[SI] Radio and Television Slovenia Act Rejected in Referendum

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The Zakon o Radioteleviziji Slovenija (Radio and Television Slovenia Act - ZRTVS-2) passed the Slovenian Parliament on 20 October 2010. As the leading oppositional parliamentary parties were strongly against it, they initiated a referendum, the final political tool for obstructing the discussed act.

The members of the Social Democratic Party of Slovenia (SDS) and the Slovenian National Party (SNS), and also one member of the Governmental Social Democrats appealed for the referendum. In the referendum campaign the biggest issue was the status of the public broadcaster as regards ownership. As the opposition, parts of the experts and employees of Radio and Television Slovenia (RTVS) argue, the status of the public broadcaster, which had made it a direct receiver of the State budget, was challenged by the new Act. Now, the organisational structure is partly that of a joint stock company. Formally the new status of RTVS is defined as an autonomous legal subject of the public law and of special national and cultural importance (instead of the previous status of RTVS being a public establishment).

There are some further critical stipulations of the Radio and Television Slovenia Act. The opponents claim that there is also the issue of the payments of the subscribers, which becomes problematic if RTVS were to develop into an enterprise. However, on the other hand there is no limit determined by the new Act on the sum of the subscription. Another problem related to the material side of the new status of the RTVS is the possibility of the appropriation of public property.

But there are some more problematic topics, mostly the structure of the supervisory board and the stipulation that the Slovenian citizens, which originate from the former Yugoslav Republics, have the right to be represented in the programming schedule by a certain quota of broadcasting time.

Regarding the structure of the supervisory board of RTVS the number of members is reduced to seven, from which three are elected by the National Council and one by the Government. It is claimed that it might make the majority of votes politically biased.

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The public discussion related to the ”programme windows” for citizens of ex-Yugoslav nationalities brought into debate two perspectives: the citizens of different ex-Yugoslav origin are not confirmed national minorities by law although they are numerous. The Ombudswoman stated that the solution accepted by the Act is just and that Slovenia should follow the European democratic standards as regards ethnicity. On the other hand the Directorate for Media at the Ministry for Culture claimed that RTVS provides a lot of content dedicated to the social groups in question and that there is no legal or factual condition and need for changes implied by the new Act.

The referendum on the Radio and Television Slovenia Act was held on 12 December 2010 and preceded by an official referendum campaign. Regardless of all the different issues exposed, the referendum question unified the problems by formulating: ”Do you support that the Radio and Television Slovenia Act, which was passed by the Parliament on 20 October 2010, is put into force?”. The Act was rejected by 73% of voters with a very low participation rate (15%).

Predlog za tretjo obravnavo Zakona o Radioteleviziji Slovenija, ZRTVS-2

http://www.mk.gov.si/fileadmin/mk.gov.si/pageuploads/Ministrstvo/Drugo/aktualno/2010/predlogtretjaobravnava.pdf

Proposal (final) of the Radio and Television Slovenia Act

Odlok o razpisu zakonorajnega referenduma o Zakonu o Radioteleviziji Slovenija, ZRTVS-2

http://www.uradni-list.si/1/content?id=100614

Ordinance on the call for a legislative referendum on the Radio and Television Slovenia Act

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