

PARLIAMENTARY ASSEMBLY OF THE BLACK SEA ECONOMIC COOPERATION

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THE SIXTEENTH PLENARY SESSION OF THE GENERAL ASSEMBLY

CULTURAL, EDUCATIONAL AND SOCIAL AFFAIRS COMMITTEE

REPORT

ON

**“THE ROLE OF MASS MEDIA IN PROMOTING
COOPERATION IN THE BLACK SEA REGION”**

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I. INTRODUCTION

1. Since the very beginning the Parliamentary Assembly of the Organisation of the Black Sea Economic Cooperation has been attaching particular attention to the role of mass media in the information age. The Eight, Twelfth and Fourteenth Meetings of the Cultural, Educational and Social Affairs Committee discussed the subjects of “Exchanging TV and Radio Programmes among the PABSEC Member Countries”, “The Role of the Mass Media in Promoting the BSEC Process” and “Cooperation among the National Public Televisions of the BSEC Member States”.

2. It should be recalled that this issue lies within the scope of the 1993 Black Sea Convention on Cooperation in the Fields of Culture, Education, Science and Information, Article 6 of which runs as follows: “The Parties will encourage cooperation among national information agencies, unions of journalists, periodicals, television and radio networks including exchange of publications, television and radio programmes”.

3. The issue of promotion of the BSEC image by establishing a new regional periodical has been discussed by the Twelfth Meeting of the Ministers of Foreign Affairs (Sofia, 22 October 1998) and the BSEC Working Group on Organisational Matters (Istanbul, 16-17 February 1999).

4. The process of economic cooperation is expanding its activities. To this end the mass media, and first of all the national public/state televisions, have an important role to play in promoting cooperation in the Black Sea region. Providing information on major political, economic and other events in the BSEC Member States will contribute to rapprochement among the countries.

5. At present the multilateral cooperation in the BSEC framework is very poorly covered by the national television institutions, and in fact the population is not enough informed on the activities of the BSEC, PABSEC and other related bodies.

6. Therefore the national parliaments and governments, the BSEC and the PABSEC have to provide full support to the establishment of cooperation among the mass media of the Member Countries. At its Fourteenth Meeting the Cultural, Educational and Social Affairs Committee, held in Bucharest on 5 April 2000 decided to take up the subject of “The Role of Mass Media in Promoting Cooperation in the Black Sea Region” as the main subject of the Fifteenth Meeting in Tbilisi on 27-28 September 2000. At the same time the Committee supported the proposal by the Romanian PABEC delegation to have a separate chapter in the Report concerning the cooperation among the national public/state televisions.

7. The Rapporteur expresses acknowledgements to the national delegations of Armenia, Greece, Moldova, Romania, Turkey and Ukraine that have forwarded contributions for this Report and Recommendation 47/2000, as well as to the PABSEC International Secretariat for information received from international organisations and other sources, mainly through Internet.

II. THE WORK CONDUCTED BY THE COUNCIL OF EUROPE, UNESCO AND THE EUROPEAN UNION IN THE FIELD OF MASS MEDIA

8. The media situation in Europe varies from one country to another, depending on cultural traditions, economic might, the strength of democratic institutions and the level of professionalism. However, with the opening up of practically all the countries of the continent, with the intensification of cooperation and integration between them and with emergence of new information technologies, the media are increasingly facing the same sort of problems. These problems require the same sort of co-ordinated approaches. Media independence remains one of the most important issues of the democratic development in any country. Even where democratic traditions are deeply entrenched, the right to voice both facts and opinions is sometimes limited. Relationship between freedom of expression and the citizen's right to objective information continues to be a major issue for almost all the countries.

9. Since its inception, **the Council of Europe** has been deeply concerned with such topics as media concentration and pluralism, media transparency, freedom of expression, the right to information, data protection etc. Its activities in this field are particularly governed by Article 10 of the *European Convention for the Protection of Human Rights and Fundamental Freedoms*.

10. Cooperation in the field of mass media is conducted on a multilateral basis under *the European Cultural Convention* (Paris, 1954), which by opening to non-member states now enables virtually the whole European continent to cooperate on equal terms.

11. The Council of Europe has played a major role in promoting legislation for creating democratic structures. The organisation has produced a number of legal instruments:

- i. *The European Declaration on the Freedom of Expression and Information*, adopted in 1982, expresses the commitment of the governments of the member states to the respect for and development of freedom of expression and information.
- ii. *European Convention on Transfrontier Television*, facilitating transfrontier broadcasting, is in force since 1993. This Convention is intended to facilitate the circulation of television programme services across frontiers by guaranteeing freedom of reception and retransmission of such services on the territories of the Contracting Parties.
- iii. *European Convention Relating to Questions on Copyright Law and Neighboring Rights in the Framework of Transfrontier Broadcasting by Satellite*.
- iv. *European Convention on Cinematographic Co-production* (of 1992).
- v. European agreements on:
 - programme exchanges by means of television films (in force since 1 July 1961);
 - the protection of the television broadcasts (in force since 1 August 1961);
 - the prevention of broadcasts transmitted from outside national territories (in force since 19 October 1967) and protocols thereto;

12. Current work is now focused on four major themes: media and democracy; media in a pan-European perspective; media and conflict; media and intolerance.

The Council of Europe is closely monitoring cases of violation of freedom of the press in European countries and different actions are being taken at various levels. The Sub-Committee on Media of the Committee on Culture and Education of the Parliamentary Assembly of the Council of Europe keeps a watch on the media situation in the central and eastern Europe, in particular by organising hearings and visits to the countries concerned and reporting on these to the Assembly.

13. UNESCO's primary aim is to contribute peace and security in the world by promoting collaboration among nations through education, science, culture and communication. UNESCO's Constitution stresses the need for information and communication within and between nations. It links the free flow of ideas to the broader objective of preventing wars and "constructing the defences of peace" by "advancing the mutual knowledge and understanding of peoples" so that "suspicion and mistrust between the peoples of the world" no longer be a direct cause of conflict.

14. UNESCO activities in the area of communication, information and informatics are ruled by a number of Resolutions and Decisions taken by the governing bodies of the Organization. The general 29 C/Resolution 28 Major Programme IV: Communication, Information and Informatics (adopted in 1997) calls to promote freedom of expression and freedom of press; to promote development of pluralistic media; to contribute to the development of editorially independent broadcasting by formulating, together with the Member States and regional broadcasting unions, principles of public service broadcasting suitable for different socio-political contexts and levels of technological development etc. The other main Resolutions in this field, adopted in the last decade are: the Resolution on Promotion of Press Freedom in the World (1991); the Resolution on Women and the Media (1993); the Resolution on the Role and Functions of Public Service Broadcasting (1993); the Resolution on Promotion of Independent and Pluralistic media (1995); Medium-Term Strategy 1996-2001 Contributing to Conflict Prevention and Post-conflict peace-building (1995) etc.

15. In November 1978 it proclaims the *Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights, and to Countering Racism, Apartheid and Incitement to War*. The Declaration says that the mass media have an important contribution to make to the strengthening of peace and international understanding; an essential part to play in the education of young people in a spirit of peace, justice, freedom, mutual respect and understanding.

16. UNESCO develops communications for a free flow and a wider and better balanced dissemination of information. The organisation surveys the needs and assists the developing countries, through its International Programme for Development of Communication, to set up infrastructures in that field. UNESCO assists Member States in adapting their laws to democratic standards. In order to reinforce media pluralism, UNESCO promotes public service broadcasting and editorial independence of both private and public media. Efforts are being made to broaden international cooperation through: studies of the role of the media in establishing a new economic order; cooperation with regional news agencies etc.

17. **The European Union** has no comprehensive legislation on mass media. The existing legislation aims mainly at regulating of the economic situation of the media and their role in the economies of the Member Countries.

18. In recent years the EU communication policy has privileged the creation of an Information Society. In June 1997 the European Council adopted the *Protocol to the Treaty establishing the European Community (TEC) on Public Broadcasting*. This document recognises the role of public broadcasting and constitutes a legal basis for interpreting other provisions of the TEC. The Protocol stresses that “the system of public service broadcasting in the Member States is directly related to the democratic, social and cultural needs of each society and to the need to preserve media pluralism”. This was the first time that the role of public service broadcasting had been explicitly recognised within the legal framework of the European Union. The other important legislative instruments are the Directives 89/552/EEC and 97/36/EC on the coordination of certain provisions laid down by law, regulation and administrative action in the Member States concerning the pursuit of television broadcasting activities.

III. DEVELOPMENT OF THE MASS MEDIA IN THE BSEC MEMBER COUNTRIES AND THEIR LEGAL BASIS

Albania

19. Despite many difficulties Albanian media experienced in the transition period, both national and local newspapers increased in quantity and quality.

The Albanian Parliament drafted legislation (law 8221, dated 14 May 1997) on Private and Public Radio and Television in the Republic of Albania. The law provides for the transfer of state-owned Albanian Radio and Television (RTSH) to public ownership. It also shifts responsibility for RTSH from parliament to a National Broadcasting Council. It legalises the licensing of private broadcast media. The Albanian Radio and Television (RTSH) is the only media outlet able to cover the entire country. There are about 30 private radio and 30 television stations today. In contrast with the press which is mostly Albanian owned, television and radio stations tend to be joint ventures, usually with Italian companies.

Armenia

20. Armenian media specialists identified three distinct phases in the development of the media over the past years. The first period, from 1990 to 1992, saw the relaxation of strict political and ideological state control and the emergence of independent publications and news agencies. The media landscape was broadened by the founding of newspapers financed by political parties. The second phase, from 1993 to 1994, was marked by the polarisation of publications into two main categories - politically aligned and popular. The third phase, beginning in 1995, witnessed the growing political engagement of the media, both state-controlled and independent.

Article 24 of the Constitution states that censorship is forbidden. Everyone is guaranteed the right to freedom of thought and speech, to free expression of one's own views and ideas. The Law on the Press and Other Mass Media (adopted in 1991) includes basic provision on the freedom of information. The discussion of new legal projects relating to television and radio broadcasting in Armenia was postponed by the National Assembly in December 1998.

As February 2000, 980 mass media outlets were registered in Armenia, including 596 newspapers, 148 magazines, 186 TV companies, 53 radio stations and 25 news agencies. However, the amount of really published media has not increased. Armenian state television broadcasts on two channels. Since private radio and television stations have limited range, the state-owned outlet is the only medium accessible to virtually every Armenian.

Azerbaijan

21. The media landscape in Azerbaijan, especially the print media, has developed dynamically in recent times, together with the reviving of the economy.

The media in Azerbaijan are regulated by the Constitution adopted in 1995, the Law on the Mass Media passed by the Parliament on December 7 1999 (replacing the one of 1992) and the Criminal Code.

In 1999 10% of all media outlets were state-owned, 50% were founded by political parties, commercial companies or private individuals, and remaining 40% were independent.

The role and influence of the broadcast media are proportionally greater than that of the press. Azerbaijan State Television broadcasts on two channels.

There are in addition three private TV companies based in Baku.

Bulgaria

22. In 1996 the Parliament adopted a new media law. Two laws were passed on Radio and Television and on Telecommunications. It was an attempt to legally regulate and provide a legitimate basis for electronic media to function in the country. But as far as the first law failed to guarantee the political independence of the National Council on Radio and Television the law will be modified to correspond to international standards on freedom of expression. The Law on Telecommunications was the first attempt to legalise the status of independent broadcasters.

There are about 295 newspapers, 228 magazines, more than 80 radio stations, 18 national and local television stations and more than 200 local cable operators of radio and television programmes in Bulgaria. A variety of newspapers is published freely by political parties and other organisations representing the full spectrum of political opinion. There are two national channels operated by the state-owned BNTV.

Georgia

23. The legal and regulatory framework relating to the media in Georgia includes the Constitution of 1995, guarantying protection for media freedom; the Law on the Press and Other Mass Media, passed by the Parliament in 1991, stating that the press and other mass media are free; the Law on Freedom of Information, adopted in 1998. In the last few years there have been repeated attempts to create a new law on the press.

The total number of registered media companies in Georgia is about 220. There are around 40 television broadcasters. The same numbers apply to radio broadcasters. The number of registered newspapers (both provincial and regional) exceeds 100.

The official press has difficulties, mainly due to a low cover price and insufficient funding from the budget.

The role and influence of the broadcast media is proportionally greater. Georgia has two state-controlled TV channels.

Greece

24. In the field of mass media legislation Greece is a party to the legal instruments of the European Union, as well as the Council of Europe: the Directive 97/36/EC on the coordination of certain provisions laid down by law, regulation and administrative action in the Member States concerning the pursuit of television broadcasting activities; the European Convention on Transfrontier Television etc.

The Hellenic Radio-Television (ERT) is cooperating on a regular basis with the public televisions of the Balkan states. ERT has organised the First Congress of Public Broadcasting Institutions of the Balkan States in Chalkidiki in 1998. Another important framework of cooperation among the Balkan public televisions is the Balkan TV Magazine, a co-production of television programmes.

The 5th channel of the Greek public radio provides daily programmes in 12 foreign languages, including Turkish, Russian, and Romanian, which is a very important step in the direction of strengthening of the relationships between Greece and other Black Sea states.

Greece has signed bilateral cultural agreements with almost all the Balkan and Black Sea countries.

Moldova

25. The European standards that became mandatory from September 1997 – the time of ratification of the European Convention for the Protection of Human Rights and Fundamental Freedoms - are increasingly the starting point in elaborating new legislation and securing compatibility with them of existing laws.

Article 32 of the Constitution of Moldova, adopted on the 29th of July 1994 guarantees freedom of speech and the right to information, Article 5 bans censorship. There are several other laws which relate more indirectly to the media among which the Criminal Code and the Civil Code.

Besides the Constitution, the most important laws in the mass media field are the Law on the Press, adopted by the Parliament in 1994 and the Law on Television and Radio, adopted in 1995. The Law on the Press lays down the legal framework for the activities of the print media. The Law on Television and Radio envisions the transformation of state broadcasting into public and private broadcasting and also stipulates general mechanisms for the establishment of independent broadcasters.

There were a total of 357 registered media companies in Moldova from figures released in August 1998. This breaks down into 33 television stations, 12 radio stations, 233 periodical publications in Chisinau, 67 periodical publications in the regions and 12 news agencies. The print media in Moldova can be classified according to three broad categories: state-run periodicals, non-state non-party periodicals, and party periodicals.

Television and radio remain the chief source of information for most households. Public channels of Romanian (TVR), Russian (ORT) and Ukrainian televisions are re-translated to the whole territory of Moldova.

Romania

26. Romania was one the first eastern European countries to adopt new media legislation. Since 1989 hundreds of new newspapers and magazines flourished. Nevertheless, the print media had to contend with high printing costs and the decline in state subsidies. The demand for newspapers remained low, as retail prices were prohibitively high compared to the average monthly income.

The 1992 Audio-visual Act introduced a dual system of private and public broadcasters. The former state broadcasting system was transformed into public corporations: the Romanian Radio Broadcasting Corp. and the Romanian Television Corp. Television remains the main information source in the country. The Law on TV and Radio was adopted in 1996. Romania has more than 50 private television stations and about 110 private radio stations. The national public TV station (TVR) has two separate channels and an additional one (TVR international) available via satellite to the public abroad.

In view of harmonizing Romanian legislation to the international standards in the field of Copyright and Neighboring Rights, Romania has joined a number of international agreements on the international use of mass media products.

The Romanian Television Society (SRTV) has concluded bilateral cooperation agreements with its partners from the following countries of the Black Sea region: Albania, Armenia, Bulgaria, Greece, Moldova, Russia and Turkey. Currently the SRTV is negotiating with partners from Azerbaijan, Georgia and Ukraine to conclude similar agreements. These agreements foresee exchanges on a reciprocal basis of programmes, television specialists, operator teams, broadcasting programmes on the event of the national days of the countries, providing technical assistance in case of special political, economic, social, cultural or sporting events etc.

Russian Federation

27. In Russia, there are about 20 laws that regulate different aspects of the mass media. The Constitution, adopted in 1993, guarantees the freedom of thought, speech, as well as mass media under Article 29 and prohibits censorship. The Law on the Mass Media came into force in 1992.

According to the Freedom House survey, there are about 6,000 newspapers and 4,000 magazines in Russia. About 80 percent of the newspapers and magazines are privately owned.

Among broadcasters there are several national channels. Public Russian Television (ORT) is received throughout Russia and parts of other post-Soviet countries; Russian Television (RTR) reaches most of the country, and Independent Television (NTV) can be seen in most of central Russia. In addition there are local channels throughout the country.

Turkey

28. The 1982 Constitution guarantees the freedom of the press. The Constitution stipulates that radio and TV stations can only be established by the State, and that their administration will be undertaken by an impartial public corporate body. The TRT had a monopoly in radio and TV broadcasts in Turkey until 1990 when private radio and TV stations were opened. Work on constitutional amendments and new laws concerning the legal establishment of private radio and television stations is almost complete.

At present, there are 29 national and 800 local newspapers, 34 national magazines, and 16 news agencies operating in Turkey. In addition to the Turkish Radio and Television Corporation (TRT) 16 national, 14 regional and 294 local TV channels and 20 national, 108 regional and 1036 local radio stations are in operation.

According to the records of the General Direction of Press Turkey has signed Programmes on Cultural Exchanges (including cooperation in the field of mass media) with Albania, Georgia, Romania and Ukraine. Preparations are in the way to sign such agreements with Bulgaria, Moldova and Russia.

The Anatolian News Agency has bilateral agreements on exchange of news with a number of the BSEC Member Countries: Albania, Azerbaijan, Bulgaria, Greece, Romania, Russian Federation and Ukraine.

Ukraine

29. Media in Ukraine are regulated by the 1996 Constitution and several laws. The 1994 Law on Television and Radio Broadcasting, the 1992 Law on Information and the 1991 Law on the Print Media create a comprehensive legal framework for the activity of journalists.

There are about 5,500 registered publications in Ukraine, 70 percent of which are co-owned by state entities. According to the European Institute for the Media, however, few Ukrainians read newspapers regularly. For many, radio and television remain the main source of information. There are 25 regional and two national state-owned television and radio stations, and over 70 commercial stations.

The development of the process of the Black Sea Economic Cooperation is given a permanent consideration in the Ukrainian mass media: on the National Television and in the central newspapers.

IV. COOPERATION AMONG THE NATIONAL TELEVISIONS OF THE BSEC MEMBER STATES

30. The BSEC Member States have already established different forms of bilateral and multilateral cooperation. Exchanges of television and radio programmes are as a rule included into bilateral cultural cooperation agreements.

31. National televisions of Albania, Bulgaria, Greece, Moldova, Romania and Turkey are active members of the Organisation of Public Televisions in the Balkans, in the framework of which the international consortium "Balkan TV Magazine" functions. Its programmes are being broadcasted monthly on national televisions of the Balkan region, and recently they have started to be transmitted on satellite.

32. Five BSEC Member Countries - Armenia, Azerbaijan, Georgia, Moldova and Russian Federation - are cooperating in the framework of Inter-State Teleradiocompany "MIR", which was established in 1992 by the Agreement signed by the Heads of the CIS States in Bishkek. At present "MIR" is broadcasting a daily program "Together" on the channel of the Russian Public Television (ORT), having duration of 26 minutes.

33. The national public/state televisions of the BSEC Member Countries cooperate also in the framework of the largest professional association of the national broadcasters in the world – the European Broadcasting Union (EBU) and other international organisations.

34. Since the process of economic cooperation in the Black Sea region is expanding its activities, the issue of promoting the BSEC image is acquiring a paramount importance. To this end the mass media have a leading contribution to make. It is essential that the mass media of the Black Sea region should have conditions enabling them to cooperate on a regular basis, as far as they can promote better understanding and mutual respect among the peoples inhabiting the region, thus creating the necessary background for political and economic cooperation.

35. Television is the most important source of information for the majority of audience of the Black Sea region. But at present important political, economic and other events, taking place in the Black Sea region are not covered at all, or poorly covered by the television broadcasters. As a result the image of the BSEC, PABSEC and other related bodies is rather poor.

36. There are state, public and private television institutions on the BSEC territory. National televisions, irrespective of their public or state nature, are the institutions that can assume the responsibility of informing the population on the developments in political, economic, social and cultural life of the countries of the Black Sea region.

37. The majority of the BSEC Member Countries are passing through a difficult transition. The lack of adequate financial resources is hindering the development and implementation of a project of cooperation among the mass media, and particularly among the national televisions.

38. On this ground the Romanian PABSEC delegation proposed to organise a meeting of heads of national public/state televisions from the BSEC Member Countries under the auspices of the PABSEC. This meeting could discuss the institutional framework of future cooperation. The Romanian Television Society (SRTV) has confirmed its readiness to host this meeting in Bucharest in the first half of May 2001.

39. Such cooperation will aim to provide the population with a wide range of news from the BSEC Member Countries, information on the main political, economic, social and cultural aspects of the Black Sea Economic Cooperation process. The information could focus on such events as celebration of national days, organisation of elections, participation in multilateral projects, activities for promoting the rule of law and the market economy, foreign policies etc. Each national television could produce periodical programmes regarding cooperation in the Black Sea region. This cooperation should be based on an agreement, stipulating the broadcast of such programmes on a "free of charge" principle, on a reciprocal basis.

V. CONCLUSIONS

40. The mass media are vital for the creation and development of a democratic culture in any country. They provide people with information, influencing on the processes of shaping of public opinion, attitudes and of making political choices. Therefore, the media must be free, pluralistic and independent, and at the same time socially accountable.

41. The media in the BSEC Member Countries have undergone a tremendous transformation over the last ten years. Most of the countries of the BSEC region are undergoing political, economic and social transition to the free market economy and democracy. The media are the part of this process of change. Transition has been engaged with by the media as both participant and active observer, experiencing and impacting on the process at the same time. The role of media over the past ten years

has grown in significance together with the growth of political parties, the diversification of political and social life and of the media itself.

42. Perhaps the most profound changes took place in legislation with regard to the media. Early legislative guarantees became enshrined into the new Constitutions and a flurry of decrees, regulations and legal acts followed over the next years. Every new Constitution enshrined the basic rights to freedom of thought and speech, free expression of views and ideas and dissemination of information. Each Constitution tended to support the individual's right to protect his honour and dignity. The major development since independence has been the creation of new media laws and the culture that has surrounded their implementation. Adoption of new media legislation is still in process and there is a lot to be done yet. For example, it could be noted here that not all the countries of the Black Sea region have adopted a special law for broadcasting.

43. The media market is in the process of development. Even the most commercially developed media markets are still unsuited to the creation of a stable environment for independent media activity. The state media are no longer the sole source of information. Most of the newspapers became independent during this period. But in reality the media in the transition countries remain largely dependant either on the state or on politically-motivated financial capital for survival, while financial independence is crucial for truly free media.

44. Many new publications were founded during this period. The variety of publications and broadcast media attached to different political interest groups offers a certain degree of plurality to the population.

45. As newspapers became more expensive and the purchasing power of the population dropped, people relied more and more on information they could receive freely from broadcasters, particularly from television, which is the most important source of information for the majority of audience of the Black Sea region.

46. The state broadcast media survived the process of transition remarkably well. On the whole, state television, in particular, continued to receive subsidy and support from the governments, which was a reflection of how important television is seen to be.

47. Development of cooperation in the field of mass media, and first of all among the national televisions of the BSEC Member States, will facilitate peace and international understanding, mutual respect and tolerance among the peoples inhabiting the region. Exchange of cultural programmes on the television would contribute to the better knowledge of one's neighbours and for the discovery of common cultural roots and similarities. Such cooperation will create the necessary background for further political and economic cooperation and prevention of conflicts.

