

# **FINAL MEDIA REPORT - OSCE/ODIHR**

## **Election Observation Mission deployed to observe the 2002 Parliamentary Election in Czech Republic**

### A. Supervisory Bodies and Complaints

The Council of Czech Republic for Radio and Television Broadcasting is state body established to license, regulate and oversee private radio and television broadcasters. It consists of 13 members appointed and removed by the Prime minister based on the proposal made by the Parliament, appointment shall be carried out immediately after receiving proposal.

The operations of public Czech Television are controlled by Council of Czech Television with composition of 15 members appointed by the Parliament.

The Council of the Czech Republic for Radio and Television Broadcasting didn't notice any complaints regarding the coverage of parties since the start of the campaign.

The Council for Czech Television received two complaints about elections related programs on Czech Television. In her complaint, one of the Coalition' leaders Hana Marvanova criticizes the fact that Milos Zeman, the incumbent Prime Minister, and Vaclav Klaus, the Chairman of the Deputy of Chambers, appeared in a talk show program Naostro only one week prior to the Election Day, which gave them an undue advantage in comparison to other parties, which did not receive a similar opportunity. The second complaint was filled by a citizen who complained about the general style of election related broadcasting on the Czech Television.

### B. Legal Framework

Several laws regulate the media coverage of elections. Charter of Fundamental Rights and Freedoms (Art. 17,3) prohibits censorship. The current Election Law [Art. 16,3] addresses to each of publicly funded broadcasters (Czech television and Czech radio) an obligation to offer a total of 14 hours free of charge between the 16th day and 48 hours before the elections among all parties registered with the SEC. The specific time and date is decided in a lot. Responsibility for the content of spots lies solely on the parties. The public media are not allowed to interfere with them at all.

Broadcasting Act (passed in 2001) as a general law for electronic media obliges [Art. 31-2,3] the media to provide objective and balanced information and forbids preferential treatment of any political party. Article 48-1d expressly prohibits religious and atheistic advertising as well as advertising of the political parties and independent candidates unless the special law specifies otherwise (the special law is in this case Election Law). The penalty for violation of these obligations is set from 5 000 to 2,5 million Czech crowns. Since the Election law has no provisions for campaign advertisement on non - public TV and radio stations, private electronic media are according to Broadcasting Act prohibited from running such ads. The private electronic media are only allowed to have election related issues in the framework of their usual reporting (debates, interviews etc.) and to cover campaign in their news and current affairs programs.

On the contrary, the print media are allowed to offer paid political advertisements without any restrictions.

Overall, the legislation, which regulates the media coverage of the election campaign didn't change since last elections and still enables to disseminate contestants' messages in a wide range. The ban of party advertising in private electronic media remains. According to opinion of analysts and experts might disadvantages of it (giving the unfair advantage to those parties who can purchase important amounts of airtime) still prevail over advantages (opportunity to provide for political forces to widely disseminate their messages).

### C. Media Landscape

The electronic media sphere consists of four nation-wide terrestrial television channels: Czech Television (public broadcaster funded from a licensee fee and advertising revenues, consists of two channels); TV Nova (the most popular private channel); and TV Prima (another privately owned broadcaster). Together, these stations draw 96% of the national television audience. Other electronic media in the Czech Republic include publicly funded Czech Radio and many private channels broadcasting on national (radio) and predominantly on lower levels (both television and radio).

With regards the print media the major national are due to their readership and influence as follows: Mlada Fronta DNES, a center daily with circulation of 300,000 issues a day; Blesk, a daily tabloid with circulation around 340,000 issues a day; Pravo, is a left-of-center daily with circulation of about 200,000 issues a day; Lidove Noviny, a right-of-center daily with circulation of some 95,000 issues a day; and four weeklies - Sunday's Blesk, Reflex, is a society middle-age oriented; Tyden, oriented primarily on politics related stories; Respekt, analytical one. Foreign owners (especially from Germany) hold majority of the Czech newspapers except of the Pravo and network of local papers - Bohemia Dailies.

### D. Media monitoring

The OSCE/ODIHR EOM conducted qualitative and quantitative analyses of three television channels (Czech Television, TV Nova and TV Prima) between 17 May and 13 June. The print media outlets include four dailies - Mlada fronta DNES, Blesk, Pravo and Lidove noviny and four weeklies - Sunday's Blesk, Respekt, Reflex and Tyden. Monitoring focused on the main newscasts as well as on the current affairs programs including political talk shows and special editions of the election related programs. In particular, the EOM will also monitor whether the publicly funded television adheres to its legal obligation to provide balanced coverage and free time to all registered political parties.

The basic monitoring criteria included time and space given to the parties, candidates and other relevant political subjects, the manner in which the subjects were portrayed and might appearance of the media effects or bias news items (hate-speech).

#### *I. Television*

Based on EOM monitoring, the election campaign has been rather low key, characterized by a limited presentation of the political parties' views. A significant portion of time and space was devoted to activities of the Government, although this was mainly neutral in content. Given the restrictions on paid political advertisement, the bulk of the coverage of political contestants was on the prime time news and current affairs programs, including special election-related talk shows and debates.

Whilst the predominance of prime time news and political programming on public channel CT 1 was

dedicated to the government (35,6%), it remains overwhelmingly neutral in its content. As for the political parties, the ruling Czech Social Democratic Party (CSSD) received 9,4% of mainly neutral coverage. It seems to be an effort to accent governmental activities with reduction of ruling party time. By comparison, the largest opposition party, the Civic Democratic Party (ODS) accounted for 20,5% and the tone generally remained neutral with a certain number of negative references (the ratio between positive and negative references was 1:6). The Coalition presentation was on the level of 10% (practically some portion was given to the incumbent president) and Communist Party (KSCM) in 5,8% of the prime time news coverage, both almost only in neutral manner. In addition, the Czech Television produced a special edition of permanent political programming Without immunity – Elections 2002. The program composition was perceived ambivalently because of participation system. The permanent opportunity to express messages was given only to four parliamentary parties and two other non-parliamentary participants were drawn. The rest of political parties were could have their representatives in the audience and speak if asked by the moderator. On the contrary, it was only one program enabling the smaller parties to introduce themselves. Czech Television and Czech Radio fulfilled obligation to grant free time to all registered political parties since May 29 to June 11, 2002. A total of 14 hours have been allocated evenly to the parties for their messages, which last 1-2 minutes. These political advertisements were broadcasted in different way on public television and public radio. The public Czech television brought the spots each day (except Sunday) at beginning in mid-afternoon a straight 75 minutes, when viewer-ship is on the lowest level. It seems to be the formal application of law requirement without any particular effort in enabling the contestants to disseminate their messages to public. Public radio, in comparison, faced to the obligation in more appropriate way by allocating the spots in the blocs during all of the day from the early morning to the latest evening. Generally, the private broadcasters seemed to be more active in covering certain aspects of the campaign with more colorful coverage in election-related stories than public CT. Both TV Nova and TV Prima conducted permanent weekly discussion programs included two parties' representatives. During whole period were invited only four major party with clear dominance of CSSD and ODS (also KSCM was significantly presented in TV Nova program). More specifically, the way they reflected a campaign period was relatively similar, devoting most time to the government with 28,5 on Nova and 24,1% on Prima news in predominantly neutral tone. Regarding the parties, the coverage of both private channels brought almost the same picture featured ODS with the most time followed by Coalition and CSSD. In contrast to public television with balanced information, however, the parties were treated with slightly positive portrayals (besides CSSD on TV Nova).

## *II. Print media*

Due to the different nature of the print media and the broadcast media, the press is free to have a distinct political leaning.

The print media are not restricted from carrying paid political advertisements – provided the conditions for all political parties are equal – which resulted in a wider and more diverse coverage of the political views. The parties took full advantage of paid political advertising to present their manifestos in several newspapers. The print media in general offered readers a diverse range of views and have so far served as a more comprehensive source of information. Unlike the electronic media, the papers have published much more information about the smaller parties, thus providing the voters with variety of views. The spectrum of serious press coverage has included 25 of the 28 registered political parties, with a dominant coverage of ODS in almost all the major publications (except Pravo). Most parties have been generally presented in a neutral or negative manner, with slight positive coverage about government and ruling CSSD in Pravo.

In the course of the campaign, there was a remarkable appearance of election-related advertisement

published in Pravo, where the sexual tabloid Hustler offered 1 million Czech Crowns (approximately 33 thousand Euro) for information about a sexual or corruption scandal of any known politician. Consequently, the defamation letter about one of the Coalition leaders H. Marvanova appeared in Hustler`s June issue. The style of information resembled a material, which had been distributed among journalists in the middle of the campaign. The advertisement and defamation materials about one of the key Coalition` leaders were considered as slander. However, the media refused to publish such material and the journalists who wrote the article released in Hustler, were fired from their newspaper Lidove noviny.

The all of the weeklies brought very similar picture of campaign related stories, with dominance of ODS (except Reflex giving more space to Coalition) with predominantly neutral and negative featuring of the contestants. Tyden introduced all of the running parties in special related edition.

In general, the tone and content of campaign coverage in both electronic and print media was reasonably balanced. However, more specifically both the electronic media and print media were quite selective in covering only the activities and views of the main four contesting parties - ODS, CSSD, Coalition and KSCM, especially on the pre-election campaign beginning.