



PRESS RELEASE No 94/26

Luxembourg, 2 July 2026

Judgment of the Court in Case C-67/25 | Traugott Ickeroth

The prohibition on broadcasting content from the channel Russia Today applies also to a website accessible to the public free of charge

The applicability of that prohibition depends neither on whether the activity pursues a profit-making objective nor on the extent or duration of the broadcasting

In Germany, three persons are facing criminal proceedings for having broadcast, on several occasions, videos from the channel RT – Russia Today Germany on a website accessible to the public free of charge.

Across the European Union, ‘operators’ are not permitted to broadcast the ‘content of that channel because of the restrictive measures adopted against it in the context of the Russian Federation’s military aggression against Ukraine.’¹

The German court hearing the criminal proceedings, however, has doubts on the scope of that prohibition. It seeks to ascertain whether the three persons concerned may be classified as ‘operators’ even though the website in question could be accessed free of charge and was financed solely by donations from its users. That court therefore made a reference to the Court of Justice on that matter.

The Court replied that **it is irrelevant whether or not the broadcasting of the prohibited content takes place in the course of an economic activity**. The concept of ‘operator’ covers, in the present context, any person responsible, directly or indirectly, for making the prohibited content available, including in the context of a non-remunerated activity or in the operation of a website financed by voluntary contributions from third parties. The Court also clarifies that that classification **depends neither on the extent nor on the duration of the broadcasting**.

Only that interpretation makes it possible, as envisaged by the EU legislature, to prevent the broadcasting of the propaganda put in place by the Russian Federation and, consequently, to protect public order and security in the European Union.

NOTE: A reference for a preliminary ruling allows the courts and tribunals of the Member States, in disputes which have been brought before them, to refer questions to the Court of Justice about the interpretation of EU law or the validity of an EU act. The Court of Justice does not decide the dispute itself. It is for the national court or tribunal to dispose of the case in accordance with the Court’s decision, which is similarly binding on other national courts or tribunals before which a similar issue is raised.

Unofficial document for media use, not binding on the Court of Justice.

The [full text and, as the case may be, an abstract](#) of the judgment is published on the CURIA website on the day of delivery.

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Images of the delivery of the judgment are available on ['Europe by Satellite'](#) ☎ (+32) 2 2964106.

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¹ Article 2f(1) of Council [Regulation \(EU\) No 833/2014](#) of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine, as amended by Council [Regulation \(EU\) 2022/350](#) of 1 March 2022.