

Doc.22/2017

**46 GENERAL ASSEMBLY OF THE  
INTERNATIONAL ASSOCIATION OF BROADCASTING - IAB  
BUENOS AIRES DECLARATION  
Principles and Criteria of IAB Doctrine for Private Broadcasting**

The private broadcasting system that has operated in the Americas for over ninety years has served as an instrument for strengthening Freedom of Expression and Democracy.

Broadcasting is a medium that offers information and entertainment, whose scope of population coverage is unmatched by any other social communication media, which is especially valuable in emergency situations or natural disasters.

Radio and Television are free broadcast services and their reception is free of charge, reaching all social strata without distinctions or differences of economic, social or any other type.

Broadcasting media have a key role in the production and distribution of national and local content.

Related to the abovementioned, they are also a sector of activity that create thousands of jobs, many of them with high technology and training level.

In the current context of multiple information sources due to technological advances, formal media such as Radio and Television are guiding lights to separate true news from false, erroneous or inaccurate ones.

Radio and Television are, above all, essential for the free flow of information, ideas and opinions within societies, as well as proven ways to denounce the violation of other fundamental rights and acts of corruption.

This document seeks to gather some criteria and principles to guide the government policies of the countries in the field of broadcasting services.

- On the need to promote broadcasting as a private and free activity:

Despite the enormous advantages that the existence of a system of free and independent private media involve for democratic regimes, some governments of the region have disregarded the implementation of true measures for the promotion and development of these, and on the contrary, they have focused their attention on increasing regulation, responsibilities, obligations and charges on their activity.

In this sense, it is necessary to be aware that the economic reliability of broadcasting media allows them to develop their activity independently and without any kind of subjection to other centers of political or economic power that work in societies, including the State, which results in the full exercise of Freedom of Expression and information.

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On the other hand, Governments must understand that in a connected world and with multiple information sources, the formal media, those who support each content with their reputation, credibility and responsibility, such as Radio and Television, are the main mechanisms of defense for societies against misinformation and fake news.

- On the operation of large international content distribution corporations:

IAB General Assembly has reported the enormous disparities existing in the regulatory treatment of the local and national radio and television operators, with respect to the different platforms that offer audiovisual content mainly through the Internet, operated by large transnational companies. In some countries, radio and television have suffered a significant increase in different types of obligations, such as extended child protection hours, compulsory national and local production quotas, confiscation of spaces in favor of the State and Political Parties, mandatory national network, increase in fiscal and labor taxes, restrictions on commercial advertising, among others. Large transnational companies do not have such charges.

If it is not feasible in some cases or it is difficult in others, to regulate the platforms of foreign content that offer services in our countries, it is imperative to make the obligations and restrictions that weigh on the activity of national and local private stations more flexible, in order to favor a system of more equal and balanced competition.

The regulators and governments, when implementing public policies, must take into account the experience of broadcasting concessionaires, as it is an activity of public interest.

- On the restrictions on the advertising of products and services on Radio and Television:

IAB doctrine establishes that "Freedom of Commercial Expression is not, nor can it disregard, the freedoms that make up the selective rationality of people to make their own decisions. Advertising as Free Commercial Expression plays an important role in allowing economic self-sufficiency of the media because without financial autonomy there can be no independent media. "

In the same sense, IAB Declaration "60 years" established that "Prohibitions to the advertising of products and services legally produced and offered, restrict Free Commercial Expression".

The existence of private entities consisting of the various actors that make the advertising chain, such as the media, advertising agencies and advertisers, which put into practice voluntary self-regulation policies, can be an appropriate mechanism to address these issues.

On the other hand, it is proven that the only result of the ban on advertising on Radio and Television is the migration of these investments to other platforms, further weakening the national and local media.

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- On the role of public-state owned media:

As established by Base I of IAB Uniform Legislation for Broadcasting, "Broadcasting, because of its informative, cultural and recreational aspects, is an activity of public interest".

In addition, Base II states that, "Broadcasting is, by its nature, a private activity. Exceptionally, a limited number of channels may be previously set aside for them to be operated by the State or by persons of Public Law.

And adds "Because commercial activity is reserved for private initiative, the State or persons of public law who operate broadcasting stations may not exploit them commercially"

The point is to prevent unfair competition from the public-state owned medium, which receives public funding to cover its budget and so it has enormous advantages to access the advertising market, thus affecting the only income available to private media for its maintenance and development.

- On the defense of the radioelectric spectrum allocated to broadcasting:

The process of digitalization in broadcast television that the countries of Latin America are going through represents a great challenge and also an opportunity. The possibilities for operators are multiple and the audiences are the main beneficiaries of this new technology, with a clear improvement in the quality of the image, sound and mobility.

However, in different international arenas and in some countries, the possibility of removing part of the frequency band currently allocated to broadcasting is being discussed, citing a supposed "Digital Dividend" that is not such, to allot it to other communication services.

Instead of discussing whether or not part of the radio spectrum that is currently allocated to broadcasting should be removed, the feasibility of allocating new bands to be assigned to this vital service, which, since it is free-to-air and has free reception, benefits the entire population and especially the least favored ones.

The possibility that the audiences benefit from an image quality highly superior to the one they currently receive, through the digital television service in "High Definition", 2 K, 4 K or even 8 K, will depend on the fact that the allocation of spectrum for broadcasting is maintained and increased.

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- On the right of broadcasters over their broadcasts.

Broadcasting requires a permanent effort to prepare and present a programming schedule that, with resourcefulness and creativity, captures the interest and is valued by the audience.

Broadcasters, authentic producers of content, require the urgent approval of a new International Treaty at the level of the World Intellectual Property Organization that effectively protects the right of Broadcasting Organizations on their broadcasts against piracy that is carried out through the new technological platforms.

Ultimately, these contributions seek to achieve policies that enhance the work, productivity and multiplier effect that the national radio and television media of each country have in their respective societies.

Buenos Aires, November 3, 2017.