

# Reporters Without Borders

<http://www.rsf.org/uruguay-call-for-continuing-transparency-04-04-2014,46098.html>

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Americas - Uruguay

High expectations

## Call for continuing transparency and dialogue in media law's passage

4 April 2014

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Reporters Without Borders reiterates its support for Uruguay's Broadcasting Communication Services Law (LSCA). Submitted by the government to the chamber of deputies in May 2013 and approved by the chamber in December, it is now awaiting approval by the senate.

Described last year as exemplary by UN special rapporteur for freedom of expression Frank La Rue, the LSCA is expected to bring a great deal of progress in media pluralism – including a fairer distribution of broadcast frequencies between state, privately-owned and community media – and is seen as a right-to-information model for neighbouring countries.

The original draft has undergone [modifications](#) that were the result of dialogue between legislative bodies and civil society.

"We hope that the senate commission has a fruitful dialogue with civil society and accepts the recommendations that were made to the chamber of deputies in 2013," said Camille Soulier, the head of the Reporters Without Borders Americas desk.

"It is important that this latest stage in the passage of the bill should not be affected by the [same pressure on the legislature from Uruguay's big media groups](#) that was seen when it was announced in 2013. Transparency must continue to characterize the LSCA's passage."

A joint Reporters Without Borders, Committee to Protect Journalists and Human Rights Watch delegation met the senate commission in October to support a number of important changes. Two significant aspects were taken into account.

The bill initially envisaged banning all racist, discriminatory and hateful content but, as this could constitute prior censorship in certain cases, a rewording of this sensitive point was proposed. So the chamber of deputies instead banned content "condoning or inciting violence."

A similar change was made to regulations designed to protect minors from violent content, in order to protect news and information of general interest from censorship.

Some civil society demands were accepted but others were not, such as a proposal to limit the number of cadenas – official announcements that must be carried by all the broadcast media – to eight a year and a proposal to regulate government advertising.

In response to Reporters Without Borders' concerns, the authorities undertook in December to draft a parallel law ensuring a fair distribution of government advertising, which may be worth as much as 85 million dollars a year. When will this happen? The state advertising budget requires transparent regulation. The envisaged decree to address this issue has not emerged.

In the original draft of the bill, enforcement of the LSCA was entrusted to a proposed Broadcasting Communication Council, whose independence from the government was clearly vital. However, Uruguay's constitution forbids the creation of new public posts during the 12 months prior to a presidential election and the next one is scheduled for October.

So the government decided to assign these duties to the existing Communications Services Regulatory Unit (URSEC), although it is a direct government offshoot.

As the independence of the regulatory body is crucial, several Uruguayan and international NGOs have proposed creating the Broadcasting Communication Council but waiting until the

start of the next presidential term to appoint its members. This would ensure an independent oversight body while complying with the constitution.

*Photo: El Diario*

*Slideshow: La Prensa*

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