**May 2022 No.5**

**World Press Freedom Day Celebrated**

This year’s World Press Freedom Day was celebrated under the motto “Journalism under Digital Siege,” thus highlighting the impact of the digital era on the freedom of expression, journalists’ safety, access to information and privacy. This Day is an opportunity to reaffirm the basic principles of media freedom, to assess the degree to which it is being respected and to pay tribute to the journalists who lost their lives while performing their professional duties. Democratic societies cannot function without freedom of expression or independent and critical media, which is why all, none excluded, should make every effort to ensure a safe working environment for the journalists and access to information.

According to the latest report by *Reporters Without Borders*, we still have many challenges to face. The Agency shall continue to be proactive in increasing the awareness about the media’s role and the need to ensure their smooth functioning, just as it has done before.

**PRESS RELEASES**

The Agency refuted the false information released by certain media outlets claiming that the Agency for Audio and Audiovisual Media Services would cover 50 percent of the 2022 license fee on behalf of the regional and local television stations.Towards the end of last year, the Agency had decided to reduce the television and radio broadcasting license fees for 2022 by 50%, in accordance with its financial possibilities. Following a presentation by the “Medium Objective” Association of Regional and Local TV Stations, the Agency had discussed the difficult financial situation of the regional and local broadcasters again, and had supported their request that the Government provide additional financial assistance to cover the costs of the 2022 broadcasting license fee in the amount of 50%, if possible. In order to ensure that the public is informed correctly, and also to avoid misleading the broadcasters, the Agency requested the latter to publish this correction.

The Agency for Audio and Audiovisual Media Services condemns the summoning of the journalist of the “Sakam da kazham” (I Want to Say) show for an official police interview because of a published text, and pointed out that such actions jeopardize media freedom. It is absolutely unacceptable to summon journalists for informative talks concerning news items of public interest that they have released, as these can be interpreted as intimidation attempts, which in turn contributes to the emergence of self-censorship. Such cases have negative impact on the freedom of information. The Agency reminded that anyone who considered that a certain media outlet had damaged their reputation and honour by having published incomplete, unverified or inaccurate information, had the right to ask the media outlet to publish a refutation, a reply and correction, or to file a complaint with the self-regulatory bodies overseeing the media.

Regarding the summoning of the Telma TV female editor by the Ministry of Interior for an informative interview concerning a piece of news that had not been aired in this TV’s programme, the Agency for Audio and Audiovisual Media Services underlined that such actions might have a negative impact on media freedom. Journalists and other media workers must not be summoned for official police interviews without any grounds, as the latter have an intimidating effect and may lead to self-censorship in the future. Such actions on the part of the investigation authorities towards the media workers constitute pressure on the media and on their operating freely.

**Supervisions over Broadcasters, Print Media Publishers and Operators of Public Electronic Communication Networks**

**Broadcasters**

In order to establish if the public warning measures it had imposed regarding various legal inconsistencies had been acted upon, the Agency carried out control programme supervision over Due TV from Gostivar. The supervision established that the broadcaster had not acted upon the public warning decision, i.e. had not aired the minimum of 30% of programme originally created as Macedonian audio or audiovisual works on 20 April 2022, nor had it aired at least half of the legal minimum in the period between 7:00 hrs and 19:00 hrs.

The Agency carried out control programme supervision over Sitel TV to determine whether this broadcaster had acted upon the public warning decision, imposed due to non-compliance with the ban on airing covert audiovisual commercial communications. The supervision showed that Sitel TV had not acted upon the public warning measure, i.e. it had aired covert audiovisual commercial communication of cookware sold by the "Commodita Home" company in its information and entertainment show titled “Ja sakam Makedonija (I love Macedonia)”, on 26 April 26 2022.

The Agency for Audio and Audiovisual Media Services conducted ad hoc administrative supervision over the operations of all 108 broadcasters to verify if any of them had changed their ownership structure without first having notified the Agency and before having obtained its approval. The conducted supervision found that all 108 broadcasters had acted in accordance with the relevant legal requirement.

The Agency carried out control programme supervision over Kanal 5 TV to determine whether the broadcaster had acted upon its Decision imposing a public warning measure for non-compliance with the ban on covert audiovisual commercial communications. The supervision showed that the broadcaster had acted in accordance with this legal prohibition.

In order to determine whether the public warning measure imposed with regard to the requirements concerning the participation of certain persons in the advertisements and teleshopping spots had been acted upon, the Agency carried out control programme supervision over Kanal 5 TV and Sitel TV, both from Skopje. The supervision showed that these broadcasters had acted in accordance with the relevant legal requirement.

The Agency for Audio and Audiovisual Media Services performed, ex officio, an ad hoc programme supervision over the work of Kanal 5 TV in order to check if it had removed its violation of Article 55, Paragraphs 6 and 7, of the LAAVMS. The ad hoc supervision established that, in its programme aired on 21 and 26 April 2022, i.e. the editions of the entertainment and documentary show titled “Mandza” (Broth), and the information show specialized in health topics, "Po doma so…” (At home with...)", Kanal 5 TV had placed products that had been directly included in the plot/scenario of the shows, and had been promoting and recommending them through excessive visual and verbal highlighting, while in the editions of the talk show titled "VIP sezona (Vip Season)", broadcasted on 26 April 2022, it had extensively highlighted the placed product visually.

As regards the obligations relating to the use of language in the programmes, the daily broadcasting of at least 18 hours of radio programme and airing of the percentages of Macedonian music that the broadcasters had registered voluntarily, the Agency conducted regular programme supervision over the Jon, Metropolis, Antena 5 and Kanal 77 radio channels. The supervision found no violations of the obligations arising from the LAAVMS.

The Agency carried out control programme supervision over Gurra TV to establish if this broadcaster had acted upon the decision imposing a public warning measure, due to non-compliance with the obligation to broadcast a minimum of 30% of programme originally created as Macedonian audio or audiovisual works. The supervision established that, in its programme broadcast on 9 May 2022, Gurra TV had not broadcasted the minimum of 30% of programme originally created as Macedonian audio or audiovisual works, nor had it aired at least half of the legal minimum in the period from 7:00 a.m. to 7:00 p.m.

As for the legal obligations to publish Impressums, information available to the users and the broadcaster’s identification signs, as well as the rules for broadcasting audio commercial communications, providing quizzes or other forms of prize-winning participation, using value-added telephone services and telephone voting and broadcasting games of chance, regular administrative supervision was carried out over the radio stations of Jon, Metropolis, Antena 5 and Kanal 77. The supervision detected no violations of the LAAVMS or the Law on Media.

The Agency conducted control administrative supervision over Gurra TV to find out if the broadcaster had acted upon the Decision imposing a public warning measure due to failure to provide information that should be made available to the users. The supervision found that Gurra TV had failed to provide these information in its programme aired on 9 May 2022.

**Operators of Public Electronic Communication Networks**

Regarding the obligation that the operators of PECNs include, as a must and free of charge, the programme services of the public broadcasting service in the programme packages they retransmit, as well as the obligations to register their programme services with the Agency and provide subtitling of the programmes they retransmit, the Agency conducted regular programme supervision over the operators Multimedija Netvork L from Gostivar, Skupi Kable from Skopje, IP Systems from Kumanovo, Kanal 16 from Resen, Telenet Kom from Tetovo and Spajder-Net from Gevgelija. The supervision showed that, on 5 May 2022, the operator Skupi Kable, which, based on the notification from the Agency may carry out its activities in the municipality of Arachinovo and Skopje, had retransmitted the programme service of "IN TV" for its users, although the latter is covered by the programme services registration certificate issued by the Agency.

As for the obligations related to the registration of programme services with the Agency and to providing subtitles for the programmes retransmitted by the operators, regular programme supervision was carried out over the operators Signal-Net from Kumanovo and Antena AS KTV from Kichevo. The supervision showed that, on 20 May 2022, the Antena AS KTV operator had retransmitted the programme service of "Russia Today Documentary" for its users, although it is not covered by the programme service registration certificate issued by the Agency.

The Agency carried out control programme supervision over the Skupi Kable operator of public electronic communication network from Skopje, to determine whether it had acted upon the public earning measure imposed previously due to retransmitting programme services that had not been registered with the Agency. The supervision showed that this operator had acted upon the previously imposed measure in full.

**Public Warning Measures Imposed**

Аt its 18th session held on 16 May 2022, the Agency Council adopted a decision to impose a public warning measure against G-TV Televizija from Gostivar based on the findings of an ad hoc programme supervision, ex officio, indicating violation of Article 64, Paragraph 1, of the LAAVMS. Namely, on 11 April 2022, this media outlet had broadcasted an episode of the cartoon "Pink Panther (Pinkozoic Era)” originally, in English, without having provided translation into Albanian, Macedonian or Turkish, i.e. the languages ​​in which the media outlet broadcasts its programme in accordance with its license.

Based on findings from a conducted supervision, at its 20th session held on 20 May 2022, the Agency Council adopted a decision to impose a public warning measure against Iris TV from Shtip. The public warning was issued due to failure to meet the obligations under Article 15, Paragraph 5, of the Law on Media, i.e. failure to submit to the Agency a written report on the implementation of the requirements specified in the television broadcasting license.

At its 17th session held on 9 May 2022, the Agency Council adopted a Decision against Skupi Kable on imposing a public warning measure and terminating the retransmission of a disputed TV channel, based on supervision findings indicating non-compliance with the obligation to register the programme services that this operator retransmits for its users.

At its 21st session held on 27 May 2022, the Agency Council issued a public warning measure against the operator Antena AS KTV from Kichevo for having retransmitted the programme service of "Russia Today Documentary" which is not covered by the programme service registration certificate issued by the Agency .

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