

LEGAL AMENDMENTS PROMOTE NEITHER REGULATION OF THE MEDIA NOR THEIR FREEDOM

Skopje, 6 February 2019 – The Parliament of the Republic of Macedonia has made amendments to media-related laws again, through an accelerated procedure, without taking into account the recommendations or remarks of the expert public or the Agency for Audio and Audiovisual Media Services .

As regards the Electoral Code, the Agency assessed as scandalous, as early as last year, the amendments made to it which stipulated that paid political advertising would be financed from the Budget of the Republic of Macedonia, meaning that the same would be paid by the citizens instead of the participants in the electoral process. The amendments adopted two days ago only defined certain aspects of the method of payment to the broadcasters in more detail, yet not removing either this or any other previously noted shortcomings. For instance, the legal solution whereby the political parties shall prepare the media outlets' plans for paid political advertising instead of the media themselves, remains, which constitutes direct interference in the editorial freedom of the media. Furthermore, no time for paid political advertising of the independent candidates is envisaged.

As for the Law on Audio and Audiovisual Media Services (LAAVMS), the adopted amendments, which are taking place only a month after the previous modifications, still do not resolve the key issues. The fact remains that, by erasing the legal provisions that regulated the duration and the airing time of the advertisements broadcasted by the public broadcasting service, this not only failed to limit it, but, on the contrary, achieved precisely the opposite. Now, the MRT may air advertisements without any temporal restriction at any

time of the day within the programme contents provided on the basis of special concluded contracts, with protected author's rights.

The provision envisaging that the public institutions must not allocate funds for informing or acquainting the public with their services through the commercial radio and television stations remains pointless and incongruous with this law, as it refers to the public institutions and not with the broadcasters (the functioning of which is the LAAVMS' point of interest).

The article regulating retransmission of foreign channels does not resolve the problems, to which the cable operators and broadcasters had been rightfully pointing, at all. The postponement of the implementation of this provisions only prolongs the anticipated result – exclusion of most of the foreign programming services from the packages of the cable operators in the Republic of Macedonia.