



RADIO AND TELEVISION COMMISSION OF LITHUANIA

DECISION

ON THE SUSPENSION OF THE FREE RECEPTION IN THE REPUBLIC OF LITHUANIA OF TELEVISION PROGRAMMES MIR24 AND RBK-TV WHICH ARE RETRANSMITTED OR DISTRIBUTED ON THE INTERNET

No. KS-32 of 28 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 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 MIR24 and RBK-TV 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 report on events in Ukraine was broadcasted in the Mir 24 ‘News’ television programme on 24 February 2022, 05:59. The report disseminated the following information: the host of the programme said: ‘To protect the population, the President of the Russian Federation Putin has declared the start of a special military operation in Donbass.’ The speech of Putin: ‘I have decided to start a special military operation. The goal of the operation is to protect the people who have been victimized and subjected to genocide by the Kiev regime for eight years . And that is why we will work to demilitarise and de-Nazify Ukraine, and bring to justice those who have committed multiple bloody crimes against peaceful people, including against Russia. Meanwhile, our plans do not include the occupation of the Ukrainian territory. We are not going to apply force to anything or anyone <...>. I’d like to remind you that neither at the time of the formation of the USSR, nor after the Second World War, no one listened to the people who lived in the territory belonging to modern Ukraine, no one has ever asked how they would like to organize their own lives <...>. We believe that the right to choose could be exercised by all nations living in the territory of present-day Ukraine <...> In 2014, Russia was forced to defend the people of Crimea

and Sevastopol from those whom you (Ukrainians) refer to as 'Nazis'. The residents of Crimea and Sevastopol chose to be with their historical homeland, with Russia <...>. Today's events have nothing to do with the desire to violate the wishes of the Ukrainian people, they (events) have to do with the desire to defend Russia itself from those who have 'taken' Ukraine hostage and are trying to use it against our country and nation. Our actions mean self-defence against the threats we face <...>. I appeal to the military personnel of the Ukrainian armed forces: 'Dear friends, your parents, grandparents and great-grandparents fought the Nazis to defend our common homeland not for the current Nazis to take power in Ukraine. You have sworn to the Ukrainian people, not to the anti-national junta, which is plundering Ukraine and victimizing the nation itself. Don't follow the criminal orders of this junta. I urge you to lay down your arms immediately and go home <...>. I'd like to explain, all officers of the Ukrainian military army who fulfill this requirement will be able to leave the zone of military action and come back to their families without hindrance. Once again, I'd like to stress that the full responsibility for possible bloodshed will be borne by the regime that is in control of the Ukrainian territory. We are ready for any scenario of events. All decisions on this issue have been made.'

Having assessed the public information disseminated in the first report of the Mir24 'News' television programme on 24 February 2022, 05:59, 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 and annexation of the Crimea, the conclusion should be made that the programme disseminated information 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-28 of 28 February 2022);

1.3.2. that, in the television programme RBK-TV broadcasted on 25 February 2022, 16:31, included 'Key News' programme. The programme featured a speech by Ilya Kiva, a deputy of the Verkhovna Rada (Parliament) of Ukraine, who called on President Zelensky to order the soldiers to lay down their arms and resign. Mr. Kiva also said: 'Let's be unbiased, all the stories about the victories of the Ukrainian Armed Forces in the today's conflict are fiction. Informational propaganda that, in the opinion of the government, should encourage people to take up arms and make sacrifices. For them, this doesn't matter because this is already pointless. As a matter of fact, all authorities left Kiev long time ago. Everybody left, including the management of the Ministry of the Interior, the Ukrainian Intelligence Service and the Prosecutor General's Office. In fact, they surrendered the city of Kiev with the best traditions of Ukrainian resistance. In fact, even all the nationalist sharks have fallen silent. All leaders who previously shouted about a war until the last soldier fell silent. Today there is no purpose to die. At the very least, Zelensky has to understand this. For today, to avoid paying for the senseless deaths of people by continuing a non-existent resistance, he has to resign, he has to stop the war. He has to issue the order to lay down arms and start negotiations, and to resign as the President. This is the reality: Zelensky has lost, his policy has lost. And the West has lost too.' Having assessed the public information disseminated in the RBK-TV 'Key Events' television programme on 25 February 2022, 16:31, as a whole and given that the programme justified the illegal invasion in the Ukrainian territory by the soldiers of the Russian Federation, the President of Ukraine was called upon to resign, the programme claimed as a matter of fact that Ukraine, including the West, has already lost the war, and contained a lot of tendentious, unsubstantiated information that is not based on any facts whatsoever, the conclusion should be made that the programme disseminated information 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-29 of 28 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 MIR24 and RBK-TV 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 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 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 MIR24 and RBK-TV 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 MIR24 and RBK-TV, 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 MIR24 and RBK-TV, to suspend the retransmission (distribution) in the territory of the Republic of Lithuania of television programmes MIR24 and RBK-TV.

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