[RO] New Law Governing the Public Audio-visual Sector

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The law passed by the State of Romania on 18 June 1994, governing the public radio and television service has finally brought the country into line with the provision laid down two years previously by the "law on the audiovisual sector", n° 48/1992. This decision has finally brought to an end a long political-legal battle, marked by a series of hunger-strikes, street demonstrations and interpellations by international organizations. The provisions of the new law satisfy most of the demands made by those wanting the sector to enjoy political independence. The law also lays down a number of measures aimed at programming: respect for democratic values, guarantee of pluralism of opinions, ban on inciting racial or religious hatred, the obligation to reserve a certain amount of air time for political parties with parliamentary representation and for the 14 national minorities, the granting of a right of reply or rectification of statements made, the need to promote Romanian audiovisual programmes (a minimum of 40% of the overall programming), etc. The specialist staff, hitherto hidebound by an incompatible set of regulations, is now protected by new statutes designed to prevent any outside interference in the editorial process.

However, the real change brought about by the new law is the changeover from a state-run radio and television into two autonomous public bodies : the "Romanian Radio Corporation" and the "Romanian Television Corporation". The bodies will be financed mainly through a licence fee, with advertising only being allowed under strictly defined conditions and State financing being subjected to highly controlled conditions of payment.

The real cornerstone of the new autonomy measures is the clean break that has been made between the radio and television authorities and the political executive. The 13 members of the Board of Trustees of each independent Corporation will be nominated by Parliament from a list of names chosen mainly by the parliamentary groups , the "specialist staff" of the Corporations and by organizations representing national minorities. The Presidents of the Boards of Trustees will be the real Heads of the public audiovisual service, even if their powers remain regulated by the law, in order to avoid any abuse of power. It is also encouraging to see that the law also stresses the need for this new "autonomous public service" to comply both with the international conventions signed by the State of Romania and with the standards laid down by the regulatory authority, the National Audiovisual Council (N.A.C.). Despite the considerable progress made, there have been a number of voices raised

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expressing regret over the fact that the "Boards of Trustees" are not nominated by the N.A.C. and the ambiguity of certain parts of the law ("the audiovisual programmes must give young people instructive programmes of an educative, moral-religious and patriotic nature".

Lege privind organizarea si funtionarea Societatii Române de Radiodifuziune si Societatii Române de Televiziune, Monitorul Oficial n°153:1-14.

Law of 18 June on the publc audiovisual service, Monitorul Oficial n°153:1-14.

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