

MEXICO - Controversial Law Approved by the Senate to Benefit Media Giants (by Diego Cevallos, IPS)

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IPS - The Mexican Senate gave in to the pressure of media giants Televisa and TV Azteca, approving reforms to the country's broadcasting laws that will strengthen the broadcasters' influence.

That is the view shared by a number of legislators, observers and representatives of community and cultural TV and radio stations, who along with government officials and even the United Nations called for the reform bill, which made it through Congress unusually fast, to be voted down or modified.

The bill passed the lower house in December, and was approved Thursday by the Senate, in the midst of the campaign for the Jul. 2 presidential elections.

Televisa and TV Azteca, which dominate the airwaves with more than 95 percent of the viewing audience, carry virtually all of the candidates' campaign spots.

Televisa, which is run by the Azcárraga family, has a corner on 60 percent of the advertising market in Mexico and operates 225 television channels. TV Azteca, belonging to the Salinas family, has 42 channels.

Seven out of 10 viewers in Mexico watch channels belonging to Televisa, while two out of 10 watch TV Azteca channels.

After President Vicente Fox signs the bill into law, which is considered a given, stations that have already been assigned a frequency will be able to branch out into digital services of all kinds, simply by notifying the government, while potential new competitors will have to participate in public tenders to obtain additional spectrum.

Educational and community media sponsored by the government, municipalities and public universities, as well as independent community radio stations, are not even mentioned by the new law.

The bill, which overhauls a media law that dates back more than four decades, also creates a committee that will study the applications and oversee the bidding for the new frequencies, which will go to the highest bidder. The members of the committee, who will serve for eight years, will be named by the president.

Under the existing legislation, the president directly hands out concessions by decree. But according to the new law, the committee will issue its opinion, although the Secretariat of Communications will have the final decision over broadcasting concessions.

Media expert Néstor Cortés told IPS that "the state relinquished its control to the broadcasting powers-that-be, which must now be celebrating, sure that no one can stop them or their interests."

On Wednesday, public radio stations played the same song over and over again, interspersed with messages like "to live in a country without pluralistic media would be like listening to the same song all day long."

On Monday night, a few hours before the bill was approved by two key Senate committees on Tuesday, the Televisa and TV Azteca newscasts included editorials defending the broadcasting reform, and complaining

that they had been the targets of unfair criticism from parties defending questionable interests.

Several of the lawmakers who tried to block the new law said they would not give up the fight and would file a lawsuit before the Supreme Court arguing that the reforms are unconstitutional.

Even government bodies and officials lashed out at the new legislation, which was approved in the Senate late Thursday by a vote of 81 to 40, with four abstentions.

The independent Federal Competition Commission - the antitrust commission - said the reforms "do not ensure the effectiveness of services, nor do they prevent the concentration of the allocation of broadcast spectrum."

The government's Indigenous Peoples Commissioner Xóchitl Gálvez said that among the bill's serious shortcomings was the fact that it neglects indigenous and community radio stations.

The autonomous Federal Electoral Institute (IFE) also criticised the new legislation. Under the law, candidates running in any election will be able to directly hire airtime for their campaign publicity, which runs counter to electoral laws which stipulate that only political parties can do so, under IFE's supervision.

The Mexican office of the United Nations High Commissioner for Human Rights also added its voice to the fray. In a statement, it urged lawmakers to keep in mind the fact that Mexico has signed international conventions opposed to monopolies and that promote democratic access to the airwaves.

Aleida Calleja, representative of the World Association of Community Radio Broadcasters in Mexico, said the legislators passed a law "that benefits just a few, based on the most anti-democratic criterium: profit."

The Fox administration kept mum on the congressional debate on the bill. And while the political parties were split internally, a majority of their legislators voted in favour of the reforms.

Two members of Congress consulted by IPS said the big broadcasters used both open and covert pressure tactics to prevent the original version of the bill from being modified.

The lawmakers, who asked not to be identified, said the media giants threatened to stop carrying the presidential candidates' campaign spots if Congress failed to pass the new law.

Sources cited by the local press stated earlier that part of the bill was actually drafted in Televisa's law offices, and that from there it was submitted to the Chamber of Deputies.

First it sailed through the lower house committees without debate, before reaching the plenary session in December, where it was approved unanimously, without discussion, in a mere seven minutes.

Today, many legislators say they regret having voted for the reforms, and that they had not read the bill but merely followed instructions from their parliamentary leaders.

Leftist presidential candidate Andrés López Obrador, the front-runner in the polls, urged the Senate Tuesday to postpone the vote on the bill - dubbed by the local press the "Televisa law" - to allow it to be debated more extensively.

"What's the hurry?" asked López Obrador, the candidate of the Democratic Revolutionary Party - although he had remained silent on the bill since December and had never before suggested that it be debated in greater depth.

His two rivals, Felipe Calderón of the conservative governing National Action Party (PAN) and Roberto Madrazo of the Institutional Revolutionary Party (PRI) (which ruled Mexico from 1929 to 2000), made no comment on the bill, and simply called on legislators to vote according to their "conscience."

Cortés said "There is evidence as well as several 'coincidences' that indicate that all of the political parties and the government bowed their heads to allow the 'Televisa law' to pass, which demonstrates that the TV stations have power that goes beyond the state."

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