

# Reporters Without Borders

<http://www.rsf.org/macedoine-never-ending-decline-of-macedonia-25-06-2012,42873.html>

---

Europe/Ex-USSR - Macedonia

Concerns

## Never-ending decline of Macedonia's media

25 June 2012

---

A year after the shockwaves from [the closure of the opposition TV station A1 and several leading national dailies](#), Reporters Without Borders reiterates its deep concern about freedom of information in Macedonia.

The country has entered an area of turbulence with no end in sight. The media landscape is marked by the appearance and disappearance of newspapers in a manner totally unrelated to the needs of the market. At the same time, the fundamentals remain the same – journalists with no economic security and polarized media that are funded from unclear sources.

Against a backdrop of an increasingly common hate messages and mounting community tension between Macedonians and Albanians, two recent developments have reinforced concern about media freedom – the withdrawal of A2 TV's licence and the flawed decriminalization of media offences.

### **A1's closure followed by A2's**

"The reason given by the Broadcasting Council for withdrawing A2's licence was absurd and dishonest," Reporters Without Borders said. "It was forced to close on the grounds that it was not broadcasting enough news at precisely the moment when it was going to produce more news! This only reinforces suspicions about the independence of the council, which was brought under the government's control by a [reform in July 2011](#)."

The Broadcasting Council withdrew A2's licence on 13 June on the grounds that it had not respected its licensed status as a TV news channel. A1's little sister, A2 was an over-the-air channel owned by Velija Ramkovski, whose arrest last year on tax fraud and money laundering charges paralyzed the activities of a third of the country's media, all controlled by his company, Plus Produkcija.

A2 was forced to concentrate on music and entertainment programmes by a lack of cash because, like A1, its bank accounts were frozen. A2's accounts have continued to be frozen although the courts have since ruled that it is not subject to a tax adjustment.

Despite its funding problems, A2 had announced last month that it intended to resume broadcasting news and current affairs programmes with an editorial line critical of the government, in order to fill the gap left by A1's sudden disappearance. It had begun to recruit journalists to broadcast news bulletins and political talk shows.

It was at the end of May, around 10 days after this announcement, that the Broadcasting Council took A2 to task for "not respecting its official status as a news channel" and ordered it to dedicate at least 5 percent of its airtime to news programmes. Its licence was withdrawn three weeks later as it was unable to comply within such a short period.

Like A1, which launched the A1 ON ([www.A1on.mk](http://www.A1on.mk)) web TV station, A2 is now limited to posting its content online.

### **Decriminalization agreement – an illusory reform?**

After six months of intense debate, the government and Association of Macedonian Journalists reached an agreement on a proposed legislative reform that would decriminalize defamation and insulting comments. The bill will be examined by the Council of Europe and will be the subject of a public debate before being submitted to Macedonia's parliament.

"The decriminalization of media offences is a big advance but it would be largely negated by the deterrent effect of the size of the fines that would replace prison sentences," Reporters Without Borders said. "While we welcome the bill's promotion of media self-regulation and the fact that fines are envisaged only as a last resort, the international principles to which Macedonia has subscribed would still not be translated into national law.

"The European Union, the Organization for Security and Cooperation in Europe and the jurisprudence of the European Court of Human Rights all stress that the fines imposed for insult and defamation must be proportional both to the harm caused and to ability of the journalists and media to pay. How would badly-paid journalists be able to combat the already widespread scourge of intimidation and self-censorship when faced by the possibility of a fine that is ten times the size of their average monthly salary?"

According to the bill, defamation would no longer be a crime punishable by imprisonment and the publication of an apology or retraction could pre-empt a lawsuit. With the aim of limiting the potential for arbitrary decision-making by judges, the bill sets ceilings for fines but they are very high – 2,000 euros for the journalists who writes the offending article, 10,000 euros for the editor who publishes it and 15,000 euros for the media owner.

"A lot depends on how the courts implement a law but the law should at least minimize the dangers," Reporters Without Borders added. "We urge the Council of Europe to ask Macedonia to ensure that fines are proportional to the ability of journalists and news media to pay."

Several other legislative proposals crucial for the media are languishing. A proposed media law that would replace the one in effect since 2005 is still being drafted. At the same time, no timetable has been made public for [the adoption of a proposed foreign media law](#). Opposition parliamentarians have filed amendments to article 18 of the bill, implying a ban on opinion polls, and article 21, under which any foreign TV station wanting to send a crew to Macedonia would have to request permission from the foreign ministry a month in advance.

---