



REPUBLIC OF MACEDONIA
AGENCY FOR AUDIO AND AUDIOVISUAL MEDIA SERVICES
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COUNTRY REPORT, REPUBLIC OF MACEDONIA

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Adoption of the new media legislation

At the end of 2013, the Parliament of the Republic of Macedonia has adopted two new laws related with media: Media Law and Law on Audio and Audiovisual Media Services. The latter is harmonized with the AVSM Directive. Both laws entered into force on January the 3rd 2014. The Laws brought changes regarding the set-up and structure of the media regulatory body, the scope of its competencies for supervision (although restricted but some competencies in regard to print media) and obligations and responsibilities of print media, broadcasters, providers of audiovisual media services on demand and the operators of the public electronic communication networks.

The Broadcasting Council continued its existence as Agency for Audio and Audiovisual Media Services. The new Agency bodies are the Council and the Director. The Council consist of 7 members. The Council elects its President and Deputy –president from its own ranks. The mandate of the members of the Broadcasting Council elected according to the Law on Broadcasting Activity is valid until new members of the Council of Agency are appointed according to the Law on audio and audiovisual media services.

The main competencies of the Council of the Agency are regarding awarding, revoking or extending licenses for television or radio broadcasting, changes in the ownership structure of the broadcasters, illicit media concentration, and adoption of by-laws.

The Director organizes and manages the operations of the Agency, proposes acts, decisions, bylaws to the Council of the Agency, undertake measures in accordance with the law in cases of violation of the provisions of the law and regulations adopted thereof and the condition and obligations arising from the licenses.

The new legislation introduces three types of supervision: programme supervision performed on the programmes of broadcasters as well as providers of on-demand audiovisual media services and the programme packages retransmitted by operators of electronic communication networks from point of view of compliance with the provisions of the Law on the Audio and Audiovisual Media Services, licenses, issued registration certificates, by-laws and other acts adopted by the Agency, administrative supervision performed on the operation of media publishers from the aspects of the harmonization of their work with the conditions laid down with the Law on Media, the Law on Audio and Audiovisual Media Services and the regulations on its basis and expert supervision performed for the sole purpose of verification of realization of the technical, spatial and personnel requirements as per the Request for granting a license for television or radio broadcasting .

A plethora of by-laws arises from the Law on Audio and Audiovisual Media. Since all by-laws should be passed within 6 months from the date of the decision of appointing the Director of the Agency, the staff of the Agency with the assistance of IPA expert is working on the first drafts of few by-laws.

Monitoring the Presidential and Parliamentary elections 2014

In 2014, two election cycles took place – the regular Presidential Elections and early Parliamentary Elections. In accordance with the obligations laid down in the Election Code, the Agency for Audio and Audiovisual Media Services has started to monitor the presidential electoral media representation and the programming services of the broadcasters in the Republic of Macedonia, since the date of calling of the elections, namely from 2 February, 2014. In the meantime, 2014 early parliamentary elections have also been announced and that resulted in a partial overlap of two election campaigns: as of 24 March until 4 April there was a campaign for presidential elections, and then from 5 to 25 April there were two parallel campaigns.

With the start of the election campaign, the monitoring of the Agency covered 109 radio and television programme services. Broadcasters should have provided a balanced coverage of the election processes in all forms of election media representation by different principles - the principle of equality applies for presidential elections, and the principle of proportionality is in accordance with the number of confirmed lists of candidates for the parliamentary elections.

Violations of the Election Code were processed according to Procedure followed by the Professional Service when determining violations of the Electoral Code during the Presidential elections in 2014, which the Agency adopted in February 2014. Due to violations of the Election Code, the Agency for Audio and Audiovisual Media Services has initiated 29 misdemeanor/settlement procedures. Two of them were for violation of the election silence. The most common violation of the Election Code was exceeding the limits for paid political advertisements.

In the forthcoming period, the Agency will draft Report on the Monitoring of the Media Coverage during the Presidential and Parliamentary Elections 2014.

Strengthening the technical capacities of the Agency

Starting from 1 February this year, the Agency has implemented the Project on monitoring of the regional television stations, which enabled the signals of all TV programme services that broadcast programme regionally through a digital terrestrial multiplex to be received in the premises of the Agency. This is only the first stage in the process of upgrading the system for recording of the Agency and its capacity will be further increased, primarily through project of the EU Pre-Accession Assistance - IPA 2011. The equipment that will be purchased will allow reception of signal of operators of public electronic communication network at previously precisely defined points in the regions outside the region of Skopje and the signal will then be supplied to the premises of the Agency, while allowing recording and monitoring of the mentioned operators.