[KG] Law on PBC Adopted by Parliament

IRIS 2012-3:1/27

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The Statute “On Public TV and Radio Broadcasting Corporation of the Kyrgyz Republic” (Об Общественной телерадиовещательной корпорации Кыргызской Республики) was adopted by Zhogorku Kenesh (the Parliament) on 18 November 2011, signed into law by President Almaz Atambaev on 21 December 2011, and entered into force on 10 January 2012.

It replaces the Decree “On establishing the Public TV and Radio Broadcasting Corporation of the Kyrgyz Republic” adopted on 30 April 2010 by the then Provisional Government (see IRIS 2010-6:1/36).

The new Statute has five chapters and 29 articles and follows the governmental decree that it replaces.

The Public TV and Radio Broadcasting Corporation of the Kyrgyz Republic (thereafter - PBC) has the legal status of a State broadcasting organization: its rights and freedoms are guaranteed by the State. The State has established the PBC in order to guarantee citizens’ right to freedom of information (Art. 6).

Among the goals of the Corporation are the maintenance of national culture and traditions, the formation of a common information and broadcasting space, the creation of a positive world image of the Kyrgyz Republic as a democratic country, maintenance of the highest standards of journalism, standards of tolerance and respect for human rights, as well as the production of high quality programmes on socially important issues.

The Statute (Art. 7) introduces minimum quotas for children’s and educational programmes (30 percent), programmes in Kyrgyz language (50 percent), programmes produced in Kyrgyz Republic (70 percent), as well as programmes produced by independent producers (30 percent).

The management and control of the Corporation shall be the responsibility of the Supervisory Board and the Director-General (Art. 11). The Supervisory Board is the supreme body of the PBC; it consists of 15 members elected for five years by the parliament: five from among the ten candidates proposed by the president, five from among the ten candidates proposed by the parliament itself, and five from ten candidates from civil society, that is “educational and academic institutions, creative unions, public associations, the mass media, etc.” (Art. 13).

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Its chair is elected by the Board itself.

New members of the Supervisory Board are to be elected within three months after the entry into force of the Statute (Art. 29).

The Director-General is the chief executive officer of the PBC and is elected by the Supervisory Board in an open contest for a term of 5 years (Art. 19).

The activity of the Corporation is based on the principles of transparency. Its annual report shall be delivered to the president and parliament and shall be published in the press (Art. 18).

According to Article 20 of the Statute the main source of financing of the Corporation comes from the national budget, as well as income from its commercial activity, the sale of intellectual property, advertising and sponsorship.

Article 9 contains provisions on advertising. It imposes limits of ten per cent on both the daily and hourly broadcasting time used for advertising.

Programmes of the PBC “shall not be under control of the Government, political or business forces, shall reflect a fair editorial policy and shall not represent views or opinion of the Corporation”, there shall be news and current affairs programmes based on all-inclusiveness, objectivity and balance (Art. 21).

The Statute stipulates for the protection of journalistic sources, the right of reply and the need for ethical standards for PBC journalists.

Об Общественной телерадиовещательной корпорации Кыргызской Республики

http://minjust.gov.kg/?p=6796

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