



**LIETUVOS RESPUBLIKOS NUOLATINĖ ATSTOVYBĖ PRIE
EUROPOS TARYBOS
REPRÉSENTATION PERMANENTE DE LA RÉPUBLIQUE DE
LITUANIE AUPRÈS DU CONSEIL DE L'EUROPE**

Directorate of Democratic Participation
Council of Europe

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**RESPONSE OF THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA TO
THE ALERT ANNOUNCED ON THE COE PLATFORM TO PROMOTE THE
PROTECTION OF JOURNALISM AND SAFETY OF JOURNALISTS**

The Permanent Representation of the Republic of Lithuania to the Council of Europe transmits the response of the Government of the Republic of Lithuania to the alert announced on the CoE platform to promote the protection of journalism and safety of journalists on 14th November 2018 concerning the independence of the Lithuanian LRT.

Encl., 2 pages.

Sincerely,

Ambassador

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Alert:

“Following the report, issued on 12 October 2018, of an ad hoc Parliamentary Commission set up in January 2018 to investigate Lithuanian National Radio and Television’s (LRT) financial and economic activities, the Lithuanian Parliament is considering legal amendments in order to regulate the governance and supervision of LRT. The establishment of this Parliamentary Commission has been contested at the Constitutional Court and the case is still pending. Some proposals currently under discussion suggest establishing an additional supervisory authority and changing the appointment of LRT Council members. According to the Lithuanian Union of Journalists, the chairman of LRT Council Liudvikas Gadeikis and the European Broadcasting Union (EBU), some of the suggested amendments will impose political control on LRT and will endanger the independence of the Lithuanian public broadcaster.”

The Response of the Government of the Republic of Lithuania to the alert announced on the CoE platform to promote the protection of journalism and safety of journalists on 14th November 2018 concerning the independence of the Lithuanian LRT

(as transmitted by the Permanent Representation of the Republic of Lithuania to the Council of Europe)

The *ad hoc* investigation commission of the Seimas of the Republic of Lithuania (hereinafter: “the Seimas”), formed in 12 January 2018 (hereinafter: the “Parliamentary Commission”) in its draft conclusion provided recommendations concerning the governance and supervision of the Lithuanian National Radio and Television (hereinafter: the “LRT”). The Parliamentary Commission’s draft conclusion was rejected by the Seimas and was returned to the Seimas Committee on Culture for revision and amendments. After the revision by the Seimas Committee on Culture, the Seimas on 13 December adopted Parliamentary Commission’s conclusions, which should also pass the final adoption by the Seimas.

Lithuania promotes and protects freedom of expression based on international human rights standards, therefore any amendments in the laws defining the governance and supervision of the LRT will be adopted after a broad public debate and in accordance with the international standards, as well as, the case law of the Constitutional Court of the Republic of Lithuania.

The conformity of the establishment of the Parliamentary Commission with the Constitution of the Republic of Lithuania will be assessed by the Constitutional Court of the Republic of Lithuania as the establishment of the Parliamentary Commission has been already contested before the Constitutional Court by a group of members of the Seimas.

The Government of Lithuania would like to stress that freedom of expression is guaranteed by the Constitution of the Republic of Lithuania. The Constitutional Court of the Republic of Lithuania in its case law held that the freedom of information is inseparable from the constitutional freedom of convictions and freedom of expression. The Constitutional Court of the Republic of Lithuania in its ruling on 21 December 2006 declared that the *raison d’être* of the public broadcaster is to ensure the public interest - the interest of society to be informed, which is protected and defended by the Constitution of the Republic of Lithuania. According to the Constitutional Court of the Republic of Lithuania this *raison d’être* implies a special mission of the public broadcaster, that is a special purpose, and it means that the activity of the national public broadcaster must be based on objectiveness, impartiality and justice, and it may not depend on any party or other political preferences. As it is set in the ruling mentioned above, the public broadcaster could successfully accomplish its special mission,

only provided, that adequate financial and organisational conditions are created. What is more, according to the case law of the Constitutional Court, it is necessary that the legislatively established legal regulation would guarantee the independence of the public broadcaster from the interference of state institutions and officials, as well as other persons.

The Government of the Republic of Lithuania is fully committed to the protection and promotion of freedom of expression and safety and security of journalists both at the national and international level and recognises the fundamental importance of freedom of the press for democracy. Lithuania adheres to the international standards regarding freedom of expression and freedom of information, including by supporting the Recommendation CM/Rec(2012)1 of the Committee of Ministers to member states on public service media governance, adopted on 15 February 2012. Lithuania stands ready to continue working towards protection and promotion of freedom of expression (online and off-line) and commits further actively engage in strengthening international standards guaranteeing freedom of expression and safety of journalists.