[LV] Drafts of new Radio and Television Law and Public Service Broadcasting Law

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Since the beginning of 2004 two new legislative acts in the media field are being drafted in Latvia. The Radio and Television Law and a new Public Service Broadcasting Law are intended to replace the existing Radio and Television Law of 1995. However, because this issue is both politically and economically sensitive (regarding the legal status and powers of the regulatory authority and the financing of public service broadcasters), the drafting has still to be completed.

Currently the drafts initially prepared by the Saeima (Parliament) Commission on Human Rights and Social Issues are dealt with by the Cabinet of Ministers, to which they had been submitted in 2004. The Cabinet amended the drafts substantially and the latest versions became available in March 2005. The draft Radio and Television law entrusts the supervision of commercial broadcasters partly to the Ministry of Culture (programme content issues) and partly to the Commission for Public Utilities (granting of licences in the tender procedure). The draft Public Service Broadcasting Law stipulated that the financing for public service broadcasters would come from the state budget and would be negotiated with the government. No licence fees are envisaged, which is a complete reversal of previous planning policy.

At the end of March 2005 the National Broadcasting Council sent the draft laws to the European Broadcasting Union (EBU) and to the International Press Institute (IPI) for their comments. Both institutions expressed substantial doubts as to whether the new drafts correspond to the requirements of the successful development of electronic media, especially that of public service broadcasting. The IPI had specific concerns over the financing model of public service broadcasting, which they thought might make broadcasters vulnerable to government influence. Also, subjecting broadcasters to the authority of the Ministry of Culture presents worries over potential governmental interference with the independence of the media. On 27 April 2005, the IPI even sent a letter expressing their concerns to the Latvian President and Prime Minister.

It should be stressed that the current versions of the new laws are only drafts, which have not even been submitted to parliament for the first reading. The National Broadcasting Council has publicly expressed its support for the concerns of EBU and IPI, and it is hoped that the drafts will be amended to ensure that they are consistent with the principles of genuine financial and political independence

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