



Doc. 11765

13 November 2008

Access to uncensored news in China

Reply to Written question¹: Written question No. 553 (Doc. 11695)
Committee of Ministers

1. Question from Mr Lindblad

In the Swedish Parliament I have asked how the Minister for Foreign Affairs will act upon the issue of closing down on 16 June 2008 the New Tang Dynasty Television's broadcasts by satellite which is owned and operated by The European Telecommunications Satellite Organisation, EUTELSAT. The satellite provider is the leading operator in Europe for video and computer communications and is one of the third largest companies in the world for satellite communications.

EUTELSAT² was created in 1977 by 17 European countries, members of the European Conference of Postal and Telecommunications Administrations, the CEPT, with the purpose of operating a European telecommunications satellite system. Its constitutive text, the EUTELSAT Convention, was opened for signature in July 1982 and entered into force on 1 September 1985. By 2001, 48 European States were Parties to the EUTELSAT Convention.

On 2 July 2001, all assets, operational activities and related obligations and liabilities of the Organisation were transferred to Eutelsat S.A., a company established for this purpose and operating under French law.

The Intergovernmental Organisation was maintained to ensure that Eutelsat S.A. observes the following basic principles:

- Public service/universal service obligations;
- Pan-European coverage by the satellite system;
- Non discrimination;
- Fair competition.

According to the company, the shutdown on 16 June was due to technical problems with the actual satellite. However, the organisation Reporters Sans Frontières asserts in an article³ that there was no technical error. The decision to close down the broadcasts was based on Eutelsat S.A.'s wish to conduct more profitable business with China.

In my statement in the Swedish Parliament I requested that Sweden raise this question at the next meeting of the EUTELSAT Intergovernmental Organisation. The Minister for Foreign Affairs replied that it was a problem, but that it should be solved in the bilateral talks about human rights, including freedom of expression, between Sweden and China, and also in the talks that China has with the EU every sixth month, as well as in other forums.

Mr Lindblad,

1. adopted at the 1040th meeting of the Ministers' Deputies (5 November 2008)
2. <http://www.eutelsatigo.int>
3. http://www.rsf.org/article.php3?id_article=27818



To ask the Committee of Ministers

What can the Committee of Ministers do so that Council of Europe member States, and particularly France – respect their commitments as partners of international conventions, especially regarding the present problems with Eutelsat.

Reply by the Committee of Ministers

1. The Committee of Ministers reiterates its unfailing commitment to freedom of expression and information, as enshrined in Article 10 of the European Convention on Human Rights. It is aware of the profound impact, both positive and negative, that new information and communication technologies can have on the exercise of this right.
2. However, the Committee of Ministers observes that the Convention establishing the European Telecommunications Satellite Organisation “Eutelsat” is not a Council of Europe convention. The Committee of Ministers is not meant, therefore, to carry out any form of monitoring of the commitments entered into by States Parties to that convention.