European Commission: Decision on Lithuania suspending transmission of Russian-language TV channel “RTR Planeta”

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Bojana Kostić
Institute for Information Law (IViR), University of Amsterdam

On 17 February 2017, the European Commission issued a decision on the temporary suspension of the retransmission of a television channel in Lithuania. On 16 November 2016 the Lithuanian Radio and Television Commission adopted a decision pursuant to the Law on Provision of Information to the Public, which suspended for three months the retransmission, including on the Internet, of the Russian TV channel “RTR Planeta.” The decision entered into force on 21 November 2016 after the settlement with the Swedish authorities as the transmitting member state and broadcaster was not reached. This is not the first time that the Lithuanian authorities have taken action against “RTR Planeta.” In 2014 their programme was suspended because of dissemination of bias and tendentious information, which was justifying violence (see IRIS 2014-6/25).

This time the Lithuanian authorities referred to the content of three programmes in their decisions: the content of the first programme of 29 November 2015 incited hatred against Turkey and Ukraine, while the second programme of 14 February 2016 promoted violence and physical destruction of United States, Turkey, and the Baltic States. The third programme of 6 October 2016 referred to a future occupation and destruction of Romania and other EU member states. The content of these programmes was considered as incitement of hate speech, fostering the feeling of animosity and tension. In their response, “RTR Planeta” claimed that two of the three programmes were talk shows expressing the views of the guests, thereby outside the broadcaster’s editorial responsibility. Furthermore, “RTR Planeta” argued that such a decision would be contrary to the standards of freedom of expression and that incitement to hatred is difficult to be defined, while society has a right to be informed since it is a part of daily life.

In its decision on 17 February 2017, the European Commission approved the decision and established that Lithuania “sufficiently demonstrated” that the content of the programmes exceeded the limitations imposed by the Audiovisual Media Services Directive. It has found that the proposed measures are not “discriminatory and are proportionate” with the principle that content of the media services programme should not contain any incitement to hatred on the ground of race and nationality.

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Commission Decision of 17 February 2017 on the compatibility of the measures adopted by Lithuania pursuant to Article 3(2) of Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services

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