



5.18.LT – Lithuania – National legal summary²⁴⁰

The provisions of the revised Audiovisual Media Services Directive (AVMSD) related to video-sharing platforms (VSPs) are transposed into the Law on the Provision of Public Information (Public Information Law), the Law on the Protection of Minors against the Detrimental Effect of Public Information (Protection of Minors Law) and the Code of Administrative Offences, all adopted by the national parliament in January 2021.

5.18.1. Applicable regulatory framework

Relevant legislation includes the following:

Primary legislation:

- Amendments to the Public Information Law (*VISUOMENĖS INFORMAVIMO ĮSTATYMAS*).²⁴¹
- Amendments to the Law on the Protection of Minors against the Detrimental Effect of Public Information (*NEPILNAMEČIŲ APSAUGOS NUO NEIGIAMO VIEŠOSIOS INFORMACIJOS POVEIKIO ĮSTATYMAS*).²⁴²
- Amendments to the Code of Administrative Offences (*ADMINISTRACINIŲ NUSIŽENGIMŲ KODEKSAS*).²⁴³

5.18.2. Definitions and scope

This section aims at identifying the relevant definitions related to VSPs stemming from the transposition of the revised AVMSD as well as elements of interpretation of the main concepts present in those definitions.

²⁴⁰ The factsheet on Lithuania incorporates feedback received from Nerijus Maliukevičius, Market research analyst at the Radio and Television Commission of Lithuania., during the 2021 and 2022 checking rounds with the national media regulatory authorities.

²⁴¹ <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/b90a7c321c7b11ecad9fbbf5f006237b?jfwid=10nvo6shnk>.

²⁴² <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.183129/asr?positionInSearchResults=0&searchModelUUID=6a558f8a-1062-4b61-b8b5-de3c5abd3674>.

²⁴³ <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/b8d908c0215b11e58a4198cd62929b7a?jfwid=-a3k5birpg>.



Table 38. Definition of the main concepts related to VSPs

Concept	Existence of a definition
VSP service	Yes
VSP provider	Yes
User-generated video	Yes
“Principal purpose”	No
“Dissociable section”	No
“Essential functionality”	No

Source: Lithuanian response to European Audiovisual Observatory standardised survey

5.18.2.1. VSP service

Article 2 (13) of the Public Information Law defines the term “video-sharing platform service” by transposing the definition provided by the revised AVMSD verbatim, as follows:

15. Video-sharing platform service means a service where the main purpose or one of the essential functions of the service, or part of it, is to provide programmes and/or user-generated videos to the public for information, entertainment or educational purposes, without the editorial responsibility of the service provider, via electronic communications networks and organised by the video-sharing platform provider, including by automated means or algorithms, in particular displaying, tagging and sequencing, as well as other means.

5.18.2.2. VSP provider

Article 2 (14) of the Public Information Law defines the term “video-sharing platform provider” by transposing the text of the revised AVMSD verbatim, as follows: “Video-sharing platform service provider means a person who provides a video-sharing platform service.”

5.18.2.3. User-generated video

Article 2 (29) of the Public Information Law defines the term “user-generated video” by transposing the text of the revised AVMSD verbatim, as follows:

User-generated video means a set of moving images, with or without sound, of any duration, forming a separate user-generated unit uploaded by that or another user to a video-sharing platform.



5.18.2.4. “Principal purpose” or “dissociable section” of a VSP service

There are no details in the primary legislation or in other texts (secondary legislation, by-laws, recommendations, caselaw, etc.) on how to interpret these concepts.

5.18.2.5. “Essential functionality” of a VSP service

There are no details in the primary legislation or in other texts (secondary legislation, by-laws, recommendations, caselaw, etc.) on how to interpret these concepts.

5.18.3. Obligations and measures imposed on VSP providers

The revised AVMSD provides for the extension of its scope to cover VSPs. It introduces obligations on these players to take appropriate measures to protect minors from harmful content which may impair their physical, mental or moral development; to protect the general public from illegal content and content that incites violence or hatred; and to respect certain obligations around commercial communications (Article 28b (1) and (2) of the revised AVMSD). To fulfil these obligations, member states are required to ensure compliance with the measures listed in Article 28b (3) of the revised AVMSD.

This section aims at identifying the obligations and measures imposed on VSP providers under national legislation in order to ensure their compliance with those obligations.

When available, this section also provides for other additional relevant information about the measures and concepts at stake.

5.18.3.1. General provisions

In terms of content inciting to violence or hatred, the 2021 amendments to the Public Information Law include definition and references to terrorist information in the following manner:

Article 19

1. It shall be prohibited to publish in the media information if:

- 1) disinformation is disseminated, war propaganda is incited, war is incited, and the sovereignty of the Republic of Lithuania is forcibly violated - to change its constitutional order, encroach on its independence or violate the integrity of the territory;*
- 2) encouraging or inciting terrorist offences;*
- 3) spreading or inciting hatred, bullying, contempt, inciting discrimination, violence, physically dealing with a group of people or a person belonging to it on the grounds of*



age, gender, sexual orientation, ethnicity, race, nationality, citizenship, language, origin, social status, disability, on the grounds of religion, belief, opinion or religion;

4) dissemination, promotion or advertising of pornography, as well as promotion and/or promotion of sexual services, sexual perversion;

5) promoting and/or advertising the use of narcotic drugs, psychotropic substances and/or other psychologically addictive substances, as well as psychological dependence on gambling.

2. Dissemination of information that defames, insults, degrades the person's honour and dignity is prohibited.

Article 2

70. Information which promotes or incites terrorist offences means information which directly or indirectly promotes or incites the commission of terrorist offences, including information glorifying or justifying such offences, denigrating their victims, disseminating their images in order to secure support for terrorist behaviour or severe intimidation.

The Public Information Law, in Chapter 3, dedicated to VSP regulation, underlines the obligation to protect minors from harmful content which is disseminated by VSPs and which has a negative impact on their physical health and on their physical, intellectual or moral development:

Article 40⁴

1. Video-sharing platform providers must:

1) take the measures provided for in Paragraph 2 of this Article and the Law on the Protection of Minors against the Detrimental Effect of Public Information in order to protect minors from programmes, user-generated videos and audiovisual commercial communications that disseminate information adversely affecting minors;

2) take the measures specified in Paragraph 2 of this Article in order to protect the public from programmes, user-created videos and audiovisual commercial communications in which the information specified in items 1–4 of Paragraph 1 of Article 19 of this Law is disseminated;

3) comply with the requirements of Article 39 of this Law regarding audiovisual commercial communications ordered by the service providers of the video-sharing platform themselves or disseminate on their own initiative, as well as take appropriate measures related to compliance with this Article regarding audiovisual commercial communications video-sharing platform providers do not trade, sell or manage;

4) clearly inform users of programmes and user-generated videos of audiovisual commercial communications in those programmes and videos when they have been declared in accordance with paragraph 2 (3) of this Article or the video-sharing platform provider is aware of such communications;

5) comply with a code of conduct (ethics) adopted by themselves or other video-sharing platform providers regarding inappropriate audiovisual commercial communications for children, or included in such programmes, about foods and beverages that contain nutrients and substances with a physiological effect, in particular fats, trans fatty acids,



salt or sodium and sugar, which are recommended in moderation. These codes of conduct (ethics) should aim to effectively reduce children's access to audiovisual commercial communications for specified foods and beverages by ensuring that audiovisual commercial communications do not emphasise the positive nutritional properties of those foods and beverages. Codes of conduct (ethics) shall be adopted in accordance with the procedure established in Paragraph 4 of Article 43 of this Law.

5.18.3.2. Adapting terms and conditions of the VSP service to include those obligations – Article 28b (3) (a) AVMSD

Regarding the measure consisting in including and applying in the terms and conditions of the VSP services in respecting the obligations stemming from the aforementioned general requirements, Article 40⁴.2. 1) of the Public Information Law stipulates the possibility for VSP providers to opt for measures in terms of the inclusion and application of terms and conditions, as stipulated by the AVMSD:

2. Video-sharing platform service providers shall optionally apply the following measures:

1) include in the conditions for the provision of video-sharing platform services the requirements specified in Paragraph 1, Item 1 or 2 of this Article and apply them;

5.18.3.3. Adapting terms and conditions to include obligations regarding commercial communications that are not marketed, sold or arranged by the VSP provider – Article 28b (3) (b) AVMSD

Regarding the measure consisting in including and applying in the terms and conditions of the VSP services the requirements set out for audiovisual commercial communications that are not marketed, sold or arranged by the VSP providers, Article 40⁴.2. 2) of the Public Information Law includes the following in the conditions for the provision of VSP services from the requirements of Article 39 of the law:

2) include in the conditions for the provision of video-sharing platform services the requirements of Article 39 of this Law applicable to audiovisual commercial communications which are not traded, sold or processed by video-sharing platform service providers and apply them.

5.18.3.4. Having a functionality for users who upload user-generated videos to declare whether such videos contain audiovisual commercial communications – Article 28b (3) (c) AVMSD

Regarding the measure consisting in having a functionality for users who upload user-generated videos to declare whether such videos contain audiovisual commercial



communications as far as they know or can be reasonably expected to know, Article 40⁴.2. 3) of the Public Information Law provides for a function for users uploading user-generated videos which allows them to declare to what extent they know or can reasonably be expected to know whether such videos contain commercial audiovisual messages:

3) has a function for users uploading user-generated videos, which allows them to declare to what extent they know or can reasonably be expected to know whether such videos contain audiovisual commercial communications.

5.18.3.5. Establishing and operating transparent and user-friendly mechanisms for users to report or flag content – Article 28b (3) (d) AVMSD

Regarding the measure consisting in establishing and operating transparent and user-friendly mechanisms for users of a VSP to report or flag to the VSP provider the content referred to in the general provisions, the Public Information Law, in Article 40⁴.2. 4) establishes these obligations by transposing the text of the revised AVMSD verbatim, in the following manner:

4) establish and maintain transparent and easy-to-use mechanisms for video-sharing platform users to notify and flag the content referred to in points (1) or (2) of paragraph 1 of this Article that is available on their platform.

5.18.3.6. Establishing and operating systems through which VSP providers explain to users what effect has been given to reporting and flagging – Article 28 (b) (3) (e) AVMSD

Regarding the measure consisting in establishing and operating systems through which VSP providers explain to users of VSPs what effect has been given to their reporting and flagging initiatives, Article 40⁴.2. 5) of the Public Information Law states the obligation, without further specifications:

5) establish and apply systems by means of which video-sharing platform service providers explain to video-sharing platform users the result of the notification and its certificate referred to in Paragraph 2 (4) of this Article.

5.18.3.7. Establishing and operating age verification systems for users with respect to content which may impair the physical, mental or moral development of minors – Article 28b (3) (f) AVMSD

Regarding the measure consisting in establishing and operating age verification systems for users of VSPs with respect to content which may impair the physical, mental or moral development of minors, in the Public Information Law, Article 40⁴.2. 6) stipulates the



obligation to develop and apply age verification systems for users of VSPs with regard to information (content) that has a negative impact on minors:

6) develop and apply age verification systems for users of video-sharing platforms regarding information (content) that has a negative impact on minors.

5.18.3.8. Establishing and operating easy-to-use systems allowing users to rate the content – Article 28b (3) (g) AVMSD

Regarding the measure consisting in establishing and operating easy-to-use systems allowing users of VSPs to rate the content, Article 40⁴.2. 7) of the Public Information Law stipulates these obligations, without further specifications:

7) develop and apply easy-to-use systems that allow users of video-sharing platforms to rate the content referred to in Paragraph 1, Item 1 or 2 of this Article.

5.18.3.9. Providing for parental control systems that are under the control of the end-user with respect to content which may impair the physical, mental or moral development of minors – Article 28b (3) (h) AVMSD

Regarding the measure consisting in providing for parental control systems that are under the control of the end-user with respect to content which may impair the physical, mental or moral development of minors, Article 40⁴.2. 8) of the Public Information Law provides for these obligations, in order to provide for end-user-controlled parental control systems for information (content) that has a negative impact on minors:

8) provide for end-user-controlled parental control systems regarding information (content) that has a negative impact on minors.

5.18.3.10. Establishing and operating transparent, easy-to-use and effective procedures for the handling and resolution of users' complaints – Article 28b (3) (i) AVMSD

Regarding the measure consisting in establishing and operating transparent, easy-to-use and effective procedures for the handling and resolution of users' complaints to the video-sharing platform provider in relation to the implementation of the measures, the Public Information Law, in Article 40⁴.2. 9), establishes these obligations, without further specifications:

9) establish and apply transparent, easy-to-use and effective procedures for the handling and resolution of user complaints submitted to the video-sharing platform service provider regarding the implementation of the requirements specified in items 4–8 of this Part.



5.18.3.11. Providing for effective media literacy measures and tools and raising users' awareness of those measures and tools – Article 28b (3) (j) AVMSD

Regarding the measure consisting in providing for effective media literacy measures and tools and raising users' awareness of those measures and tools, Article 40⁴.2. 10) of the Public Information Law establishes these obligations, without further specifications:

10) provide effective tools and instruments for the ability to use the media and increase the awareness of users about these tools and instruments.

5.18.3.12. Forbidding the processing of personal data of minors for commercial purposes – Article 28b (3) AVMSD

Regarding the processing of personal data of minors collected or otherwise generated by VSP providers for commercial purposes, such as direct marketing, profiling and behaviourally targeted advertising, the Public Information Law only refers to the obligations of VSP providers to comply with the Law on the Protection of Minors against the Detrimental Effect of Public Information:

Article 40⁴.6: Where an audiovisual media service provider provides its services through a video-sharing platform service, the measures implemented by the video-sharing platform service provider shall not remove the requirements applicable to the audiovisual media service provider set out in this Law and the Law on the Protection of Minors from Adverse Public Information.

Article 8 of the 2021 Amendment to the Law on the Protection of Minors against the Detrimental Effect of Public Information stipulates that the dissemination of other public information must be subject to the restrictions of this law (from Article 7), is to be observed. Article 8.4 stipulates:

Personal data of minors collected or otherwise obtained by producers and/or disseminators of public information in accordance with Paragraph 1 of Article 7 of this Law may not be processed for direct marketing, profiling and advertising based on consumer behaviour, as well as for other commercial purposes.

5.18.3.13. Other relevant provisions related to the protection of minors

N/A.



5.18.3.14. Other relevant provisions related to commercial communications which may impair the physical, mental or moral development of minors

Article 8 of the Protection of Minors Law provides for legal obligations with regard to the protection of minors against commercials, with more specific details about the obligations:

1. The restrictions, exceptions and prohibitions on public information which adversely affect the development of minors shall apply to all public information, including advertising, audiovisual commercial communications, announcements, trademarks, user-generated videos and public events.

2. The advertising of goods and/or services intended for persons from 18 years of age, 14 years of age and 7 years of age, via audiovisual commercial communications may not be disseminated together with information intended for consumers younger than the age stipulated for the delivered and advertised goods and/or services.

3. Advertising and audiovisual commercial communications shall also comply with the following requirements:

- 1) they must not directly encourage minors to buy or rent or choose a product or service using the inexperience and trustworthiness of minors;*
- 2) they must not directly encourage minors to persuade their parents or other persons to purchase the advertised goods or services;*
- 3) they must not form the opinion of minors that the use of certain services or goods will give them a physical, psychological or social advantage over their peers;*
- 4) they must not use the trust of minors in their parents, teachers or other persons;*
- 5) they shall not show minors who have found themselves in dangerous situations where there is no public interest.*

5.18.3.15. Other relevant provisions related to minors' exposure to advertising for alcohol products and HFSS foods (high fat, sugar and salt foods) in commercial communications

Article 4 (1) of the Law on the Protection of Minors of 2009 only mentions alcohol and tobacco products, as well as narcotic substances, which are prohibited by law due to the detrimental effect on minors:

1. Public information which has a detrimental effect on minors shall be considered such information which may be detrimental to the mental or physical health of minors, their physical, intellectual, mental or moral development.

...

7) in which dependence on narcotic, toxic, psychotropic substances, tobacco or alcohol as well as other substances which are used or may be used for intoxication purposes are positively assessed and the use, production, distribution or acquisition thereof is promoted.



The Public Information Law refers to alcohol and HFSS products in Article 40⁴.1:

Video-sharing platform service providers are obliged to:

...

5) comply with a code of conduct (ethics) adopted by themselves or other video-sharing platform providers regarding inappropriate audiovisual commercial communications that are inserted or included in children's programmes about foods and beverages that contain nutrients or substances with a physiological effect, in particular fats, trans fatty acids, salt or sodium and sugar, which are recommended to use in moderation. These codes of conduct (ethics) must aim to effectively reduce children's access to audiovisual commercial communications for specified foods and beverages by ensuring that audiovisual commercial communications do not emphasise the positive nutritional properties of those foods and beverages. Codes of conduct (ethics) shall be adopted in accordance with the procedure established in Article 43 (4) of this Law.

5.18.3.16. Other relevant information

N/A.

5.18.4. Practicability of the measures imposed on VSP providers

Article 28b (3) of the revised AVMS Directive does not only provide for the list of measures which are detailed under the previous section. Paying attention to the principle of proportionality, it also states that the measures imposed on VSP providers should be practicable and proportionate and take into account criteria such as the size of the VSP service and the nature of the service, as well as the nature of the content.

This section aims at identifying how this is implemented in the national legislation.

Chapter 3, Article 40⁴.3 of the Public Information Law stipulates:

3. Video-sharing platform providers shall, in pursuit of the objectives set out in paragraph 1, choose the measures provided for in paragraph 2, taking into account the nature of the content of the video-sharing platform providers, the harm it may cause and the specific category of persons whose related rights and legitimate interests to be protected, including the rights and legitimate interests of video-sharing platform providers and users who have created or uploaded content, as well as the public interest. These measures shall be appropriate and proportionate to the scope of the video-sharing platform service and the nature of the service provided. Such measures shall not require the imposition of any ex-ante control measures or the filtering of uploaded content that does not comply with the Law on Services of the Information Society. In order to protect minors, the most harmful content must be subject to the strictest measures to control access to information.



5.18.5. Regulation and enforcement

This section aims at identifying which body is in charge of regulatory and enforcement powers with regards to VSPs, as well as the scope of its activities with regard to such platforms. These relate to registration/notification systems of VSPs with the relevant national regulatory bodies, as well as with the development of self- or co-regulatory codes and schemes (as encouraged by Article 4a of the AVMS Directive), provisions related to out-of-court redress mechanisms for the settlement of disputes between users and VSP providers (as envisaged by Article 28(b)7 of the AVMS Directive) and provisions related to how users can assert their rights before a court in relation to VSP providers (as required by Article 28(b)8 of the AVMS Directive).

5.18.5.1. Regulatory body

The competent regulatory body is the Radio and Television Commission of Lithuania (RTCL).²⁴⁴

5.18.5.2. Existence of a registration/notification system

Article 24 of the Public Information Law includes provisions related to RTCL's mandate relative to VSPs, in addition to the mandate stemming from the 2018 Law on Copyright and Related Rights (2018), related to RTCL's mandate to enforce copyright protection on the Internet.

The main competencies and functions of the RTCL in relation to VSPs are found in Article 48 of the Public Information Law and include:

6) to establish the procedure for registration of the notification of service providers of on-demand audiovisual media services and video-sharing platform services;

7) to supervise how broadcasters, rebroadcasters, other persons providing television programmes and/or individual programmes on Internet distribution services to consumers of the Republic of Lithuania comply with the rules of licensing of broadcasting activities and retransmitted content, the provisions of this and other laws on retransmission; selection, provision and dissemination of radio and/or television programmes or individual programmes distributed on the Internet, other legal requirements regarding the content and dissemination of public information, rules adopted by the Commission on the compilation and decisions of television programmes and licensing conditions, and monitoring of retransmitted audiovisual works, radio and/or television programmes;

8) to approve the rules regarding the compilation of television programme packages by

²⁴⁴ <http://www.rtk.lt>.



broadcasters and other persons providing television programmes and/or individual programmes for the distribution of television programmes and/or individual programmes to consumers of the Republic of Lithuania and establish requirements for retransmitters and other persons providing television programmes and/or individual programmes, for the selection, dissemination and public dissemination activities of the programmes, and shall monitor compliance with these requirements;

9) to supervise the compliance of radio and/or television programme broadcasters, rebroadcasters, other persons providing television programmes and/or individual programmes with Internet distribution services, on-demand audiovisual media services, video-sharing platform service providers to the users of the Republic of Lithuania; protection against the adverse effects of public information on laws, commitments, licences, permit conditions and Commission decisions;

10) in accordance with the procedure established by the Commission, to investigate consumer complaints regarding activities by radio and/or television broadcasters, on-demand audiovisual media service providers, as well as other persons providing video-sharing platform services to consumers who distribute television programmes and/or individual programmes on the Internet.

5.18.5.3. Compliance, enforcement and sanctioning powers

Article 48 (1) of the Public Information Law provides RTCL, just like for other media service providers, powers to:

11) upon receipt of a reasoned request on the grounds specified in Paragraph 5 or 6 of Article 19 of this Law, a police report on the grounds specified in Article 19 (9) (3) of this Law or an investigation, or in the cases specified in Article 50 (1) 4, 7, 8) the conclusion of the inspector, or in accordance with the conclusions of the experts, in accordance with the procedure and terms established by this Law, to make a decision regarding the application of objectively necessary sanctions established in this Law;

12) [...] to supervise the implementation of the provisions of the Law on the Protection of Minors against the Detrimental Effect of Public Information;

13) to establish the procedure for the implementation of the requirements of laws and legal acts of the European Union concerning the structure and content of radio and/or television programmes, audiovisual commercial communications and advertising broadcasting, support for audiovisual media services, radio programmes and individual programmes in radio and/or television programmes, adopt other implementing legal acts in accordance with its competence regarding the implementation of the provisions of this and other laws;

14) to monitor the compliance [...] on the scope of European works and works produced by independent producers [...], the right to broadcast programmes on events of public



importance, the requirements of this Law on television advertising and commercial audiovisual communications, support for audiovisual media services, radio programmes and individual programmes, product placement;

15) to submit proposals regarding the laws [...] and preparation of other draft legal acts related to these activities;

16) to apply to the Vilnius Regional Administrative Court regarding the termination of illegal broadcasting, on-demand audiovisual media services, provision of video-sharing platform services, distribution of television programmes and/or individual programmes on the Internet, illegal retransmission of radio and/or television programmes;

17) in accordance with the procedure established by this Law, impede the provision of services prepared by audiovisual media service providers of foreign states in the territory of the Republic of Lithuania;

18) to collect relevant information [...], analyse their activities, prepare information and methodological material on these issues.

5.18.5.4. Development of self- or co-regulatory codes or schemes

Self-regulatory measures provided in the Public Information Law, Article 43, indicate the Public Information Code of Ethics which has been developed by the Public Information Ethics Association (last updated in 2016), as well as other codes of conduct, both national and international. VSP service providers can also develop their own codes of conduct. The law provides the main requirements for the chosen code of conduct. It is obligatory for each service provider to choose and publish what kind of code of conduct is applied in practice; it is mandatory to comply with the norms of the chosen code:

4. In order to promote self-regulation in the provision of audiovisual media services, Lithuania may apply codes of conduct (ethics) at the national and/or European Union level, which are prepared and published on their website by audiovisual media service providers, video-sharing platform providers or their representative organisations, in cooperation with industry, commerce or other sectors, professional and consumer associations or organisations as appropriate. If the European Union codes of conduct (ethics) are prepared by audiovisual media service providers, video-sharing platform service providers or organisations representing them under the jurisdiction of the Republic of Lithuania, they shall submit drafts of these codes and their amendments to the European Commission.

5. The codes of conduct (ethics) at national level referred to in paragraph 4 shall comply with the following requirements:

1) be widely recognised - they should have been adopted by more than half of the public information producers, disseminators and journalists of the Republic of Lithuania in the respective field or organisations uniting them;



- 2) *set out their objectives clearly and unambiguously;*
- 3) *provide for regular, transparent and independent monitoring and evaluation of the achievement of their objectives;*
- 4) *provide for effective enforcement of the provisions of the codes, including effective and proportionate sanctions.*

6. Audiovisual media service providers, video-sharing platform providers shall voluntarily choose the codes referred to in paragraph 4 and shall make their activities public in accordance with those codes by informing the Commission. Providers who have voluntarily opted for codes of conduct and have declared that their activities comply with the chosen code of conduct are bound by the provisions of the declared code.

The Public Information Code of Ethics from 2016 covers the main functions, rights, duties and responsibilities of content providers in print, online and in broadcast media. The Public Information Ethics Association (established in 2015) is a collegial self-regulatory body with representatives from at least five public organisations of journalists and information providers.

5.18.5.5. Out-of-court redress mechanisms for users

The Public Information Law, in Article 40⁵, provides for the liabilities of VSPs and the protection of individual rights as follows:

(2) Disputes between persons and video-sharing platform service providers arising from non-compliance with the requirements of Article 40⁴, Article 1 (1, 2) and Article 2 of this Law shall be resolved by applying to the Commission (RTCL) or a court. Appeal to the Commission does not prevent individuals from going to court for the same dispute.

5.18.5.6. Rights before a court for users

In addition to provisions specified under 1.1.5.5., the Amendment to the Code of Administrative Offences (2021) provides for measures related to violations of the Protection of Minors Law and the draft Public Information Law with regard to commercials and their restrictions.

Certain changes have been proposed as a result of the national transposition of the AVMSD, e.g., it is foreseen that the use of prior warnings can be applied instead of administrative penalties in the event of small-scale violations. However, these provisions do not apply to violations in relation to minors.



5.18.6. Studies, reports and research

The following reports have been prepared in relation to the transposition of the revised AVMSD:

- Vilnius University, Norvaišas, V. Vartotojų sukurto turinio reguliavimas autorių teisėje (Regulation of user-generated content in copyright), MA Thesis in Law, 2019.²⁴⁵
- Vytautas Magnus University, Leskauskaitė L. Social Media Leaders and Their Communication: Verbal and Non-Verbal Communication, MA Thesis in Communication, 2018.²⁴⁶
- Kaunas University of Technology Jurgutytė, M. Visual Content Creation Solutions for Communication with GenerationZ in Social Media, MA Thesis in Marketing Management, 2018.²⁴⁷

5.18.7. Data compilation

This factsheet is based on data compiled by Kristina Juraite, Professor of Public Communication, Vytautas Magnus University.

²⁴⁵ <https://epublications.vu.lt/object/elaba:69378867/69378867.pdf>.

²⁴⁶ <https://www.vdu.lt/cris/handle/20.500.12259/35647>.

²⁴⁷ <https://epubl.ktu.edu/object/elaba:28352683/28352683.pdf>.