

[MK] Handbook on Media Industry and Fair Competition

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*Borce Manevski
Independent Media Consultant*

In March 2013, the Советот за радиодифузија (Broadcasting Council, i.e., the media regulation authority), published a Прирачник за создавање пазарни услови за одржлив економски раст на медиумската индустрија и фер конкуренција (Handbook on Establishing Market Conditions for the Sustainable Economic Growth of the Media Industry and Fair Competition). Its main purpose is to guide the members of the Broadcasting Council to implement broadcasting legislation in view of market growth, free competition and media pluralism.

The eleven-page document provides an overview of provisions in the current media market legislation, namely the Закон за радиодифузната дејност (Law on Broadcasting Activity) and the Закон за заштита на конкуренцијата (Law on Competition Protection). Just like the recent Прирачник за оценување на медиумскиот плурализам (Guideline for assessing media pluralism) of December 2012, the Handbook comes in response to the EU Commission's Progress Report for 2012, which found the legislative implementation insufficient (see IRIS 2013-3/20): "Efforts were made to enforce legislation on copyright and on media ownership and concentration, but these still remain insufficient. The removal of the license for the TV station A2 raised questions and identified weaknesses in the legal framework and practice for imposing sanctions. The Broadcasting Council needs to review its practices and legal framework in order to address these concerns."

The Macedonian media market proved to be vulnerable especially to political influences. During the March 2013 local elections, the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Co-operation in Europe (OSCE) noted: "While the media monitored by the Election Observation Mission provided extensive campaign coverage in the news, it showed significant bias in favour of the governing parties both in terms of quantity and content of coverage."

The Reporters Without Borders ranked Macedonia in their World's Press Freedom Index 2013 far behind European democracies (116th place): "Judicial harassment based on often inappropriate legislation, the lack of access to public data, physical and psychological violence against those who work in news and information, official and private advertising markets used as a tool, the grey economy's hold over vital parts of the media. All are obstacles to the right to

report the news and people's right to know it.”

In the Handbook, the Broadcasting Council commits itself to the improvement of its licensing policy in order to consolidate the market: “The market should be open to new players, but prior to granting a license the Broadcasting Council will have to confirm that all necessary preconditions - technical, economic, personnel etc., - have been met as a guarantee that the applicant will increase pluralism”.

Прирачник за создавање пазарни услови за одржлив економски раст на медиумската индустрија и фер конкуренција

http://www.srd.org.mk/index.php?option=com_content&view=article&id=168&Itemid=94&lang=mk

The World's Press Freedom Index 2013 of the Reporters Without Borders

http://fr.rsf.org/IMG/pdf/classement_2013_gb-bd.pdf

European Commission's Macedonia Progress Report 2012 of 10 October 2012

http://ec.europa.eu/enlargement/pdf/key_documents/2012/package/mk_rapport_2012_en.pdf

Statement of preliminary findings and conclusions of the OSCE-ODIHR of 25 March 2013

<http://www.osce.org/odihr/elections/100311>

