



Coalition B4Ukraine

Paris, le 28 avril 2025

Par e-mail : contact@b4ukraine.org

Objet: Réponse à votre courrier du 24 avril 2025

Mesdames, Messieurs,

Nous avons pris connaissance avec la plus grande attention de votre courrier du 24 avril 2025.

Le groupe NRJ respecte toujours la légalité et, en l'espèce, est particulièrement vigilant quant aux régimes de sanctions internationales à l'égard de la Russie qu'il respecte intégralement.

S'agissant du contrat de licence de marque que vous évoquez, (i) il a été passé en 2021 avec une entité non sanctionnée, (ii) couvrait le territoire russe seulement et donc pas les territoires ukrainiens occupés et (iii) interdisait la diffusion de tout message de nature politique.

Dès que le groupe NRJ a appris que les termes de ce contrat n'avaient pas été respectés par son ancien partenaire, le groupe NRJ a aussitôt pris les mesures adaptées en procédant à sa résiliation avec effet immédiat.

Nous restons très attentifs à ces questions et vous remercions de nous avoir écrit.

Nous vous prions de croire, Mesdames, Messieurs, en notre considération distinguée.

A handwritten signature in blue ink, consisting of a stylized 'J' and 'R' followed by a small flourish.

Jérémie ROUSSEAU

Head of Legal Department

NRJ GROUP

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Jean-Paul Baudecroux
Chairman & Chief Executive Officer
NRJ Group SA
22, rue Boileau Paris,
75 - Paris 75016
France

April 24, 2025

Dear Mr. Baudecroux and the NRJ Group Leadership Team,

We write to you as [B4Ukraine](#), a coalition of Ukrainian and international civil society organizations committed to curbing the financial support that fuels Russia's brutal invasion of Ukraine. Since 2022, we have actively engaged the business community, urging companies to exit the Russian market swiftly and responsibly, emphasizing the risks of remaining as well as the importance of respecting human rights and upholding the international rules-based order that underpins global prosperity.

We were therefore deeply concerned to learn that NRJ's brand has been used in Russian-occupied Donetsk to broadcast advertisements [encouraging enlistment](#) in the Russian military.

We acknowledge NRJ Group's recent [decision to terminate](#) its licensing agreement with Gazprom-Media Holding following revelations that NRJ-branded broadcasts in Russian-occupied Donetsk included such advertisements encouraging enlistment in the Russian army. This corrective action is a positive step toward aligning NRJ's operations with its obligations under the internationally recognised framework for business and human rights and the Group's own stated commitments on human rights and Ukraine.

However, we must express our deep concern that such a situation arose more than three years into Russia's full-scale invasion of Ukraine. Moreover, NRJ Group entered into a licensing agreement with Gazprom-Media Holding, a conglomerate that controls over 38 television channels and a dozen radio stations in Russia, in early 2021. This decision came years after Russia's illegal annexation of Crimea in 2014 and amidst the documented deterioration of media freedom and rule of law in Russia.

Given these circumstances, NRJ had ample reason to conduct enhanced due diligence processes and apply heightened human rights due diligence mechanisms when assessing any partnership involving Russian state-linked entities. The failure to anticipate the reputational, legal, and human rights risks posed by licensing its brand to a Kremlin-aligned media group (known for its role in [state propaganda](#)) raises serious concerns about the NRJ's risk assessment and due diligence processes. The risk should have been even clearer due to the fact that Gazprom Media was placed under [US sanctions](#) in 2016.

Further to NRJ's operations in Donetsk, [KSE's Leave-Russia](#) tracker marks the company as staying and continuing its operations in Russia. As early as April 2022, KSE noted that NRJ's role in Russia is "[v]ery important in creating audience and sales for government owned Gazprom-media."

Consequently, the use of NRJ's brand in occupied territories to disseminate military recruitment propaganda represents not only a severe reputational risk but also a potential violation of

international humanitarian law, which prohibits the recruitment of individuals in occupied territories into the occupier's armed forces.

[Article 51](#) of the Convention (IV) relative to the Protection of Civilian Persons in Time of War ([Geneva Convention \(IV\) on Civilians](#), 1949) states:

"The Occupying Power may not compel protected persons to serve in its armed or auxiliary forces. No pressure or propaganda which aims at securing voluntary enlistment is permitted."

The [Commentary on Article 51](#) further specifies and emphasises the importance of this provision:

"[...] it was not only enlistment in the armed and auxiliary forces of the Occupying Power that was forbidden, but also all forms of pressure or propaganda aimed at securing voluntary enlistment. The prohibition is absolute and no derogation from it is permitted."

The delay in identifying and addressing the misuse of the NRJ brand has allowed for the unintended association of NRJ with activities that may contravene international law and ethical business conduct. We understand that NRJ "[condemns](#) [the situation] in the strongest possible terms" and that the "contract prohibits the broadcasting of any message of a political nature."

However, noting the above, we are writing to request clarification from NRJ Group on the following:

1. What due diligence processes, including *heightened human rights due diligence*, did NRJ Group undertake prior to and during its licensing agreement with Gazprom-Media Holding to assess and mitigate potential risks associated with the use of its brand?
2. How did NRJ monitor compliance with the contractual provisions that purportedly prohibited broadcasting in the occupied territories and the dissemination of political messages?
3. What ongoing heightened human rights due diligence processes has NRJ undertaken to confirm whether it can operate in Russia and the occupied territories without causing, contributing to, or being indirectly or directly linked to adverse human rights impacts?
4. What is the current relationship between the NRJ group and Gazprom media? Has the full contract been terminated?

It has been three years since Russia invaded Ukraine, committing the crime of aggression and breaching the UN Charter. Russia is violating international humanitarian and human rights law, committing over 150,000 documented war crimes. In recognition of the severity of abuses, in March 2023 the International Criminal Court issued an arrest warrant for Vladimir Putin to answer charges of war crimes.

We are willing to discuss these issues in greater detail and are therefore inviting you to a meeting which would be confidential. We are happy to address any questions you may have. Should you wish to participate in such a meeting, please confirm your availability by May 08, 2025 to schedule. Please note that after this date, this letter and any responses will be published on the B4Ukraine website.

Sincerely,

The B4Ukraine Coalition