[LV] The National Electronic Mass Media Council explores legal options to limit certain retransmissions

IRIS 2014-5:1/25

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The Nacionālā elektronisko plašsaziņas līdzekļu padome (National Electronic Mass Media Council), the national regulatory authority, has been recently exploring legal options for limiting retransmission of certain television broadcasts, which might be contrary to Latvian and EU law. Within the context of the Ukraine and Crimea crisis, the Council has received numerous complaints that several Russian language television channels contain broadcasts, which allegedly promote war and military conflict, as well as include incitement to hatred and destruction of the territorial unity of countries. Also, the Public Consultative Council, a consulting body to the Council, is of the opinion that several channels intentionally broadcast misleading information unfavourable to Latvian territorial integrity.

As a result, the Council has considered the possible steps of action in response to such complaints. The respective channels indicated in the complaints are mainly in the jurisdiction of other European Union member states or Latvia itself, so the freedom of reception generally applies. The only means to restrict such broadcasts should be based on Article 3(2) of the Audiovisual Media Services Directive, as implemented by the Latvian Electronic Mass Media Law. Thus, as the first step it must be established whether the broadcasts manifestly, seriously and gravely infringe Article 27(1) or (2) (protection of minors) and/or Article 6 (incitement to hatred) of the Directive.

Therefore, on 26 February 2014, the Council has requested information on the news broadcasts from the respective national regulators who have the jurisdiction over the possibly infringing channels. The respective channels are Rossiya RTR, which is under Swedish jurisdiction, and NTV-Mir, which is registered in the United Kingdom. These channels are retransmitted in Latvia by cable operators, and also available on satellite platforms. In addition, the Council itself has requested records of the news broadcasts broadcast within January and February 2014 from the satellite broadcaster SIA “Pirmais Baltijas kanāls” (First Baltic Channel), which is under the Latvian jurisdiction and targeting the Russian speaking audience in all three Baltic countries.

After receiving the programme broadcasts the Council is planning to analyse their contents to establish whether there has been any violation of the Latvian Electronic Mass Media Law and the principles established in the Directive.

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In the following, the National Electronic Mass Media Council decided on 3 April 2014 to restrict the cable rebroadcasting of television channel Rossiya RTR on the territory of Latvia for a period of three months.

Decision N° 95 on restricting the rebroadcasting of Rossiya RTR in Latvia, 3 April 2014

http://www.neplpadome.lv/en/assets/documents/anglu/NEMC%20Decision%20Nr%20%2095.docx

For more information see the EPRA news of 10 April 2014 "Latvian regulator issues temporary ban to Russian TV channel Rossiya RTR"

http://www.epra.org/news_items/latvian-regulator-issues-temporary-ban-to-russian-tv-channel-rossiya-rtr

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