



**CIMC- 2006/5**  
**28 August 2006**

## **Independent Media Commission Broadcasting Policy**

### **Preamble:**

Based on Article 3.1 of the Law on the Independent Media Commission and Broadcasting, the Council of the Independent Media Commission (IMC) in accordance with principles of freedom of expression and in line with best European practices establishes the following Broadcasting Policy. This Policy shall determine the work of the IMC and form the basis for any decisions and rules issued. The Policy shall also form the basis for the operation of broadcasters in Kosovo.

### **Article 1. International Broadcast Standards**

This Broadcasting Policy follows recognized international broadcasting and human rights standards, with full respect for democracy and the rule of law and the protection of freedom of expression. The Broadcasting Policy is furthermore in line with the relevant legislation of Kosovo. The Policy shall be interpreted so as to ensure that its application maximizes the principle of freedom of expression in accordance with the guarantees of the European Convention for the Protection of Human Rights and Fundamental Freedoms. Regulation of broadcasting shall be based on the principles of objectivity, proportionality with any regulatory intervention not being more than what is needed to achieve the desired objective of broadcasting policy, and transparency.

### **Article 2. Generally Accepted Ethical Standards**

All broadcasting shall meet generally accepted ethical standards of quality, balance, objectivity and pluralism. The right of reply shall be respected by broadcasters. Favorable conditions shall be created for the development of a diverse range of both public service and private broadcasting. The importance of broadcasting for promoting democratic values shall be recognized.

### **Article 3. Intercommunal Dialogue and Service to Minority Communities**

The IMC shall particularly encourage broadcasting that promotes cultural and linguistic diversity, encourage inter-communal dialogue, promote the widest possible geographic distribution including encouraging regional television in every region and serve the Communities of Kosovo in the best possible way. The IMC shall prevent any use of broadcasting for incitement to hatred or the spreading of prejudices.

Programmes with a religious content may only be broadcast provided they do not portray one religion as superior to another and do not denigrate any religion, do not promote membership in any religious organization or contain political promotion messages.

The IMC shall encourage that every town, village or other concentration of a minority population greater than 500 individuals should have access to at least one private radio or television service of at least 30 minutes per day in that community's language, provided that applicants for licenses to provide such service meet the qualifications for a license.

#### **Article 4. Protection of Minors and Consumers**

Broadcasting shall encourage the protection of minors and consumer protection. Quality educational programming shall be encouraged. Broadcasting policy shall take into account the needs of the disabled and of other special groups to have access to broadcasting.

#### **Article 5. Promoting Public Access to Information**

Broadcasting shall contribute to ensuring access to information in line with best European practices and the relevant legislation of Kosovo.

#### **Article 6. Ensuring Fair Competition**

The broadcasting sector shall be pluralistic and based on fair competition. Broadcasting licenses shall not be issued to any government organizations or entities. The monopoly of broadcasters shall be prevented. International principles and relevant laws of Kosovo on intellectual property protection shall be applied.

#### **Article 7. Economic Sustainability of Broadcasting**

The financial viability and technical quality of broadcasting as well as the use of new technologies shall be encouraged. Regulation shall whenever possible be technology-neutral. Broadcasting regulation by the IMC shall create a clear and predictable policy environment in which broadcasters can plan investment and develop strategies.

#### **Article 8. Public Access to Major Events through Broadcasting**

The widest possible accessibility for viewer and listeners to events of major importance for society shall be ensured. The IMC Council shall determine which events are of such importance that they shall be accessible to all in accordance with law and European principles, including Olympic Games; World and European championships in football, basketball, handball and other sports which are traditional in Kosovo; International competitions which take place in Kosovo or with participation of a Kosovo team, major music contests and other events of particular interest to the national audience.

#### **Article 9. Promotion of Local and European Production**

The Broadcasting Policy shall have as an aim to promote local and European production of audiovisual works as well as works by independent producers. The IMC shall ensure that broadcasters include a proportion of such works in their programming in accordance with specific rules stipulated in the licensing conditions and dependent on the type of broadcasting license.

**Article 10. Implementing the Television without Frontiers**

The principles of the Television without Frontiers Convention and Directive that aim at coordinating national rules and removing barriers between countries in Europe, thus making broadcasting freely available regardless of national frontiers shall be applied whenever possible.

**Article 11. Entry into Force**

This Policy shall be applied as of 29 August 2006.

[Adopted on 29 August 2006]