outlets operating in America are “foreign missions”. Yet the FCC appears not to have undertaken any tangible action.

We therefore appeal to you again directly, especially as similar complaints have recently led to substantive actions in at least two countries who have taken punitive action against these broadcasting abuses that run directly counter to the rule of law and a wave of revelations, investigations and sanctions is unrolling across the world against these abuses.

While the FCC may have a slightly narrower mandate than TV regulators in some other open and free democratic societies under the rule of law, our re-attached December 2019 complaint focused exclusively on matters within the FCC’s remit over what happens on United States air waves – i.e. *lies and intentional distortions*.

The two TV channels concerned are China Global Television Network (CGTN) and China Central Television Channel 4 (CCTV-4). Both are owned by the Chinese Communist Party and run directly by an organ of the Party, the Central Propaganda Department.

Our submission to you contained evidence to show the systematic airing of lies and distortions between 2013 and 2019, a practice which has continued unchecked since we filed and which includes the false and forced confessions of tortured untried prisoners, in addition to the distorted coverage of issues that are of current American and international concern (e.g. Hong Kong, Xinjiang, Covid19).

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Following our documented complaints on these issues, UK regulator Ofcom and Australia's public broadcaster SBS have both taken decisive action.

Several of the specific broadcasts listed in our complaint to the FCC are among the broadcasts which Ofcom has ruled against. Ofcom classified five broadcasts as 'severe' violations and announced fines and the revocation of CGTN's UK licence.

An overview of some key events regarding such violations, which have come under growing media scrutiny across the democratic world:

18 Nov 2018 – First complaints against CCTV and CGTN were filed to Ofcom in the UK.

5 Feb 2019 – CGTN was forced to register as a "foreign agent" in America under the FARA law. However, the FCC has not tackled CGTN's and CCTV's abusive broadcasting practices.

16 Dec 2019 – Safeguard defenders filed a complaint to FCC against CCTV and CGTN over multiple "lies and distortion" violations on US air waves.

26 May 2020 – [Ofcom found CGTN guilty of violations of impartiality](#) with regard to its coverage of Hong Kong unrest.

6 July 2020 – [Ofcom upheld a complaint by Peter Humphrey](#) and found CGTN guilty of fairness and privacy violations against him in its airing of his forced and false confessions while held in Shanghai under conditions of duress and torture in 2013 and 2014.

4 Feb 2021 - [Ofcom revoked CGTN's UK broadcast licence](#), declaring it illegally held, after investigating an ownership-and-control complaint filed by Safeguard Defenders. This temporarily halted CGTN's broadcasts across Europe (CGTN was taken off air in Germany as well).

4 March 2021 - France's regulator CSA confirmed CGTN's right to air over satellite but took the unprecedented step of handing out [a public warning](#) that CGTN would be [under tight content scrutiny due to its history of violations](#).

5 March 2021 - Australian public broadcaster [SBS suspended CCTV and CGTN broadcasts](#) after receiving a human rights complaint from Safeguard Defenders.

5 March 2021 - Ofcom upheld [a complaint by Hong Konger Simon Cheng](#), a former UK consular worker, about a TV confession extracted and filmed under torture and broadcast worldwide.

5 March 2021 - Ofcom upheld a complaint by Angela Gui over her father, Swedish citizen Gui Minhai's multiple forced TV confessions extracted in detention in China and aired worldwide.

5 March 2021 - [Ofcom announced a 100,000 GBP fine](#) against CGTN for offences under Peter Humphrey's 18 Nov 2018 'forced confessions' complaint upheld by Ofcom on 6 July 2020.

5 March 2021 - [Ofcom announced a 125,000 GBP fine](#) against CGTN for offences committed in coverage of Hong Kong unrest which it aired in the UK.

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Further complaints and investigations are under way in Canada, the European Union and the Asia-Pacific region, in particular with regard to the allegations of grave and reiterated human rights violations and forced confessions.

Safeguard Defenders has emerged as the leading human rights group focused on forced TV confession (FC) broadcasts perpetrated by dictatorial regimes, primarily China. In such content, repeatedly aired by Chinese outlets CGTN and CCTV-4, journalists, lawyers, NGO workers, activists for the rule of law and human rights, as well as ordinary persons, are forced to record 'confession' videos after prolonged duress or torture, held in solitary, in incommunicado at secret detention locations, without access to legal counsel.

The FCs are aired long before any trial and even before any formal charges are brought forward. Most victims are never told the recording is intended for TV or public use, but are misled into believing it serves internal use only, adding a significant breach of privacy on top of the other key human rights violations.

The FCs are packaged with dubbing, subtitles and superimposed narratives that contain direct lies and intentional distortions, and are broadcasted globally by CGTN and CCTV-4, including in the US. These distortions and lies are easily proven – as our original complaint to the FCC demonstrated.

In an age of increased disinformation by state actors, especially those hostile to the United States, a regulatory body such as the FCC is legally and morally duty-bound to investigate such violations. Where found to have been committed, appropriate punitive action must be taken against all abuses.

With this letter, we therefore call on the FCC to formally acknowledge receipt of our complaint, to conscientiously assess the evidence, and to undertake an appropriate formal investigation of these allegations.

Attached to this communication, we send you the original documented complaint from December 2019, an in-depth report on forced confessions. A copy of this letter, which will be rendered public at 12 AM EST on Monday March 22, 2021, will be shared with selected Members of the US Congress.

We remain available for any further information you may require.

Yours sincerely,

Peter Dahlin

Director

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