

POSITION PAPER OF THE REPUBLIC OF LITHUANIA

**ON CHAPTER 20
CULTURE AND AUDIO-VISUAL POLICY**

I. GENERAL STATEMENT

The Republic of Lithuania considers 1 January 2004, the date when it shall be ready to assume the obligations of EU membership.

The Republic of Lithuania accepts in full the *acquis* concerning Culture and Audio-Visual Policy.

The Republic of Lithuania will be ready to implement the *acquis* in this chapter from the date of accession to the European Union.

The Republic of Lithuania does not request transitional periods or derogation in this Chapter.

II. LEGAL BACKGROUND

Culture

In the course of implementation of Article 103 of the Europe (Association) Agreement and having regard to Article 151 (ex Article 128) of the Treaty Establishing the European Community, Lithuania seeks to co-operate with the European countries in the field of culture by joining the EU programmes in support of culture.

On 28 March 1997 the Lithuanian Government adopted Resolution No 290 On Lithuania's participation in the European Union programmes whereby it approved Lithuania's participation in programmes in support of culture. The fact that EU programmes in support of culture were open to Lithuania was reiterated by the Association Council Decision of 22 December 1998 Adopting the Terms and Conditions for the Participation of Lithuania in Community Programmes in the Field of Culture.

After the Association Council has approved the opening of the new Programme *Culture 2000* to Lithuania, Lithuania will seek participation in this programme based on the principle of free competition and thus will contribute to the fostering of European cultural heritage by both stressing the European dimension of Lithuanian culture and preserving its nation-specific idiosyncrasies.

Audio-Visual Policy

The European Audio-Visual Policy consists of two inseparable parts: the legal basis provided by Council Directive 89/552/EEC on the co-ordination of certain provisions laid

down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities as amended by the Directive 97/36/EC of the European Parliament and of the Council, and financial assistance programme MEDIA.

The audio-visual sector in Lithuania is regulated by the Law on the Provision of Information to the Public of 2 July 1996, the Law on National Radio and Television of 8 October 1996 and the Law on Telecommunications of 9 June 1998.

The Law on the Provision of Information to the Public and the Law on the national radio and television, after the amendments adopted before 1 July 2000, will be in full compliance with the requirements of EU directives in the field of transfrontier television (89/552/EEC and 97/36/EC) on promotion of the European production, works of independent producers, advertising and sponsorship, the right of reply, and the protection of minors. Their provisions will apply to all the broadcasters regardless of their audience and ownership (commercial or public).

The Law on Ratification of the European Convention on Transfrontier Television and the Protocol amending this Convention was adopted by the Seimas on 17 February 2000.

Radio and Television Commission, in the course of the implementation of the EU directives, from 1 January 2000 renewed radio and television broadcasting licenses in accordance with the new licensing rules, and issued new licenses with appendices (on programme structure, advertising, and obligations of broadcasters).

III. *ACQUIS* IMPLEMENTATION CAPACITY

The Ministry of Culture is the culture policy co-ordinator.

The establishment of an information division is envisaged for the co-ordination of the Programme *Culture 2000*.

The main institutions responsible for the implementation of the EU audio-visual policy in Lithuania are the Radio and Television Commission which regulates the commercial audio-visual sector and the National Radio and Television Council which is in charge of the public sector.

By 1 July 2000 Radio and Television Commission shall submit to the Government for its approval the Strategy of Radio Frequency Allocation for the Radio and Television Broadcasting and the Strategic Plan which would lay down major trends of audio-visual policy and market development until 2006.

In accordance with the Plan of Measures for the Implementation of the *Acquis*, in the year 2000-2002 the Radio and Television Commission is planning to double its administrative capacity, strengthen the mechanism of supervision and control over the broadcasters' activities and expand the divisions of analysis of the audio-visual market, licensing control, monitoring and programmes and the audience research division. Implementing the twinning project Strengthening of Audio-Visual Policy, Radio and Television Commission will co-operate with the French Audio-Visual Regulatory Institutions *Conseil Supérieur de l'Audiovisuel*, and *Service Juridique et Technique de l'Information et de la Communication*.

PHARE experts provide assistance to Radio and Television Commission on the issues of the licensing and control of broadcasters and the strategy of the EU Audio-Visual policy implementation improving qualifications of the administrative staff.

The co-ordination of radio frequencies and the control and supervision of technical terms of broadcasting (license), as well as the independent Communications Regulatory Service will be discussed in the Position Paper on Telecommunications and Information Technologies.