

CJEU: an unpaid, donation-funded website operator falls within the ban on broadcasting Russian state-controlled media

IRIS 2026-8:1/27

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On 2 July 2026 the Court of Justice of the European Union (Fourth Chamber) delivered its judgment in Case C-67/25, ruling that a natural person who makes content from a listed Russian broadcaster available on a freely accessible website is an "operator" caught by the Union broadcasting ban, even where the website carries no advertising and is financed only by voluntary donations. The ruling was given on a reference for a preliminary ruling from the Saarbrücken Regional Court (*Landgericht Saarbrücken*).

The reference arose in German criminal proceedings against three individuals accused of making programmes of RT DE (RT Germany) available to the public through a website they operated. RT DE is among the entities listed in Annex XV to Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine. Article 2f(1) of that regulation, inserted by means of Regulation (EU) 2022/350, prohibits operators from broadcasting or enabling, facilitating or otherwise contributing to the broadcast of any content emanating from the listed outlets. The referring court was uncertain whether that prohibition also applied to a natural person whose site was open to all, charged nothing, sold no advertising and received only voluntary gifts from third parties.

The Court confirmed that it did. It held that Article 2f(1) must be interpreted as meaning that a natural person who broadcasts content originating from an entity listed in Annex XV, by operating a website, comes within the concept of "operator", irrespective of whether that person derives commercial revenue from the activity. In the field of communications and digital media, the Court reasoned, an operator is any natural or legal person responsible, directly or indirectly, for making content available to the public. It observed that the legislature had used the term "operator" and not "economic operator": had it intended to confine the prohibition to commercial or economic actors, it could have said so. The Court situated the provision within the objective of the restrictive measures, namely to protect public order and the security of the Union against the systematic propaganda and disinformation disseminated by media outlets under the control of the Russian leadership, and found that this objective would be undermined if freely accessible, donation-funded redistribution fell outside the ban.

In reaching that conclusion the Court addressed the Commission's Consolidated FAQs on the implementation of Regulation No. 833/2014 and Regulation No. 269/2014, which confine the concept to a person exercising a commercial or professional activity. Those FAQs, it held, are a working document of the Commission's services, not legally binding and intended only as guidance; they introduce a requirement not apparent from the wording of Article 2f(1) and tend unduly to restrict the scope *ratione personae* of that provision, and so cannot alter the scope of the restrictive measures or be decisive for its interpretation (paragraphs 42 to 45).

The judgment is a preliminary ruling binding on the referring court, which must now decide the criminal proceedings before it in accordance with the interpretation given.

Judgment of the Court of Justice of the European Union (Fourth Chamber) of 2 July 2026, Case C-67/25, Staatsanwaltschaft Saarbrücken v. R and Others, ECLI:EU:C:2026:534

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62025CJ0067>

Council Regulation (EU) No. 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, consolidated version (Article 2f)

<https://eur-lex.europa.eu/eli/reg/2014/833/2026-04-24/eng>

