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Myanmar: Analysis of Broadcasting Law Released

The Centre for Law and Democracy (CLD), with the support of International Media Support (IMS), has released an Analysis of Myanmar’s Broadcast Law, adopted in August 2015, to feed into the Myanmar Media Law Conference: Challenges to Myanmar’s Media Landscape, which will take place from 19-20 March. The Analysis notes that the Law goes a long way towards bringing the rules in Myanmar into line with international standards. It also points to a number of areas where the legal framework could be improved, either by adopting strong implementing regulations or in some cases by amending the Law.

“This Law has created a positive framework for the regulation of broadcasting, promoting international standards such as independence, diversity and fairness,” said Toby Mendel, Executive Director of CLD. *“At the same time, there is a need for further legal development, much of which can be done through regulations, to advance the development of the broadcasting sector in the country.”*

Some of the positive features of the Law are that: it was adopted through a consultative process; it creates an independent Council to regulate broadcasting; the licensing system is based on principles of competition and fairness; it includes a range of measures to promote diversity in broadcasting, including by recognising public service, commercial and community broadcasters; and it puts in place a fair and consultative process for promoting professionalism in the sector.

At the same time, the Law fails to address the transition to digital terrestrial television and recognises broadcasting which is controlled by government rather than being independent. The Analysis also puts forward recommendations to further bolster the independence of the regulator and to improve the rules on concentration of ownership of the media, as well as to introduce some technical improvements to the Law.

The Analysis is available at: www.law-democracy.org/live/myanmar-analysis-of-broadcasting-law-released/.

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