**Supervisions Conducted Over Broadcasters, Operators of Public Electronic Communication Networks and Providers of On-Demand AVM Services**

**Broadcasters**

As regards the obligation to meet the specific minimum technical, spatial, financial and staffing requirements depending on the programme format, prescribed by a bylaw adopted by the Agency, and the broadcasters’ compliance with the obligations arising from the Rulebook on Minimum Technical, Spatial, Financial and Staffing Requirements for Obtaining a Radio or Television Broadcasting License, ad hoc administrative supervision was conducted over several broadcasters: Kanal 5 TV, Telma TV, Sitel TV, Alsat-M TV, Protel TV, Tera TV, TV 3, TV Kanal, Nasha TV, News TV, Svet TV, G-TV, M TV, NET-HD, 24 Vesti TV, KTV, Koha TV, Dibra TV, Edo TV, Topestrada TV, Uskana Media, Televizija Plus, and the following radio stations: Klub FM, Kanal 77, Ros Metropolis, City Radio, Express, Holiday, Jehona, Kiss, Maria Blagovest, Meff, Rapi, Play, Aleksandar Makedonski, Kometa, Red FM, Vat, Urban FM, Puls, Play, Buba Mara, Kochani FM, Rosa-AB, Uskana-Plus, Zona M -1, Radio Boom, Radio Valandovo, Angels Plus, Hit, Pela, Sveti Nikole, RFM, Plus Forte, Antena 5, Bleta, Fortuna, and Super Radio. The supervision showed that the above broadcasters had met the minimum staffing requirements.

**Public Hearing Opened on the Texts of the Agency’s Draft Work Programme and Draft Administrative and Programme Supervision Plans for 2024**

On 10 November 2023, the Agency for Audio and Audiovisual Media Services opened a public hearing on the texts of the Draft 2024 Work Programme the Agency for Audio and Audiovisual Media Services (including a Draft Programme of Planned Activities and a Draft 2024 Financial Plan of the Agency for Audio and Audiovisual Media Services), the Draft Annual Plan for Administrative Supervision in 2024, and the Draft Annual Plan for Programme Supervision in 2024.

The Agency invited all interested parties to take part in the public hearing by sending their opinions and proposals in writing either electronically, to contact@avmu.mk, or by mail to the following address: ul. “Makedonija” br. 38, 1000 Skopje.

The public hearing lasted until 9 December 2023.

**PRESS RELEASES**

Reacting to the court verdict pronounced by Judge Jovanka Spirovska Paneva in the case “Feroinvest vs IRL,” for the latter’s story titled “Conspiracy against the Air,” the Agency informed the public via a press release that it joined in the reactions stressing that freedom of expression is a constitutionally guaranteed category and, as such, is inviolable. This freedom can be restricted only in certain, precisely defined, cases when public safety and peace, public health, etc. are threatened. The press release emphasized that citizens had the right to objective, prompt and accurate information about all issues that were of utmost importance and referred to the public interest. The exercise of this right should be urged and encouraged by all relevant stakeholders in society. The publication of editorially shaped content that does not violate professional journalistic standards, and is aired by the public broadcasting service, is aimed at exercising freedom of speech and freedom of information and at protecting citizens’ interest.

Regarding the edition of the show titled “Samo vistina” (Only Truth), aired by Kanal 5 TV, the Agency for Audio and Audiovisual Media Services issued a press release on 2 November to point out that debates on political and social issues should be contributing to the realization of freedom of expression and culture of tolerance, and must at no time incite intolerance. The press release further underlined that all participants in the public discourse, politicians and public office holders in particular, should be aware of the weight of the words uttered in public and should refrain from statements, especially through the media, that undermine dialogue among the diverse ethnic groups in society. Labelling media outlets and journalists, as Prime Minister’s advisor on Euro-Atlantic values Ismet Ramadani had done in the show, negatively affected freedom of the media and violated journalists’ dignity. Politicians and public office holders have a specific responsibility towards the public and should manifest the highest level of respect for the journalistic profession and make every effort to enable the media to perform their tasks smoothly. At the same time, media should be a space for open debate, a place where the participants in interviews, discussions and other shows shall be presenting diverse opinions and attitudes (both positive and negative). Editors, journalists and other authors should be autonomous and independent in producing the programmes and creating the editorial policy. Any interference or, in particular, interruption of a show on the part of the manager or the media owner, such as the intrusion of Kanal 5 TV manager Ivan Mirchevski in the show “Only Truth”, constitutes an interference with that independence and autonomy.

**November 2023 No.11**

The Agency for Audio and Audiovisual Media Services performed regular administrative supervision over all 106 broadcasters that broadcast television and radio programme, respectively. The supervision focused on the fulfilment of broadcasters’ obligation to publish, for the third time this year (by October 31 at the latest) data on their ownership structure, editorship and their funding sources in the previous year, within their own programmes at prime time, and to submit footage of the announcements to the Agency within 15 days from the day of airing these data. The supervision showed that all 106 broadcasters had met this legal obligation.

Control programme supervision was carried out over Radio Kanal 77, to establish if the broadcaster had removed the legal obstacles to the performance of its business activity, which had been indicated in the ad hoc supervision report No. 10/3676/1 of 05.10.2023, i.e. acting contrary to Article 68 of the LAAVMS, and in connection with Article 3, Paragraph 1, Item 12, of the LAAVMS, for the Agency Council had initiated a procedure at its 32nd session held on 9 October 2023, to revoke the license of this broadcaster. The supervision showed that Radio Kanal 77 had removed the previously detected violations against the LAAVMS.

**Operators of Public Electronic Communication Networks**

The Agency carried out control programme supervision over the operator of the public electronic communication network Vinsat Kable from Vinica, to verify if the operator had acted upon the public warning measure imposed previously due to it retransmitting programme services that had not been registered with the Agency as required. The supervision showed that the operator had fully acted upon the previously imposed measure.

Regarding the obligation of the PECN operators to register their programme services with the Agency and provide subtitles for the programmes they retransmit, regular programme supervision was carried out over the following operators: IP Systems, Viva Net Winsat, Viva Net from Berovo, MTEL, Neotel, Spajder and Kabel from Vinica. The supervision found that the operator had been retransmitting the programme service of "Super RTL" for its users although it had not been covered by the programme service registration certificate issued by the Agency.

**Providers of On-Demand AVM Services**

As regards the obligations related to airing cinematographic works and protecting minors, respectively, regular programme supervision was conducted over the following providers of on-demand AVM services: Svod Master, Makedonski Telekom and A1 Makedonija. The programme supervision found no violations.

**Public Warning Measures Imposed**

At its 37th session held on 16 November 2023, the Agency Council adopted four decisions to impose public warning measures against MRT 3, MRT 4, Sky Radio and the Repro Print publisher of the “Nova Macedonia” print media outlet. The Repro Print publisher from Skopje was issued a public warming due to failure to publish the correct circulation in the Impressum of the edition of Nova Macedonia No. 25952. MRT 3 was issued a public warning duee to failure to air required data at the appropriate slot for each content of its programme service; MRT 4 – due to failure to air at least 40% of programme that is originally created as Macedonian audiovisual works, and Sky Radio – for not broadcasting at least 10% of music in the Macedonian language in the period from 06:00 hrs to 24:00 hrs, out of the total music broadcasted during the day and night analyzed.

At its 36th session held on 10 November 2023, based on findings of a conducted supervision, the Agency Council adopted two decisions to impose public warning measures against Sports Radio EF-EM 90.3 and the Macedonian Radio Television Skopje – Makedonska Televizija - Fifth Programme Service (MRT5). Sports Radio EF-EM 90.3 was issued a public warning due to failure to publish Impressum data both in the announcement and in the credits of in the radio news pieces titled "Sports News on 90.3 EF-EM". MRT 5 was issued a public warning due to failure to air at least 40% of the programme that is originally created as Macedonian audiovisual works.

At its 35th session held on 6 November 2023, the Agency Council issued a public warming measure against the Vinsat Cable operator from Vinica for retransmitting the programme service of "Super RTL" which had not been covered by the programme service registration certificate issued by the Agency.

