**MEDIA IN ELECTION CAMPAIGN**

Relation between political parties and media during election campaign, but also after the election campaign, has systemic problems that cause both sides to violate regulations.

* Borrowing of political subjects and returning of debts and credits is not regulated,
* Debts to media violates principle of advertising under equal conditions,
* Ruling parties are in advantage thanks to concealed advertising through officials' activities,
* Media keep their positions depending on hidden centres of power due to non transparency of data on biggest advertisers and financers.

Transparency - Serbia initiates overcoming of these problems by changing regulations, with hiring Republic Broadcasting Agency and Anticorruption Agency, and creating of conditions for leading election campaign where all participants will truly be equal, incomes and expenditures for campaign financing are completely available to public, and media financing is transparent.

**PARTY ADVERTIZING DEBTS**

Total reported expenditures during election campaign in all levels in 2012 were approximately 3,5 billion RSD, where almost three quarters, which is almost 24 million euros, spent to advertising. Not all expenditures, however, were covered by incomes and several political subjects remained in debts, or covered their expenditures with credits.

In both cases matter of **returning of debts and credits – from which ever source this money is to be returned, that will not be presented in** (already submitted) **reports on campaign financing, and political subjects can happen in a situation to violate the Law on Financing of Political Activities. In case the creditors write off debts, that would de fakto become campaign donations, that in certain cases could be un allowed for exceeding the limit or other legal limitations**.

Especially controversial are debts towards media, that make most of the after election 2012 debts. Namely, General Obligatory Guidelines of Republic Broadcasting Agency prescribes that media should provide to all political subjects the same *financial and technical conditions of* advertising. In a situation when certain political parties timely pay for advertising space offered to all on same prices, and some are alte for years, clearly the conditions are not the same for all. This way media are brought to situation to violate regulations.

Transparency Serbia therefore thinks that it is necessary to resolve this matter, with joint initiative of RBA and Anticorruption Agency. TS standpoint is that the best solution will be to **limit all payments by the expiration of deadline for submitting of reports, 30 days after the elections**. Besides that, it is necessary to provide mechanisms so that media can charge their debts from parties or marketing agencies that rent space on their behalf.

Examples from round tables organized by TS in ten cities in Serbia during July 2013 confirm that media hesitate to sue political parties – debtors, not only in fear of political power personalized in political parties but also for economic dependency. Although, namely, parties are debtors, election campaigns represent potentially significant source of incomes to impoverished media that function in poor economic environment.

**TRANSPARENT DATA ON MEDIA OWNERSHIP AND MAIN FINACERS AND ADVERTIZERS**

Precisely that financial dependency of media from parties that advertise during campaign or large marketing agencies and/or incomes from public sources (contracts with authorities on special media services, and other forms of direct and indirect financing) in mid-election period is a confirmation that Law on Public Informing and Media **is necessary to regulate matter of transparency of ownership and main advertisers and media**. Text of the Law on Public Informing and Media that was in debate in spring 2012 contained certain basic provisions on transparency of ownership, but left out provisions under which register would enlist data on main financers and advertisers. Those provisions (that existed in the model law 2008) were left out because working group hasn’t accomplished consensus on that matter. Obligation to make such important aspect of potentially corruptive behaviour to media more transparent **was enlisted into text of Action Plan for implementing Anticorruption Strategy**, with full consent of working group that made final draft version of Action Plan**. From final text that was, afterwards, presented to public, lefts out**, however, that important annotation. **Measure that envisaged changes of the Public Procurement Law to introduce implementing of public procurement for media space was also left out**, to prevent discretion deciding of officials on indirect media financing with money from public sources. Besides pointing out of TS, Anticorruption Agency and media representatives in working group, still isn’t communicated whether these provisions were returned into final text of Action Plan.

**CONCEALED POLITICAL ADVERTIZING**

TS considers that it is necessary to regulate one more area that in campaigns leads to provisions on equal presenting of all election participants violation.

Monitoring of 2012 elections by TS showed that highest state officials were in average 2,4 times, or 140% more active compared to the same period in previous year, while level of activities was decreased in only three out of eighteen monitored cases. Activities of President of the republic were increased five times, National Assembly president eleven times, Minister for Infrastructure – sic times, and public enterprise “Srbijagas” Director – seven times.

This indicates to **intentional organizing of promotional activities in election campaign period during performing of public function**. None of these activities and related expenses can not be found in election campaign financing reports. To prevent these phenomenon, TS thinks it is **necessary to undertake appropriate steps, whether through changes of the law that would provide control of public officials activities (prohibition of promotional activities of public officials during election campaign period) or changes of media legislation (by introducing prohibition to media to report on such promotional activities, when it comes to performing of state job)**.

*These data are colected as part of the project Monitoring of Election Campaign Financing impplemented with the support of International Foundation for Electoral Systems, as well as regional research of Transparency International CRINIS.*