[AZ] New media law regulates audiovisual sector

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On 8 February 2022, President Ilham Aliyev enacted the statute “On Media,” which replaces both the 1999 statute “On the Mass Media” (see IRIS 2000-2/25 and IRIS 2021-3/10) and the 2002 Statute "On Television and Radio Broadcasting" (see IRIS 2003-3/15). The statute was adopted by the *Milli Majlis* (national Parliament) on 30 December 2021.

This statute consists of 78 articles and determines the organisational, legal and economic bases of activity in the field of media, as well as general information on obtaining, preparation, transmission, production and dissemination of mass information.

Article 43 of the statute establishes the Council as the body that “regulates the field of audiovisual media in the Republic of Azerbaijan.” Further provisions of the statute clarify that it is financed “from the state budget and other sources not prohibited by law”. The structure and staff of the Council “shall be determined by a body (institution) designated by a relevant authority of the Executive” (that is, by the Media Development Agency). In the view of the OSCE expert Joan Barata Mir, these provisions, as well as the ones on membership of the Council and the election of its members, “are clearly insufficient to safeguard the independence of the authority.”

The OSCE Representative on Freedom of the Media (RFoM), Teresa Ribeiro, presented a legal analysis of the statute “On Media”. The analysis points, in particular, to possible excessive burdens and restrictions on the licensing of broadcasters and the lack of provisions establishing mechanisms that would guarantee the autonomy of the regulatory authorities in the field of audiovisual media.

OSCE Media Freedom Representative publishes legal analysis of Azerbaijani media law, with recommendations to authorities, Press release.

https://www.osce.org/representative-on-freedom-of-media/512941

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Media haqqında Azərbaycan Respublikasının Qanunu

https://president.az/az/articles/view/55399

Law of the Republic of Azerbaijan on Media, 30 December 2021, No. 471-VIQ. Enacted by Decree of the President on 8 February 2022, No 1589

https://www.venice.coe.int/webforms/documents/?pdf=CDL-REF(2022)011-e

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