



RADIO AND TELEVISION COMMISSION OF LITHUANIA

DECISION

ON THE SUSPENSION OF THE FREE RECEPTION IN THE REPUBLIC OF LITHUANIA OF TELEVISION PROGRAMMES BELARUS 24 AND NTV MIR WHICH ARE RETRANSMITTED OR DISTRIBUTED ON THE INTERNET

No. KS-31 of 25 February 2022

Vilnius

In accordance with art. (9) and art. 48(1)(17) of the Law on Provision of Information to the Public of the Republic of Lithuania (hereinafter – “the Law”) and with due consideration of the Letter of the Ministry of National Defence of the Republic of Lithuania of 25 February *on the Application of the Measures Provided for in Art. (3) of the Law on Public Information of the Republic of Lithuania* and the Letter of the Ministry of Foreign Affairs of the Republic of Lithuania of 25 February 2022, the Radio and Television Commission of Lithuania (hereinafter – “the Commission”) decided:

1. To establish that the Commission is an independent institution under the jurisdiction of the Republic of Lithuania, which is accountable to the Seimas (Parliament) and discharging the functions of regulation and supervision of the activities of radio and/or television broadcasters, on-demand audiovisual media service providers and video-sharing platform service providers and the functions of supervision of re-broadcasters operating in the territory of the Republic of Lithuania and other entities providing television programmes and/or individual programmes on the internet to the consumers of the Republic of Lithuania. (Art. 41(1) of the Law). Art. 34¹(2) of the Law provides for that radio and/or television programmes and/or individual programmes prepared abroad may be broadcasted and re-broadcasted, distributed on the internet or stored in catalogues in the Republic of Lithuania provided that they do not violate the provisions of this and other laws. (Art. 47(1) of the Law). Art. 34¹(2) of the Law provides for that radio and/or television programmes and/or individual programmes prepared abroad may be broadcasted and re-broadcasted, distributed on the internet or stored in catalogues in the Republic of Lithuania provided that they do not violate the provisions of this and other laws.

1.2. Television programmes Belarus 24 and NTV Mir are retransmitted or distributed in the territory of the Republic of Lithuania.

1.3. *When monitoring re-broadcasted television programmes, the Commission identified:*

1.3.1. that the host of the Belarus 24 ‘News’ television programme broadcasted on 23 February 2022, 12:00, 12:06:27 to 12:07:59 (1 minute 22 seconds in total), (hereinafter – “the Programme”) Sergej Lugovskij, said: ‘In general, Ukraine as an independent state does not exist today. It is the hostage of Western intelligence services which have brought to power nationalists and radicals who hate all Russian people. In 2014, Russia hoped for a compromise with its Western partners. Unfortunately, Western countries continue to blatantly lie directly in the eye. In the opinion of Sergei Markov, a political analyst and the CEO of the Institute for Political Research, all diplomatic opportunities have been ruined.’ A report featuring an interview with political analyst S. Markov: ‘No agreements are being implemented. The Kiev regime entered into the Minsk agreement, the guarantors of which are France and Germany. However, nothing is being implemented. Therefore, this decision (to start military action in Ukraine) is the right one, and, in addition, this decision is mandatory as a humanitarian one. It is aimed at saving the lives, health and safety of almost 4 million people who live in the Donbass and who are under pressure from the Kiev

regime, which has been carrying out a policy of state terrorism against the population of Donbass for the latest 7 years. The repressive Kiev regime is piling shells. Furthermore, sniper warfare, sabotage attacks and a humanitarian blockade take place there. So, there is no doubt that the Kiev authorities are terrorists. More importantly, the West has supported the killing of Russian people in the Donbass all this time, just because they are Russian.' Having assessed the public information broadcasted in the report of retransmitted Belarus 24 'News' programme on 23 February 2022, 12:00, 12:06:27 to 12:07:59, as a whole and given that the report gave the false impression that Ukraine is an aggressor in the war with the Russian Federation and justified the illegal invasion in the Ukrainian territory by the soldiers of the Russian Federation, the conclusion should be made that the programme disseminated information that seriously and gravely violates art. 19(1)(1) of the Law, which means the dissemination of war propaganda and incitement to wage a war (the violation was set out in Commission Administration Monitoring Report No. ST-25 of 24 February 2022)

1.3.2. that, the report on events in Ukraine was broadcasted in the NTV Mir 'Today' television programme on 25 February 2022, 10:00. The report disseminated the following information: 'This morning, the Ukrainian army resumed shelling the Donbass territory, with Donetsk, Gorlivka and Kulikova coming under heavy artillery fire in the territory of the Donetsk People's Republic. The residential areas of the Luhansk Republic were also shelled with large-caliber machine guns. There are destructions in the districts of Pervomaisk. On the contrary, Russian military forces target only military objects. - This night, Ukrainian President Volodymyr Zelensky signed a decree on general mobilisation: men aged between 18 and 60 are banned from leaving the country, and residents of towns currently under the control of the Ukrainian armed forces are not allowed to leave, according to the information of the Donetsk and Luhansk People's Republics Defence Forces. According to the information of intelligence services of People's Republics, the Ukrainian armed forces intend to use the population as a human shield.' Having assessed the public information disseminated in the first report of the NTV Mir 'Events' television programme on 25 February 2022, 10:00, as a whole and given that the report gave the false impression that Ukraine is an aggressor in the war with the Russian Federation and justified the illegal invasion of the soldiers of the Russian Federation in the territory of Ukraine, which allegedly seeks to forcibly exploit the civilian population for military purposes, the conclusion should be made that the programme disseminated information manifestly seriously and gravely violating art. 19(1)(1) of the Law, which means the dissemination of war propaganda and incitement to wage a war (the violation was set out in Commission Administration Monitoring Report No. ST-27 of 25 February 2022);

1.4. Article 34¹(9) of the Law provides for that free reception of audiovisual media services provided from countries other than Member States of the European Union, European Economic Area countries and other European countries that have ratified the European Convention on Transfrontier Television, television programmes broadcasted or re-broadcasted, or distributed on the internet and/or individual programmes, when only an individual programme is transmitted, and/or catalogues in the Republic of Lithuania may be suspended by a decision of the Commission if such audiovisual media services of countries, television programmes and/or individual programmes and/or catalogues violate the requirements set by art. 17 or art. 19(1) of this Law. In its decision, the Commission specifies the measures to be taken and the date from which they are to be applied seeking to suspend the reception of the audiovisual media services, television programmes and/or individual programmes and/or catalogues in the territory of the Republic of Lithuania. The measures to be taken and the time limits for their application must be proportionate to the infringements committed, while the measure to be taken must be chosen with due consideration of the subject to which it is applied and the manner in which public information is disseminated.

1.5. According to the Commission's information, television programmes Belarus 24 and NTV Mir are retransmitted by audiovisual media services from countries other than the Member States of the European Union, the States of the European Economic Area and other European countries that have ratified the European Convention on Transfrontier Television, namely from the Republic of Belarus and the Russian Federation. Therefore they may be subject to the measures referred to in Article 34¹(9) of the Law.

1.6. On 25 February 2022, the Commission received from the Ministry of National Defence of the Republic of Lithuania the Letter *on the Application of Measures Specified in Art. 34¹(3) of the Law on Provision of Information to the Public of the Republic of Lithuania*, which states that the dissemination of false information and propaganda is a part of hybrid measures by which the Russian Federation pursues its political goals that run counter to the national security of the Republic of Lithuania and thus the Euro-Atlantic community. The channels controlled by the Russian Federation are amongst the most important instruments of false information used by it. Therefore rebroadcasting of these channels in the Republic of Lithuania poses a danger to national security.

1.6.1. On 25 February 2022, the Commission received from the Ministry of Foreign Affairs of the Republic of Lithuania a letter setting forth that the content broadcasted by RT and other channels of the Russian Federation is harmful and poses a serious danger to public security, including national security and defence, because it seeks to pre-empt the spirit of society and readiness to resist Russian aggression.

2. In the light of the above, the conclusion should be made that the infringements identified in television programmes Belarus 24 and NTV Mir manifestly seriously and gravely infringe the requirements of art. 19(1) of the Law, which means the dissemination of war propaganda and incitement to wage a war.

3. To suspend the free reception of the television programmes Belarus 24 and NTV Mir, which are rebroadcasted or distributed on the internet in the Republic of Lithuania, for a period of five years from the date of entry into force of the decision.

4. To oblige:

4.1. the re-broadcasters operating in the territory of the Republic of Lithuania, as well as other entities providing the distribution of television programmes and/or individual programmes to the consumers of the Republic of Lithuania on the internet, who distribute the television programmes Belarus 24 and NTV Mir, to suspend the retransmission (distribution) in the territory of the Republic of Lithuania of television programmes Belarus 24 and NTV Mir.

4.2. The administration of the Commission to send this decision to re-broadcasters operating in the territory of the Republic of Lithuania and other entities providing services of distribution of television programmes and/or individual programmes on the internet to consumers of the Republic of Lithuania.

5. To establish that an appeal against this decision shall not have suspensory effect for this decision.

6. To clarify that this decision may be appealed to the Vilnius Regional Administrative Court within 30 days from the date of its entry into force.

Chairman

Rimantas Bagdzevičius