

[MK] Media Prohibition on Publishing Information on Possible Criminal Activities

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“The Public Prosecutor’s Office holds it necessary to emphasise that the publishing of materials which may become the subject of possible future criminal proceedings is prohibited and punishable by law” reads the press release, published on the Public Prosecutor’s website. This reaction of the Public Prosecutor came after undercover footage was shown in the media of the leader of the opposition informing the Prime Minister that he possesses materials on corrupted activities of high-ranking state officials. In a police action which has been named “Coup”, the leader of the opposition was charged with violence against representatives of high-ranking state authorities and was ordered to surrender his passport, while three more persons were detained under suspicion of espionage for a foreign secret service.

The Association of Journalists of Macedonia (AJM) condemned the Public Prosecutor’s decision to bring charges against those journalists who would like to report on the possible corrupted behaviour of state officials and emphasised that “it is an obligation of the media to be a corrective instrument in democratic societies... There is no such law in Macedonia, which gives the Public Prosecutor the right to hinder the publishing of materials which descry crime”. The journalists claim that the Public Prosecution might have the right to stop the publication of materials which refer to ongoing criminal cases which are processed by courts, but not to possible criminal or corruptive behaviour of high ranking officials which might be perceived as a “crime” by the state law-enforcement agencies.

Reaction came also from the civil community. The NGO Centre for Media Development Centre (MDC) informed the media and the journalists that “journalists are not held liable for the ways their sources have received information, including the unauthorised monitoring of communications.” MDC urged the journalists to consider above all the public interest when reporting about the “Coup” case, but also to adhere to general journalistic ethics.

The Public Prosecutor’s decision may have an additional chilling effect on media freedom in the country, which is anyway ranked in the lowest position (123) in Europe by Reporters without Borders in its Media Freedom Index for 2014. This decision may also discourage investigative journalists from pushing possible cases of organised crime and corruption higher on the public agenda and encourage self-censorship, as has also been noted in the European Commission

Country Progress Report for 2014, according to which “self-censorship is widespread”.

СООПШТЕНИЕ, 03 Февруари 2015

<http://jorm.gov.mk/?p=1166>

Press release of the Public Prosecutor’s Office, 3 February 2015

ЗНМ ги осуди законите на Обвинителството кон новинарите Објавено во Среда, 4. Февруари 2015

<http://www.znm.org.mk/drupal-7.7/mk/node/860>

Reaction of the Association of Journalists (AJM), 4 February 2015

ЦРМ ги повикува новинарите да не го запостават јавниот интерес во известувањето за случајот „Пуч“ Share, 2015-02-04

<http://mdc.org.mk/crm-gi-povikuva-novinarite-da-ne-go-zapostavat-javniot-interes>

Reaction of the NGO Media Development Centre, 4 February 2015

