

EBU and European public service media and international media organizations express concern over proposed changes to Lithuania's public service media framework

The European Broadcasting Union (EBU) and the undersigned European public service media and international media organizations express concern regarding the proposed amendments to the Law on Lithuanian National Radio and Television (LRT), currently under consideration by the Seimas.

Public service media play a vital role in democratic societies by ensuring citizens' access to independent, reliable and pluralistic information. Any reform of their governance, remit or funding frameworks should therefore fully safeguard editorial and institutional independence and be developed through transparent, inclusive and democratic legislative procedures.

We note with concern that the process leading to the current draft has not met these standards. The working group established by the Seimas Board to prepare the amendments did not include representatives of LRT administration, despite the broadcaster being directly affected by the proposed changes. At the same time, representatives of commercial media interests were included. The withdrawal of journalists' representatives and opposition members from the working group further raises concerns about the inclusiveness and balance of the legislative process.

The Council of Europe's Venice Commission has already raised concerns regarding the legislative process surrounding amendments affecting LRT and stressed that reforms of public service media legislation should be developed through broad consultation and in line with European good practices in democratic law-making. While providing the opinion on the earlier draft and adopted amendments to the Law on LRT, the Venice Commission emphasized the need to conduct a thorough analysis, an impact assessment, and consultations with the national stakeholders for the continuation of the pending legislative process.

The EBU and European public service media and international media organizations undersigned are therefore concerned that several elements of the current draft law risk undermining these principles. These include:

- maintaining provisions that freeze LRT funding for three years and reducing the share of tax-based allocation hereafter as well as introducing new provisions restricts LRT's abilities to generate additional revenues without a comprehensive impact assessment and meaningful consultation with the broadcaster. The Venice Commission recommended amending paragraph 5 of Article 19 of the current Law on LRT (the provision retained in the new draft) based on a comprehensive assessment of whether the current funding model adequately enables the LRT to fulfil its public-service remit. With regards to the new restrictions on funding, the Seimas Legal Department has similarly noted that limiting certain revenue sources may weaken LRT's ability to fulfil its public service mission and noted that the State Audit Office, whose audit report on LRT is used as the basis for the regulation proposed in the draft, recommended not to completely abandon the dissemination of paid information, but only to allocate more broadcasting time to the dissemination of information on social issues free of charge.

- providing early dismissal grounds for the Director General such as "improper performance" and "violation of the public interest" that appear excessively vague, subjective and open to interpretation. The Venice Commission recommended to establish clear and objective criteria for the early dismissal of the LRT Director General, limited to exceptional circumstances and ensuring that any dismissal decision is duly reasoned and subject to effective judicial review. The Seimas Legal Department has warned that such criteria may not meet the requirements of the European Media Freedom Act (EMFA), which requires clearly defined and exceptional grounds for dismissal of public service media leadership.

- treating the new rules for dismissing the LRT manager separately without providing sufficient safeguards for the transition creates the appearance of legislation directed at the current office-holder; The Venice Commission recommended to ensure that any revised dismissal procedures apply only to Directors General appointed after the entry into force of the amendments, thereby avoiding the appearance of *ad personam* legislation.

- introducing provisions that could enable intrusive oversight of editorial activities, including granting supervisory and their supporting bodies powers touching on programming and participation in LRT content, i.e., provisions for the Council's office to submit proposals on LRT programmes or prohibiting other media outlets from operating on LRT channels without the Council's permission. Such arrangements risk contradicting Council of Europe Recommendation CM/Rec(2012)1 on public service media governance, which states that supervisory bodies should exercise strategic oversight but must not interfere in editorial decisions or programme-making. The Seimas Legal Department has also highlighted the lack of legal clarity in these provisions.

In addition, the current draft introduces a substantially expanded governance model, including the creation of a new Board, a Council Office and an enlarged number of LRT Council members (from 12 to 15) and its set of powers. These proposals risk blurring the line between strategic oversight and day-to-day managerial and editorial autonomy. Governance reforms should strengthen independence and accountability, not create additional layers of bureaucracy or new avenues for influence over operational and editorial decision-making.

Such measures could increase the vulnerability of the public broadcaster to political pressure rather than strengthen accountability.

In addition to the discussed legislation the working group established by the Seimas Board to review the governance of LRT proposed to consider a funding model based on a narrowly defined public service contract, under which LRT would receive funding only for services not provided by commercial media. This proposal also raises serious concerns, although this idea has not yet been formulated in the discussed draft. Public service media and commercial media fulfil different but complementary roles in a healthy media ecosystem. While fair competition and cooperation between the two sectors are important, the mission of public service media cannot be confined to filling gaps left by the market. Public service media are designed to serve society as a whole by offering a diverse range of programming that informs, educates and entertains, while fostering cultural expression, social understanding and democratic debate as recognized by the European Media Freedom Act (Article 5.1 and recital 27). Framing their remit narrowly would risk undermining this wider public value and could ultimately prevent public service media from fulfilling their democratic role in society.

Taken together, the current proposals go against EU law and recognized Council of Europe standards as they weaken the independence of PSM in Lithuania, its editorial and institutional autonomy as well as its sustainable funding. They have been met with criticism by the Venice Commission and other international experts.

The EBU and the undersigned European public service media and international media organizations therefore urge the Lithuanian authorities to carefully consider the broader implications of the newly proposed governance and funding arrangements, and the concerns raised by the Seimas Legal Department. We call on the Lithuanian authorities to follow the Venice Commission's recommendations to ensure that any reform of the LRT legal framework fully respects European standards for independent public service media.

The EBU and the undersigned European public service media and international media organizations remain ready to engage constructively with Lithuanian stakeholders in support of a framework that protects LRT's independence while strengthening its ability to serve the public interest.

Signed by:

European Broadcasting Union (EBU)

European Centre for Press and Media Freedom (ECPMF)

South East Europe Media Organisation (SEEMO)

European Federation of Journalists (EFJ)

International Press Institute (IPI)

International Federation of Journalists (IFJ)

Committee to Protect Journalists (CPJ)

Association of European Journalists (AEJ)

Public Media Alliance (PMA)

Index of Censorship

Reporters Without Borders (RSF)

International News Safety Institute

Germany's International Public Broadcaster (DW)

Public service broadcaster of Montenegro (RTCG)

Public service broadcaster of Ukraine (Suspilne)

Public service broadcaster of Kosovo (RTK)

Public service broadcaster of Poland (TVP)

Public service radio of Armenia (Armenian Public Radio)

Public service broadcaster of Slovenia (RTVSLO)

Public service Television of Czechia - Czech Television (CT)

Public service broadcaster of Bosnia and Herzegovina (BHRT)

Public service broadcaster of Estonia (ERR)

Public service broadcaster of Latvia (LPSM)

Public service radio of Bulgaria (BNR)

Public service of Moldova (TRM)

Public service television of Armenia (AMPTV)

Public service radio of Czechia (CR)

Public service radio of Poland (PR)

