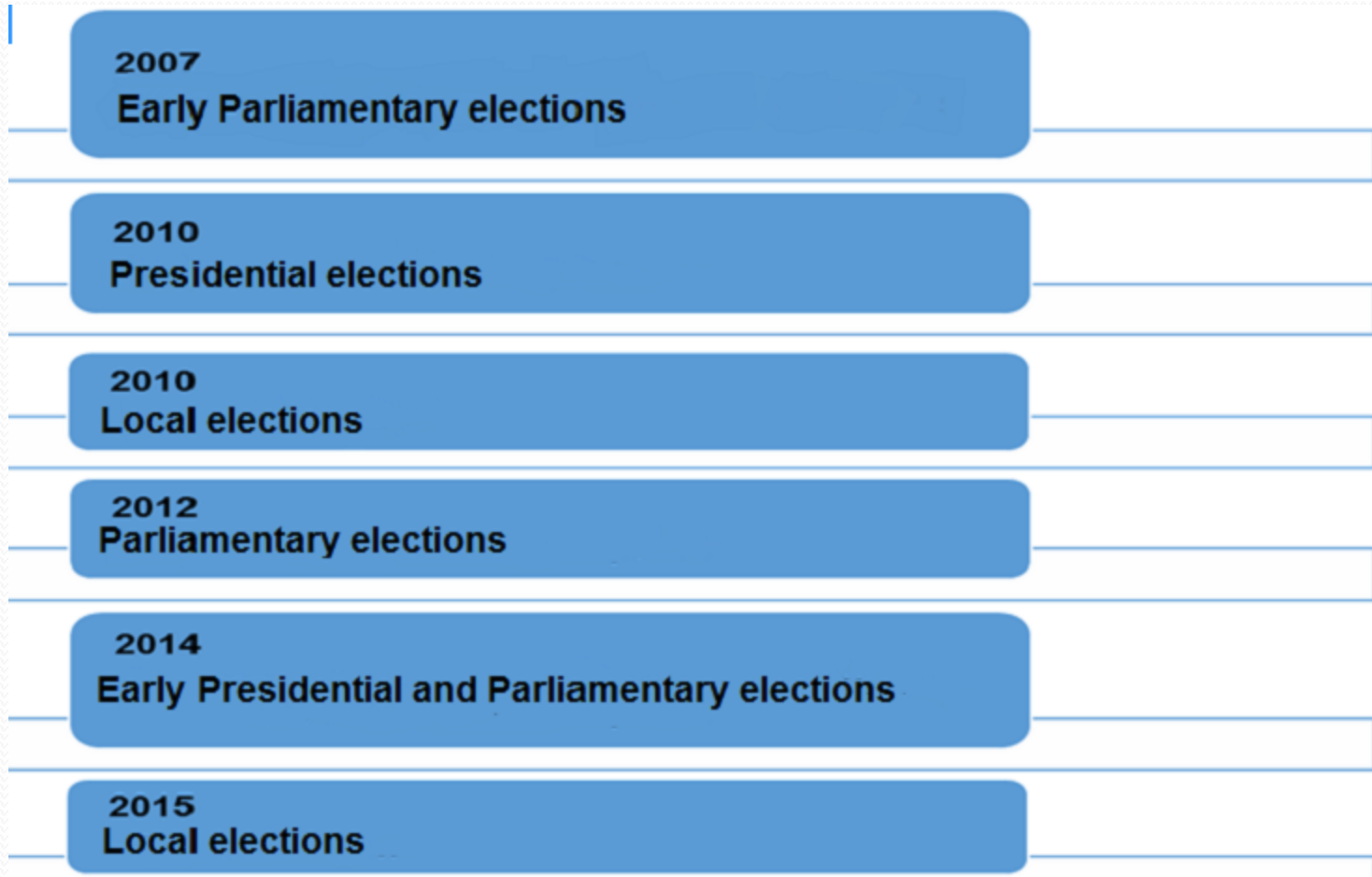


Media regulation during election campaigns in Ukraine

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The election campaigns in Ukraine (2007 - 2015)



Key principles of broadcasting during elections

- Ensuring unhampered performance of the mass media during the election period
- Absolute ensuring of constitutional guarantees for freedom of speech in Ukraine, free expression of views, opinions and convictions
- Ensuring pluralism of views in the materials of the printed and electronic media
- Equal access of candidates to the media

Powers of the National Council

Law of Ukraine “On Television and Radio Broadcasting”

- Control over adherence to and ensuring meeting the requirements of the election legislation

Special aspects of broadcasters performance during the election process are regulated by the election legislation

Law of Ukraine “On the National Council of Television and Radio Broadcasting of Ukraine”

- Supervision over adherence of the licensees to the procedures of broadcasting during election campaigns and referenda, informing the Central Election Commission and relevant territorial election commissions concerning violations observed
- Ensuring public availability of the report on adhering by TV and radio companies to procedures of broadcasting during election campaigns and referenda

Special election legislation

- TV and radio companies of all forms of property are obliged to provide the National Council upon the National Council’s requests with information related to airtime distribution for carrying out election agitation and, if required, the copies of relevant agreements, payment approvals and recordings of programmes (filmed or in other formats)

The main principle of the state involvement into the media performance during the election process is the maximum retention from interfering into the media activities

Role of the Media Regulator

- Monitoring of broadcasting airtime
(under the auspices of the Work Group established at the National Council)
- Analysis of broadcasting airtime of national TV and radio companies related to their adherence to the current legislation of Ukraine and observing elements of violations of the election legislation
- Sending relevant information to the Central Election Commission for the further relevant responding
- Cooperation with representatives of international monitoring missions (OSCE, ENEMO)
- Maintaining dialogue with senior executives of TV and radio companies related to the need to adhere to the election legislation and to ensure equal rights for the presence in the media for all political actors
- Presenting a report with results of media monitoring during an election campaign

Ensuring the media monitoring process during election campaigns

The National Council establishes the Work Group that involves representatives of:

- non-governmental organizations and civil society
- European institutions and organizations in Ukraine (Council of Europe Office in Ukraine)
- International monitoring missions (OSCE, ENEMO)

The Work Group acts guided by the principles of transparency and openness, objectivity and balance, readiness for discussions and debates.

Monitoring of TV and radio programmes

The main criterion and indicator of monitoring is the volume of airtime that is allocated to subjects of the election process, its quantitative and qualitative analysis

The quantitative analysis requires the answers to the following questions:

- Were there any cases of prejudice during the time which was dedicated to a certain person or organization?
- Were political entities provided with equal time allocation to cover their activities?
- Was one of the sides privileged in the time slot duration in comparison with the other side?
- Could this be justified by the significance of the news?
- Were there any cases of prejudice observed in general?
- Was one of the side covered in a better light than the other?

Monitoring of TV and radio programmes

Qualitative analysis evaluates the information:

➤ Issues selection

(Does the selected news material show any favour to any of the programmes of any of the parties, even if there is no prejudice?)

➤ Similarities in the style of coverage

(Is information concerning campaigns of different candidates provided in the same way?)

➤ Factor of the official position

(Is there a line in activities of a person related to his/her official position and his/her political performance)

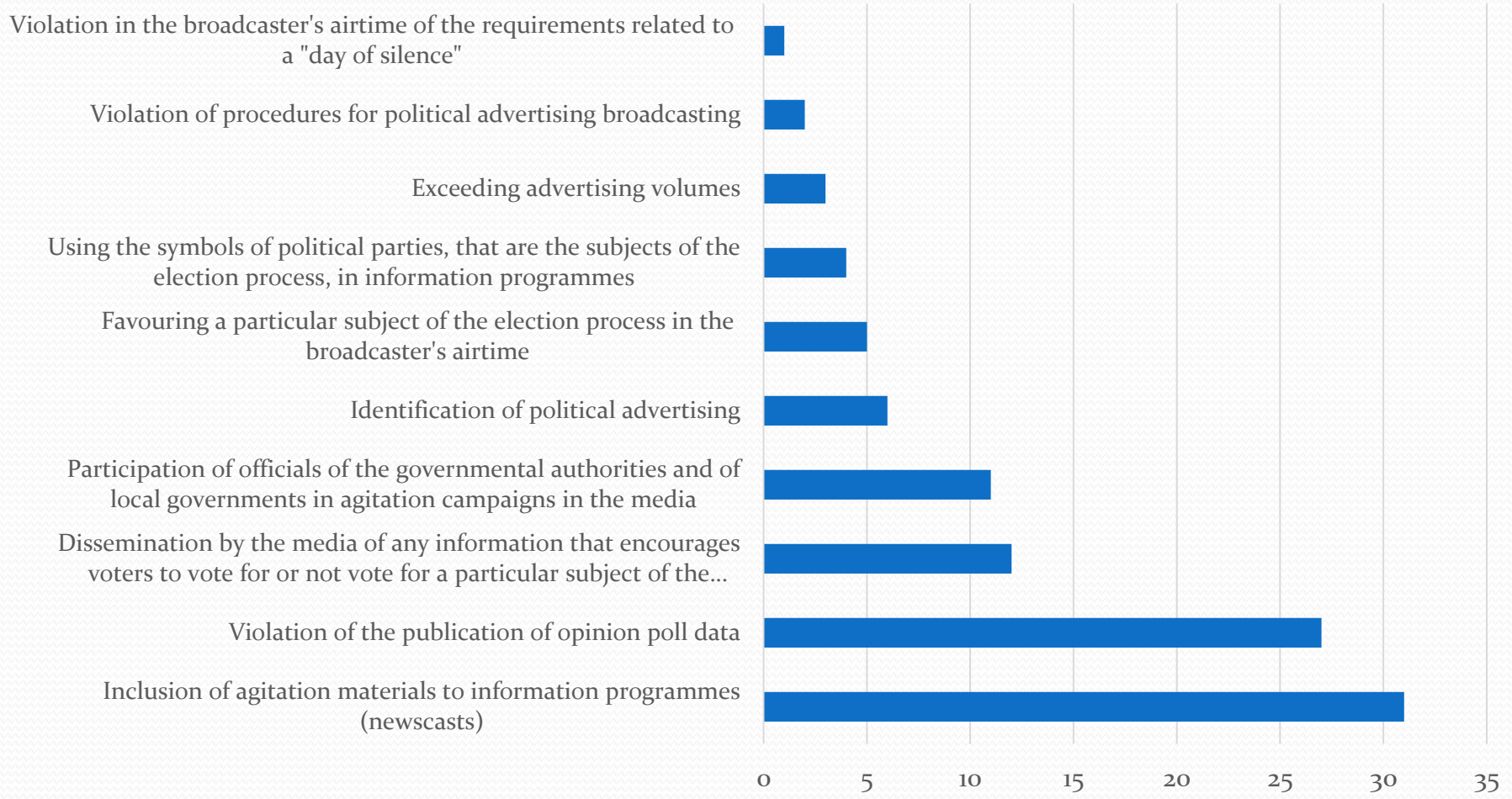
➤ Presence of provocative rhetoric

➤ Manipulative use of the film, images, sound

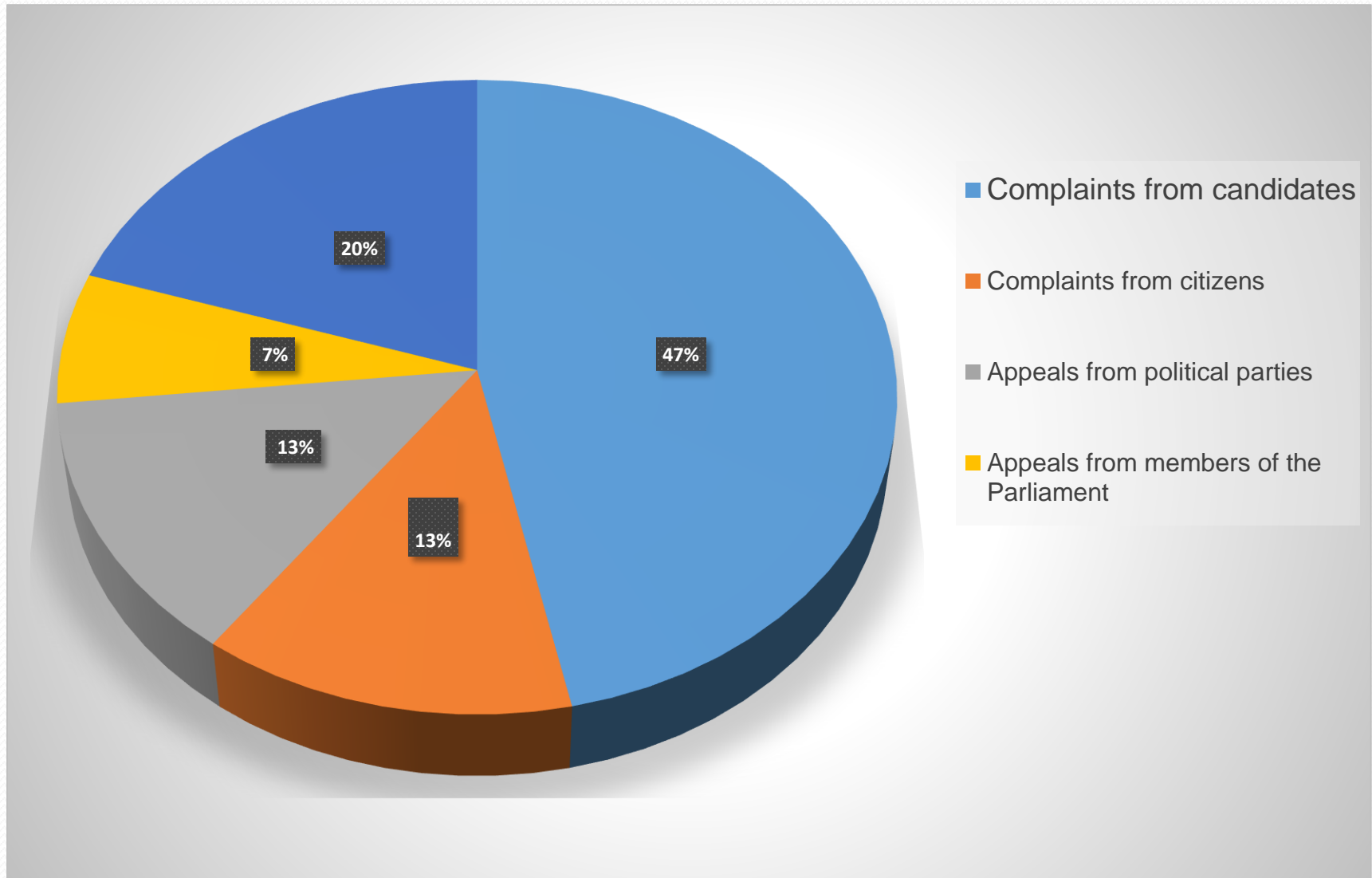
Monitoring of TV and radio programmes



Main violations committed by TV and radio companies



The campaign 2015 complaints



QUESTIONS FOR DISCUSSION

- Do the regulators need additional powers related to their participation in the election process?
- Is it reasonable to increase responsibility of the media for violations committed during election campaigns?
- What should the role of the regulator be like in ensuring balanced allocation of airtime in information programmes?
- Introduction of what measures for combatting hidden advertising is of efficiency?
- Would we have any positive changes if information on funding sources of subjects of the election process became open for the media?
- What should the system of measures on voters media literacy enhancement be like?
- Is it reasonable to continuously improve journalists knowledge related to election issues?



Thank you for your attention!

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