

EVENT REPORT

Konrad-Adenauer-Stiftung

MEDIA PROGRAM

SOUTH EAST EUROPE

CHRISTIAN SPAHR

DR. VLADIMIR ZLATARSKY

November 2013

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Evaluating Media Law

ON KAS INITIATIVE: EXPERTS FROM SOUTH EAST EUROPE AND GERMANY DISCUSS RECENT DEVELOPMENTS AND FORMULATE RECOMMENDATIONS

Whether the media can exercise their control function on the political stage is not only dependent on the commitment of journalists or economic factors. Media law and self-regulation are vital for media freedom and pluralism. In October 2013 the KAS Media Program South East Europe gathered experts from seven countries in Belgrade to evaluate the current situation. Together they now formulate recommendations.

On legal matters the KAS Media Program South East Europe cooperates with the "Article 10 ECHR" Task Force of Prof. Dr. Johannes Weberling (European University Viadrina Frankfurt/Oder). Experts from Germany and the Balkan countries analyse the media developments in their countries from a legal perspective. The group name is derived from the European Convention on Human Rights, which specifies the right to free expression in Article 10.

Typical challenges for media law in South East Europe

At the invitation of Prof. Weberling and KAS the media experts from Bosnia and Herzegovina, Bulgaria, Macedonia, Romania and Serbia discussed the media law situation in their countries. In an exchange of views with German and Belgian colleagues, differences to the situation in Western Europe could be determined. Accordingly, media law and self-regulation in South East Europe must among other things give answers to the following challenges:

- Structural political influencing of media, for instance through allocation of posts in supervisory boards
- Direct financing of public media from the state budget
- Selective access of media to state advertising budgets
- Lack of transparency and high concentration of media ownership
- Unequal access to the highly monopolised media distribution
- Actions for libel as instrument against critical journalists
- Lack of agreed-upon ethical standards for journalistic work
- Gaps in media law, e.g. lack of a press law in individual countries

The named points are relevant to South East European countries to a varying extent, but have been acknowledged by the participants as regional political challenges.

Dialogue with the public

After the opening activities on 21st October, the working group entered into dialogue with the Belgrade public the day after. Dr. Dejan Milenkovic welcomed the participants to keynote addresses and panel discussions at Belgrade University. Prof. Dr. Weberling and the Bulgarian media law expert Alexander Kashumov gave speeches on the rights of media to information from public authorities. A debate with further experts, students and citizens of Belgrade followed. It was chaired by Christian Spahr, head of KAS Media Program South East Europe.

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Later throughout the workshop programme participants formed two working groups consisting of six members each, focussing on specific aspects of media law and self-regulation. Exchange of experience between the countries was central to this exercise. The experts examined in how far successful models for self-regulation can also be applied internationally.

The participants in both working groups of the workshop formulated recommendations for South East Europe, which are currently being prepared for publication online and in law journals. The discussion between experts will be resumed in the context of the Frankfurt Days on Media Law in March 2014. Another meeting in South East Europe is planned for autumn next year.