

Country Reports on Media

Republic of Macedonia (FYROM)

by Ilo Trajkovski and Snežana Trpevska

Human rights and media organisations in Macedonia

The present situation of human rights and media organisations in Macedonia is best described as a process of institutionalisation of the devotion of its citizens to the ideas on which such organisations are built, within the given societal milieu. Their place and activities cannot be dissociated from the awareness of citizens about the role of human rights and free media as normative concepts and generative principles of civil society and democracy. In this regard one could conclude with joy that the norm of human rights and free media is widespread in Macedonia. These ideas are declared in the constitution and made visible by the laws. As a result of this process there are many domestic and international organisations in the country who are active in the field of human rights, and the media has simply bloomed during the last few years. Yet, the conclusion is not so impressive in terms of the actual role and the record of human rights and media organisations in the field of education of human rights, and in fostering democracy and civil society. This is partly due to the fact that human rights and media organisations have to function within the impoverished civil society which is, additionally, coming out of very strong statist society. Within such a societal milieu, any human rights initiative that is not financially or otherwise supported by the state has limited influence and scope.

Within this general framework, the first part of the paper describes the organisations and activities in the field of human rights education; the second part deals with the organisational structure and activities of media.

1. Human rights: organisational structure and activities

For the purpose of this paper, human rights organisations are grouped in four general categories of organisations that are working in the field of education for human rights. The first category is composed of domestic NGOs that are registered and classified as primarily human rights organisations. The second category is composed of domestic NGOs whose interest and activities in the field of human rights are occasional and undertaken as supportive activities to their primary course of action. In the third category we include all international governmental and non-governmental organisations which directly or indirectly work in the field of human rights in the country. And the fourth category includes the domestic governmental and university organisations and programs.

In the first category, there are at the moment about 10 registered domestic non-governmental organisations which are directly active in the field of human rights. The number has doubled since 1995, when there were five registered human rights organisations. Among them the most active and publicly the most prominent organisation has been the local branch of the Helsinki Committee for Human Rights. This is the only organisation which is devoted to the monitoring and protection of human rights per se. The others human rights organisations from this category have a narrower approach. They are focused on monitoring and protecting human rights of specific citizens, socially or otherwise deprived¹. For example:

- children (four associations)
- "residentially discriminated citizens" (two associations)
- "persons whose rights have been discriminated by the Republic of Greece" or "Macedonians from the Aegean part of Macedonia" (two associations)
- self-supporting mothers and similar (two associations)

In terms of the type of activities, these organisations are focused primarily on monitoring, preventing and protecting of human rights. For that purpose they are oriented on individual cases of violation of human rights. They report about their findings into the media based on the data collected. Aside from that, the Helsinki Committee for Human Rights conducted two training seminars for lawyers interested in the protection of human rights. Some of these organisations also offer professional advice and help free of charge.

In the second category of organisations, fall about 35 citizens associations. They are not primarily human rights organisations, but various kinds of citizens associations that conduct human rights projects or programmes from time to time and in parallel or in support of their primary activities. The majority of these kinds of human rights programs are conducted by organisations working in the area of women's, children's, and minority issues. These organisations have better infrastructure facilities, higher membership, stronger enthusiasm, a more prominent public image, and are much better established than the above-mentioned, more specialised human rights organisations. Their weaker side is the usual lack of a high level of competence and very often ethnocentrism. The activities of these organisations are basically oriented towards popularisation of the idea of human rights. The most frequent form of action are human rights awareness seminars, workshops, and campaigns. Last year, on the behalf of the 50th anniversary of the UN Universal Declaration of Human Rights a few of these organisations arranged small human rights campaigns.

In the third category we have included a number of international governmental and NGOs that financially or otherwise support human rights projects and programs of the domestic non-governmental and governmental organisations. The oldest and most supportive organisation in this field is the Open Society Institute - Macedonia. Organisations of this kind active in the country are: the United Nations Center for Human Rights (UNCHR), the OSCE Spillover Monitor Mission, the Council of Europe Information and Documentation Center in Skopje (CoEIDCS), and the United Nations Children's Fund. There are also other international organisations in the country who occasionally support human rights programs and projects, such as the American Bar Association Central and East Europe Law Initiative, the National Democratic Institute, Centro Regionale d'Intervento per la Cooperazione, and others. The international organisations conduct their activities in co-operation and in partnership with domestic NGOs, the Government or with individuals and groups from the universities.

The Open Society Institute – Macedonia, has been the most supportive organisation to the fields of education and research oriented activities in human rights, civil society, inter-ethnic understanding and tolerance, as well as in many other relevant fields. The list of projects and programs made possible by the OSI-Macedonia grants is innumerable. The support is distributed through several, more or less specialised, co-ordinating units. Most of the domestic NGOs, universities, and even governmental organisations that conduct programs and projects in our field of interest are dependent on grants and other kinds of support from the OSI-Macedonia and affiliated organisations from abroad. To show the activities and results that have been made possible by the OSI in Macedonia one would need to conduct a case study, which is not our intention here.

The UNCHR works on developing human rights documentation centres and is active in human rights education. During 1995-96, in co-operation with the Ministry of Internal Affairs, the UNCHR organised two human rights seminars, one for police officers and one for high-ranking civil servants. In 1998, on the behalf of 50th anniversary of the UN Universal Declaration of Human Rights, the UNCHR offered 3 mini-grants in the field of human rights education. The interest among the NGOs was very strong. 24 NGOs applied, most of which were women's and children's associations. The three grants were given to children's associations and what is more relevant, two of them were given to associations out of Skopje – the capitol in which most of the funds and activities are concentrated.

The CoEIDCS was established in 1997. Since then it has primarily focused on the distribution of original or translated documents and other materials of the Council of Europe. For example, last year it translated the following titles:

- Law of the European Convention of Human Rights,
- Fundamental Social Rights, Case Law of the European Social Charter
- Ideas, resources, methods and activities for informal intercultural education with young people and adults – Education Pack.

The CoEIDCS co-operates with governmental institutions, many non-governmental organisations and individuals to whom it in 1998 distributed more than 120,000 copies of different documents of the Council of Europe.

The fourth category includes domestic governmental and university organisations and programs. By definition, the governmental organisations are expected to fulfil human rights education programs within the different sub-systems of formal education, i.e. the primary and the secondary education. Unfortunately, on the basis of the official reports of the Ministry of Foreign Affairs and the Ministry of Education, it is obvious that governmental educational institutions and organisations have very small records in education for human rights. Although the related laws and other general documents on primary and secondary education are very strongly and explicitly committed to the education of human rights, so far they have not yet been translated into effective national curricula for the classrooms.

The first, more serious, step in this direction was taken last year. Educational authorities initiated the development of civic education curricula for primary and secondary schools and development of the National Action Plan for Human Rights Education (NAPHRE). The activities in the sphere of civic education are conducted in co-operation with the PHARE VET integrated reform program and the university based Education for Civic Society – Action Project. Technical support for the NAPHRE is provided by the United Nation Center for Human Rights (UNCHR). Both activities are under way.

At the University level, human rights education plays a basic role in the professional training of social science students: first and foremost students of law, sociology, political science, and social work and policy. Several university textbooks and resources are available for students to study human rights. The idea of human rights is introduced through standard university courses such as Constitutional System and Political System offered by the Law faculty. Besides those three departments, the Faculty of Philosophy (Sociology, Social work and policy, and Defence studies) offer a more human rights focused course called Political Systems and Human rights. Another characteristic of university level human rights education is that it is dominated by the teaching about human rights model. There is only one initiative to apply the teaching in human rights model which means that students not only learn of human rights but learn through human rights actions and activities.

The latter model is a much stronger vehicle for fostering civil society. This is illustrated by the activities of the political science students association, Macedonian Political Forum. Its programmes, all of which are in the initial stage, are oriented toward the development of civic political culture, fostering civil society, and improvement of the inter-ethnic relations in Macedonia through active student learning. For those purposes they have created several programs, such as the Civil Centre, Inter-ethnic Phone, and Electronic Voting.²

2. Media organisations

As mentioned above, the media sector of Macedonian society has been rapidly growing. We could say today that Macedonian society is taking the right direction to establish a democratic media landscape. The organisational structure of the media reflects the social pluralism within

the civil society and the variety of ideas and opinions of the actors in the political arena. This is true for the broadcasting as well as for the printed media.

2.1 General media developments and the legal framework: 1991-1999

Until 1991, all print and broadcast media in Macedonia were state-controlled. The process of democratisation and commercialisation of the media environment started in 1991. As a general characteristic of the whole process of building up one's independence, it could be said that the new media haven't lead to the democratisation of the whole society, but have been rather used by the new political parties to fulfil their political goals.

In the field of electronic media this development was characterised by the chaotic and uncontrolled explosion of media outlets³. "In the short space of just six years, television in Macedonia has developed from a government monopoly of a single television channel, TV Skopje ... to a television environment which is the most deregulated (unregulated, chaotic) of all the former communist and socialist countries".⁴ Until 1998, there was no procedure for granting concessions for broadcasting and the great number of radio and TV stations simply mushroomed during this period. The enormous number of radio and TV stations for such a small country as Macedonia (population of 2,2 million) suddenly created a very specific situation in the Macedonian media landscape and influenced the whole democratic development of the country. In addition to the media diversification and increase in choice for the viewers and listeners, the main characteristics of this unregulated and chaotic media environment were the lack of professional standards in journalism of the new media, the low quality of content of the transmitted programmes, great number of re-broadcast international channels, illegal broadcasting of pirated programmes, etc.. The main part of the new electronic media have broadcast light entertainment programmes and music. Only few media, among them the most influential being the national public (but still state-controlled) broadcaster, have had their own informative programmes. The governmental control over the mass media was mainly exercised through the greatest informative power of the national broadcaster, MKRTV, the only one covering the whole territory. Two influential private televisions (A1 and Sitel) were founded, but were linked to major local businesses or affiliated with some of the political parties. However, in the first several years, they covered only small parts of the national territory.

The explosion of the electronic media has not been followed to the same extent by the number of the private print media. While the constitution has legally opened the space for appearance of new independent print media, in practice they have faced impossible conditions for exercising their independence and freedom to express different opinions. Namely, the main infrastructure and the distribution network for printed media is owned and controlled by the state enterprise "Nova Makedonija". This monopoly has enabled the state-controlled newspaper to cut the costs of printing newspapers or magazines and to reduce the prices of its own daily newspapers. A typical example of this unfair competition was the first alternative newspaper "Republika", which existed only six months. There were also several other attempts at publishing political reviews and magazines, but they failed to survive the high costs of printing imposed by the monopoly. The other reason for the non-competitiveness of the opposition print media, according to the opinions of the media analysts, is the lack of a "...suitably high professional quality, but also an appropriate technical and graphic design. This is partly due to the above-mentioned reasons (monopoly, high printing costs), but also greatly to the professional and organisational characteristics of the team which prepares and publishes."⁵

Numerous private broadcasting and print media had worked in an unregulated environment. New media legislation had not yet been passed and the old ones no longer pertained to the new media. The non-existence of independent and influential media and an appropriate media regulation which would foster and support their independence was, in a sense, favoured by the ruling political elite. Furthermore, an opinion prevailed that there is no need of any kind of regulation,

supported by the arguments that this would limit the general freedoms laid down by the constitution.

The new phase of development in the electronic media came in 1997. The legal framework of the broadcasting system, broadly established within the constitution, was further developed with the Broadcasting Activity Law approved by the Macedonian Parliament (and enacted in June, 1997), the Law on Establishing Public Enterprise Macedonian Radio and Television (regulating the remit and programming of the Macedonian Radio and Television as a national public service broadcaster) and the Law on Establishing Public Enterprise Macedonian Broadcasting (previously Transmitters and Links Department of the Macedonian Radio and Television). Other laws partly regulating the broadcasting system in Macedonia are The Telecommunications Law and The Concession Law.

The Broadcasting Activity Law regulates establishment and the concession granting procedure of commercial broadcasting companies and establishes the national regulatory authority, the Broadcasting Council, as an independent body representing the interests of the Macedonian citizens in the broadcasting field (Article 22, the Broadcasting Activity Law). The intention was to establish an independent broadcasting authority, according to the European broadcasting model which would be independent from the government and would represent a new beginning to regulation in this sphere. However, as stipulated in the Law on the Broadcasting Activity (Art.13), "broadcasting trade companies receive the concession for broadcasting activity from the Government of the Republic of Macedonia, upon the proposal from the Broadcasting Council, based upon an open competition (call for bids)". This provision was emphasised by the legal experts of the European Council⁶ as a matter of serious concern for including the government in the final decision-making on the broadcasting licenses allocation. This was later confirmed by the European Institute for the Media in D sseldorf as one of the main shortcomings of the Law: "The EIM recommends that more executive power be granted to the Broadcasting Council, specifically in the area of licensing. The Broadcasting Council has at present only the right to propose the granting of concessions (licenses) or closing of stations to the government, while final decisions remain in the field of the government's competence."⁷ The Broadcasting Council has also approved its own conclusions regarding "normative profiling of its independent position and decision-making competencies" (forwarded to the Macedonian Parliament) which would straighten its role as an independent body representing the civil society in the public sphere.

The newly established broadcasting authority has considered the chaotic situation in the media environment and made a decision to conduct an expert and transparent procedure for granting the first concessions in broadcasting. The Council approved, and proposed to the government to endorse the 140 applications for frequencies. Out of a total of 140, three concessions have been granted at the national level (two TV stations, A1 and Sitel, and one radio station, Radio Kanal 77). 80 radio stations and 57 TV stations have been granted local concessions. The whole process of development after the Law on Broadcasting Activity approval was described in the Report of the European Commission of October, 1998, as "...a satisfactory degree of pluralism in broadcasting".

However, the efforts the Broadcasting Council has made to regulate the preceding chaotic media development were mainly without result, because the pirate stations have not been shut down yet. They undercut advertising rates, exercising both an illegal and unfair competition against licensed stations, which have to pay concession fees. The piracy and low quality of content were still the main characteristics of the programmes on the air.

The only regulation pertaining to the print media sector is the 1974 Law on Public Information. The articles of this law referring to the broadcasting sector have been superseded by the Law on Broadcasting Activity. But, the 1974 law still regulates registration of print media outlets. A draft version of the new Law on Public Information was prepared in 1998, by the previous Secretariat of Information. After the parliamentary elections in 1998, the new government (composed of the opposition parties) transformed the Secretariat into the Ministry of

Information. The new ministry reconsidered the idea of a new Law of Public Information and a new version of the law is being drafted at the moment by the ministry. The very idea of regulating the sphere of public information reopened the debate on governmental influence on journalistic freedom and public opinion between the journalists and media analysts.

2.2 Number of media outlets and their structure

The situation after the concession-granting procedure conducted by the Broadcasting Council is quite similar to the previous one and could be best described as "crowded airwaves."⁸ At the moment, programmes are being legally broadcast by 2 private TV and 1 radio channel at the national level, and 44 TV and 70 radio channels at the local level, which makes a total of 117 private media outlets.

The public broadcasting sector consists of the three channels of the Macedonian Radio and Television (the first one being a national channel, the second transmitting programmes in minority languages, and the third one only re-transmitting foreign satellite programmes), 29 local public radio stations, and 7 local public TV stations. The public sector, especially at the national level, has been in a very difficult financial and economic state for several years. According to the new Law on the Broadcasting Activity, it's being financed by the broadcasting tax (61 percent of the collected broadcasting tax is intended for the national broadcaster), but its technological, professional, and other production capacities have been reduced due to the permanent financial difficulties. The Macedonian Parliament appoints the Director General of the Macedonian Radio and Television.

The economic/financial state of the private broadcasting sector could also be described as very difficult, due to the enormous number of TV and radio stations for the weak Macedonian economy, the continued work of the pirate stations, the unfair competition coming from the public sector, etc.. The ownership of private electronic media is entirely domestic. Some of the bigger media are linked to the local businesses (TV stations: A1, Sitel, Telma, Kanal 5, Skajnet etc) or have affiliations to the political parties.⁹

Between the second and the third parliamentary elections a lot of new independent and influential newspapers and magazines appeared, e.g. the dailies Dnevnik, Makedonija Denes (in Macedonian) and Fakti (in Albanian), weeklies and other magazines Denes, Start, Fokus, Forum, Zbor, etc.. The media expansion has been helped by the significant foreign support. Alternative media and those with an independent orientation received assistance (equipment, newsprint, and printing costs, training of staff) from SOROS, USAID, the European Commission and many other international and national sources. The existence of the independent print media was enabled by the building of two private printing houses which reduced the printing costs.

The newspaper publishing house "Nova Makedonija" publishes two dailies in the Macedonian language, 'Nova Makedonia' and 'Vecer', as well as the daily 'Flaka e Vlazerimit' in the Albanian language, 'Birlik', a Turkish language newspaper which appears three times a week, weekly magazine 'Puls', newspapers for young people, and the news agency publication MakPress.

The process of privatisation of the state-owned enterprise "Nova Makedonija" started in 1997, but the state still remained the biggest share holder with a 32 percent stake in the company. The company is now facing the most serious financial difficulties it has ever experienced. It is still a large monopoly, but all of its newspapers have a tendency to become independent entities. The government appoints the general manager of Nova Makedonija.

The competition between the state-owned and the private media (both electronic or print) has been very fierce since the appearance of the private media.

2.3 Media and Minorities

The Macedonian society entered into the process of building its democracy as a very complex social structure of multi-ethnic, multi-lingual, and multi-religious entities. "However, the most complicated and the most difficult case of transition is definitely that of the multi-ethnic societies... Therefore, it is precisely in such cases that the project of successful transition is under way ..., and the greatest responsibility of the international community is to support these projects."¹⁰

The multiple structures of the Macedonian society have been transposed into the promotion of the political pluralism since its early beginnings. For example, the two biggest ethnic identities in Macedonia have shaped the two biggest political clusters, the first one being Macedonian and the second being the Albanian political parties.

The constitution of 1991 laid down the basis for different ethnic entities to exercise their basic freedoms, their right to express, preserve, and cherish their national, religious, linguistic, and cultural identity. Different national minorities have the right to establish their own cultural, scientific, and other associations (Art.48 of the constitution). The Law on Broadcasting Activity provides the obligation of the public broadcasting enterprises that perform activities at a local level, for areas where members of nationalities live as a majority, respectively in a significant number, to also broadcast programmes in the languages of the respective nationality. The law also provides the right of the trade broadcasting companies, aside from broadcasting programmes in the Macedonian language, to broadcast programmes in the languages of the different nationalities.

Until 1991, the state also guaranteed media access to all nationalities living in Macedonia, within the programmes of the national broadcaster Macedonian Radio and Television (a certain number of hours of TV and radio broadcasting) and with the newspapers in Albanian (*Flaka e Vlazerimit*) and Turkish (*Birlik*).

The Macedonian Radio Television increased the number of hours intended for programmes of national minorities in 1993. Today, the Macedonian Television (on its second channel) broadcasts 17 hours per week in Albanian, 10 hours in Turkish, and 1 hour in Roma, Vlach, and Serbian.¹¹ The public local enterprises, in areas where members of the nationalities live as a majority, also broadcast programmes in the languages of the respective nationality. There is a total of 29 local public radio stations and 7 stations broadcast programmes in other minority languages (Albanian, Turkish, Roma, and Vlach).

But the main turn in the access of minorities to the media took place when numerous private media were granted concession to broadcast programmes in the languages of the different national minorities. The Broadcasting Council proposed, and later the government granted, concessions to 27 local commercial broadcasting companies (13 TV and 14 radio stations) which broadcast programmes in the languages of national minorities living in their area of coverage.

It has already been mentioned that the number of print media in other languages has also increased, especially in the last several years. Nowadays, besides the two daily newspapers within the system of "Nova Makedonija", there is also an independent daily newspaper in Albanian language, "Fakti".

The basic difference between the public service programming for nationalities and the one of commercial TV stations, is that commercial ethnic television provides content of specific interest and promotes the ethnic identity of a particular ethnic audience. "MKRTV's position espouses a project of intercultural understanding and the tolerance of diversity in the broader Macedonian community...Televisions at local, regional, and municipal levels produce their own programming orientation which at times is different from the goals of the Macedonian state and its policy of strengthening Macedonian national identity within a unity of all the nationalities" (Kolar-Panov, 1997: 80).

References:

Broadcasting Council (1998), The Bulletin vol.1, The Broadcasting Council of the Republic of Macedonia: Skopje.

Kolar-Panov, D. (1999) "Macedonian Electronic Media from 1991 to 1999", Paper presented at the Colloquium on Media Ownership and Control in East-Central Europe, in Piran, Slovenia, April, 1999, organised by WACC and EURICOM.

Secretariat of Information (1997) Internal Report on Public Information in the Republic of Macedonia, Government of Macedonia, March, 1997.

Vlada na Republika Makedonija, Zakon za radiodifuzna dejnost (Government of the Republic of Macedonia, Law on the Broadcasting Activity), Skopje: Služben vesnik na republika Makedonija vol.LIII, No 20, April, 1997.

About the authors:

Ilo Trajkovski is professor of sociology at the University of Skopje, Snežana Trpevska works with the Broadcasting Council of the Republic of Macedonia

- 1 Here the idea of deprivation is accepted as a subjective concept, i.e. as an expression of the self-identification of the respective categories of citizens.
- 2 Its Internet address is: <http://www.pf.ukim.edu.mk/mpf/>.
- 3 According to the former Secretariat for Information, in the period of 1991 to 1997, 210 radio and television stations were officially registered.
- 4 D. Kolar-Panov, "Crowded Airwaves: Ethnic, National and Transnational Identities in Macedonian Television" in *Programming for People: From Cultural Rights to Cultural Responsibilities*, ed. Kevin Robins, Report to UN World Television Forum, RAI, Curds&EBU, New York 1997: 77.
- 5 G. Drtkovski ed. *Zatvoreno opstestvo: Informiranje vo postkomunizmot (Closed Society)*, Forum za sloboda na informiranje i za demokratija, Skopje: 1994: 51.
- 6 Expertise on the Draft-Law on the Broadcasting Activity, Skopje, December, 1995, European Council.
- 7 European Institute for the Media (1999), Monitoring of the media coverage of the October-November, 1998 parliamentary elections in F.Y.R. Macedonia, Final Report, January, 1999: 51.
- 8 D. Kolar-Panov, 1997.
- 9 EIM, 1998: 23
- 10 Danailov-Frikovski, Lj. Sluzajot Makedonija: Modelot na meruetnikite odnosi vo Makedonija po osamostojuvanje, in *Forum Analitika*, Skopje, 1998: 40.
- 11 Source: MKRTV Department for Programme Analysis, December, 1998.