**Reply of the Republic of Lithuania to the Questionnaire of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression Ms. Irena Knah, regarding the challenges to freedom of opinion and expression in times of armed conflict and other disturbances.**

**1. a) Please describe specific situations where disinformation, misinformation or propaganda have been used or restrictions have been placed on the media or access to the Internet in order to instigate, aggravate or sustain hatred, violence or conflict. What means and methods are used to manipulate information in such situations?**

The Radio and Television Commission of Lithuania (RTCL) regulates and supervises activities of broadcasters of radio and television programmes and providers of on-demand audiovisual media services falling under the jurisdiction of the Republic of Lithuania, activities of video-sharing platform providers as well as supervises activities of re-broadcasters operating in the territory of the Republic of Lithuania and other persons providing to users of the Republic of Lithuania with the service of the dissemination of television programmes or individual programmes via the Internet.

The RTCL has the right to suspend free reception of television programmes or individual programmes (when only an individual programme is transmitted) broadcast, re-broadcast or disseminated via the Internet or of programmes within the catalogues of on-demand audiovisual media services in situations when provisions of Article 19 Part 1 of Lithuanian Law on Provision of Information to the Public (Law on PIP) are violated (*provided information disseminates disinformation, war propaganda, instigates a war and incites to violate the sovereignty of the Republic of Lithuania – to change its constitutional order, to encroach on its independence or to infringe its territorial integrity*) taking into account other conditions to apply the mentioned suspension.

Therefore, the RTCL has been performing monitoring of programmes. It has been noticed that the spread of disinformation, propaganda have especially became more frequent during the currently happening Russian war against Ukraine.

The large-scale disinformation and propaganda campaign supported by the states of Russia and Belarus is the biggest challenge for Lithuania in the information environment. (*more information: LTU SSD NATIONAL THREAT ASSESSMENT 2022, page 53-55, attached*).

It intensified with the outbreak of war. Therefore, RTCL has performed monitoring of the main Russian television programmes and identified that the information they provide violate provisions of the Article 19 Part 1 of the Law on PIP and, as a result, the RTCL initiated the procedure of suspension of re-broadcasting of such programmes.

On 25 February 2022 RTCL has suspended re-broadcasting of 6 television programmes: *Planeta RTR*, *Rossija 24*, *NTV Mir* and *Belarus 24* – has been suspended for a 5 years term, *Pirmais Baltijas Kanals Lietuva* (*PBK*) and *TVCi* – has been suspended for a 3 years term. On 28 February 2022 RTCL has suspended for a 5 years term re-broadcasting of another 2 television programmes: *MIR24* and *RBK-TV*.

The naratives that spread propaganda are all similar in all the suspended television programmes: a false impression is displayed to look as if Ukraine is the aggressor, Ukrainians are falsely called as terrorists and nazis and therefore it is said that Russian actions are humanitarian and important to save the lives of people living in Donbas region.

**b) What role have States, armed groups or social media platforms played to instigate or mitigate such manipulation of information?**

Lithuania's main response to Russian and Belarusian disinformation and propaganda: boosting media monitoring and strategic communication capabilities, undertaking media literacy and awareness, raising initiatives to increase societal and institutional resilience, temporarily suspend the broadcasts of the Kremlin-controlled TV channels, review the legal basis, International partnerships and initiatives (NATO,EU), Civil campaigns active citizens fighting disinformation online, academic researches, public surveys, media literacy projects dedicated to vulnerable groups (national minorities, elderly, youth), social media campaigns – various initiatives created to pursue one’s own narrative, media projects for fact-checking and debunking (*more information: Deterring disinformation? Lessons from Lithuania’s countermeasures since 2014, attached*).

Social media platforms also hasa great impact in preventing spread of disinformation and propaganda as any user can upload any video or other material and spread false information in that way.

A[**joint letter**](https://lrv.lt/en/news/lithuanian-prime-minister-ingrida-simonyte-initiated-a-joint-letter-of-estonia-latvia-poland-and-lithuania-to-big-tech) **from Prime Ministers of the Baltic States and Poland has been sent to the CEO’s of big tech platforms [Google, Facebook, Twitter, Youtube].** The PMs urged the technology companies to pro-actively suspend accounts engaged in inciting or justifying war of aggression and spreading false information, as well as official accounts of Russian and Belarusian government institutions and of the state-controlled media.

On the request of RTCL one of the biggest video sharing platform services provider *Youtube* removed some of the videos due to the spread of disinformation, war propaganda and accounts of the television programmes were suspended.

The RTCL also approached technology company *Google* with the request to remove certain applications that provides television programmes that are suspended in Lithuania from the Google Play Store and *Google* has accepted this request.

**c) What has been the impact on human rights and the lives of people? Which groups of people have been particularly affected and in what ways?**

The RTCL initiated suspension of the television programmes immediately after the war has started, therefore, we believe that the impact on people is minimal.

**d) What has been the impact of such propaganda, disinformation or misinformation on the work of human right defenders, journalists, civil society, humanitarian and development organizations?**

RTCL currently has ordered a social research company to do research on the impact of television programmes on the society and how has it changed as of the suspension of the mentioned television programmes. As it is still ongoing, we do not have any results to share.

**2. a) What are the legal, policy and practical challenges faced by the States, companies, media and civil society organizations in upholding freedom of opinion and expression while countering hate speech, disinformation or other forms of information manipulation in situations of conflict and disturbances?**

Currently we see the biggest problem with the people who live on the borders of Lithuania with Russia and Belarus. As the strength of television signal from these countries is so strong that the people living on the border villages have no problem to access the television programmes, that spread propaganda, disinformation and are suspended in Lithuania but are available in Russia and Belarus.

**b) Where do you see major legal and policy gaps or inconsistencies on these issues? Please share your thoughts on how they could be addressed.**

The problem does not require changes of any legal or policy acts but to find technical solutions.

**3. A) What legislative, administrative, policy or regulatory or other measures has the government in your country taken to protect online and offline freedom of expression or access to information in times of emergency, conflict, violence, disturbances?**

In reaction to the Russia’s aggression against Ukraine on 10 March 2022 Lithuanian Parliament established a state of emergency in the territory of Lithuania. Based on this, it was decided to forbid broadcast and re-broadcast television programmes that are established or directly or indirectly owned by Russia and Belarus.

 **b) What legislative, administrative, policy or regulatory or other measures exist in your country to address online or offline:**

* Propaganda for war;
* Disinformation and misinformation; and
* Incitement to violence, discrimination or hatred

It is prohibited by law to publish in the media information that disseminates disinformation, war propaganda, instigates a war, instigates and incites hatred, ridicule, humiliation, instigates discrimination, violence, physical violent treatment of a group of persons or a member of a group on the grounds of age, sex, sexual orientation, ethnic origin, race, nationality, citizenship, language, origin, social status, disability, belief, convictions, views or religion.

The criminal liability applies to public incitement to violence, discrimination or hatred and public condonation, denial or gross trivialisation of the crimes of genocide or other crimes against humanity or war crimes.

The administrative liability applies for the distribution or display of Nazi, Communist symbols, or symbols of totalitarian or authoritarian regimes that were used or are used for war propaganda.

**c) Is there recent jurisprudence or decisions in relation to these laws, policies or practices?**

It is important to mention that RCTL has the right to fine a subject that spreads propaganda, and disinformation. The recent case happened on 23 March 2022 when RCTL fined its regulated subject, a company, that spread disinformation through a radio programme.

**d) What has been the impact of these measures on human rights and international humanitarian law?**

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**e) Do you have any suggestions on how these measures can be improved to uphold human rights while countering war propaganda, disinformation, misinformation and incitement?**

**4**. **A) How do internet intermediaries address:**

* **Propaganda for war;**
* **Incitement to violence, discrimination or hatred**
* **Disinformation and misinformation that instigates or aggravates violence, instability or conflicts**

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**b) In your view are the companies’ policies and measures in line with international human rights and humanitarian law standards, and are they being implemented effectively?**

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**c) What improvements would you suggest?**

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**d) What good practices have been developed by the companies?**

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**5. What role has legacy media played in addressing disinformation, misinformation and propaganda in situations of conflict, violence and disturbances? What challenges do legacy media faced in combating such information on manipulation?**

 Civil campaign ‘Lithuanian elves’ – active citizens fight­ing disinformation online. ‘Lithuanian elves’ tracks the trends of disinformation techniques on social media and the internet, and to exchange information. ‘Lithuanian elves’ uses existing measures on social media to disable disinformation channels (groups, bots, etc.).

As a result of the unprovoked and unjustifiable war against Ukraine by the Russian Federation, Lithuania hosts tens of thousands of war refugees from Ukraine.Vilnius is also [**becoming**](https://www.washingtonpost.com/world/2022/03/13/russia-media-putin-lithuania/)one of the independent Russian media hubs in exilefor journalists fleeing Putin’s wartime crackdown. As a result, the Russian-speaking population in Lithuania is growing. Taking into account the need of these people to have a wider opportunity to watch more diverse media content in the Russian language, legacy media (television and radio services providers) have started providing more Ukrainian and other channels in Russian language, including TV channels: 1+1, 2+2, Channel Ukraine, ICTV, STB, Inter, New channel, TET, K1 and NTN as well as the Russian independent media channel Dozhd and the TV channel Nastoyashcheye Vremya. These measures enable the Russian-speaking population to watch more diverse media content.

**6. Please provide examples of good practices, including at the community level, to fight disinformation and hate speech during conflicts and disturbances.**

We consider providing more Ukrainian programmes during this war a good practice that has been adopted by the service providers without intervention from public state authorities.

**Also, in the face of Kremlin’s crackdown on media freedom at home, Vilnius is** [**becoming**](https://www.washingtonpost.com/world/2022/03/13/russia-media-putin-lithuania/) **one of the independent Russian media hubs in exile** for journalists fleeing Putin’s wartime crackdown.

**Radio Free Europe/Radio Liberty (RFE/RL) has opened of a bureau in Vilnius.** RFE/RL Vilnius news bureau will primarily **host displaced Belarus Service journalists** forced to flee after the flawed 2020 elections.

**A notable example of civil society is an initiative called “Call Russia”**, which connects Russian-speaking volunteers directly with Russians for peaceful conversations that provide verifiable facts about the Vladimir Putin's brutal and illegal assault on Ukraine. #CallRussia is made possible by pro bono contributions from supporters in the media, public relations, creative and tech communities.

**7. Please share any suggestions or recommendations you may have for the Special Rapporteur on how to protect and promote freedom of opinion and expression while countering the manipulation of information in times of conflict, disturbances and tensions.**

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**8. What other issues in relation to freedom of opinion and expression in the context of conflict do you feel should be given attention by the Special Rapporteur and why?**

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**Please share any relevant documents, reports, news or academic articles that you believe should be considered by the Special Rapporteur.**

Attached:

1. State Security Department of the Republic of Lithuania, Defence Intelligence and Security Service under the Ministry of National Defence, NATIONAL THREAT ASSESSMENT 2022.

2. The European Centre of Excellence for Countering Hybrid Threats, Deterring disinformation? Lessons from Lithuania’s countermeasures since 2014.