[LV] Constitutional Court Decides to Amend the Law on Radio and Television

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On 6 June 2003, the Constitutional Court in Latvia published a decision abolishing the rule providing that no more than 25% of programming broadcast on electronic mass media may be in foreign languages. This decision, which cannot be appealed, has led to an amendment of the Law on Radio and Television. The Court affirmed that "the restrictions as regards the use of foreign languages envisaged by the said rule may not be considered as necessary and proportionate in a democratic society". The Court also stated that it would have been possible to achieve the aim of integration of society by other means less restrictive of the individual rights of people.

The legitimate aim of the rule has been to increase the influence of the Latvian language upon the cultural environment in Latvia and to speed up the integration of the society (bearing in mind that the population of Latvia comprises about 45% of non-Latvian-speaking people). However, despite implementing the rule, this aim has not been achieved. Due to the restriction on foreign language programmes, the inhabitants did not avail themselves of the services of local broadcasting companies, but chose the services of foreign broadcasters, mainly Russian TV channels, instead. Public opinion polls show that the audience rate of the Russian TV channels has grown considerably compared to the data of 1997 and 2000 3/4 of non-Latvian-speaking people regularly watch the Russian TV channels rebroadcast in Latvia. The rule regarding foreign language restriction also hindered the development of commercial broadcasting companies transmitting via terrestrial frequencies, as the restrictions did not at the same time apply to cable television stations, cable radio stations, satellite TV and radio stations or press publications.

So in its conceptual strategy document on the electronic mass media for the years 2003 2005 even the National Broadcasting Council of Latvia has indicated that restrictions on freedom of speech prevent the development of both radio and TV stations.

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http://159.148.59.99/LV/aktinf.htm

Press release of the Constitutional Court of Latvia

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