



NEWSLETTER

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Meeting Held with OSCE Representative on Freedom of the Media



Director of the Agency for Audio and Audiovisual Media Services Zoran Trajchevski had a meeting with OSCE Representative on Freedom of the Media, Harlem Desir.

Topics discussed at the meeting were the situation existing in the media sphere, the problems that the Public Broadcasting Service was facing and the Draft Law on Amending and Supplementing the Law on Audio and Audiovisual Media Services. The accent was placed on ensuring stable financing sources for the regulatory authority and the MRT. Present at the meeting were also the Director of the Macedonian National Television and a representative of the MIA New Agency.

Misogyny and Sexism Detected In The Programmes Of Three Radio Stations

In the beginning of November, The Agency established that the City Radio, Club FM Radio and Metropolis Radio Network had been airing spots in their programmes, as a campaign of their own production, intended, as they said in the spots, for all “overly emancipated women”. The campaign was discriminatory on grounds of gender, spread misogyny and sexism, and as such flagrantly violated the Law on Audio and Audiovisual Media Services.

In this campaign, emancipation of women and men was presented as two mutually exclusive processes, depicting women’s emancipation and efforts to reach the maximum in their careers as a negative phenomenon. Successful women were exposed to scorn and hatred, and the message sent to children and youth of both sexes was that they are not equal and should not aim for equality.

Notifications were sent to the three radio stations concerning the detected violation. The relevant supervision reports were published on the Agency’s website www.avmu.mk, and were also forwarded to the Committee for Protection Against Discrimination.

Public Debate Opened on the Agency’s Draft 2018 Work Programme and Draft 2018 Annual Programmes for Administrative and Programme Supervisions

On 21 November 2017, the Agency for Audio and Audiovisual Media Services opened a public debate on the texts of the Draft 2018 Work Programme of the Agency for Audio and Audiovisual Media Services (including a Draft Programme of Planned Activities and Draft Financial Plan of the Agency for Audio and Audiovisual Media Services), Draft 2018 Annual Plan for Conducting Administrative Supervision, and Draft 2018 Annual Programme for Conducting Programme Supervision.

In this context, the Agency called on all interested parties to take part in the public debate by submitting their opinions and proposals in writing, electronically, to contact@avmu.mk, or by postal mail, at the following address: ul. Makedonija, br. 38, 1000 Skopje. The public debate is open until 21 December 2017.

Opinion by the Commission on Protection against Discrimination Submits concerning the Complaint against Alfa TV

In November, the RM Commission on Protection against Discrimination submitted to the Agency for Audio and Audiovisual Media Services its reply conveying an opinion that discrimination had been committed on the grounds of ethnicity and belonging to a marginalized group in the case that the Agency initiated against Alfa TV, about an item titled “Gypsies at the crossroads are becoming more numerous and violent”.



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Local Elections 2017

Monitoring of the Media Coverage of the Elections

In the month of November, the Agency finalized its activities related to the monitoring of the broadcasters' coverage of the elections and published the last monitoring reports on the broadcasters covering the second round of Local Elections.

According to the conclusions, the broadcasters included in the monitoring of the second round of the 2017 Local Elections, covered the campaign less intensely, generally trying to provide the participants in the elections with equal access to their programmes. In the last ten days of the election campaign (from 18 until 27 October 2017), violation of the requirement for unbiased coverage of the elections was found with only two television stations that aired programme at the state level – Alfa TV and Nova TV. Based on the monitoring of their overall programmes, bias was detected in favour of the positions and reactions of the VMRO/DPMNE-led coalition. The Agency submitted requests for initiating misdemeanor proceedings before the competent court within the legal deadline.

The monitoring of election-related news coverage in the programming services of the Macedonian Radio and Television during the second round of elections showed once again that the provision of the Electoral Code regarding the distribution of airtime within the news programmes is inappropriate for journalistic reporting on the part of a public broadcaster. Namely, the Agency has already publicly sought amending of the legally stipulated obligation to divide airtime based on the principle “30% for the governing parties, 30 % for the opposition parties, 30 % for the daily events in the country and the world, and 10 % for the non-parliamentary parties”. In the second round, there were fewer candidates, coalition support between parties from the government and the opposition and three non-parliamentary candidates. These conditions showed rather clearly that, despite ensuring balanced reporting – both qualitatively and quantitatively – on the participants in the campaign, the public broadcaster will still face the choice between adhering to its role as a public broadcaster that should, before all, inform citizens about all current events in the country and the world, and depriving the audience of these information so as not to exceed the 30 % limit. Therefore, the regulator considered that the proportionally longer airtime dedicated to daily news should not constitute grounds for concluding there was unbalanced and biased reporting.

Free political presentation

The Public Broadcaster and the Parliamentary Channel met their obligation to provide free political presentation of the participants in the elections in the second round of the local election campaign as well. The data indicated that only the mayoral candidates of the coalitions led by VMRO/DPMNE and SDSM used the opportunity for free presentation in the media.

Paid political advertising

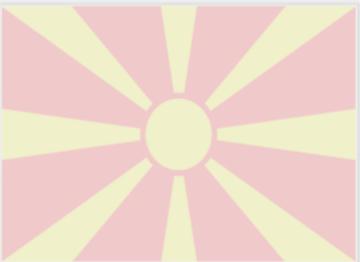
During the second round of the local election campaign, the largest amount of paid political advertising was registered on the part of the VMRO/DPMNE-led coalition (around 26 hours), followed by the coalition led by the SDSM (around 11 hours), Besa (some 5 hours) and DUI (around 4 hours).

Of the television stations covered by the monitoring, Nova TV aired the largest amount of advertisements (nearly 12 hours), followed by Sitel TV and Alsat-M TV (around 5 hours each).

Election Silence Due to Repeated Voting in Chair Municipality

Due to repeated second round of the 2017 Local Elections in Chair Municipality, the Agency informed the broadcasters that air programme at the national level and those broadcasting at the regional level that air programme on the territory of Skopje, that the time from midnight on 11 November 2017 until 19:00 hrs on 12 November 2017, would be a period of election silence and they would need to abide by the rules for reporting during election silence under the Electoral Code.

All information and reports related to the 2017 Local Elections are available on the Agency's website www.avmu.mk, under the banner Elections 2017.



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Supervisions over Broadcasters and Operators of Public Electronic Communication Networks

Broadcasters

In November, after the completion of the Local Elections, the Agency conducted a number of regular programme and administrative supervisions planned under the 2017 Annual Supervision Plans.

On a number of LAAVMS provisions, the Agency conducted regular programme supervision over the national televisions of TV Sitel, TV Kanal 5, TV Telma, TV Alsat-M, TV Alfa, TV Nova, TV Šenja, TV Art Channel and TV Kompani 21-M. With regard to the rules for broadcasting programmes involving participation to win prizes, violation was detected on the part of Alfa TV, while Alsat-M TV, Telma TV and Art Channel TV were found to have violated the provision on airing originally created programme, and Nova TV – the provision imposing an aired music quota. The Agency imposed warning measures against these broadcasters concerning the established violations.

Regular administrative supervision was conducted over all broadcasters that air television or radio programme, concerning their obligation to publish, by 31 October 2017 at the latest, data about their ownership structure, editors, and their financing sources during the previous year, in their prime airtimes, and submit recordings of these announcements to the Agency. A total of 129 broadcasters had met this legal obligation, whereas Dibra Denar TV, Radio Lav Ohrid and HEPIRADIO Skopje, had failed to do so.

As regards the legal obligations concerning the publishing of an Impressum, publishing of information that should be made available to the users and the broadcasters' identification, the Agency conducted administrative supervision over the work of the following national television stations: Sitel TV, Kanal 5 TV, Telma TV, Alsat-M TV, Alfa TV, Nova TV, Shenja TV, Art Channel TV and Kompani 21-M TV. Infringements were detected with Telma TV and Art Channel TV concerning the Impressum, and with Art Channel TV concerning the publishing of information that should be made available to the users, due to which the Agency imposed warning measures against these broadcasters.

Operators of Public Electronic Communication Networks

In November, the Agency conducted regular programme supervision over the operators Makedonski Telekom Skopje and the NEOTEL Company for Telecommunications and Services from Skopje, as well as ad hoc programme supervision over the KDS Kabel Net Prilep cable operator, concerning several provisions of the LAAVMS: broadcasting or retransmitting programming services containing pornography in a coded form, subtitling, registering the programming services in accordance with Article 141, retransmitting domestic broadcasters' programming services only within the service area covered by the TV or radio broadcasting licenses obtained by these broadcasters and on the basis of regulated author's and related rights, as laid down in the Law on Author's and Related Rights. The supervision conducted did not detect any violations on the operators' part.

Ad hoc programme supervision was conducted over the work of the ONE.VIP DOO Skopje, concerning several provisions of the LAAVMS relating to protection of minors, language use, retransmission of domestic broadcasters' programming services only within the service area covered by the TV or radio broadcasting licenses obtained by these broadcasters and on the basis of regulated author's and related rights, as stipulated by the Law on Author's and Related Rights. The supervision conducted found that, contrary to the LAAVMS, this operator had been retransmitting the programming services of Duck TV, BNT, Fashion TV, Bloomberg, France 24, CMC, Jugoton, ELTA, ELTA 2, Atlas TV, RTL – in Croatian, RTL 2 – in Croatian, RTL Living – in Croatian and RTL Kockica, which are not covered by the programme service registration certificates issued by the Agency.

