



AUDIOVISUAL COUNCIL  
OF THE REPUBLIC OF AZERBAIJAN

## COUNTRY REPORT

(November 2022 - September 2023)

### REGULATORY AUTHORITY

By the Order of the President of the Republic of Azerbaijan dated April 14, 2023, **Aslan Khalilov** and **Isa Mammadov** were appointed members of the Audiovisual Council of the Republic of Azerbaijan (*hereinafter* - the Council). The Council now consists of 6 members instead of 7 as stipulated in Article 48.1 of the Law "On Media".

### LICENSING ISSUES

According to the Law "On Media" and new classification of audiovisual media entities the Council has almost completed the process of renewing licenses issued by National Television and Radio Council (which was abolished after the Law "On Media" came into force in 2022). Along with this, the Council made decisions on the issuance of new licenses.

On November 16, 2022 the Council adopted decision to issue **Platform Broadcaster (not performing satellite transmission) Licenses** to "Baku TV" LLC ("Baku TV" television channel) and "Beat Media" LLC ("Beat TV" television channel).

On November 30, 2022 the Council adopted decision to issue **Platform Broadcaster (not performing satellite transmission) Licenses** to "Apamark" LLC ("APA TV" television channel), "Sahiyya TV" LLC ("Sahiyya TV" television channel), "Agro Television and Radio" LLC ("Agro TV" television channel) and "ATV Plus" LLC ("ATV+Vivace" and "ATV+Cinema" television channels).

On December 20, 2022 the Council adopted decision to issue **Platform Broadcaster (not performing satellite transmission) Licenses** to "Tahsil TV" LLC ("Tahsil TV" television channel).

On April 10, 2023 the Council adopted decision to:

- issue **Video-on-Demand Service Provider License** (VoD service name: "Aila Cinema") and **Platform Broadcaster (not performing satellite transmission) License** ("Aila Kinozal" TV channel) to "Kaspiyan Telekom" LLC;
- issue 3 **Platform Broadcaster (not performing satellite transmission) Licenses** ("CTV Movie", "CTV Music", "CTV Kids" TV channels) to "Konnekt" CJSC;

- issue **Universal Platform Operator Licenses** (service of retransmission of foreign television channels via cable, IPTV, OTT, internet) to “Boss Group” LLC, “Gamma Sky Net” LLC, “TVNet Telecom” LLC and natural person Orkhan Bayramov (operator's service name “Xan TV”);
- revoke licenses previously granted by former National Television and Radio Council to “Caspium Group” LLC, “Media Art” LLC, “Metronet” LLC due to lack of activity for more than 6 months.

On June 14, 2023 the Council adopted decision to:

- issue **Platform Broadcaster (not performing satellite transmission) License** (“Neftchi TV” television channel) to “Neftchi Media” LLC;
- issue 2 **Platform Broadcaster (not performing satellite transmission) Licenses** (“TVNet Kino” and “TVNet Sport” television channels) to “TVNET Telecom” LLC;
- issue **Universal Platform Operator Licenses** (service of retransmission of foreign television channels via cable, IPTV, OTT, internet) to “A2Z Technologies” LLC (operator's service name: “Aznet”) and to “AzeriGlobalServis” CJSC (operator's service name: “AGS TV”).

On July 14, 2023 the Council adopted decision to issue **Universal Platform Operator License** (service of retransmission of foreign television channels via cable, IPTV, OTT, internet) to “Azlink” LLC (operator's service name: “Azlink”).

On August 11, 2023 the Council adopted decision to issue **Universal Platform Operator License** (service of retransmission of foreign television channels via cable, IPTV, OTT, internet) to “Streamhub.AZ” LLC (operator's service name: “TV24”).

## COMPETITIONS

In order to ensure effective use of radio frequencies for DTT broadcasting in Baku city, on June 14, 2023 the Council adopted decision to announce a competition for multiplex operators providing paid digital terrestrial television retransmission services to use of the 33<sup>rd</sup> and 36<sup>th</sup> TV transmission channels from Baku Tower Complex.

Only 2 applicants (“ATV Plus” LLC and “AzeriGlobalServis” CJSC) submitted relevant documents for obtaining the rights to use the 33<sup>rd</sup> and the 36<sup>th</sup> TV transmission channels from Baku Tower Complex.

Having considered the documents and proposals of the applicants, taking into account the current activities and specificities of their services, the Council found proposal of “ATV Plus” LLC to be more acceptable. By the relevant decision of the Council adopted on August 25, 2023 “ATV Plus” LLC (operator's service name: “ATV Plus”) was declared the winner of the competition and the 33<sup>rd</sup> and 36<sup>th</sup> TV transmission channels from Baku Tower Complex were allocated for its use. With allocated TV transmission channels, “ATV Plus” will be able to provide higher quality (HD format) retransmission services to its subscribers.

## MONITORING OF BROADCASTERS & APPLIED SANCTIONS

- ≡ On February 22, 2023 the Council issued a warning to the platform broadcaster performing satellite transmission "Muz TV Azerbaijan" LLC ("MTV" television channel), due to the fact of violation of requirements of the Article 14.1.14 (*It is not allowed to publish/disseminate/broadcast information on the guilt of a person without a court decision that has entered into legal force*) of the Law "On Media" during broadcasting of the program "Come with hope".
- ≡ On April 12, 2023 the Council guided by the Articles 39.1.4, 41.1.1 and 41.5 of the Law "On Media", adopted decision to suspend broadcasting of the programs of "ARB" television channel of national terrestrial television broadcaster "ARB 24" LLC on April 16, 2023 for 3 hours due to inaccurate advertising broadcast in February 2023.
- ≡ On May 1, 2023 the Council issued warnings to "Xazar TV" LLC ("Xazar TV" channel), "Azad Azerbaijan" Independent Television and Radio Company ("ATV" channel), "ARB 24" LLC ("ARB" channel) and "Dunya" Independent Television and Radio Company ("Dunya TV" channel) for violations of the requirements of the Article 29.5 (*Advertising of medical services for artificial termination of pregnancy and artificial insemination are prohibited*) of the Law "On Advertising" in ad spots broadcast in March-April and revealed by the State Service on Antimonopoly and Consumer Market Control.
- ≡ On May 18, 2023 the Council adopted decision to suspend broadcasting of the programs of "Media FM" radio channel of nationwide terrestrial radio broadcaster "Digital Media" LLC on May 21, 2023 for 1 hour due to the facts of violation of the requirements of the Article 29.5 (*Advertising of medical services for artificial termination of pregnancy and artificial insemination are prohibited*) of the Law "On Advertising" in ad spots broadcast on May 11-15, 2023.
- ≡ On May 18, 2023 the Council also adopted decision to suspend broadcasting of the programs of "Space TV" of nationwide terrestrial television broadcaster "Space Independent TV & Radio Company" LLC on May 21, 2023 for 3 hours due to the fact of violation of the requirements of the Article 14.1.6 (*use of words and expressions with immoral lexical (swearing) content, gestures is not allowed*) of the Law "On Media" during the broadcasting of program "Come and talk" on May 12, 2023.
- ≡ On July 4, 2023 the Council adopted decision to suspend broadcasting of the programs of "Kanal S" television channel of regional terrestrial television broadcaster "Kanal S" LLC on July 5, 2023 for 3 hours due to the fact of violation of the requirements of the Article 20.7 (*Maximum limit of duration of ad spots during 1 hour should not exceed 12 minutes totally*) of the Law "On Advertising" on June 25, 2023.
- ≡ On July 27, 2023 by the decision of the Council broadcasting of an advertising spot of "Ice Coffee" soft drink was suspended and banned due to the fact that audio text of advertisement was broadcast in English language and thus violation the requirements of the Article 14.2 (*Nationwide terrestrial broadcaster must ensure broadcasting of all programs in state*

*language*) of the Law “On Media” by “ATV”, “ARB”, “Xazar TV”, “Space TV” channels were revealed. The warnings were issued to all above-mentioned national terrestrial channels. Later the advertising spot was translated and adapted in Azerbaijani language and its broadcasting resumed.

## **RADIO BROADCASTING DEVELOPMENT**

In order to broaden of transmission network and area of national FM radio channels, as well as to create the modern radio broadcasting infrastructure covering the entire territory of the country (including the regions liberated from occupation) and to finance the operation costs to ensure sustainable development of radio broadcasting on the territory of the Republic of Azerbaijan on July 24, 2023 the President Ilham Aliyev issued the Order on allocation **13,7 million manats** (approx.: **7,2 million EUR**) from state budget to the Ministry of Digital Development and Transport for modernization of FM radio transmission infrastructure and partial development of DAB+ radio transmission in the regions.

For effective implementation of the Order and common supervision of the process, special working commission consisting of representatives of the Ministry of Digital Development and Transport and the Audiovisual Council of the Republic of Azerbaijan has been created and started its activity.

## **DTT BROADCASTING DEVELOPMENT**

In order to develop DTT broadcasting and effective radio frequency planning, the process of the transition from DVB-T to DVB-T2 standard has been launched. DVB-T2 trial broadcasting of all national terrestrial channels in Baku city and outskirts has been initiated since the September 2023. SD broadcasting in DVB-T standard of all national TV channels will be carried out simultaneously during the period. It is planned to start DVB-T2 trial broadcasting in regions in 2024 and carry out DVB-T switch off by the end of 2025.

Within the period of simultaneous transmission in DVB-T and DVB-T2 standards it is also envisaged to elaborate necessary legislative documents for this transition.

## **INTERNATIONAL / REGIONAL / BILATERAL COOPERATION**

- ≡ On March 31, 2023 – April 1, 2023 the Azerbaijani delegation, which included the heads of several state bodies and also the Chair of the Audiovisual Council of the Republic of Azerbaijan Ismat Sattarov visited Kazakhstan. They held a number of meetings in Astana. Both countries continue bilateral relations in the field of information, protection and promotion of national interests in the media landscape and increase the exchange of experience.
- ≡ On April 2, 2023 Ismat Sattarov paid visit to Uzbekistan. The perspectives of information security, expansion of bilateral cooperation and implementation of specific projects for the development of media relations between two countries were discussed during his meeting

with the heads of the Agency of Mass Communication under the Administration of the President of the Republic of Uzbekistan.

- ≡ On September 18-20, 2023 delegation of the Council led by the Chair participated in the 10<sup>th</sup> Annual Meeting of Black Sea Regulatory Authorities Forum (BRAf) and the Workshop on “Disinformation and Digital Media Literacy” organized and hosted by RTÜK of Türkiye in Antalya. The next 11<sup>th</sup> Annual Meeting of BRAf will be hosted by Azerbaijani Regulatory Authority in 2024.
- ≡ The experts of the Council with Saudi counterparts are working on the draft Memorandum of Understanding between the General Commission for Audiovisual Media in the Kingdom of Saudi Arabia and the Audiovisual Council of the Republic of Azerbaijan which aims to enhance cooperation in the field of audiovisual media, to create joint coordination in regulation issues of audiovisual media, to develop communication on innovations in this field, to carry out exchange of information and experiences, to organize visits between experts and specialists, as well as to hold joint conferences, seminars and workshops.
- ≡ On July 21-23, 2023 the **1<sup>st</sup> Shusha Global Media Forum** on "New Media in the 4<sup>th</sup> Industrial Revolution" was held in Shusha city. 150 foreign guests from 49 countries, including state information agencies of 34 countries of the world, 12 international organizations and media institutions attended the Forum. The world's well-known and influential media leaders and experts discussed new tools in journalism and communication in the digital age, digital transformation, media management in the modern information environment and the creation of sustainable media business models, consumer trends in new media and media literacy, methods of combating disinformation and fake news, safety of journalists and other the issues. The Forum also launched an initiative to establish the Non-Aligned Movement Media Platform.