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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
OF THE COUNCIL OF EUROPE
(VENICE COMMISSION)

LITHUANIA

URGENT FOLLOW-UP OPINION

TO

THE OPINION ON DRAFT AND ADOPTED AMENDMENTS TO THE LAW ON THE LITHUANIAN NATIONAL RADIO AND TELEVISION (DRAFT LAW NO. XVP-1247(2))

Issued on 6 May 2026 pursuant to Article 14a of the Venice Commission's Revised Rules of Procedure

Endorsed by the Venice Commission at its 147th Plenary Session (Venice, 12-13 June 2026)

on the basis of comments by

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I. Introduction

1. At its 146th Plenary Session (6-7 March 2026), the Venice Commission adopted the Opinion on the draft and adopted amendments to the Law on the Lithuanian National Radio and Television (CDL-AD(2026)001, hereinafter "the March 2026 Opinion" and "the Law on the LRT", respectively), at the request of Ms Monika Garbačiauskaitė-Budrienė, Director General of the LRT.

2. At the same Plenary Session, the Commission authorised the preparation, through the urgent procedure pursuant to Article 14a of its Revised Rules of Procedure, of an opinion on the new Draft Law XVP-1247(2) amending the Law on the LRT, following a new request submitted by the Director General of the LRT on 3 March 2026.[1] Given that the Draft Law concerns the provisions analysed in the March 2026 Opinion, as well as further amendments, it was decided to prepare an urgent follow-up opinion assessing both the revised provisions and the new amendments in light of the Commission's earlier recommendations and European standards. The request for an urgent opinion was supplemented by a new request from the Director General on 7 April 2026, following the introduction of a draft Article 3^1 (Public Service Contract). The Draft Law and its new draft Article 3^1 (hereinafter "the Draft Law"), together with the explanatory notes and other materials, can be consulted in CDL-REF(2026)008rev. The text of the Law on the LRT currently in force can be consulted in CDL-REF(2026)016.

3. Mr Christoph Grabenwarter, Mr David A. Kaye, Ms Adele Matheson Mestad and Ms Tanja Kerševan acted as rapporteurs for this Urgent Follow-up Opinion, having acted as rapporteurs also for the March 2026 Opinion.

4. On 27 and 31 March 2026, the rapporteurs, accompanied by Ms Delphine Freymann, Deputy Secretary of the Commission, as well as Mr Mamuka Longurashvili and Mr Adria Rodriguez-Perez from the Secretariat, held online meetings with the representatives of the parliamentary majority and opposition, the Office of the Prime Minister and the Ministry of Culture, the Director General, the Administration of the LRT, the Chair of the Council of the LRT, as well as representatives of civil society, media organisations and the European Commission Representation in Lithuania. The Commission is grateful to the Lithuanian authorities for their excellent support in organising the online meetings and to all interlocutors for their input.

5. This Urgent Follow-up Opinion was prepared in reliance on the English translation of the draft amendments and accompanying documents provided in CDL-REF(2026)008rev. The translation may not accurately reflect the original version on all points.

6. This Urgent Follow-up Opinion was drafted on the basis of comments by the rapporteurs and the results of the online meetings held on 27 and 31 March 2026. In line with paragraph 10 of the Venice Commission's Protocol on the preparation of Urgent Opinions (CDL-AD(2018)019), the draft Urgent Follow-up Opinion was transmitted to the LRT and the Lithuanian authorities on 28 April 2026 for comments, which were provided on 4 May 2026. The Urgent Follow-up Opinion was subsequently issued on 6 May 2026, pursuant to Article 14a of the Venice Commission's Revised Rules of Procedure. After the publication of the Urgent Follow-up Opinion on 6 May 2026, the Lithuanian authorities provided, on 8 May 2026, additional information.[2] Following an exchange of views with Mr Artūras Zuokas, Member of the Seimas (Parliament of Lithuania) and Ms Viktorija Cieminytė, Head of the International

[1] Venice Commission, CDL-AD(2026)001, Opinion on draft and adopted amendments to the Law on the Lithuanian National Radio and Television, para. 7.
[2] The factual information provided included supplementary comparative data on public service contract models in selected EU member states.

Relations Department of the LRT, it was endorsed by the Venice Commission at its 147th Plenary Session (Venice, 12-13 June 2026).

II. Background and content of Draft Law

7. The Commission recalls that the Law on the LRT has been subject to an extensive and sustained series of legislative interventions over the past five months. Law No. XV-618 on the funding of the LRT was adopted in late November and entered into force in early December 2025. Draft Law No. XVP-1052 and its modified version, Draft Law No. XVP-1119, on the dismissal of the Director General of the LRT, were registered in the Seimas during the same period. Draft Law No. XVP-1119 was then debated in mid-December 2025, prompting 500 amendment proposals.

8. On 30 December 2025, the Seimas Board created a working group to review the LRT governance framework. Representatives of the LRT administration were not included in this working group; an LRT journalist, as well as several media associations and NGOs chose not to participate, and the opposition withdrew before the group finished its work. The group completed its work on 24 February 2026, and Draft Law No. XVP-1247(2) was registered in the Seimas on 26 February 2026. On the same day, the Lithuanian authorities forwarded the Draft Law and its Explanatory Note to the Venice Commission Secretariat together with a decision of the working group dated 23 February 2026, which recommended that the Government prepare, by 1 September 2026, in coordination with the European Commission and in line with its state aid rules, a set of draft amendments on the public service contract, on an effective external control mechanism for the implementation of the LRT's mission and on introducing a new state budget funding model.

9. Draft Law No. XVP-1247(2) was registered in the Seimas on 26 February 2026. On 12 March 2026, it was adopted at first reading.

10. On 27 March 2026, several members of the Seimas registered draft Article 3^1 (Public Service Contract). On the same day, the Lithuanian authorities provided the new draft Article 3^1 and its Explanatory Note to the Venice Commission Secretariat. During the online meeting held that day, the representatives of the parliamentary majority invited the Commission to include the draft Article in its analysis.[3]

11. The above-mentioned succession of legislative proposals prompted a number of opinion requests and updates thereto submitted to the Venice Commission Secretariat twice in December 2025[4] and in March and April 2026 (see paras 1 and 2 above).

12. The Commission also recalls the tense political context in which the developments concerning the LRT have occurred (paras 18-28 of the March 2026 Opinion), and which persists at the time of preparation of this Urgent Follow-up Opinion, including large-scale public demonstrations held on 8 and 25 April 2026 and internal protests organised by the LRT journalists. During and after the online meetings, the Commission received several communications from the LRT journalists, the Administration, and the Chair of the LRT Council, further indicating the tensions arising from these developments.

13. The Draft Law introduces a comprehensive restructuring of the LRT's legal, governance and financial framework. It comprises 14 Articles, of which Articles 1-12 amend specific provisions of the Law on the LRT. Article 13 provides the new, fully amended version of the Law on the LRT. Finally, Article 14 sets out the modalities for the entry into force, implementation and application of the Draft Law.

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[3] A formal opinion request submitted by the Director General of the LRT on 7 April 2026 – see para. 2 above.
[4] *Ibid*., para. 1.

14. The main features of the new draft version of the Law on the LRT are as follows:

- *LRT's Mission and activities*: Article 3 sets out a statutory definition of the LRT's mission - to ensure the public's right to reliable, objective and diverse information, a variety of opinions, to create conditions for free public discussion and to contribute to the preservation and development of the Lithuanian language and national culture by making content available in all regions and to various population groups. This mission is carried out independently and impartially, without political or other external influence on content and editorial decisions. Article 4(1) provides that, in implementing this mission, the LRT shall operate on a "non-commercial basis as a public service broadcaster" and that the scope and nature of LRT's activities shall be "proportionate" to this mission, without prejudice to the principles of fair competition. Article 7 prohibits advertising, political advertising and commercial audiovisual messages on the LRT programmes and on the LRT website, while permitting the free-of-charge dissemination of such messages and of cultural, social or educational information under conditions established by the Council. Article 6(12) restricts non-LRT media outlets from using LRT's channels or websites without Council approval.
- *Public Service Contract*. Article 3^1 establishes a public service contract between the LRT and the Government, setting out the LRT's service obligations, funding, and editorial independence. The agreement must specify the scope and content of public services, funding mechanisms, internal controls, performance criteria, and the duration of the mandate. The contract runs for an initial five-year term, extendable once for a further five years. External financial oversight is exercised by the State Audit Office.
- *LRT's Governance*: Article 11(2) increases the Council of the LRT from twelve to fifteen members. Article 12 vests the Council with competence to approve the LRT's statutes, annual income and expenditure estimates, strategic plan, annual activity plans, organisational structure, and editorial policy framework. Article 13 establishes a Council Office with the primary task of assisting the Council in performing its functions and ensuring its smooth operation. Article 15 introduces a new five-member Board, a collegial body that supervises the implementation of the Council's strategy and activity plans and submits conclusions and proposals to the Council on matters within its competence. Article 16 sets out the Board's functions. The Director General's role is refocused on operational management, subject to oversight by both the Council and the Board.
- *Dismissal of the LRT's Director General*: Article 17(5) provides that the Director General of the LRT may be dismissed before the end of his or her term of office if he or she fails to perform the functions of the Director General as set out in Article 18 (which enumerates sixteen specific functions), or if there is a violation of the public interest, provided that the Council bases its vote of no confidence on a gross violation of duties or a violation of the requirements of impeccable reputation, and that at least two-thirds of all Council members vote in favour of such a vote of no confidence. The two-thirds majority requirement is retained.
- *Funding of the LRT*: Article 24(1) provides that the LRT is financed from state budget appropriations, income from the sale of programmes, sponsorship announcements and publishing, and support and income from commercial and economic activities. Article 24(5) preserves the existing funding formula established by Law No. XV-618, as analysed in the March 2026 Opinion.

15. As noted in para. 2 above, the Draft Law encompasses the provisions analysed in the March 2026 Opinion and includes additional amendments. This Urgent Follow-up Opinion will therefore analyse the Draft Law in light of the Venice Commission's previous recommendations and the applicable international standards provided in detail in the March

2026 Opinion.[5] Given the limited time available, the Venice Commission focused on the most significant elements of the Draft Law. The absence of comments on other aspects of the Draft Law should not be interpreted as tacit approval.

III. Analysis

A. Follow-up to the recommendations of the March 2026 Opinion

1. Legislative process

- *A. To conduct a thorough analysis, an impact assessment, and consultations with the national stakeholders for the continuation of the pending legislative process.*

16. In the March 2026 Opinion, the Venice Commission considered that the speed and manner of the examination and the adoption of the previous sets of amendments were not consistent with European good practices in good law-making. Furthermore, the Commission was informed that the urgent procedure initially applied had been discontinued (para. 58). The Commission expressed the hope that the ordinary parliamentary procedure would be followed through a consultative and inclusive process, in full compliance with the principles of good law-making.

- Draft Law XVP-1247(2)

17. The Commission notes from the outset that Draft Law XVP-1247(2) is considered under an ordinary legislative procedure, which is welcome. At the same time, the Commission notes the use of the ordinary procedure in the context of the extensive legislative activities summarised in paragraph 7 above, which, regardless of the procedure used, show the rapid pace of legislative changes.

18. The Commission further notes that according to the Explanatory Note of Draft Law XVP-1247(2), "no expert assessments and conclusions were received during the preparation of the draft law". During the online meetings, the Commission was also informed that no evaluation of the Draft Law by the Government had been solicited and that, at the opposition's initiative, an opinion of a constitutional law expert was requested at a later stage.

19. The above-mentioned developments raise concerns, as neither the LRT, nor media associations, the opposition, nor the Government were involved in the process of developing and finalising the Draft Law (see para. 8 above). Although the Seimas subsequently sought an expert opinion at the opposition's initiative, the Commission finds that this positive step, in itself, does not remedy the overall shortcomings identified in the March 2026 Opinion. The Commission, therefore, considers that the overall legislative process regarding Draft Law XVP-1247(2) and its developments, which occurred by the time of the preparation of this Urgent Follow-up Opinion, remains inconsistent with the standards of good law-making

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[5] See, among others, ECtHR, NIT S.R.L. v. the Republic of Moldova, [GC], no. 28470/12, judgment of 5 April 2022, para. 186; Manole and Others v. the Republic of Moldova no. 13936/02, judgment of 17 December 2009, para. 63; CM Recommendation No. R (96) 10 on the guarantee of the independence of public service broadcasting, 11 September 1996; CM/Rec(2012)1 - Recommendation of the Committee of Ministers to member States on public service media governance, 15 February 2012; CM/Rec(2018)1 - Recommendation of the Committee of Ministers to member States on media pluralism and transparency of media ownership, 7 March 2018, para. 2.10; CM/Rec(2022)11 - Recommendation of the Committee of Ministers to member States on principles for media and communication governance, 6 April 2022; CM/Rec(2022)4 - Recommendation of the Committee of Ministers to member States on promoting a favourable environment for quality journalism in the digital age, 17 March 2022; Venice Commission, CDL-AD(2025)002, the Updated Rule of Law Checklist, Benchmark II.A.6 on "Law-making procedures", para. 34, Benchmark II.B.2 on "Stability and consistency of law", para. 51, and Benchmark II.D on "Checks and balances", paras 84-87.

necessary for legislation of constitutional and societal importance.[6] In their comments of 4 May 2026, the authorities informed the Venice Commission that the Draft Law is being considered by the Seimas' Committee on Culture in light of comments submitted by the Seimas' Legal Department, state institutions, professional associations, experts and citizens.

- New draft Article 3[1] initiated at a later stage

20. During the online meeting with the representatives of the Prime Minister's Office and the Ministry of Culture, the Commission delegation was informed that the Government had not been involved in drafting Article 3[1], despite being a contracting party according to the draft amendment (analysed in paras 62-75 below). The Commission observes that, despite the decision of the working group that the Seimas would request the Government, to prepare a specific set of additional draft amendments to the Law on the LRT regarding the public service contract, the external monitoring and the funding model (see para. 8 above), draft Article 3[1] registered by several MPs in the Seimas on 27 March 2026, pre-empted this plan by inserting a public service mandate agreement into the Draft Law through a parliamentary initiative, without waiting for the Government's draft. In this regard, the Explanatory Note to draft Article 3[1] provides that the implementation of the working group's decision is linked to further legislative processes, while it is not currently clearly established which specific public services are to be provided and on what basis they are to be funded. However, it provides no detailed and clear explanation of why the task, explicitly assigned to the Government, should instead be carried out through a parliamentary initiative at this point. During the online meeting, the ruling majority representatives informed the rapporteurs that Article 3[1] would undergo a separate, more comprehensive legislative process, with the Seimas' Legal Department's opinion expected by the end of April 2026. They connected this process to an on-going European Commission investigation into LRT's compliance with EU state aid rules, aiming to show legislative progress and prevent potential sanctions.

21. The Commission is of the opinion that linking the legislative initiative, pre-empting the procedure decided upon by the working group and involving the Government as the author of three different sets of complex draft amendments – as a contracting party to the public service contract – to the European Commission's state aid investigation actually emphasises the need for prior coordination with the European Commission, as also underlined in the decision of the working group. The Commission therefore considers that the above-mentioned sets of draft amendments, including the public service contract, should be developed following the process outlined by the working group, involving the Government and also LRT, based on the Seimas' Legal Department's assessment, fully coordinated with the European Commission, and aligned with the good law-making benchmarks set in the March 2026 Opinion. In this context, the Commission takes note of the information provided by the authorities on 4 May 2026, indicating that issues related to the LRT's long-term funding model will be addressed in a separate legislative process. The Board of the Seimas has requested that the Government prepare, by 1 September 2026, a separate legislative proposal concerning the national broadcaster's future funding model, including its compatibility with European Union State aid rules (see also para. 8 above).

22. In light of the above considerations and of the still on-going legislative process, the March 2026 Recommendation A. remains valid. The Venice Commission strongly encourages the Lithuanian authorities to make full use of the findings and recommendations of the March 2026 Opinion and of the present Urgent Follow-up Opinion, and ensure a thorough analysis, a comprehensive impact assessment, and genuine consultations with the LRT, the Government and other relevant stakeholders.

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[6] CDL-AD(2025)002, the Updated Rule of Law Checklist, *op. cit.*, para. 34.

2. Funding

- *B. To amend paragraph 5 of Article 19 of the Law on the LRT concerning the funding based on a comprehensive assessment, carried out in close consultation with the LRT and other stakeholders concerned, of whether the current funding model is adequate to enable the LRT to fulfil its public service remit effectively.*

23. The Draft Law does not modify the funding formula: Article 24(5) (former Article 19(5)) replicates the existing statutory provision without change. The budget freeze introduced by Law No. XV-618 is likewise retained: Article 24(6) provides that "[i]n 2028, the state budget appropriations allocated to LRT shall be equal to the state budget appropriations allocated to LRT in 2027". No assessment has been carried out to determine whether this budget is adequate, either independently or in conjunction with the further measures introduced by the Draft Law to enable LRT to fulfil its public service mandate.

24. The Venice Commission recalls that European standards converge on a common requirement that funding for public service media be adequate, sustainable and transparent, and that the financial framework guarantee editorial independence.[7] The ECtHR has confirmed the State's positive obligation to ensure the effective functioning of a public broadcasting system capable of providing a genuinely pluralistic service.[8] Article 5(3) EMFA requires that public service media providers retain the capacity to develop within their remit, and that funding procedures be based on transparent and objective criteria laid down in advance, taking into account budgetary requirements; funding arrangements tied to discretionary governmental decisions subject to renegotiation in alignment with political cycles do not satisfy this requirement.[9]

25. The Venice Commission reiterates that "it is not its role to examine the funding formula or to determine whether any specific budget allocation is adequate for a public service broadcaster's operations. Rather, the Commission assesses whether the process by which funding decisions are made complies with the State's positive obligations under Article 10 ECHR to guarantee genuine pluralism, editorial independence, and protection from political and economic pressures". European standards require States to ensure adequate, sustainable, and predictable funding for public service media. Accordingly, the revision of public service media funding "must be carried out through a process that allows a proper assessment of their impact (in particular on the ability to fulfil its public service mandate in the digital era), include meaningful consultation with the broadcaster … and provides sufficient time for the institution to adapt its budgetary planning and programming accordingly".[10]

26. The Commission observes that the Draft Law affects the overall financial framework in three interconnected ways. First, Article 4(1) describes the LRT as operating on a "non-commercial basis as a public service broadcaster". Article 24(1), however, explicitly allows income from commercial activities, sponsorships, and programme sales. This inconsistency is further emphasised by Article 11(6), which requires the LRT to report in detail all income from non-public services and related costs. This mandatory accounting obligation implicitly recognises the existence of commercial revenues that Article 4(1) claims to prohibit. Consequently, the scope of the LRT's revenue-generating activities remains unclear.

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[7] CM/Rec(2012)1, *op. cit.*, paras 23-27 (stable and sufficient funding) and para. 16 (editorial independence). See also Recommendation No. R(96)10, *op. cit.*, Declaration of the Committee of Ministers on the guarantee of the independence of public service broadcasting in the member states, 27 September 2006; PACE Recommendation 1878 (2009) on Funding of public service broadcasting.
[8] ECtHR, Manole and Others v. Moldova, *op. cit.*, paras 100-101. See also Centro Europa 7 S.R.L. and Di Stefano v. Italy [GC], no. 38433/09, 7 June 2012, para. 134.
[9] Article 5(3) EMFA: "Member States shall ensure that funding procedures for public service media providers are based on transparent and objective criteria laid down in advance".
[10] CDL-AD(2026)001, *op. cit.*, para. 54.

27. Second, Article 7 states that all dissemination of cultural, social, and educational information about LRT programmes, including on the LRT website, must be provided free of charge, according to conditions set by the Council. This restriction removes a key source of income – revenue from paid cultural, social, and educational communications, as well as some profits from real estate rentals. Consequently, the LRT's financial base is limited to State funding. However, while Article 7 bans earning income from paid cultural, social, or educational communications, Articles 23 and 24 explicitly include commercial income, programme sales, sponsorships, and independent commercial activities among LRT's allowed revenue sources. Furthermore, Article 11(6) requires that all non-public service income be reported separately. The latter, therefore, recognises a category of commercial revenue that the former forbids.[11]

28. Thirdly, the Draft Law does not permit to quantify the institutional expenses from establishing the LRT Board and the Council Office (analysed in Section III.B.2 below), both to be funded through LRT's operational budget, in that it does not specify the staffing levels of the Council Office nor the remuneration for Board members. The Explanatory Note does not address the financial implications of these two new institutional structures.

29. The combined effect of these elements is that the statutory framework of LRT's funding lists a broad range of revenue sources – including income from publishing, donations and inheritances, grants, programme sales, sponsorships and other commercial activity – while simultaneously restricting, through Articles 4(1) and 7, the scope within which such revenue may lawfully be generated. The Draft Law does not reconcile these provisions, and the Explanatory Note offers no guidance as to how they are to be read together. In the Commission's view, this gives the appearance of financial diversity without clarifying which of the listed sources LRT may in fact rely on in practice. Such an uncertainty concerns not only the LRT's commercial strategy, but also the legal basis on which any revenue-generating activity could be undertaken.[12] It follows that where the governing law is internally inconsistent, those subject to it cannot foresee, with the degree of precision required by the principle of legal certainty, the legal consequences of their conduct.[13]

30. The Commission further observes that the Explanatory Note does not acknowledge these cumulative effects and contains no financial impact assessment. In the absence of such an assessment, it is not possible to determine whether the funding that would remain available to LRT after the entry into force of the Draft Law would be sufficient, sustainable and predictable in the sense required by European standards.

31. The Commission therefore considers that the overall financial framework proposed in the Draft Law would be less favourable than the current one. The budget freeze remains in place without any assessment of its adequacy; the restrictions introduced by Article 7, read together with the ambiguities arising from Articles 4(1), 11(6), 23 and 24, reduce legal certainty as to which revenue-generating activities LRT may lawfully pursue; and the establishment of the Board and the Council Office introduces institutional costs of unspecified magnitude to be borne by LRT's own budget. None of these measures has been accompanied by the comprehensive assessment that the Commission has previously deemed essential before any revision of the financial framework of a public service broadcaster. The cumulative effect of the draft provisions is thus to introduce additional financial and legal uncertainty, which is

[11] The Constitutional Court of the Republic of Lithuania, in its Ruling of 21 December 2006 (Section V, paragraph 27), confirmed that the constitutional status of a national public broadcaster does not preclude profit-generating activities where the market offers such opportunities, nor does it permit loss-making operations.
[12] See, in particular, Oliver & Ohlbaum Associates, Economic study on the impact of publicly funded PSM activities on commercial online news services in Lithuania, report for the European Broadcasting Union, April 2026, pp. 13-14 and 16-23.
[13] CDL-AD(2025)002, the Updated Rule of Law Checklist, *op. cit.*, para. 49.

incompatible with European standards of adequacy, sustainability and predictability, as well as with the principle of legal certainty.

32. Therefore, the Commission is of the view that the March 2026 Recommendation B. on funding has not been followed and remains valid in principle. Given the additional elements introduced by the Draft Law, the Commission recommends that the funding-related regulations be brought in line with European standards based on a comprehensive assessment of the related provisions and their cumulative financial impact, carried out in close consultation with the LRT and other stakeholders concerned, to clarify whether the proposed model is adequate, sustainable and predictable to enable the LRT to fulfil its public service remit effectively.

3. Dismissal of the Director General

a. Voting threshold and anti-deadlock mechanism

- *C. To retain the existing qualified majority requirement for the dismissal of the Director General, and to consider introducing an effective anti-deadlock mechanism.*

33. Article 17(5) of the new draft version of the Law on the LRT provides that the Director General of the LRT may be dismissed before the end of his/her term of office if at least two-thirds of all Council members vote in favour.

34. The Commission welcomes the retention of the two-thirds majority requirement, which serves as an important safeguard against arbitrary or politically motivated removals. The Commission believes, nonetheless, that the adequacy of this voting threshold should not be evaluated *in abstracto*, but rather on the substantive grounds to which it is linked (analysed in paras 45-49 below).

35. The Commission observes that increasing the LRT Council from twelve to fifteen members makes the two-thirds majority requirement a fixed total of ten affirmative votes. Consequently, six votes can block a no-confidence motion, while reaching the ten votes needed for a decision requires broad support from members appointed by various bodies. The casting vote of the LRT Council Chair, as outlined in Article 14(3), does not apply to decisions under Article 17(5). Against this backdrop, the Commission is of the view that the two-thirds majority requirement, within the Council of fifteen members, serves as a genuine safeguard against early dismissals which do not rest on broad consensus within the Council. A specific anti-deadlock mechanism is, accordingly, not called for in this context.

36. In light of the foregoing, the Commission considers that the March 2026 Recommendation C. has been followed in substance.

b. Voting method and additional guarantees of independence of the LRT Council members

- *D. To introduce additional guarantees of independence:*
  - *To supplement the Law with an explicit guarantee that Council members serve in an independent personal capacity, with a prohibition on instructions from the appointing authorities and with adequate procedural safeguards – including clearly defined and objective dismissal criteria, the requirement for decisions to be reasoned and the possibility of effective independent or judicial review against politically motivated dismissals.*
  - *If secret voting is to be introduced, it should be accompanied, in addition to the above-mentioned safeguards, by comprehensive minutes of Council deliberations to be made available to the Director General.*

37. According to Article 13(2) of the current Law on the LRT (as amended on 6 June 2024 - see CDL-REF(2026)016, p.10), “The Director General of the LRT shall be appointed to office for a term of five years and dismissed from office by the Council by open ballot following a public competition”. The previous version of the Law on the LRT, before the June 2024 amendments, provided for a secret ballot. The change to open voting was reportedly introduced following unsuccessful attempts to elect a new Director General under the secret ballot procedure.[14] Draft Law No. XVP-1119 (see CDL-REF(2025)053, p. 12) proposed amending Article 13(2) by introducing secret voting for both the appointment and dismissal of the Director General of the LRT: “The Director General of the LRT shall be appointed to and dismissed from office by the Council for a period of 5 years through a public competition, by secret ballot”. Its Explanatory Note justified the choice of secret ballot as a way to shield Council members from external pressures and to ensure that their decisions align with their conscience and judgment. Draft Law No. XVP-1119, however, was not adopted. Draft Law XVP-1247(2) eliminates the requirement of an open ballot, without replacing it with an alternative voting method, leaving it to the Council to decide whether dismissals are voted on openly or secretly. The Explanatory Note provides no reasoning for departing from the current statutory provision.

38. The Venice Commission recalls that European standards converge on a single underlying principle: the independence of the governing body of a public service media institution is a legal obligation that must be guaranteed by the legislative framework. Under Article 10 ECHR, where a State establishes a public broadcasting system, it assumes a positive obligation to put in place an appropriate legislative and administrative framework to guarantee effective media pluralism − an obligation that extends to the governance structures through which the broadcaster is managed and overseen, including the procedures governing the tenure and dismissal of its governing bodies. Recommendation CM/Rec(2012)1 requires that the supervisory body not be subject to undue political influence and that appointment and dismissal procedures contain adequate procedural safeguards. Article 5(2) of the EMFA provides that any dismissal decision should be based on pre-established, objective and legally defined criteria. Procedural guarantees surrounding the voting process are integral to these requirements and cannot be treated as a matter left entirely to the Council’s internal discretion in an institutional context where structural independence guarantees remain absent.[15]

39. The Commission reiterates its key finding in the March 2026 Opinion (para. 75): “the key issue is not whether voting should be open or secret per se, but whether the overall governance framework − encompassing appointment criteria, procedural safeguards, reasoning requirements, and judicial review mechanisms − provides adequate protection against arbitrary or politically motivated decisions while ensuring appropriate accountability. The choice of voting method represents one element within this broader framework and should therefore be assessed in conjunction with the other applicable safeguards rather than in isolation”.[16]

40. The Commission notes that the Draft Law provides no explicit guarantee that Council members serve in an independent personal capacity, nor does it expressly prohibit instructions from the appointing authorities. No explicit requirement that dismissal decisions be duly reasoned has been introduced. As regards the requirement for effective independent or judicial review, during the online meeting, the representatives of the ruling majority informed the Venice Commission delegation that, in the event of an early dismissal, the Director General of

[14] See the March 2026 Opinion, paras 23, 68 and 71.
[15] CM/Rec(2012)1, *op. cit.*, Appendix, Articles 14-15; EMFA, *op. cit.*, Article 5(2); ECtHR, Manole and Others v. Moldova, *op. cit.*, para. 111. See also NIT S.R.L. v. the Republic of Moldova, *op. cit.*, para. 186. EMFA, *op. cit.*, Article 5(2); see also Recital 28 (“Where safeguards do not exist or are insufficient, there are risks of political interference in the editorial line or governance of public service media”); CDL-AD(2025)002, the Updated Rule of Law Checklist, *op. cit.*, Benchmark A.I., Legal Certainty, paras 48-50.
[16] CDL-AD(2026)001, *op. cit.*, para. 75.

the LRT has access to judicial review under labour law, although neither the Draft Law nor the Explanatory Note provide information on this matter. In their comments of 4 May 2026, the Lithuanian authorities have indicated that, under Lithuanian constitutional and administrative law, the appointing authorities have no legal power to instruct, direct or revoke members of collegial bodies, who are under a legal duty to act independently, and that judicial review of administrative decisions affecting rights or legitimate interests is generally available under the constitutional principle of judicial protection, irrespective of the presence of an explicit statutory appeal clause.

41. While taking note of the clarifications provided by the Lithuanian authorities, the Commission recalls, as noted in the March 2026 Opinion, that from a rule of law perspective, what matters is not whether the ballot is open or secret, but rather if there exist appropriate structural safeguards. The Commission indicated that these guarantees include prohibiting instructions from appointing authorities, requiring reasoning, and ensuring effective judicial review. In case of a secret ballot, in addition to the above guarantees, comprehensive minutes of Council deliberations need to be made available to the Director General. In the Commission's view, even if these guarantees may be deduced from the general principles of constitutional and administrative law of Lithuania, especially taking into account the vivid controversies which have accompanied the current reform of the LRT legislation, it would be important to state them explicitly in the law. As none of the above additional guarantees has been added, the risk that the members of the Council might face political pressure when casting their votes remains, both with an open and with a secret ballot. The removal of any indication of which method should be followed would therefore not remove this risk.

42. The Commission further notes that the proposed new appointing bodies for LRT Council members include the Tripartite Council, which represents specific and identifiable interest groups – the business community, trade unions, and the Government.[17] The assurances given by ruling coalition representatives during the online meetings that the Government would not exercise voting rights or appoint members under that quota are not reflected in the Draft Law. The Commission notes that such commitments constitute effective independence guarantees only to the extent that they are enshrined in and enforceable as law.

43. In light of the foregoing, the Commission finds that the March 2026 Recommendation D. on the guarantees of independence of the Council members and on the voting method has not been implemented and accordingly remains valid.

c. Grounds for dismissal

- *E. 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; to remove the non-approval of the annual activity report as a ground for the early dismissal of the Director General.*

44. Article 17(5) of the draft new version of the Law on the LRT provides that "The Director General of the LRT may be dismissed from office before the end of his term of office if he fails

[17] The Tripartite Council is currently comprised of the representatives of trade unions, employers, and the Government: 1. Public authorities: the Ministry of Social Security and Labour (2 members); the Ministry of Economy (2 members), the Ministry of Economy and Innovation (2 members) and the Office of the Government of the Republic of Lithuania (1 member); 2. Three central (republican) organisations of trade unions: the Lithuanian Trade Union Confederation (3 members), the Lithuanian Trade Union "Solidarumas" (2 members), the General Trade Union of the Republic of Lithuania (2 members); Six employers' organisations: the Lithuanian Confederation of Industrialists (2 members), the Lithuanian Business Employers' Confederation (2 members), the Chamber of Agriculture of the Republic of Lithuania (1 member); the Association of Lithuanian Chambers of Commerce, Industry and Crafts (1 member), the Association "Investors' Forum" and the Lithuanian Business Confederation (1 member), https://socmin.lrv.lt/en/activities/labour-and-employment/labour-law/collective-labour-relations/

to perform the functions of Director General of the LRT as provided for in Article 18[18] or due to a violation of the public interest, if the Council bases its vote of no confidence on a gross violation of duties or a violation of the requirements of impeccable reputation, and if at least two-thirds of all Council members vote in favour of such a vote of no confidence" (on this point, see paras 33-36 above). The Explanatory Note presents this as a clarification of the dismissal conditions, without addressing the structural relationship between the two grounds and their respective qualifying conditions, or their significant expansion of the functions enumerated in Article 18.

45. The Commission emphasises that terms of appointments to public service media can only be shortened under limited, legally specified circumstances, and not due to disagreements over editorial decisions or positions.[19] The Venice Commission's Updated Rule of Law Checklist further requires that legal provisions be formulated with sufficient precision to enable those subject to them to foresee the consequences of their conduct and to protect themselves against arbitrary application. As highlighted in the March 2026 Opinion, since the Director General is selected through a public competition rather than political trust, any expectation of serving a full statutory term must be grounded in clear, objective, and legally predefined reasons.

46. The Commission welcomes the removal of the non-approval of the annual activity report as an autonomous ground for dismissal, in line with its recommendation in the March 2026 Opinion. The Commission also notes that the Draft Law refers to "impeccable reputation" as defined in the Civil Service Law for heads of institutions or persons aspiring to become heads of institutions. In their comments provided on 4 May 2026, the Lithuanian authorities noted that the standards of "gross violation of duties" and "impeccable reputation" draw on definitions already established in Lithuanian legislation of general application, are not newly created for the purposes of the Draft Law and are not directed at any individual office-holder. The Commission takes note of these clarifications. It observes, however, that its concerns relate to the new grounds and broader scope with which the standards of gross violation of duties and impeccable reputation would operate under the Draft Law. The Commission recalls that the standard of "impeccable reputation" in the Law on Civil Service excludes individuals convicted of certain crimes or dismissed for serious misconduct.[20]

[18] The Director General: (1) "manages the activities of LRT, represents LRT in the Republic of Lithuania, foreign countries and international organisations, concludes contracts on behalf of LRT, issues orders and controls their implementation"; (2) "at the initiative of the Council, prepares and submits draft amendments to the LRT statutes or amendments thereto to the Board for consideration"; (3) "prepares a draft annual report on LRT's activities and submits it to the Board for consideration"; (4) "prepares drafts of the LRT strategic plan and annual activity plans and submits them to the Board for consideration"; (5) "organises the implementation of the resolutions of the Council and the Board"; (6) "implements LRT's goals, objectives and the strategy for LRT programmes and the LRT website established by the Council"; (7) "ensures compliance with the editorial, privacy, sustainability and other requirements set for LRT programmes"; (8) "prepares and submits to the Board for consideration a draft description of the procedure for the dissemination of cultural, social and educational information by LRT"; (9) "at the request of the Council and/or the Board, informs the Council and/or the Board about the implementation of the objectives and tasks of LRT as set out in the laws, and the implementation of the resolutions of the Council and the Board"; (10) "prepares and submits to the Board for consideration draft estimates of LRT's annual income and expenditure and reports on their implementation"; (11) "submits the results of competitions for the preparation of LRT programmes to the Board for approval"; (12) "implements the Council's recommendations on the implementation of good governance principles and increasing the transparency and efficiency of activities"; (13) "prepares and submits to the Council for approval draft regulations on the activities of the LRT Ethics Controller and the LRT Internal Audit Service, and familiarises the Board with them"; (14) "prepares draft terms and conditions for a public tender for the audit of LRT financial statements and submits them to the Board for consideration"; (15) "ensures the creation and proper functioning of the LRT internal control system in accordance with the provisions of the Law on Internal Control and Internal Audit of the Republic of Lithuania"; and (16) "decides on other issues assigned to the competence of the Director General of the LRT in this Law and the Articles of Association of LRT".
[19] CM/Rec(2012)1, *op. cit.*, Appendix, para. 27.
[20] CDL-AD(2026)001, *op. cit.*, para. 13.

47. That being noted, the Commission finds that despite the above-mentioned improvements, the Draft Law significantly broadens the "failure to perform" ground by expanding its scope from the functions listed in Article 14 of the current Law to the much longer list in Article 18. The Draft Law proposes the "violation of the public interest" criterion, which the Explanatory Note to the earlier draft qualified as undefined and easily manipulable.[21]

48. The Commission is of the view that the Draft Law does not fully satisfy legal certainty requirements. It seems to aim at establishing two alternative grounds, each with its own specific qualifying condition: (1) failure to perform functions listed in Article 18, linked to a gross violation of duties; and (2) violation of the public interest, linked to failing to maintain an impeccable reputation. However, this structure is not clearly reflected in the current wording. Both grounds and their conditions are combined into a single sentence without clear separation or an explanation of how they relate, making it unclear whether the conditions are cumulative, alternative, or each linked to a particular ground. This ambiguity is amplified by Article 18, which lists sixteen diverse functions of the Director General, ranging from managing LRT's international relations and signing contracts to reviewing regulatory drafts and preparing competitive terms for financial audits. By broadening the scope of "failure to perform", the Draft Law significantly increases potential grounds for dismissal. Such a formulation carries the risk that minor procedural shortcomings could be invoked as grounds for early termination without any requirement of serious misconduct. The law provides no clear criteria for when performance is inadequate and does not require intentional wrongdoing, an approach inconsistent with CM/Rec(2012)1, which limits contract terminations to specific, legally defined situations. Furthermore, the third subparagraph of Article 5(2) EMFA requires that decisions on dismissal of the head of management or the members of the management board of public service media providers before the end of their term of office shall be duly justified, may be taken only exceptionally where they no longer fulfil the conditions required for the performance of their duties according to criteria laid down in advance at national level, shall be subject to prior notification to the persons concerned and shall include the possibility of judicial review.

49. In light of the foregoing, the Commission considers that the March 2026 Recommendation E. concerning the grounds for dismissals of the Director General of the LRT has only been partially followed, insofar as the non-approval of the annual activity report as a ground for the Director General's early dismissal has been removed. The Commission also takes note of the reference, in the Draft Law, to the Law on Civil Service regarding an “impeccable reputation”. The Commission reiterates the remaining part of its recommendation.

d. Temporal scope of the draft amendments

- *F. 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.*

50. The Draft Law contains no transitional provision expressly limiting the application of the revised dismissal grounds to Directors General appointed after its entry into force. Consequently, those grounds would apply to the current Director General.[22] The Commission notes, in this connection, that Article 9(3), which amends Article 13(5) of the current Law on the LRT and introduces the revised dismissal grounds for the Director General, is to enter into force immediately upon the official publication of the adopted Law, while the identical Article 17(5) of the draft new version of the Law on the LRT, which governs the amended dismissal procedure, is scheduled to enter into force on 1 January 2028.

[21] *Ibid*., para. 81.
[22] By decision of the LRT Council dated 3 October 2023, Ms Monika Garbačiauskaitė-Budrienė was appointed Director General of the LRT until 17 October 2028.

51. The Venice Commission recalls that the Director General of the LRT is selected and appointed through a public competition rather than on the basis of political confidence. The governance arrangements for public service media must be designed to minimise the risk of political instrumentalisation. Prospective application is not merely a matter of legislative technique but a substantive safeguard, ensuring that changes to dismissal procedures are perceived as systemic reforms of general application rather than measures directed against a specific incumbent.

52. Therefore, the Commission finds that its March 2026 Recommendation F. concerning the temporal scope of the draft amendments has not been followed and remains valid.

B. Other draft amendments

1. Scope of the LRT's public service remit

a. Mission of the LRT

53. Article 3 of the draft new version of the Law on the LRT provides that

> *"The mission of LRT is to ensure the public's right to reliable, objective and diverse information, a variety of opinions, to create conditions for free public discussion and to contribute to the preservation and development of the Lithuanian language and national culture by making content available in all regions and to various population groups. This mission is carried out independently and impartially, without political or other external influence on content and editorial decisions".*

The Explanatory Note presents the statutory mission clause as a measure intended to give greater legislative precision to the LRT's public service remit.

54. The Venice Commission notes that introducing a statutory mission clause is, in principle, a welcome development: it anchors the public service remit in primary legislation and thereby strengthens its normative weight and its resistance to political fluctuations. However, its formulation raises issues. First, the presence of both Article 3 and Article 4(2), which cover the LRT's mission and operational principles in similar terms, without clarifying their relationship or which takes precedence if they conflict, undermines legal certainty, which requires a clear, consistent, and foreseeable regulatory framework to enable individuals to comply with it.[23]

55. The Commission also considers that the proposed mission formulation is narrower in scope than the constitutional understanding of the LRT's mandate as developed by the Constitutional Court of Lithuania in its consistent line of rulings (fostering constitutional and universal human values, strengthening democracy, promoting civic consciousness and respect for the rule of law, defending national interests, and preventing disinformation).[24] The proposed clause does not reflect these elements. Of particular concern is the absence of any reference to the prevention of disinformation. As the Commission noted in the March 2026 Opinion, the LRT plays a central role in countering foreign information manipulation and interference (FIMI) in Lithuania's challenging security environment.

56. The Commission further notes that Article 4(1) requires "the scope and nature of LRT's activities" to be "proportionate to its mission". A proportionality requirement framed in such broad terms, without expressly excluding editorial and programming decisions from its scope, risks becoming an instrument through which the Government could define or constrain the

[23] CDL-AD(2025)002, the Updated Rule of Law Checklist, *op. cit.*, paras 47-52.

[24] In its rulings of 21 December 2006, 16 May 2019 and 3 November 2020, the Constitutional Court has defined the LRT's constitutional mission to encompass, among other things, fostering constitutional and universal human values, strengthening democracy, promoting civic consciousness and respect for the rule of law, defending national interests, and preventing disinformation.

LRT's remit at its own discretion, in a manner incompatible with European standards, which require that the public service mandate be clearly defined in law and protected against undue political influence.[25] The Commission recalls that powers bearing directly on editorial freedom must be expressed with sufficient precision to circumscribe their scope; a provision that does not meet this standard is irreconcilable with the requirements of legal certainty and editorial independence.

57. The Venice Commission therefore recommends revising the mission clause in Article 3 to ensure compliance with the constitutional status of the LRT and European standards; to clarify the interplay between Article 3 and Article 4(2) so as to eliminate interpretative ambiguity; to limit the proportionality requirement in Article 4(1) to institutional and financial matters, with editorial and programming choices clearly excluded from its scope.

b. Restrictions on media co-operation

58. Article 6(12) of the draft new version of the Law on the LRT provides that

> *"Other media outlets shall not be allowed to operate on the channels used by LRT and on the LRT website without the permission of the Council. Persons who control other media outlets and/or are public representatives of other media outlets may participate in LRT content only in accordance with the editorial policy conditions approved by the LRT Council and after declaring any conflicts of interest".*

According to the Explanatory Note, Article 6(12) "aims to strengthen the protection of the editorial independence and impartiality of the national broadcaster by establishing a broader understanding of conflicts of interest in line with international public broadcasting practice". It asserts that the provision "enables the LRT Council to apply consistent, transparent and internationally compliant conflict of interest management practices without restricting freedom of expression".

59. The Commission recalls that in the sensitive sector of audiovisual media, the State's responsibilities under Article 10 are not limited to a negative duty of non-interference; the State equally bears a positive obligation to put in place an appropriate legislative and administrative framework to guarantee effective pluralism. This positive obligation encompasses a duty to ensure that journalists and other professionals working in the audiovisual media are not prevented from imparting information and comment, and that the public broadcasting system provides a genuine forum for public discussion in which as broad a spectrum as possible of views and opinions can be expressed. The State remains the ultimate guarantor of pluralism.[26]

60. Viewed from this perspective, the provision raises concerns. By conferring on the LRT Council, a supervisory body whose composition carries political dimensions, unconstrained power to authorise or restrict the participation of broadly defined categories of media professionals, the provision risks creating a mechanism that runs counter to the State's positive obligation. In the absence of clear statutory definitions of the terms "control" and "public representation", those concepts are left to the Council's essentially unconstrained discretion, an arrangement liable to produce a chilling effect on journalistic participation in public discourse and, in practice, to enable the selective exclusion of media actors on the basis of their external affiliations. The requirement of prior Council authorisation for participation in LRT content further risks shifting editorial choices from the LRT's executive management, where, in conformity with the State's positive obligation and with the right of

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[25] Recommendation No. R(96)10, *op. cit.*, Appendix, Guideline I and Sections I-II; CM/Rec(2012)1, *op. cit.*, Appendix, Guiding Principle 18.a and paras 23-27; EMFA, *op. cit.*, Article 5(1) and (3) and Recital 28.
[26] ECtHR, Manole and Others v. Moldova, *op. cit.*, paras 100-101; Centro Europa 7 S.R.L. and Di Stefano v. Italy [GC], *op. cit.*, paras 129-134.

public broadcasters to set their own editorial policy,[27] such choices properly reside, to a supervisory body not equipped to exercise them without undermining editorial independence.

61. The Venice Commission therefore finds that the provision is inconsistent with the State's positive obligations under Article 10 ECHR to establish an appropriate legislative framework that promotes effective pluralism and ensures the national public broadcaster functions as an open and inclusive platform for public debate. The Commission recommends revising Article 6(12) to ensure that the restriction on the participation of external media actors in LRT broadcasts and other content is limited to exceptional circumstances based on clear and objective criteria, in line with the principles governing LRT's activities.

c. Public service contract

62. As noted in para. 10 above, draft Article 3^1 was registered in the Seimas on 27 March 2026 as part of a separate legislative procedure. The draft provision raises a number of procedural (examined in paras 20-21 above) and substantive issues and has been the subject of active discussions at the national level. On 15 April 2026, the Seimas Committee on Culture rejected draft Article 3^1.[28] The Committee took the view that such a provision should not be incorporated into the Law on the LRT at this stage, having regard to the Seimas Board's existing request that the Government prepare the relevant legislative amendments by 1 September 2026, covering the principles, scope, qualitative parameters and funding arrangements of a public service mandate agreement. The Commission notes, however, that under the Seimas Rules of Procedure, any member of Parliament may still request that the proposal be put to a vote at plenary, so that the possibility of its further consideration cannot be excluded. Furthermore, the Committee's decision does not fully close the matter but only postpones the legislative process, given that the Government will develop such amendments in the coming months.

63. The full text of the draft Article 3^1 is as follows:

> *"1. LRT's public service obligations are carried out in accordance with a public service mandate agreement concluded between LRT and the Government of the Republic of Lithuania or an institution authorised by it.*
> *2. The public service mandate agreement shall set out the State's mandate for LRT to provide public services and LRT's obligation to ensure the provision of these services to the specified extent; it must also guarantee stable funding for the entire duration of its validity and ensure editorial independence.*
> *3. LRT public services may only be provided under a written public service mandate agreement.*
> *4. The public service contract shall specify: 1) the content and scope of the public service; 2) the duration of the mandate; 3) the allocation and use of funds allocated for the provision of public services; 4) the procedures for internal control of the financing and use of funds for public services, including internal audit, and for reporting; 5) the criteria for evaluating the performance and quality of public service provision; 6) the procedure for determining the funding of public services, taking into account the costs of providing public services and the revenue generated from these services.*
> *5. The draft public service contract shall be prepared by the Ministry of Culture in conjunction with the LRT Council, with the assistance of the Media Council and LRT.*
> *6. The public service contract shall be concluded for a period of 5 years and may be extended once for a further period of 5 years.*

[27] ECtHR, Nenkova-Lalova v. Bulgaria, no. 35745/05, 11 December 2012, paras 59-60. The Court took account of the right of public broadcasters to set their editorial policy in line with the public interest.
[28] https://www.lrt.lt/naujienos/lietuvoje/2/2899151/kulturos-komitetas-pries-siulyma-del-viesuju-paslaugu-sutarties-tarp-vyriausybes-ir-lrt

7. External financial supervision of the implementation of the public service contract shall be carried out by the State Audit Office in accordance with the procedure laid down by law.
8. The public service contract shall enter into force upon its approval by the Government of the Republic of Lithuania".

64. The Explanatory Note provides that "Article 3 of Draft Law No. XVP-1247(2) defines the mission of LRT only in general terms" and that "the content of public services and their financing are not clearly defined, leaving the State mandate insufficiently specified". It refers to the European Commission's Communication on State aid to public service broadcasting (2009/C 257/01), as well as the March 2026 Opinion, to argue that the public service remit must be both formally entrusted and sufficiently specific, and that funding must be linked to clearly defined services. It further refers to the Seimas working group's decision of 23 February 2026, which recommended that the Government prepare the corresponding legislative amendments by 1 September 2026. The Explanatory Note acknowledges that this process had not yet been completed, yet the draft provision was registered through a parliamentary initiative without awaiting the Government's draft. According to the authorities, the future funding model of the LRT, to be developed by the Government in line with the working group's decision of 23 February 2026, will be addressed in a separate legislative process (see para. 21 above).

65. During the online discussions, the representatives of the ruling majority cited the BBC, German, and French public broadcasters as references for the draft Article 3[1]. The Venice Commission wishes to make the following observations in this context.

66. The BBC is governed by a Royal Charter − a constitutional instrument granted by the Monarch under the royal prerogative, not a contract between the broadcaster and the Government. The Charter sets out the BBC's mission and public purposes and guarantees its operational and editorial independence; the accompanying Framework Agreement provides supplementary detail but does not make the provision of public services conditional on governmental approval. Two structural features of the BBC model are particularly relevant. First, the model deliberately separates the duration of the remit instrument from that of the funding arrangement: the current Royal Charter runs for eleven years, whereas the funding settlement is agreed on a five- to six-year cycle, so that the substance of the public mission is not reopened whenever the funding arrangement comes up for renewal. Draft Article 3[1] contains no such separation: content, scope and financing are governed by the same five-year contract, meaning that any change in Government could trigger renegotiation of the entire framework, including its editorial dimension. Second, the UK Government has recently announced its intention to remove the time limit on the BBC Charter and place the BBC on a permanent statutory footing to insulate the broadcaster from the risk of political interference associated with periodic renewal.[29] The Commission further notes that Lithuania belongs to

[29] Royal Charter for the continuance of the British Broadcasting Corporation, Cm 9365, December 2016, in force 1 January 2017: https://www.gov.uk/government/publications/bbc-charter-and-framework-agreement/bbc-charter. Article 5(1) of the Charter provides that "the BBC must be independent in all matters concerning the fulfilment of its Mission and the promotion of the Public Purposes, particularly as regards editorial and creative decisions, the times and manner in which its output and services are supplied, and in the management of its affairs". Framework Agreement between Her Majesty's Secretary of State for Culture, Media and Sport and the British Broadcasting Corporation, Cm 9366, November 2016, as subsequently amended in May 2022 (CP 682) and December 2025: https://www.gov.uk/government/publications/bbc-charter-and-framework-agreement/bbc-framework-agreement. The BBC's Royal Charter and Framework Agreement together "provide the constitutional basis for the BBC as a public corporation and guarantee its independence from the government". BBC Royal Charter, Article 47: the first funding settlement ran from 1 April 2017 to 31 March 2022; the second funding settlement commenced on 1 April 2022 and has a duration of at least five years: https://www.gov.uk/government/publications/bbc-charter-and-framework-agreement/bbc-charter. The Charter itself runs until 31 December 2027, having been granted for eleven years: https://www.gov.uk/government/publications/review-of-the-bbc-royal-charter-2025-to-2027-terms-of-reference/review-of-the-bbc-royal-charter-2025-to-2027-terms-of-reference. Statement by Culture Secretary Lisa Nandy at the Society of Editors conference, London, 17 March 2026, as reported by Broadband TV News, 18

the civil law tradition, in which the status, functions and funding of a constitutionally established public institution are ordinarily defined by statute and do not require a supplementary contractual framework with the Government. The UK is not a member of the European Union, thus not bound by the EMFA.

67. In Germany, the public broadcasters ARD, ZDF and Deutschlandradio are governed by Interstate Broadcasting Treaties (Medienstaatsverträge) concluded between the sixteen federal states and funded by an independent household levy (Rundfunkbeitrag) set by an independent expert commission (KEF) under a procedure validated by the Federal Constitutional Court, which has held that the independence of broadcasting "stands and falls with the independence of financing". There is no public service contract between the Government and the broadcasters. Accordingly, the German model provides no support for the proposition that a government contract is a necessary or appropriate instrument for defining the content of public services.[30]

68. France Télévisions operates under a *contrat d'objectifs et de moyens* (COM) with the State, concluded pursuant to Article 53 of the Law of 30 September 1986. However, the French COM differs from draft Article 3[1] in several material respects: (a) the COM defines strategic orientations and financial trajectories, not "content and scope" in an editorial sense; (b) it is subject to mandatory review by ARCOM, the independent media regulator, which provides an independent check on its terms; (c) the broadcaster's missions are defined by statute and by a *cahier des charges*, not by the contract; (d) the provision of public services is not conditioned on the contract's existence or on governmental approval; and (e) since 2022, France Télévisions' funding has come from a budgetary allocation voted by Parliament, and is not contingent on the contract. The French COM model thus operates within a fundamentally different institutional architecture, in which the contract supplements – but does not supplant – the statutory and regulatory framework, and in which an independent regulator oversees the contractual process.[31]

69. The Commission finds that none of the above-mentioned models makes the Government a direct party determining the editorial content of public services, nor does any condition the broadcaster's capacity to fulfil its public service mandate on governmental approval of a contract. That being noted, the Commission considers that public service contract models are not inherently incompatible with international standards and that a contractual instrument may appropriately supplement the statutory framework governing public service media. However, the compatibility of any such model depends on the specific design of its guarantees against governmental influence over editorial content, and on whether it preserves the broadcaster's statutory mandate regardless of the contractual status.

70. As regards the content of the draft provision, the Commission wishes to make the following observations.

March 2026: https://www.broadbandtvnews.com/2026/03/18/lisa-nandy-backs-permanent-bbc-charter-in-bid-to-curb-political-interference/. The UK Government's Charter Review Green Paper, December 2025: https://www.gov.uk/government/consultations/britains-story-the-next-chapter-the-bbc-royal-charter-review-green-paper-and-public-consultation.

[30] See the Medienstaatsvertrag (Interstate Media Treaty), as amended in 2020. Funding is governed by the Rundfunkfinanzierungsstaatsvertrag (Interstate Treaty on the Financing of Broadcasting). The amount of the household levy is set by the KEF, an independent expert body composed of 16 members appointed by the state premiers. See further the Federal Constitutional Court, judgment of 20 July 2021 (1 BvR 2756/20) (BVerfGE 158, 389), holding that the federal states must implement the KEF's recommendation and that the procedure must "ensure the independence of public broadcasting from political influence on its programme content".

[31] Article 53 de la loi n° 86-1067 du 30 septembre 1986 relative à la liberté de communication, telle que modifiée. On the current COM for the period 2024-2028, see ARCOM, Avis n° 2024-06 du 24 juillet 2024. On the general architecture of French public audiovisual governance, see ARCOM, L'audiovisuel public en France. Since 2022, following the abolition of the licence fee, France Télévisions' funding consists of a budgetary allocation voted by Parliament (fraction of VAT revenue).

71. Key elements of the contract include "content and scope" and "performance criteria", but these terms are left undefined in both the Draft Law and explanatory materials. Without clear statutory boundaries, these terms could be interpreted to include programming or editorial decisions, leaving such an interpretation to the Government's discretion as the contracting party. Such an arrangement could allow indirect governmental control over content, which is incompatible with Article 10 ECHR. Additionally, requiring the "allocation and use of funds" to be specified alongside "content and scope" in draft Article 3^1 creates a direct link between funding and content, risking governmental oversight of content categories.

72. The Commission further notes that paragraphs 3 and 8 may be read as conferring on the Government a veto over the LRT's ability to fulfil its constitutional role. Paragraph 3 states that public services "may only be provided under a written public service mandate agreement", while paragraph 8 conditions approval on the Government's consent for the contract to enter into force. Any period without a valid contract, whether due to disagreements, expiration, or deliberate withholding of approval, would create legal uncertainty regarding the LRT's authority to provide public services. The ten-year maximum contract term, which clearly defines the "content and scope" of public services, further limits the LRT's ability to adapt to social changes, audience needs, and technological advances, contrary to European standards. Additionally, funding arrangements that require renegotiation aligned with political cycles fail to meet stability and predictability requirements.

73. The procedural framework for drafting the contract raises separate issues. Paragraph 5 designates the Ministry of Culture and the LRT Council as co-authors, but "LRT" itself only plays a subordinate, supporting role. This framework does not ensure meaningful involvement by the Director General or the LRT administration – the bodies responsible for daily management and editorial policy – in shaping the core terms of the contract. Moreover, the provision lacks rules for how the contract is signed, changed, extended, or ended, leaving these decisions solely to the Government.

74. Draft Article 3^1 reinforces the existing internal contradictions within the Draft Law's financial framework, as analysed in paras 23-32 above. Article 4(1) states that the LRT operates on a non-commercial basis, yet other provisions of the Draft Law permit commercial activities. The ban on paid cultural, social, and educational content eliminates a key source of revenue, while establishing the Board and Council Office incurs unspecified institutional costs. In this context, tying the LRT's funding to a government-approved contract, as per the Commission's view, would make the LRT almost entirely dependent on discretionary State budget allocations. The Commission reiterates that the public service mandate should primarily be defined by law, with any contractual role being auxiliary, limited, and not permitting influence over editorial or programming choices.

75. In light of the above considerations and to shield the LRT’s editorial independence from any attempts of political interference, the Commission recommends that Article 3^1 not be adopted in its current form, and that, before any contractual framework for the LRT is considered, a detailed feasibility and compatibility assessment be conducted with reference to the LRT's constitutional status and European standards. Any such framework, if introduced, must: (a) clearly exclude the LRT's editorial and programming choices from its scope; (b) not condition the provision of public services, including the conditions for the funding, on the existence of a valid contract, so as to preserve the LRT's constitutional mandate regardless of contractual status; (c) ensure a meaningful and clearly defined role for the LRT's executive management in the contractual process; (d) ensure that the Government does not hold effective veto power over the LRT's capacity to fulfil its constitutional mandate; (e) provide for the involvement of an independent regulatory body in the review of contractual terms; (f) maintain a clear statutory definition of the public service remit, with any contractual instrument playing only a supplementary and strictly limited role; and (g) be preceded by the completion

of the Ministry of Culture's mandated evaluation and full consideration of its conclusions, in accordance with the process envisaged by the working group's decision of 23 February 2026.

2. New governance structure of the LRT

a. Powers of the Council

76. Article 11(1) of the new draft version of the Law on the LRT confirms the Council as "the highest collegial body that performs the functions of management and supervision of LRT and represents the interests of the public" and increases its composition from twelve to fifteen members. Article 12(1) sets out twenty-seven functions of the Council, several of which are of a strategic and supervisory character consistent with the role of a governing body of a public service broadcaster. Alongside those functions, the Council is also called upon to set editorial, privacy, sustainability and other requirements for LRT programmes (Article 12(1)(5)), to formulate the strategy for LRT programmes and the LRT website (Article 12(1)(1)), to approve the procedure for the dissemination of cultural, social and educational information (Article 12(1)(6)), to approve the LRT journalists' code of ethics (Article 12(1)(7)), to approve the terms and conditions for the procurement of LRT programme development and production services (Article 12(1)(23)) and, on the recommendation of the Board, to revoke decisions of the Director General (Article 12(1)(14)).

77. The Council's authority is further reinforced by Article 12(3), which makes its decisions binding on all other LRT bodies, and by Article 12(4), which provides that, where the Director General or the Board contests a Council resolution by reasoned request, a confirming vote of more than half of all Council members obliges them to implement it.

78. The Commission recalls that the State has a positive obligation under Article 10 ECHR to put in place an appropriate legislative and administrative framework to guarantee effective media pluralism and to ensure an effective and manifest separation between political authority and decision-making on media content.[32] Recommendation CM/Rec(2012)1 identifies independence as "the primary goal of any public service media governance framework" and provides that public service media should be "editorially and functionally independent";[33] Article 5(1) of the European Media Freedom Act, directly applicable in Lithuania since August 2025, establishes the same requirement.[34] These standards rest on a functional separation between strategic oversight and editorial management. The Commission observes that, by bringing together within the Council the principal levers of editorial orientation – programme requirements, programme strategy, the journalists' code of ethics and the terms of programme procurement – and by making its decisions binding on all other LRT bodies as well as subject to revocation in respect of individual decisions of the Director General, the Draft Law extends the Council's role beyond strategic oversight. As noted in the March 2026 Opinion, the existing composition of the Council does not yet provide sufficient structural guarantees of independence from political influence;[35] the addition of editorial functions to the competences of such a body therefore warrants particular attention.

79. To preserve the functional separation referred to above, the Venice Commission recommends revising Article 12(1)(1) to confine the Council's competences to strategic oversight, and returning to the Director General the editorial functions presently entrusted to the Council, in particular those listed in Article 12(1)(1, 5, 6, 7 and 23). The Commission further recommends confining the power to revoke decisions of the Director General under Article

[32] ECtHR, Centro Europa 7 S.R.L. and Di Stefano v. Italy [GC], *op. cit.*, paras 129-134; Manole and Others v. the Republic of Moldova, *op. cit.*, paras 99-102 and 107.
[33] CM/Rec(2012)1, *op. cit.*, Appendix, Guiding Principle I and para. 16.
[34] European Media Freedom Act, Article 5(1).
[35] CDL-AD(2026)001, *op. cit.*, paras 73-80.

12(1)(1 and 14) to decisions that are unlawful or contrary to LRT's statutes, and that the exercise of that power be accompanied by reasoning and be subject to judicial review.

b. New Council Office

80. Article 13 establishes a Council Office as a new institutional structure within LRT. Under Article 13(1), the powers and functions of the Office are laid down in regulations approved by the Council, its staff are "directly subordinate and accountable to the Council", and its work is "organised by the Chair of the Council". However, the number, qualifications required, and role of the staff are not provided in the Draft Law. Beyond ordinary secretariat tasks, Article 13(3)(2) entrusts the Office with the function of submitting "proposals on the compliance of LRT programmes and the content of the LRT website with the requirements for the implementation of LRT good governance principles and other measures aimed at increasing the efficiency and transparency of LRT activities". Under Article 13(4), the Office is financed from LRT's budget.

81. The Commission observes that this function extends beyond the secretariat role described in the Explanatory Note. The Office is empowered to formulate proposals regarding the compliance of LRT's programmes and website content with "good governance principles", a notion not defined in the Draft Law and therefore open to a broad interpretation. Taken together with the direct subordination of the Office's staff to the Council and with their funding from LRT's own operational budget, this competence creates an arrangement in which an evaluative function bearing on programme content is exercised by a body that is financed by the broadcaster while remaining institutionally subordinate to its supervisory authority. Such an arrangement is difficult to reconcile with the requirements of independent oversight set out in Recommendation CM/Rec(2012)1[36] and with the principle that supervisory mechanisms over public service media should not, in their design or in their operation, become channels for influence over editorial choices.

82. In light of the foregoing, the Venice Commission recommends that Article 13(3)(2) be revised so as to remove from the Office's mandate any function bearing on the compliance of LRT's programmes or website content. The Office's role should be confined, in law, to the technical, administrative and analytical tasks necessary to support the work of the Council, and the reference to "good governance principles" should be replaced by a precise indication of the matters on which the Office may assist the Council. The Commission further recommends providing the staff number, the required qualifications, and the role in the Law, and reconsidering the institutional and financial arrangements to ensure that its operating costs are quantified in advance and do not draw on resources required for LRT's programme activities.

c. New Board

83. Article 15(1) establishes the LRT Board as "a collegial body of LRT that supervises the implementation of the strategy, strategic and annual activity plans approved by the Council and submits conclusions and proposals to the Council on matters within its competence". The Board consists of five independent members appointed and dismissed by the Council by a majority vote of more than half of all Council members (Article 15(2)-(3)) for a term of five years (Article 15(4)); under Article 15(11), the Board may be dismissed *in corpore* by the same majority where its results "do not substantially comply with the objectives of the strategic and annual activity plans approved by the Council". Article 16 lists twenty-four functions of the Board. While a number of these reflect the supervisory mandate set out in Article 15(1), the Board is also empowered to make decisions on the conclusion of LRT contracts where the value of the transaction exceeds EUR 50,000 (Article 16(9)), to approve the results of competitions for the preparation of LRT programmes (Article 16(10)), to approve the number

[36] CM/Rec(2012)1, *op. cit.*, Appendix, paras 27-34.

of positions for LRT creative staff working under fixed-term employment contracts and staff recruited through a competition (Article 16(15)), to approve the description of the procedure for organising a public competition for the position of LRT Director General (Article 16(19)) and, under Article 16(14), to apply to the Council for the annulment of decisions of the Director General.

84. Under Article 15(3), Board members are appointed and dismissed by the Council by a simple majority, without a public competition. The appointing body's independence was found not yet sufficiently guaranteed in the March 2026 Opinion and in Section III.A.3.b above, so that this threshold means the Board's composition is likely to mirror the political balance in the Council at the time of appointment, offering limited protection against subsequent shifts. The eligibility criteria in Article 15(5) to (7) mitigate this risk only partly and are weaker than those applicable to Council members under Article 11(3): whereas the latter requires a master's degree and five years' experience in management, science, media or culture, Article 15(5) requires only a university degree and five years of managerial experience in an unspecified field; and whereas Article 11(3) disqualifies those held liable for a breach of professional ethics, Article 15(6) contains no equivalent bar and refers only to "impeccable reputation" under the Civil Service Law. Article 15(7), although listing political and commercial incompatibilities, does not translate the requirement of "independence" into substantive guarantees: the Draft Law contains no prohibition on instructions from the appointing authority, no indication of the persons and bodies from whom Board members are to act independently, and no definition of their legal and employment status or of their remuneration. The structural shortcomings identified in relation to Council members (paras 42-43 above) therefore arise, *a fortiori*, in relation to a Board appointed and dismissed by that same Council. As regards individual dismissals, Article 15(10) subjects these to the same simple-majority threshold on broad and partly imprecise grounds. Article 15(12) requires that dismissal decisions be reasoned and subject to judicial appeal, which the Commission welcomes; the absence of a qualified majority for the dismissal of individual Board members, however, means that a shifting majority within the Council could remove a dissenting member under the same threshold by which the Board was constituted, in a manner that undermines, in practice, the independence that Article 15 (2) and (7) purport to guarantee.

85. The Commission also observes that the operational functions in Article 16, and in particular the approval of contracts exceeding EUR 50,000 and of the results of competitions for the preparation of LRT programmes, extend the Board’s reach into matters closely connected to programme commissioning and to editorial choice. The assignment of such functions to a body whose composition and tenure are determined by a simple majority of the Council does not appear to sit comfortably with the European standards on editorial and functional independence recalled in para. 78 above, which reserve such decisions to the broadcaster’s management.

86. In view of the considerations above, the Venice Commission recommends that the appointment of Board members be carried out through an open and transparent competition on the basis of clear substantive eligibility criteria set out in law, including requirements of professional experience, integrity and impartiality, and that both the *in corpore* dismissal of the Board and the dismissal of individual members be subject to a qualified majority of the Council, with reasoned decisions subject to judicial review. The Commission further recommends that the Law be supplemented with guarantees of the independence of Board members, including an express prohibition on instructions from the appointing authority, a clear indication of the persons and bodies from whom, and the extent to which, members are to act independently, and a clear definition of their legal and employment status and of the conditions of their remuneration. It also recommends that the grounds for the early dismissal of individual Board members listed in Article 15(10) be formulated with the clarity and precision required by the principle of legal certainty. The Commission also recommends that the functions of the Board under Article 16 be confined to strategic and supervisory tasks: in particular, to remove the

competence to approve the results of programme competitions and to ensure that the Board's contractual approval competence cannot extend to programme commissioning, and to limit the Board's role as regards proposals for the annulment of decisions of the Director General to decisions that are manifestly unlawful or contrary to the Law on the LRT.

d. Interplay between the Council, the Council Office and the Board

87. The three bodies established or restructured by Articles 11 to 16 of the Draft Law operate within a unified governance framework. Their responsibilities should be viewed both individually and in relation to one another. The Draft Law introduces two parallel oversight layers over the Director General. The Council, according to Article 12(1)(10), supervises and assesses the Director General's activities, sets evaluation criteria, and can revoke decisions under Article 12(1)(14). Meanwhile, the Board, as per Articles 16(13) and 16(22), also supervises the Director General and submits reports to the Council. The Board itself is subject to supervision and potential dismissal by the Council under Article 15(11). In this structure, key strategic and financial documents, including draft amendments to statutes, strategic and annual plans, the annual activity report, financial estimates, and procedures for disseminating cultural, social, and educational information, are initially prepared by the Director General, reviewed by the Board with recommendations then forwarded to the Council, and ultimately approved by the Council, with an override mechanism in Article 12(4) available where disagreements persist.

88. Within such a layered structure, the Commission observes several overlaps among the roles of the three bodies. The Council itself establishes editorial and other requirements for LRT programmes (Article 12(1)(5)) and approves procedures for disseminating cultural, social, and educational information (Article 12(1)(6)). The Council Office proposes assessments of whether LRT programmes and website content align with "good governance principles" (Article 13(3)(2)). Meanwhile, the Board approves the outcomes of competitions for LRT programme development (Article 16(10)) and makes decisions on contracts exceeding EUR 50 000, which may include programme commissioning (Article 16(9)). While each of these responsibilities could be seen as supervisory or operational in isolation, together they reveal multiple instances in which decisions regarding programme content or production are made outside the authority of the Director General.

89. The Commission considers that the combined effect of the provisions is twofold. First, by assigning editorial functions to the Council, by giving the Council Office responsibility for content compliance proposals based on unspecified standards, and by enlarging the Board's authority to include programme-related operational decisions, the Draft Law creates multiple avenues for the supervisory governance layer to influence editorial decisions, which European standards typically reserve for the broadcaster's management. Simultaneously, by layering two levels of oversight on the Director General – where the Board relies on the Council for appointments, dismissals, and operations – the Draft Law creates overlaps and parallel review processes. The layering, as foreseen, can slow down internal decision-making and make it less predictable, without effectively enhancing protections for editorial independence.

90. When combined with the financial framework analysed in Section III.A.2, which also considers the unquantified institutional costs related to the Board and the Council Office, this setup risks placing the Director General in a position where managerial independence is reduced and indirect channels for influencing programme decisions are created – a situation that, as the Commission pointed out in the March 2026 Opinion, could have significant implications[37] and appears difficult to reconcile with the State's positive obligations under Article 10 ECHR. In their comments of 4 May 2026, the Lithuanian authorities have stated that the purpose of the new governance structure is to establish a clearer separation of

[37] CDL-AD(2026)001, *op. cit.*, para. 101.

competences between the Council, the Board and the Director General, while expressly safeguarding editorial autonomy, and not to create additional channels of influence over editorial decisions; they have also pointed out that, under the current Law, the editorial policy of the LRT is approved unilaterally by the Director General by internal order.

91. The Venice Commission takes note of these clarifications. It considers, however, that even though the stated purpose may be that of separating the competences of these bodies, the risks arising from the new layered structure are serious. The Venice Commission, accordingly, recommends to clearly delineate the respective competences of the Council, the Board and the Council Office in the Law, and to ensure the functional separation between strategic oversight and editorial management required by European standards,[38] with explicit safeguards against any interference with editorial independence, in line with European standards.

IV. Conclusion

92. At the request of the Director General of the Lithuanian National Radio and Television, the Venice Commission has assessed Draft Law No. XVP-1247(2) amending the Law on the LRT, together with the subsequently proposed draft Article 3^1 introducing a public service contract between LRT and the Government.

93. The assessment constitutes, in part, a follow-up to the March 2026 recommendations. In this context, the Commission observes that the legislative process does not meet good law-making standards. No evaluation of the funding model's adequacy has been conducted; the budget freeze has been retained, and additional restrictions on the LRT's revenue activities, along with new institutional costs, have been introduced without a comprehensive assessment of their financial impact. The Commission welcomes the retention of the two-thirds majority requirement for dismissing the Director General. Additional guarantees for the independence of Council members are absent. Thus, the removal of the open ballot does not, *per se*, address the March 2026 recommendations regarding the need for additional structural safeguards. While the Commission welcomes the elimination of non-approval of the annual activity report as an autonomous ground for dismissal of the Director General, it finds that the remaining grounds lack the clarity and precision necessary for legal certainty. Lastly, the Draft Law does not include transitional provisions to limit the application of the amended grounds to Directors General appointed after its entry into force.

94. The Draft Law also introduces new elements, most notably the reconfiguration of LRT's internal governance through an enlarged Council, a newly created Board and Council Office, and the public service contract under draft Article 3^1. The Venice Commission notes that Draft Law No. XVP-1247(2) raises serious concerns about its compatibility with Article 10 ECHR and European standards on public media independence and funding. The combined effects of the financing, the transfer of editorial functions, the undefined assessment of programmes, and the expanded board powers amount to a significant interference with the State's positive obligation to ensure media pluralism and independence. Additional issues include the lack of structural independence guarantees, the application of revised dismissal procedures, and the introduction of a public service contract as a precondition for State funding. The explanatory materials lack an impact assessment, an analysis of cumulative effects, and a justification for diverging from the broadcaster's constitutional frameworks.

95. Therefore, the Venice Commission considers that Draft Law No. XVP-1247(2), including its draft Article 3^1, should be amended. The Commission strongly encourages the Lithuanian authorities to make full use of the findings and recommendations of the March 2026 Opinion and of the present Urgent Follow-up Opinion, and to ensure a thorough analysis, a

[38] See para. 78 above.

comprehensive impact assessment, and genuine consultations with the LRT, the Government and other relevant stakeholders in the on-going legislative process.

96. Regarding the text of the Draft Law, the Venice Commission draws the attention of the Lithuanian authorities to the following pending key recommendations:

A. To conduct a thorough analysis, an impact assessment, and consultations with the national stakeholders for the continuation of the pending legislative process.

B. To bring the funding-related regulations in line with European standards based on a comprehensive assessment of the related provisions and their cumulative financial impact, carried out in close consultation with the LRT and other stakeholders concerned, to clarify whether the proposed model is adequate, sustainable and predictable to enable the LRT to fulfil its public service remit effectively.

C. To introduce additional guarantees of independence:
   - To supplement the Law with an explicit guarantee that Council members serve in an independent personal capacity, with a prohibition on instructions from the appointing authorities and with adequate procedural safeguards, including clearly defined and objective dismissal criteria, the requirement for decisions to be reasoned and the possibility of effective independent or judicial review against politically motivated dismissals.
   - If secret voting is to be introduced, it should be accompanied, in addition to the above-mentioned safeguards, by comprehensive minutes of Council deliberations to be made available to the Director General.

D. 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.

E. 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.

97. The Commission also makes the following key recommendations concerning additional draft amendments:

F. To revise the mission clause in Article 3 to ensure compliance with the constitutional status of the LRT and European standards; to clarify the interplay between Article 3 and Article 4(2) to eliminate interpretative ambiguity; to limit the proportionality requirement in Article 4(1) to institutional and financial matters, with editorial and programming choices clearly excluded from its scope.

G. To revise Article 6(12) to ensure that the restriction on the participation of external media actors in LRT broadcasts and other content is limited to exceptional circumstances based on clear and objective criteria, in line with the principles governing LRT's activities.

H. Before any public service contractual framework concerning the LRT is considered, to conduct a detailed feasibility and compatibility assessment with the LRT's constitutional status and European standards. If such a contract is to be introduced, to ensure that it excludes editorial choices from its scope and confines any contractual instrument to a strictly supplementary role.

l. To clearly delineate the roles of the Council, the Board, and the Council Office in the Law, ensuring the functional separation between strategic oversight and editorial management required by European standards, with explicit safeguards against any interference with editorial independence in line with European standards.

98. The Venice Commission notes that further details and recommendations are to be found in the text of this Urgent Follow-up Opinion.

99. The Commission remains at the disposal of the LRT and the Lithuanian authorities for further assistance in this matter.