[LV] Supreme Court confirms broad powers of media regulator to restrict retransmission of Gazprom-Media channels

IRIS 2026-4:1/7

Sergei Bondarev
Independent expert

On 27 March 2026, the Senate of the Supreme Court of Latvia (*Augstākās tiesas Senāta Administratīvo lietu*), in case SKA-98/2026 (A420178222), ruled that the National Electronic Mass Media Council (*Nacionālā elektronisko plašsaziņas līdzekļu padome* – NEPLP) possesses broad powers and considerable freedom of action to restrict television channels whose ownership chains connect to sanctioned entities, even where the governing statute at the material time did not provide an explicit authorisation covering the specific circumstances.

The underlying NEPLP decision No. 126/1-2 of 7 March 2022, adopted 11 days after the Russian Federation's full-scale invasion of Ukraine and published in *Latvijas Vēstnesis* (OP No. 2022/48.5) on 9 March 2022, removed 18 television programmes owned by Gazprom-Media Holding or its subsidiary Red Media from the list of channels permitted for retransmission in Latvia. Three additional NTV-branded channels were removed by NEPLP decision No. 128/1-2 of 10 March 2022. None of the 18 channels carried news or current affairs programming; the list covered entertainment, comedy, film, sports, music and children's content. The NEPLP's stated legal basis was threefold: the ultimate parent Gazprombank was on the US Treasury's Office of Foreign Assets Control's (OFAC) sanctions list; retransmission was not in Latvia's national interest; and Latvian distributors faced sanctions-violation exposure through payments flowing to Gazprombank-affiliated companies.

On 29 April 2022, the Administrative District Court granted interim relief and found the decision prima facie unlawful, holding that OFAC sanctions alone were not a sufficient basis under Latvian law. On 16 June 2022, the Administrative Regional Court partially upheld the challenge on the merits, finding that the NEPLP had exceeded its authority, because the owners' inclusion on foreign sanctions lists was not a recognised legal basis under the Electronic Mass Media Law then in force.

The senate reversed the regional court's judgment and remanded the case for fresh examination. The court held that the legislature had conferred on the NEPLP broad powers and considerable discretion to ensure compliance with the Constitution (*Satversme*) and with regulatory acts; that in exceptional

© European Audiovisual Observatory (Council of Europe) 2026

circumstances related to Russia these powers acquire special significance and may be exercised even where the specific legal norm does not precisely provide for such action; and that, although United States OFAC sanctions are not directly enforceable in Latvia, the NEPLP may, in the public interest, take into account the purposes of such sanctions and the need to promote their achievement. The regional court, the senate found, had interpreted the NEPLP's powers unjustifiably narrowly.

The reasoning proceeds on ownership structure, sanctions exposure and geopolitical context, and does not distinguish between entertainment and news programming. The case, however, is not final: on remand the regional court must re-examine admissibility (the NEPLP re-adopted the bans on 17 June 2022 under amendments to the Electronic Mass Media Law passed by the Parliament (*Saeima*) and in force since 31 May 2022) and proportionality. At EU level, the criteria adopted by the European Board for Media Services at its fourth plenary (Barcelona, 10 December 2025) under Article 17(4) of Regulation (EU) 2024/1083 (European Media Freedom Act) set out the procedure national regulators should follow when seeking coordinated measures against third-country media services. A separate NEPLP cassation appeal concerning the TV Rain licence-cancellation matter was accepted for preliminary review by the senate on 19 August 2025; cassation proceedings had not yet been formally initiated and no SKA-case number had been published on *at.gov.lv* as of 17 April 2026.

Elektronisko plašsaziņas līdzekļu likums

https://likumi.lv/ta/id/214039

Electronic Mass Media Law

https://likumi.lv/ta/en/id/214039

Starptautisko un Latvijas Republikas nacionālo sankciju likums

https://likumi.lv/ta/id/280278

International and National Sanctions Law of the Republic of Latvia

https://likumi.lv/ta/en/id/280278

Grozījumi Elektronisko plašsaziņas līdzekļu likumā

https://likumi.lv/ta/id/332596

Amendments to the Electronic Mass Media Law

https://likumi.lv/ta/id/332596

© European Audiovisual Observatory (Council of Europe) 2026

Regulation (EU) 2024/1083 establishing a common framework for media services in the internal market (European Media Freedom Act)

https://eur-lex.europa.eu/eli/reg/2024/1083/oj

Judgment of the Administrative Case Department of the Senate of the Supreme Court in Case No. SKA-98/2026 (A420178222)

NEPLP lēmums Nr. 126/1-2, 2022. gada 7. marts, par astoņpadsmit televīzijas programmu (THT-Comedy, THT4 International, TNT, TNT Music, FRIDAY International, KHL TV kanāls, KHL HDTV kanāls, Kinopremjera, Kinosvidanije, Muzhskoje kino, Lya-minor TV, Avto Plus, Nostalgija, Zhivi!, Who's Who, Malysh-TV, Russian Night, Zee Russia) no Latvijā retranslējamo audio un audiovizuālo programmu saraksta

NEPLP decision No. 126/1-2, 7 March 2022, on the exclusion of eighteen television programmes (THT-Comedy, THT4 International, TNT, TNT Music, FRIDAY International, KHL TV channel, KHL HDTV channel, Kinopremjera, Kinosvidanije, Muzhskoje kino, Lya-minor TV, Avto Plus, Nostalgija, Zhivi!, Kto jest' kto, Malysh-TV, Russkaja noch, Zee Russia) from the list of audio and audiovisual programmes retransmitted in Latvia

https://www.vestnesis.lv/op/2022/48.5

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026