Three Decades Later

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Imprint

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Preface

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Dear readers,

It is now more than 30 years since a historic wave swept over Central and Eastern Europe and wiped away the old socialist regimes of injustice. The clearing waters of freedom spread faster in some countries and more slowly in others. The old structures were wiped away everywhere, but the new ones rarely promised solid democratic structures and rapid economic upswing. Social differences caused and still cause social tensions, and in some regions – especially in South East Europe – the transformation process is still linked to national conflicts that used to be hidden under the socialist cloak of equality.

All this had and continues to have an impact on the media sector, as part of this huge social upheaval. In the socialist societies – with different nuances in the particular countries mentioned in this publication – all media were oriented towards the leading socialist party. Their task was to be 'collective organiser, agitator and propagandist' – as it says in the GDR *Dictionary of Socialist Journalism* (1979). All media were subject to state control. The task of a journalist was to convey the decisions of the party and thus of the state and to present the social system in a positive light.

I studied at the journalism faculty of the University of Leipzig myself – fortunately, after the fall of the Berlin Wall. But until 1989, this part of the university was known as the 'Red Monastery'. All journalists in the GDR got their training there. They were educated, but also constrained in the ideology of socialism and their function and tasks as journalists in such a system. This journalistic training system via the universities was similar throughout the so-called Eastern Bloc.

Today, the role of the media has changed. It is manifesting itself as the Fourth Estate in democratic societies. Journalists are supposed to monitor government, parliament and the judiciary. They are supposed to uncover

grievances in politics, the economy and society. They are supposed to process, classify and present information – and to do so both independently and objectively. Journalistic reporting should enable citizens in a democracy to form an impartial and uninfluenced picture of issues, also in order to be able to make a decision, e.g. in elections. This does not mean, however, that the media should be completely neutral and always report in a balanced way. As an important pillar of democracy, the media stand on the foundation of the basic democratic order. This is the standard on which media coverage is also oriented. Journalists should clearly name parties, organisations or persons who want to destroy this social order, who sow hatred among the population, who divide society. Facts that have been proven for a long time do not have to be called into question again out of a false sense of neutrality, just because so-called conspiracy theorists doubt them. Or to put it another way: the earth is and remains round. If someone today claims that it is flat like a disc, then it is not the task of the media to let this opinion appear as equal. It can be confidently negated.

Together with our cooperation partner, the Bulgarian Foundation Media Democracy, we invited authors from the ten countries that we monitor under our Media Programme South East Europe to describe the development of the media in their countries since the social upheaval more than 30 years ago. The result is a broad historical overview that impressively documents how differentiated and how fast the change has taken place. It is closely linked to the social transformation process as a whole, which has not yet been completed in any of the countries. Moreover, it must unfortunately be said that the hope that accession to the European Union would be accompanied by rapid alignment with the other EU countries has not been fulfilled. Using Bulgaria as an example, various rankings even show a gradual decline in the rule of law and freedom of the media since the country's accession to the EU.

Alongside the global challenges posed by the ongoing digitalisation in the media sector, it is above all the region-specific problems that repeatedly make journalists' work routine difficult and which have not improved in the past years of transformation: small media markets with symbiotic relationships between business, politics and the media, verbal and physical attacks on journalists, as well as a politically dependent and underfinanced public broadcasting system. The basic problem, however, is the lack of awareness among all societal spheres of the necessity of quality journalism in a democracy, i.e. independent, diligent and courageously critical journalism. Creating the framework conditions for this is also the task of responsible

politicians in the respective countries, as well as the EU's imperative to repeatedly point out and demand this common value.

As a Media Programme of the Konrad-Adenauer-Stiftung, we have been accompanying the transformation process in the media sector in South East Europe for many years. We will continue to advocate for media freedom, pluralism of opinion and quality journalism through all our projects.

We wish you enjoyable reading!

The Media in South East Europe after 1989

Barbara Thomass

More than three decades after the upheavals in the socialist countries in the Balkans and after more than thirty years of struggle of the media to find their place in the post-socialist pluralistic societies, it is worthwhile to ask: Where do the media stand now? What is their contribution to democracy, how viable are they, what has been achieved? These are worthwhile questions for all interested in media in the countries in question. They are also important questions for those actors from the West who have promoted or accompanied and supported the media transformation in South East Europe. And this is the endeavour undertaken by the editors of the present volume with contributions from ten expert authors from the countries under consideration: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Kosovo, Montenegro, Moldova, North Macedonia, Romania, and Serbia. The book gives an overall picture of the changes in the media environment in South East Europe since 1989.

As the process of media democratisation in the region is an uneven and complex one, the authors undertake an unbiased and in-depth evaluation. Therefore, and to make comparisons possible, the authors follow a standardised chapter format that includes sections on media market transformations, the relationship between media and politics, the state of public service media and the journalistic profession, and the development of digitalisation and the online media environment. They offer a rich body of empirical data, detailed information about the development of the media landscape as well as critical analysis.

This undertaking is all the more important as it contributes to the rich body of research and literature trying to understand the complex process of media transformation in the course of system change and democratisation (Voltmer et al., 2019). However, a huge mistake was made in the beginning of media transformation research as well as of democratisation theory as a whole: the transition from authoritarian rule to democratic structures was assumed to be a linear process. The three phases of this process – end of the autocratic system, institutionalisation of democracy, and consolidation of democracy (Merkel, 1999: 120) – were thought to be reflected in the media change process,

where a phase of de-monopolisation and de-centralisation of media would be followed by a second phase with the adoption of new media legislation, and a third phase in which the economic factors of media development would come to the foreground (Thomaß, 2001: 44).

However, empirical evidence and experience have shown that the world is not as simple as that. And the dilemma of simultaneity reveals that transformation societies have a threefold task to solve. They have to create a new economic order, they have to enforce a new legal and constitutional order and new rules of social integration, and they have to establish new ethnic, territorial, and civic identities (Offe, 1994: 19). Media are intimately involved in this process, they are subject to it and they also contribute to its outcomes. Moreover, from an actor's perspective, the interaction between mass media, political actors, and citizens has to be reformulated and set on completely new grounds (Voltmer, 2006: 6ff).

We had to learn that media transformation is not a linear process but one with backlashes, stumbling and bumbling. The examples in this volume show ample evidence of this fact. We had to learn that media transformation is not always a path to more and deeper democratisation but also a process of commercialisation, with all the pitfalls posed by a commercial media market for the adequate service of media to the public sphere and democracy.

In theory, media transformation is supposed to secure more autonomy of the media system from the political and the economic system. But historical evidence, as it is presented here, demonstrates that the media in South East Europe are deeply engaged in a competition where it is yet to be decided whether they will gain autonomy or be dominated by the political or the economic system.

The examples of the country studies show the ambiguity of media privatisation. On the one hand, privatising media enables ending state control over them, which should result in better service for the public, non-ideological reporting on societal issues and a public debate, and hence allow for opinion-building and – at best – control over the political and economic elites. On the other hand, the introduction of a purely market logic contradicts the media's merit tasks of serving the public. This happens by unleashing a concentration process and promoting market-driven logics and tabloidisation in the media.

Another problem found more or less in all the countries under study is the danger or reality of media capture, meaning that the elites use media for

their own particular interests, thus undermining the public service function of media. This holds true both for public service media and for privately owned media.

The question of how autonomous the media system is depends also on the strength of civil society and its capacity to demand and back strong independent media, not to speak of its support for public service oriented media. Some authors put an emphasis on the development of civil society as the essential basis for democracy, and this is true for all media and especially for public service media. Through external and internal pressure, democratic standards in and for the media can be implemented, with media freedom and pluralism developing in close relationship with civil society. In the best case, greater public trust and a better reach and audience share of quality media will result in a better contribution to democratisation and society.

The contributions to this book differ in quality and depth of analysis, which has a lot to do with inconsistent availability of data and reports. The authors write with a different attitude or sarcasm about the present situation; not all are as frank as the author of the chapter on Croatia who complains about scandalous privatisation, theft, fraud, and fake owners in the media landscape. However, altogether they give an impressive, detailed, and sad insight into the state of the media in the Western Balkans. The overview of the time before the start of transformations, and especially the analysis of the three decades since 1989, show how diverse the path is from which the media in South East Europe came, and even more how different it has been in the last thirty years.

There are commonalities as well: journalists have understood much faster than politicians what the role and the place of the media in a pluralistic society is. After a prosperous journalistic domination of the media, privately owned business as usual took over the media. Respect is due to journalists who work under precarious conditions and frequent salary delays. But the tendency to make media an instrument of power and of elites is persisting and is not sufficiently countered by civil society. A regulatory framework has been established successfully in all countries and has become stronger over the years. But as it is insufficiently implemented in the service of democracy, journalistic freedom is in danger and political dependence of media is reported in nearly all countries.

In this situation, digital communication platforms have become important instruments of counter-publics in civil society. Although government restraints

and misuse of internet communication are a severe problem for freedom of information, the new channels of information are a source of hope for all authors. Yet it is still an open question how the possibilities for developing media democracy in South East Europe are evolving.

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Media and Capitalism in South East Europe: A Grim Landscape

Martin Marinos

This book is a valuable contribution to the literature on media in South East Europe. It offers a systematic analysis of the development of communication industries in the region during the three decades following the collapse of socialism. Often, such edited volumes include disparate articles with topics that do not always align around a common theme. This is certainly not the case in this project, which offers a well-organised structure. After an introductory section which gives the reader an overview of the socialist history of media in each of the South East European countries under study, the ten contributors focus on five major issues including the development of the media market, the relationship between media and politics, the (under) development of public media, the status of the journalistic profession, and the role of digitalisation and the internet. Through this methodological approach the volume acquires a structured backbone which facilitates comparisons and contrasts. Furthermore, each of the chapters' sections includes a 'key facts and events' unit which provides a brief chronological background. This adds to the organisational strength of the volume and further opens the possibility for comparative examination across each country.

There are several important conclusions which transpire from this volume. First of all, there is a complete consensus among the authors that the media environment in the region is very challenging, with most authors pointing to the 2007–2008 global recession as a watershed moment. Even the very titles of some of the chapters reveal the perception of the authors that the condition of media in the region is very difficult (for example, 'The Media in Croatia: Deepest Crisis Ever' by Stjepan Malović; 'Three Decades Later: From Self-Managed to State-Captured Media in Serbia' by Ana Milojević). Although the media market was not superb prior to 2008, the dependencies of media on powerful economic groups and politicians as well as the deterioration of the work conditions for journalists deepened after the crisis.

Even though the authors frame their arguments differently, several common problems emerge in most of the chapters. For example, the authors express

concern about the levels of media concentration. It seems that each country in the region has seen a shrinking of the number of companies which own media. Even more concerning is the fact that virtually all contributors point to the entanglement of media industries with powerful political interests and business groups. As a result, more and more media outlets operate as the mouthpieces of wealthy elites. Several of the authors deploy the concept of 'media capture' to describe this situation. One of the most detrimental outcomes of this condition is the diminishing lack of trust in journalism because it is not difficult for audiences to notice the dependencies of media. Another problem which appears across the countries analysed in this book is the difficult situation of public service radio and television. Almost all authors point to underfunding as a major source of the problems encountered by these media. Another issue prevalent in most chapters is the assertion that public service media struggle to maintain independence from the political actors in power and are often either supportive or uncritical of the government's decisions.

Perhaps the most concerning thread which runs through all of the contributions in *Three Decades Later: The Media in South East Europe after 1989* is the dire situation of journalists in the region. All of the chapters paint a grim picture of the work conditions of media professionals. In respect to this problem in Albania, Jonila Godole notes that 90% of journalists do not receive their salaries on time 'or sometimes not at all'. Similarly, in regard to Bulgaria, Orlin Spassov notes that 'unjustified dismissals are quite common'. Likewise, Adina Marincea claims that 'one of the biggest problems that Romanian journalists still face is economic precarity, which leaves them vulnerable to political and commercial interference and makes it difficult to produce high-quality journalism.' In respect to the situation of journalists in Bosnia-Herzegovina, Lejla Turčilo notes the 'extremely low and irregular wages, employment under part-time contracts, overtime and unpaid work, dismissals, transfers from one newsroom to another, non-payment of pension and health insurance contributions'. Such descriptions are present in all of the chapters in this volume – which is indicative of the broader economic processes of contemporary neoliberalism and their detrimental effects on journalism. Certainly, there needs to be more attention and critique of these developments because a well-functioning civil society requires strong journalism. This volume is an important step in this direction.

The manner in which the authors approach these issues is also crucial. A tired custom not just of the literature on post-1989 media but on post-socialism

in general, is to link contemporary problems to the socialist past. But this volume is a fresh step in the opposite direction. Most authors portray the difficulties of post-socialist media as the outcomes of processes engendered by contemporary capitalist dynamics rather than as remnants of socialist mentalities and culture. Not to mention that, as Orlin Spassov puts it, the picture of media during socialism itself was not as 'black-and-white' as it has usually been represented. As we move into the fourth decade since the collapse of socialism, it is important to see more studies which pursue such a critical approach to the analysis of South East Europe and the former Eastern bloc.

While this volume offers the possibility to draw some common conclusions, including that journalists across the region experience significant hardships, it also points to some differences which show the uneven development of media in South East Europe. For example, the progress of digitalisation is at different stages, with some countries, such as Bulgaria and Romania, having largely completed it while others, such as Albania and Bosnia and Herzegovina, still working towards its conclusion. The volume also exposes the different historical paths of media development. Clearly, the countries in South East Europe share some common problems, but they also faced different challenges. For example, with all of their problems and struggles, in the 1990s media in Bulgaria and Romania functioned in a much better environment than media in Kosovo, which emerged as clandestine and underground operations in a war-torn area.

Overall, *Three Decades Later: The Media in South East Europe after 1989* offers a methodologically sound and well-organised approach on the subject. It allows the reader to compare and contrast the development of post-socialist media and highlights some of the common problems faced by media industries. Even more importantly, it accomplishes this in a well-written manner which steers away from entrenched perceptions about post-socialism.

Albanian Media in Transformation: Achievements and Challenges

Jonila Godole

Introduction: the legacy of censorship

The Albanian media system after the establishment of the communist regime in November 1944 was endemic. It consisted of a few low-circulation newspapers with a limited number of pages, two radio stations in Tirana and Korça, and a few printing houses in Tirana, Gjirokastra, Korça and Elbasani, which printed newspapers like *Bashkimi* (Union, the organ of the Anti-fascist Front) or *Kushtrimi i Lirisë* (Battle Cry of Freedom)*,* which was renamed to *Zëri i Rinisë* (Voice of Youth) after the war. By the 1930s there had been a kind of press boom and liberal spirit as long as the newspapers and journalists did not report about the royal family (Münch and Simaku, 1994: 64). During the first years after the communists came to power, the newspapers from the 1930s were banned and critical journalists and writers were imprisoned or dismissed (Godole, 2014). From 1944 until 1989, the number of newspapers and magazines increased significantly – from 11 in 1944 to 112 in 1989. Systematic indoctrination began in 1948 by *Zëri i Popullit* (Voice of the People, ZP), the organ of the Party of Labour of Albania. ZP was founded in 1942 as the organ of the Communist Party (which was renamed to Party of Labour of Albania in 1948); it had 50 reporters and correspondents all over the country and a daily circulation of more than 115,000. Compared with other East European countries like Romania (Coman, 1994: 81), the organizational structure was nearly identical in each media outlet, and the hierarchy was determined from top to bottom. There was no director, and the editor-in-chief was the highest authority. Newspaper management was centralised through special structures governed by the Party's Central Committee. Party structures would often suggest topics and issues to newsrooms, as well as their solutions (Boriçi, 1997: 178). All party congresses, important plenary sessions and Enver Hoxha's speeches were broadcast exclusively in full length on TV and radio and published in the newspapers. Censorship achieved the highest levels of repression and control over the mass media and cultural productions

in the 1970s, particularly after the 11th National Song Festival (1972). The oppressive censorship applied in Albania was similar to that during China's Cultural Revolution.

In Poland, Czechoslovakia or Hungary, the changes in the media sector did not happen overnight – they were an integral part of a process that had begun under the previous regime with the emergence of alternative, dissident media (*samizdat*). In other countries, such as Albania, Romania and Bulgaria, alternative media were non-existent because of the strong state pressure. It was not until late 1989 and early 1990 that the role and functions of journalism in Albania were reconceived. *Tribuna e Gazetarit* (The Journalist's Tribun*e*), the organ of the Union of Albanian Journalists, spoke for the first time about the role of journalists and media in Albanian society. At the same time, in early 1990, a series of critical articles on economic issues were published in the newspaper *Bashkimi*. They admitted publicly that the country was suffering from inflation and economic collapse, and sought new ways to adapt to globalism (Boriçi, 1997:197ff). The literary newspapers *Zëri i Rinisë* and *Drita* (Light) started to publish polemic commentaries, such as the interview with Ismail Kadare of 21 March 1990. As for the question whether the Albanian media predicted the fall of the regime and the changes that came after, Hamit Boriçi, former editor-in-chief of *Bashkimi*, says 'No'. According to him, 'the media endorsed (…) the democratic changes by propagating them, but could not lead them' (ibid.: 200). The main factors for this failure were two: the nature of the media-power relationship cemented during the old regime, and the lack of dissident journalism in the Albanian media tradition, numbed by censorship and self-censorship for half a century.

Media market transformations: main stages

KEY FACTS AND EVENTS:

- 5 January 1991: Launch of *Rilindja Demokratike* marks beginning of new pluralistic press.
- 1993: First Law (No. 7756) on the Press adopted.
- 1994: Radio Vlora, first private radio station, launched.
- 1995: Shijak TV, first private commercial TV channel, launched.
- 1997: Law (No. 8239) amending 1993 Law on the Press adopted.

- 1998: Constitution of the Republic of Albania adopted, guaranteeing freedom of expression, freedom of the press, radio and television, and the right to information.
- 1998: First Law (No. 8410) on Public and Private Radio and Television adopted.
- 2013: New Law (No. 97) on Audio and Audio-Visual Media Services in the Republic of Albania adopted.

In order to understand the development of the media systems in Eastern Europe after 1989, Colin Sparks (1993) and Peter Gross (1999; 2020) propose analysing the functioning of the political, economic, and social system, the work of institutions, but also the dominant values and political culture of a particular nation. Katharina Hadamik (2004: 464), though, is more comprehensive when summing up the economic, social, and cultural factors that affect the performance of each media system. She argues that media transformation is done when certain factors are met: overcoming the communist past; abolishing censorship and ensuring freedom of information; ending political control and partisan media; disrupting uniformity; breaking up monopolies; privatising and decentralising the media.

We can analyse the development of Albanian media after the communist regime by taking media regulation legislation as a key factor (Fuga, 2008). Or, as other authors suggest, based on ownership (Neza, 2010; Kajsiu, 2012; Godole, 2014). According to this last model, during the first period, 1990–1994, the press belonged to the political parties; the first steps were taken to decentralise state media, albeit more in form than in content, and journalists made efforts to rediscover their role in society. During the second period, 1994–1998, journalists were mainly the owners of the press, while after 1998 the media market was taken over by private businesses. In this chapter we will consider the development of the Albanian press and Albanian media in general in three periods: 1) Liberalisation of the press (1990–1994); 2) Institutionalisation phase (1994–1998)'; and 3) Consolidation of the media market (1998–present).

Liberalisation of the press (1990–1994)

Political pluralism in Eastern Europe was concomitant with what Rossen Milev (1999: 463) calls an 'explosion' in the media system in the region, the publication of hundreds of newspapers after 1989. All newly established parties in the East European countries sought to publish their own newspapers as a means of gaining support, influence, and power. The same happened in Albania.

The launch of *Rilindja Demokratike* (Democratic Revival), the organ of the Democratic Party (founded in December 1990), on 5 January 1991 is regarded as the beginning of the new pluralistic press in Albania. It was soon followed by other party newspapers, such as *Republika* (the organ of the Republican Party) or *Alternativa SD* (the organ of the Social Democratic Party). The new press took on the role of mobilising public opinion and reinforcing changes. Furthermore, Albanians were so eager to read the new press that *Rilindja Demokratike*, having only six pages, reached a daily circulation of 60,000 within a short time (later, this circulation rate would be reached and surpassed only by the independent newspaper *Koha Jonë*). What greatly contributed to the boom in newspapers at the time was undoubtedly the need of an isolated society to communicate (Fuga, 2008; Coman, 1994).

As in other countries in Eastern Europe, the demonopolisation of the media in Albania was succeeded by the dismantling of the former communist media 'market'. Except for *Zëri i Popullit* and *Bashkimi*, all other newspapers and magazines were closed down or renamed. The number of national daily newspapers doubled to four in 1991, and eight in 1994. In a very radical way, most of journalists who had worked during the previous regime were suspended; those few who remained employed were in the state broadcaster or local media.

During the first years of transition, the Albanian media tried to emancipate themselves but did not succeed in moving away from partisanship and turning into independent institutions. The high number of Albanian media receiving subsidies from the state proves this: among them were TVSH, state public television stations in districts, ATSH, Radio Tirana, or other radio stations in the main cities of the country, while partisan organs were supported by their parties. Just like in the times when the state acted as the owner, the new papers remained an unprofitable business, subject to political parties. Because of their position, the media started to lose the audience, which got tired of

the ideo-political connotations of the press and was looking for independent newspapers. This caused many partisan newspapers to reduce their circulation and eventually close down (Godole, 2014: 69).

During this first stage, the media moved from one extreme to another – from extreme control by the political power-holders to anarchy, as they lacked the required capacities for self-management and self-regulation. There were no criteria for employment, contract regulation or rights and obligations of journalists, editors and media executives. The Albanian media environment resembled a hybrid of private and 'cooperative' press (Godole, 2014) which lacked even the most basic characteristics of professional journalism. Newsrooms were overcrowded with young journalists, who typically did not have the proper education and considered their job more as an idealistic mission than as a profession that requires special skills.

Institutionalisation of the 'battle for free speech' (1994–1998)

The first Law on the Press (No. 7756) of 11 October 1993 was taken without much modification from Germany's Westphalia region and without consultation with stakeholders in the media. Its limitations soon became clear and evoked the reaction of reporters, especially regarding the penalties for journalists and media companies which were 'copied' without consideration for the different economic realities in Germany and in Albania. The Press Law was revised in 1997 by Law No. 8239, which left only Article 1, reduced to two sentences: 'The press is free. Freedom of the press is protected by law.' In 1998, freedom of the press and the media was guaranteed also by the new Constitution of the Republic of Albania: 'Freedom of expression is guaranteed. Freedom of the press, radio and television is guaranteed. Prior censorship of means of communication is prohibited' (Article 22 [1–3]).

Between 1992 and 1997, many independent newspapers were established by journalists or former journalists, among them being *Albania*, *Populli Po* (People Yes), *Dita Informacion* (Daily Information) and the best known *Koha Jonë* (Our Time), as well as *Gazeta Shqiptare* (Albanian Gazette, published by an Italian journalist) and *Rilindja* (Revival) of Prishtina (Kosovo), printed in Tirana. The last two were not affiliated to any local political party and helped boost professionalism. A major factor for the increase of daily and weekly newspapers and magazines was the lower production cost as the old printing technology was still in use. The first private commercial television station,

Shijak TV, began broadcasting in December 1995 (Luku, 2012), although there was no law on audiovisual media. The state broadcaster, TVSH, still dominated the Albanian TV landscape despite the poor technical condition and untrained journalists.

Consolidation of the media market (1998–present)

Between 1995, when the first commercial television station was launched, and the year 2000, 'when the first regulatory body was created, more than 100 audiovisual media outlets were operating in an unregulated market' (BIRN Albania and Reporters Without Borders, 2018). Law No. 8410 on Public and Private Radio and Television in the Republic of Albania was passed only in 1998. It regulated the audiovisual media market, including public broadcasting, private television stations, cable and satellite transmissions, and was amended several times in order to adapt to the dynamics of digital television. This law was replaced in March 2013 by Law No. 97 on Audio and Audio-Visual Media Services in the Republic of Albania, in line with the relevant EU directives.

After 1998 the Albanian TV market expanded with the launch of various private TV stations, such as News 24 TV, ORA News TV, ABC News TV, Albanian Screen TV (formerly ALSAT TV), etc. The radio market also grew. Until 1994, the state-owned Radio Tirana was the only radio station in Albania. Radio Vlora was the first private local radio, paving the way for a number of private local and national radio stations. The first private national radio station, Top Albania Radio, was established in 1998 and covered 87% of the country's territory. Radio +2 also began broadcasting in 1998, covering 72% of Albania's territory (Londo, 2009). The development of private radio stations forced Radio Tirana to take a turn for the better by offering two national programme services that covered 81% of the country's territory.

The Albanian media market in the late 2000s was flooded with new newspapers and magazines such as *Shqip* or *Mapo*, which quickly reached the circulation of media market leaders like *Panorama* and *Shekulli* (Century, the top-selling Albanian newspaper between 1998 and 2005). A set of regulations on electronic media was passed in cooperation with stakeholders in the broadcasting sector. Over the years, the relevant legislation has been amended repeatedly, regulating more and more aspects of electronic media activity, including private cable, satellite, and analogue media. A Law on Digital Broadcasting was passed in 2007 (Londo, 2009). The first private TV stations were established by

successful businessmen in the construction and trade sectors. They knew very little about how television worked, so their stations were amateurish – as were their journalists and technical staff. Soon, however, they increased pressure on politicians to improve the legal framework.

Media and politics: threats to pluralism

KEY FACTS AND EVENTS:

- January 1994: *Koha Jonë* journalists arrested on charges of revealing state secrets and slander.
- 2 March 1997: *Koha Jonë* building set on fire.
- Since 1997: State advertising placed mostly in pro-government media.
- 2007: Top Media Group, known for criticising the government, fined 12 million euros on grounds of tax evasion.

Albanian media coverage of politics and business has always been polemical, based on opinion and subjectivity. Most journalists remained highly partisan. The government that emerged from the multiparty elections in 1992 slowly fell into the old model of controlling the press and freedom of speech. Soon critical journalists were threatened, arrested, and sentenced (Human Rights Watch, 1996: 85–87), while opposition media were under constant threat of closure (Godole, 2014). According to the media expert Remzi Lani, in the early years of transition in the Balkans a new phase of 'post-communist authoritarian regimes' emerged, where the political leaders 'are keener on controlling than being controlled' by independent media (Lani, 2011: 42–47).

However, the media were not an 'innocent' agent as they played a key role in some major events of the time. In 1996–1997, many of the daily newspapers had supported the financial pyramid schemes[1] in Tirana and other cities by publishing daily the interest rates of the companies involved in those schemes. Neither the Finance Ministry nor the media had warned the public about the

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[1]   A pyramid scheme is like a Ponzi scheme – a form of fraud that lures investors and pays profits to earlier investors with funds from more recent investors. These schemes operated in Albania largely from 1992 to 1997. Their downfall led Albania almost to civil war. Albanians lost about 1.2 billion US dollars in savings and over 2,000 people were killed in 1997.

pyramid schemes until October 1996. The daily circulation of *Koha Jonë* in this period increased from 30,000 to 70,000 or even more. Some researchers consider the independent media of the time an important agent and promoter of the popular movements in 1997 – especially *Koha Jonë*, which itself acted as an 'opposition party' (Godole, 2014: 73).

While the Albanian media system evolved from one stage to the next, Albanian journalists were transformed from a pressure group on the government into a silent 'army' dependent on the economic and political interests of media owners and their affiliated parties. One example is their instrumentalisation in all election campaigns held in Albania since 1992. Albanian journalism failed to provide valid and credible news to the public, and to serve as a watchdog. Consequently, media focused on political marketing and quasi-events staged by parties or politicians. Politicisation and lack of transparency on financing were detrimental to the Albanian media. The 'games' between newspaper publishers[2] showed that the media market was not only unstable but also distorted in financial, political and clientelistic terms. After 1997, the preferred practice of government financing was 'selective' placement of state advertising in government-affiliated media (Godole, 2014: 95).

Especially during the 1997–2001 Socialist Party government, more than two-thirds of media revenues came from state advertising. Although this could be considered as financial support in difficult times, it could also be interpreted as consolidation of media dependence on politics. The second interpretation seems more viable if we take into consideration the quality and channels of information received from institutions, and in particular the 'disappearance' of investigative journalism which was still in embryo during the second stage of media transition. During the next Socialist Party governments (2001–2005) and since 2013, the authorities have chosen a centralised communication model, where information is obtained only from the higher ranks, often at the level of government ministers. On the other hand, the Democratic Party governments during 1992–1997 and 2005–2013 followed a different policy on the media and the right to information. In the 1990s, politicians treated the media with disrespect; in some cases, journalists were even physically attacked after critical articles. After the Democratic Party came back to power in 2005,

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[2] As production costs increased, the *Shekulli* newspaper decreased its price per issue substantially, i.e. from 20 to 10 lek (10 cents), entering into a conflict with the publisher of the largest newspaper at the time, *Koha Jonë*, which still sold for 20 lek. The average production cost of a newspaper was estimated to be 12 lek per issue. Revenues from advertising were minimal, which broke the market rules and the need for transparency about funding.

Prime Minister Sali Berisha decided 'to bar all senior government officials from suing the media for defamation' (Pavli, 2013: 2). Symbolically, this step marked a significant change in the Democratic Party's policy towards journalists as compared to that in 1992–1997. On the other hand, however, it paved the way for abuse by journalists and the media, who could publish unverified information and personal insults without fear of being prosecuted.

The relationship between media and politics in Albania in the last twenty years has also had a direct impact on journalists' approach to their profession and role in society. If the media had attempted to preserve at least a semblance of impartiality during the 'institutionalisation phase' (1994–1998), they were now clearly divided into left- and right-leaning media, in favour of one group and against the other. One of the reasons is undoubtedly related to the small advertising market, where a slice of the advertising 'pie' is still insufficient to keep media afloat. The only route to survival over the years is to affiliate with one of the main political parties, support them to come to power and help them remain in power. Otherwise media businesses that criticise the government could face frequent audits by the tax authorities – as in the case of Top Media in 2007, which was fined 12 million euros on grounds of tax evasion following 'repeated scrutiny of Top Channel television by the tax police during 2007, when the station took a rather critical stance toward the Government' (Londo, 2012: 79). This case has been criticised by journalists and civil society organisations as a form of political pressure on the media outlet.

In this way, the Albanian media do not operate as genuine business companies. As the *Media Ownership Monitor* reveals, the Albanian media scene is highly concentrated in the hands of a 'few major owners, who have strong political affiliations, and control more than half of the audience and nearly 90% of the market share' (BIRN Albania and Reporters Without Borders, 2020). The top four owners in the country's television market reach an audience of up to 59%. There is also concentration in the printed press, where the top four owners have a combined readership of 43%. The audience concentration in radio is even higher, with four owners reaching 64% of the audience (ibid.).

The high concentration of the media market in the hands of a small number of owners with strong political ties poses a threat to media pluralism in the country. The results of a wider survey conducted in Albania within the 2012–2016 Worlds of Journalism Study show that internal factors are more influential than external obstacles for journalists. 'Influences from owners and managers, market competition and profit expectations, as well as advertising,

are still relevant in Albanian newsrooms' (Godole, 2016: 4). Journalists often face intimidation and verbal abuse not only from media owners but also from politicians. The most prominent case was that of the denigration of journalists by Prime Minister Edi Rama who, in October 2017, lashed out at journalists who were asking questions about the alleged ties of his minister of interior to a drug trafficking gang, calling them 'garbage bin', 'public enemies', 'ignorant', etc. (BIRN Albania and Reporters Without Borders, 2020). Even during the Covid-19 pandemic, in March 2020 Rama called on citizens to protect themselves against, among other things, the media (Erebara, 2020). As the political control over media outlets becomes more apparent, media owners' economic and political interests push journalists towards self-censorship.

The European Commission declared in October 2020 that 'Threats, intimidation and violence against journalists are still a source of serious concern and investigations into and prosecutions of such attacks are slow across the [Western Balkan] region', pointing out that 'In Albania there has been no progress' in this regard (European Commission, 2020: 6).
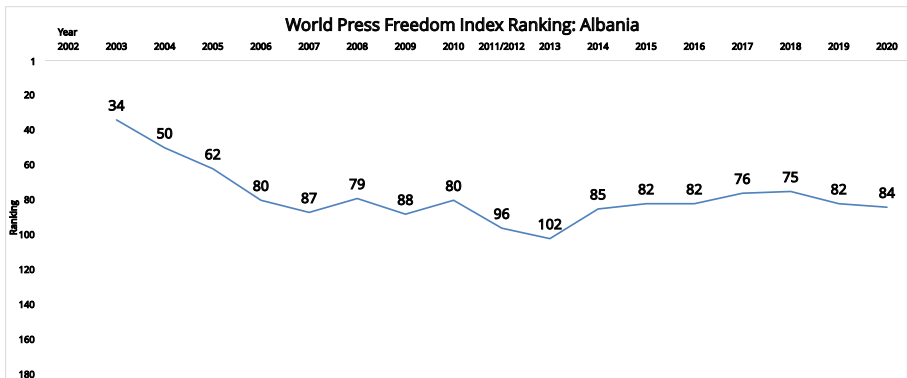
Source: Reporters Without Borders.

From propaganda to public service media: uneven progress

KEY FACTS AND EVENTS:

- 28 November 1938: Radio Tirana starts broadcasting under the rule of King Ahmet Zogu.
- 1 May 1960: Televizioni Shqiptar (Albanian Television – TVSH) goes on air.
- 1993: RTSH Sat for the Albanian diaspora launched.
- 1998: Law (No. 8410) on Public and Private Radio and Television sets out standards for public broadcasting.
- 2000: National Council on Radio and Television (NCRT) established.
- 2007: NCRT replaced by Audiovisual Media Authority (AMA).
- 2017: RTSH 2 starts broadcasting news in Greek and Serbian.
- 2018: RTSH 2 starts broadcasting news in Macedonian, Aromanian, and Romani.

The Albanian public service broadcaster is called Radio Televizionit Shqiptar (Radio Television of Albania – RTSH) and consists of Radio Tirana and Televizioni Shqiptar (Albanian Television – TVSH). The process of transforming RTSH from a propaganda institution during the communist regime into an independent professional media outlet has been difficult. Radio Tirana started broadcasting on 28 November 1938 under the rule of King Ahmet Zogu first and later in the service of the Nazi-fascist occupiers. Towards the end of the Second World War and soon after Albania's liberation on 29 November 1944, Radio Tirana had became the main instrument of propaganda for the ruling Communist Party. The superiority of radio over the press was also due to the fact that the majority of the Albanian population was illiterate. Radio Tirana aired its first broadcast in the service of the Communist Party on 27 November 1944.

Television in Albania developed later than in other European countries. TVSH made its first broadcast on 1 May 1960, using an old camera received as a gift from East Germany, and until 1965 had three broadcasts a week. During the years of the communist regime television served as the main propaganda instrument. Aware of the power of television, the government also feared foreign TV stations and their impact on Albanian citizens, imposing a blanket ban on all foreign TV and other media. Hence the Fronti Demokratik (Democratic Front), the mass organisation of the Party of Labour, occasionally

undertook initiatives such as 'removal of illegal antennas' (Münch and Simaku, 1994: 70). Despite this, the Albanians continued to follow foreign channels, especially Italian ones. In the mid-1980s RTSH broadcast for five to six hours a day, increasing its broadcast time to 10–12 hours a day in the early 1990s. As for the quality of its programme, the news was clearly defined by the Party's Central Committee, it was usually formulated in a dry style and contained false information both about economic achievements within the country and events taking place in the world. As in the press and radio, mediocrity prevailed on TV as well, in terms of programme quality.

After the democratic changes, RTSH had to review its mission. The first positive changes were to be noted after the adoption of the Law (No. 8410) on Public and Private Radio and Television in the Republic of Albania in 1998. This law symbolically marked the formal transformation of RTSH from a state-owned institution into a public service media (Londo, 2005). However, the audience perception that RTSH was still a state-owned entity and a government propaganda instrument did not change. The adoption of the 1998 law, which was subsequently amended several times, enabled the establishment of a regulatory agency for electronic media, the National Council on Radio and Television (NCRT), in 2000. The latter was replaced by the Audiovisual Media Authority (AMA) in 2007. A new Law on Audio and Audio-Visual Media Services in the Republic of Albania (No. 97/2013) was adopted in 2013, without changing the basic structure of a dual system: a public service broadcaster producing content of wide public interest, and commercial operators meeting minimum requirements in terms of public interest.

Apart from the problems in the management and content of RTSH, the achievement of political and professional impartiality remains problematic. According to the 2013 law, the members of the RTSH Administrative Council are appointed by Parliament, that is, by the political parties represented in it. The recruitment of journalists is also done mainly according to political criteria and the analysis of the RTSH programme shows that 'over 70% of the news is occupied by the government agenda' (Nelku, 2014: 244). RTSH coverage of important subject areas such as economics is negligible and investigative journalism is non-existent.

According to Article 121 (1–2) of the 2013 law, the national programmes of RTSH 'must cover the territory inhabited by at least 90% of the citizens of the Republic of Albania', and at least one of its networks 'must cover 99% of the

population'. The funding model of the public service broadcaster is mixed, including financing from 'advertising, contracts with third parties for the rental of technical equipment, sales of own productions, sales of content produced by the RTSH, and funding from the state budget' (Londo, 2019: 31). However, the biggest part of RTSH funding, 56%, comes from the licence fee – compared to 30% from the state budget and 14% from advertising and contracts with third parties (RTSH, 2019). As Ilda Londo (2019: 32) points out,

> Until 2011 the licence fee was very low (approx. 4.5 Euro per household per year). It doubled in 2012, in order to increase funds for digitalisation projects. Currently, every household pays about 80 eurocents per month in licence fee, which is tacked on to the electricity bill. This is the lowest licence fee in the Western Balkans and, in fact, in all Europe. The management of the RTSH has repeatedly petitioned the Parliament seeking an increase of the licence fee in order to strengthen the financial viability of the broadcaster but this request has not been granted to date as it is considered a tax burden on citizens.

The switch from analogue to digital broadcasting has also caused financial problems for RTSH. 'The process of building the digital networks has been overly protracted, rife with controversy and a heavy financial burden on the public broadcaster' (ibid.: 32). Technological development was expected to improve not only the signal but also the content of programmes. According to the 2013 law, RTSH has two national frequencies, for building two digital networks or platforms. Today the RTSH digital network broadcasts on 11 channels, three of which are general interest, while the others are targeted at specific audiences and include a children's channel, a music channel, a movie channel, a news channel, a sport channel, a channel that broadcasts parliamentary sessions, etc. RTSH 2 'has started broadcasting news in minority languages: Greek and Serbian in 2017, and Macedonian, Aromanian, and Romani in 2018' (ibid.: 38).

But despite the progress made in recent years, the Albanian public service broadcaster, RTSH, does not attract the largest audience. Private television stations such as Top Channel, Klan, News 24 or Ora News continue to have higher viewerships and most-watched programmes. The Albanian media landscape is dynamic and RTSH is faced with strong competition. Eighteen daily newspapers are still being published. According to the Audiovisual Media Authority,

there are 49 local radio stations, four community radio stations belonging to the four main religious denominations in the country, two national private radio stations, and the public radio with its four local branches. There are also 47 local television stations, 75 cable televisions, and five national commercial multiplexes with their respective programmes operating across Albania, in addition to the public broadcaster's digital platform with 12 programmes. (Londo, 2019: 33)

Recent years have seen an exponential growth in the number of online media. Experts think there are now more than 800 online media outlets in the country (ibid.); most of them are general interest (Zguri, 2016) and affiliated to traditional media (print and television). Thus, it is understandable that the Albanian public has many choices. Beyond that, however, the further politicisation of RTSH remains a matter of concern as the public service broadcaster cannot be detached from politics and ties to any government in power. The RTSH General Director is changed with every change of government. The quality of journalistic content also suffers from this pressure and does not always meet professional standards.

The journalistic profession:
precarious environment, fragile autonomy

KEY FACTS AND EVENTS:

- 1996: First Code of Ethics drafted by Albanian Media Institute in cooperation with main journalists' associations.
- 25 October 2005: First Union of Albanian Journalists (UAJ) established. The exact number of members is not known. The Union has been sporadically active, raising issues ranging from lack of employment contracts to threats and politically motivated dismissals of journalists.
- 2015: Albanian Media Council (AMC), an independent organisation of journalists, established with support from EU, UNESCO, Open Society Foundation, etc. Its purpose is to promote self-regulation among the community as a means to re-establish trust and maintain media's credibility with the Albanian public.

According to the survey conducted in Albania within the Worlds of Journalism Study,

> Women represent the majority of journalists in Albania (51.7%), with an average age of 32.54 years (…); half of the journalists were younger than 31 years and they often hold a degree in journalism or related field of study (72.4%).

> (…) Most Albanian journalists admit to being employed on a full-time basis (90.5%) (…). Full-time journalists mainly work in the press, newspapers and magazines (40%), even though the sector is facing a crisis. 52 percent of journalists who work in TV are employed part-time and nearly three quarters have moved to a permanent position (72.2%).

> Journalists in Albania do not have much work experience, about 9.36 years (…) and about half of them had more than eight years of professional experience. (Godole, 2016: 1)

As regards professional status, 'journalists in Albania work under difficult circumstances. Almost 90% of journalists are working massively undeclared, and receive salaries with delay (1 to 3 months) or sometimes not at all' (Godole and Mosig, 2020). Fear of losing their jobs forces them not to raise their voices against the media managers, who use this as leverage to delay monthly payments to journalists. Contracts are often imposed and formulated in such a way that they have no legal ground. The Union of Journalists in Albania reports that the majority of journalists work without contracts despite the fact that they can be fired at any time without an explanation (Zguri, 2017: 34). Of the 18 daily newspapers, only four pay journalists on time; of 75 cable TV stations listed by the AMA, only ten do not delay wages; of 49 radio stations, 33 delay wages from one to five months. The situation in online media is similar. According to the chairman of the UAJ, there are about 800 online portals, half of which are not officially registered because they are missing in the data about their administrators (Çela, 2019: 11). The issue of transparency of ownership and media financing remains problematic both in online and traditional media. As Remzi Lani (2011: 57) has pointed out:

> Media ownership may be opaque, but it is no mystery. It is not hard to sift through the registers of media ownership only to discover in them the names of the wives and relatives of politicians.

The issue of informality remains also current. The media economy is partly informal and the majority of outlets in the market operate with two budgets: one real (minimum wage allowed) and the rest paid off the record. Every year a number of lawsuits against employers are filed by journalists. Most of those lawsuits were lost by the journalists because they could not submit a contract of employment although their work was visible and measurable through articles and TV reporting (Godole, 2014). In very few cases were media able to resist politics and political pressure. During the Socialist Government from 2013 to date several TV channels, critical TV shows and websites have been closed or attacked by the government. In July 2019, the European Centre for Press and Media Freedom (ECPMF) described press freedom in Albania as a 'worrying situation' (IDMC, 2019: 2) since media outlets and journalists were constantly attacked by state authorities. International organisations of journalists have also found that denigrating language towards journalists makes them targets for aggression in the eyes of the public, increasing the risk of threats or violence against them (EFJ, 2019). The situation is particularly bad in smaller cities and towns, where pressure is greater and journalists have fewer possibilities to defend themselves.

There have been different initiatives to establish journalists' organisations in Albania, but the most active in protecting journalists' rights is the Union of Albanian Journalists (UAJ) (Godole and Mosig, 2020). The Alliance for Media Ethics was established on February 2020 by several media outlets to promote and ensure ethical standards in journalism. It came as a response to the Albanian government's controversial anti-defamation laws (see next section). According to different studies, the Albanian journalistic community is considered to be rather passive, with a low turnout in protests concerning journalists' work and rights (Godole, 2014). However, both civil society and the public in Albania are, in general, weak and relatively passive. Apart from structural problems, journalists continue to have certain problematic perceptions about their profession. Discussing the values of journalists in Eastern Europe, Peter Gross (1999: 155) argues that they

> have no respect for verified information or the audience's capacity to grasp it; they believe they are explorers of truth, when in fact they only deliver the information; they believe they are leaders of the social, political and cultural, when in fact they only mediate political leadership (…); [and] they refuse to cooperate with their colleagues (…).

In the case of Albania, we can say that despite the lack of direct repression by the state, politics continues to control the media by co-opting them or by indirectly exerting pressure on the media outlets that criticise the government. In addition to political pressure, journalists are subject to control within the newsroom (by the editor-in-chief or media owner) and suffer from permanent job insecurity. This leads to non-critical journalism and a growing tendency to self-censor. As a result, the opinion of the entire newsroom seems always to reflect the opinion of the media owner.

But how have the problems associated with media transformation influenced Albanian journalists' perception about their role and profession? As the survey conducted in Albania[3] within the Worlds of Journalism Study shows, 'Albanian journalists believe their most important professional role is reporting things as they are (see Table 1), being detached observers and providing the kind of news that attracts the largest audience' (Godole, 2016: 2):

Table 1: Roles of journalists

	N	Percentage saying "extremely" and "very important"	Mean	Standard Deviation
Report things as they are	293	98.0	4.57	.57
Be a detached observer	293	90.8	4.31	.80
Provide the kind of news that attracts the largest audience	293	81.6	4.14	.89
Let people express their views	292	80.1	4.06	.83
Promote tolerance and cultural diversity	293	79.5	4.07	.96
Influence public opinion	293	77.1	4.02	1.00
Provide analysis of current affairs	292	77.1	3.94	.72
Educate the audience	293	73.4	3.98	1.00
Support national development	293	73.4	3.85	1.13
Advocate for social change	289	72.3	3.88	1.02
Be an adversary of the government	291	64.9	3.67	1.19
Provide advice, orientation and direction for daily life	293	55.3	3.50	1.07
Provide information people need to make political decisions	292	51.7	3.33	1.31
Tell stories about the world	292	49.3	3.40	1.12
Provide entertainment and relaxation	291	46.0	3.24	1.19
Monitor and scrutinize political leaders	293	36.5	3.02	1.19
Monitor and scrutinize business	290	27.9	2.74	1.13
Set the political agenda	290	19.7	2.28	1.20
Convey a positive image of political leadership	290	18.6	2.21	1.25
Motivate people to participate in political activity	292	13.0	2.14	1.12
Support government policy	289	9.7	2.06	1.07

Question: Please tell me how important each of these things is in your work. 5 means you find them extremely important, 4 means very important, 3 means somewhat important, 2 means little importance, and 1 means unimportant.

Source: Godole (2016: 2).

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[3]   Based on interviews conducted in 2012 with a sample of 295 working journalists out of an estimated total of 1,200 working journalists in Albania.

This survey also found that

> These functions contrast with the dominant perceived role of journalists in the early 1990s as missionaries and educators of the audience. (...) As for critical journalism, only a few journalists think it is important to set the political agenda, to monitor and scrutinize business and political leaders. (...) Professional ethics standards paint a mixed picture for Albanian journalism. Most interviewees agree that they adhere to the code of ethics in every story they write about, but they also justify the random use of ethics by viewing ethics in journalism as a matter of personal judgment (see Table 2). In particular, they use double standards to justify aggressive reporting practices (...). (Ibid.)

Table 2: Ethical orientations of journalists

	N	Percentage saying "strongly" and "somewhat agree"	Mean	Standard Deviation
Journalists should always adhere to codes of professional ethics, regardless of situation and context	295	89.9	4.43	.82
What is ethical in journalism depends on the specific situation	294	62.9	3.47	1.12
It is acceptable to set aside moral standards if extraordinary circumstances require it	293	41.6	3.01	1.19
What is ethical in journalism is a matter of personal judgment	295	36.9	2.89	1.28

Question: The following statements describe different approaches to journalism. For each of them, please tell me how strongly you agree or disagree. 5 means you strongly agree, 4 means somewhat agree, 3 means undecided, 2 means somewhat disagree, and 1 means strongly disagree.

Source: Godole (2016: 3).

During the first decade in transition, support from Western European countries (mainly Denmark) and the USA was provided to build Albanian professional journalism. It consisted in structural investments – supporting the curricula and laboratory equipment of the Department of Journalism at the University of Tirana, and the Albanian Media Institute as a training centre for journalists. Technical assistance was provided also to existing media – initially in the form of material aids, computers, voice recorders and the like, and later in the form of specialisation for journalists, training courses in professional media organisations in Western Europe. Albanian journalists were trained mostly by foreign journalists.

Challenges to freedom of expression online

KEY FACTS AND EVENTS:

- 1991: Soros Foundation introduces internet to Albania.
- Late 1990s: First commercial internet providers appear.
- 2007: Law on Digital Broadcasting adopted.
- 2019: Several online media shut down by government for allegedly publishing fake news and violating the law in the aftermath of the deadly earthquake on 26 November.
- December 2019: Despite fierce domestic and international criticism, Parliament approves a series of controversial amendments, known as the 'anti-defamation package', empowering the government to regulate online media.
- 2020: Anti-defamation package blocked by President Ilir Meta and criticised by Venice Commission (in Opinion No. 980/2020 of 19 June) which encourages independent self-regulation of online media.

Albanian online media have developed rapidly in recent years. News portals are increasing as more and more citizens prefer online media to traditional media. The rapid development of new and online media has expanded the space for freedom of expression, but has also led to an increase in hate speech and verbal discrimination, privacy violation, and so on. This situation prompted several attempts to regulate online media, which have become the new battleground for freedom of expression. On the other hand, most online media seem to exploit the weakness of the legal framework, pursuing clicks over quality content and professional reporting. As mentioned above, freedom of the press and the media in Albania is guaranteed by the Constitution which was adopted in 1998, but this principle can also extend to online media.

Albania also ratified the European Convention for the Protection of Human Rights and Fundamental Freedoms in 1996, making it an important part of the statutory framework on media freedom in the country. Other media-specific laws also guarantee freedom of expression, such as the Law on the Press and the Law on Audio and Audio-Visual Media Services in the Republic of Albania (No. 97 of 4 March 2013). Article 4 of the latter stipulates freedom of audio-visual broadcasting activity and freedom of expression among the main principles of audio-visual broadcasting:

1. Audio-visual broadcasting activity is pursued according to these principles:
a. the activity of audio-visual broadcasting is free (...).
2. The audio-visual service operators, during their activity, are guided by these principles:
a. guaranteeing the freedom of expression,
b. guaranteeing the right to information (...).

In early 2012, Albania adopted comprehensive amendments to its criminal and civil defamation laws, bringing them into much closer alignment with European democratic standards. Sources are protected and journalists are not forced to reveal their confidentiality. Access to official documents is also guaranteed by law. However, in practice the implementation of the relevant legislation needs to be improved, taking into consideration that the digitalisation of media, the internet and the development of social media have significantly changed the way media are used.

According to Internet World Stats data, almost 67% of the population in Albania had internet access by December 2017, compared to 0.1% in 2000 (AMI, 2018: 11). Widespread use of mobile phones has further facilitated internet access for Albanians: in 2018 there were more than 5.9 million mobile phone users in a country with a population of about 2.9 million (ibid.). According to the 2018 Global Digital Report on Albania (Kemp, 2018: 13), 49% of the web traffic was via laptops and desktops, and another 49% via mobile phones, while tablets were at 3%, followed by other devices. Even though the consistent spread of the internet is indisputable, there are also disparities in the country and different factors that affect internet access (Londo, 2017: 5). A study on the digitalisation process in Albania conducted by the Department of Journalism and Communication at the University of Tirana in 2015 concluded that the farther away from urban centres, the lower the internet access rate: from a 74% access rate in urban centres to 49% in rural areas (DGK, 2015: 420–421). Educational level seems to be another factor affecting internet access: '100% of individuals with post-university education had internet access, whereas only 33.87% of the people with primary education had such an access' (Londo, 2017, citing DGK, 2015). On the other hand, the same study found that media workers not only lack detailed information on the digitalisation process – they also hardly understand what digitalisation really means and what impact it will have on their professional life as they are insufficiently 'digitally literate' (Godole, 2015: 147ff). The Media Literacy Index 2019, which measures ' the potential for resilience to "post-truth", "fake-news" and their consequence in [35] European countries' (Lessenski, 2019: 3), ranked Albania third from last, ahead only of

Turkey and North Macedonia (ibid.: 2, 5). At a time when online media have exploded and are so easy to access, it seems that the Albanian population's ability to filter out false information or propaganda is quite low.

But while Albanians' access to the internet has increased, the situation of Albanian online media remains problematic. The lack of regulation affects online media, leaving unresolved issues such as freedom of expression, defamation, hate speech, and fake news. There is no specific legislation on the content of online media, which is supposed to be governed by the same general principles as those valid for traditional media. The freedom of online media to write anything in a legally unregulated space has exacerbated conflicts between them and the government in recent years. The government's verbal attacks against online media increased especially in the winter of 2019, after the 26 November earthquake that caused hundreds of deaths in Albania. Several online portals were shut down for allegedly publishing fake news about the earthquake and violating the law. Attacks on journalists and websites took place in the absence of legal regulation of online media. This was used as an additional argument by the government to propose the so-called 'anti-defamation package', a series of controversial amendments to Law No. 9918/2008 on Electronic Communications and Law No. 97/2013 on Audio-Visual Media Services, de facto empowering the government to regulate online media (IDMC, 2019: 54).

Journalists and human rights organisations criticised the proposed package as a possible restriction on freedom of expression. On grounds of publishing fake news or defamation, state authorities would be empowered to fine and shut down online media and block foreign media without a court order (Albanian Media Council, 2019). Journalists expressed their concern that this mechanism could be abused to punish professional reporters, thus turning into an instrument of censorship. In numerous public appearances, journalists' organisations reminded the public that freedom of expression is guaranteed by the Constitution, why it is fundamental to democratic societies and is protected in international law by several conventions such as the Universal Declaration of Human Rights, the European Convention on Human Rights, the American Convention on Human Rights, the International Covenant on Civil and Political Rights, etc.

Of course, abuse of freedom of expression can infringe on the freedoms and rights of others, and can have social, economic or even political consequences. In Albania, however, these cases are regulated by the Civil Code and the Criminal Code. Article 617 of the Civil Code stipulates that

> When the liability of a person towards another person concerning the publication of incorrect, incomplete, or fraudulent data, is proved, the court, at the request of the injured person, obliges the other person to publish a refutation deemed appropriate by the court.

The Civil Code (Article 625) also provides for compensation for damage to one's health, physical or mental integrity; honour, personality or reputation; violation of the right to a name, of respect for private life, and of the memory of a deceased person (in this last case, compensation may be sought by the family of the deceased). The Criminal Code punishes libel (Article 120), intruding into someone's privacy (Article 121), and spreading personal secrets (Article 122) with a fine or imprisonment for up to two years. Due to the fact that libel/defamation is already punished under the Civil Code and Criminal Code, many independent media experts found that the government's so-called 'anti-defamation package' was not necessary (IDMC, 2019: 7).

Ignoring the fierce domestic and international criticism, the Albanian Parliament approved this legislative package (solely with the votes of the Socialists, as the opposition parties were boycotting Parliament at that time) on 18 December 2019. On 12 January 2020, however, President Ilir Meta vetoed the package and returned it to Parliament. Then on 20 January 2020 the Monitoring Committee of the Parliamentary Assembly of the Council of Europe requested an opinion of the Venice Commission. The Commission issued an opinion on 19 June 2020 (Opinion No. 980/2020), recommending 'reconsidering the adoption of the draft amendments (...) in their current form' (Venice Commission, 2020: 18) and encouraging independent self-regulation of online media (ibid.: 19). It seems as if for the moment (March 2021), the government has withdrawn these amendments.

Conclusions

Reshaping the role of Albanian media from an extension of the ruling party into a mediator of public opinion was a process that could not happen overnight. While during communism the media were a propaganda instrument that was produced, sold and bought by the state, in the new era they would soon face market competition, with complete lack of experience. The relationship with politics would remain conflictual and would have a direct impact on journalists' approach to their profession and role in society. Despite the establishment of numerous media outlets in the 1990s, the concentration of the media market

in the hands of a small number of owners with strong political ties today poses a threat to media pluralism in the country. Journalists often face intimidation and verbal abuse both from media owners and from politicians. As the political control over media outlets becomes more apparent, media owners' economic and political interests push journalists towards self-censorship.

The process of modernising the public service broadcaster, RTSH, has been long and difficult, and rife with controversy. Technological development was expected to improve not only the signal but also the content of programmes. The achievement of political and professional impartiality remains problematic. The members of the RTSH Administrative Council are appointed by the political parties represented in Parliament, and the recruitment of journalists is also done mainly according to political criteria. Politicisation has severely damaged RTSH's image, and public confidence in it as a provider of professional and impartial political information is extremely low.

During the first decade in transition, support from Western European countries (mainly Denmark) and the USA was provided to build Albanian professional journalism. Despite the positive steps in this direction, journalists in Albania continued to work under difficult circumstances. Almost 90% of journalists are still working on an informal basis, without employment contracts. They receive salaries with delay or sometimes not at all. Fear of losing their jobs forces them not to raise their voices against the media managers. Furthermore, contracts are often imposed and formulated in such a way that they have no legal ground.

The same situation is found in online media. While Albanians' access to the internet has increased, the lack of regulation affects online media, leaving unresolved issues such as freedom of expression, defamation, hate speech, and fake news. There is no specific legislation on the content of online media, which is supposed to be governed by the same general principles as those valid for traditional media. Conflicts between online media and the government escalated over the so-called anti-defamation package in 2019 and 2020. The government's initiative to push this legislative package through Parliament was criticised by experts inside and outside the country for aiming to censor opposition opinion rather than to improve the quality of Albanian media. The Venice Commission also issued a critical opinion on these controversial amendments and it seems as if for the moment (March 2021) the government has withdrawn them.

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Media in Bosnia-Herzegovina: Pluralism and Professionalism Between Political Influences and a Divided Society

Lejla Turčilo

Origins of the present-day media system in Bosnia-Herzegovina: legacy of socialist times, effects of Bosnian War

To better understand the changes in the media system in Bosnia and Herzegovina (B&H), one should take into consideration the political and social changes that have occurred in the country in the past 30 years. According to the 1991 census, Bosnia and Herzegovina had a population of 4.35 million: Bosniaks made up 44% of the total population, Serbs 31%, and Croats 17%. The rest declared themselves as Yugoslavs (five percent) or as members of 25 other nationalities (three percent). The first free elections in November 1990 brought to power national parties: the Bosniak Party of Democratic Action (SDA) won the largest number of votes (33%), the Serb Democratic Party (SDS) came in second with 26% of the vote, and the Croat Democratic Union of Bosnia and Herzegovina (HDZ B&H) was third with 16%. These parties, which were the most influential before the war in Bosnia and Herzegovina broke out in 1992, are still dominant in Bosnian politics (some new parties have also come to power since then, such as Milorad Dodik's Alliance of Independent Social Democrats, SNSD, the most powerful party in Republika Srpska nowadays).

As Zoran Udovičić et al. (2001: 3–4) point out in their paper on post-war media:

> The war drastically changed the socio-economic and political situation in Bosnia-Herzegovina. By 1996, approximately 200,000 people were killed, around one million people were displaced throughout Bosnia-Herzegovina, and another one million were scattered across the globe. Despite the establishment of peace at the end of 1995, refugees and displaced persons have been slow to return to their former places of residence: some have started over abroad or in new communities, others have had their property

destroyed, or they cannot find work. Political obstacles and a high level of inter-ethnic distrust still exists.

New political and institutional arrangements were created by the Dayton Peace Agreement, which provided continuity of the sovereign state of Bosnia-Herzegovina. The state now consists of two entities: Republika Srpska (majority Serb populated), which covers 49 percent of Bosnia-Herzegovina's total territory, and Federation of Bosnia-Herzegovina (majority Bosniak and Croat populated) with 51 percent of territory. The common state institutions and responsibilities of Bosnia-Herzegovina are reduced to several basic functions such as international policy, monetary policy, international trade, and customs policy. The entities are responsible for their own individual armies, police forces and other functions, which are not part of the jurisdiction of the common state institutions. Such a loose, and at the same time complex structure is imminently inclined to inefficiency, and leaves enough maneuvering room for centrifugal political options and tendencies. The ultimate result of such arrangements is an extremely unstable political arena, with a fragmented political party system and strong influence of extreme right-wing, anti-system nationalistic options.

When it comes to the media system in Bosnia and Herzegovina, it is usually discussed in terms of before and after the war. Before the war, Bosnian media were part of the Yugoslav media system, which in the 1980s started experiencing numerous changes – mainly due to the death of Yugoslav president Josip Broz Tito, but also due to the rising inter-ethnic problems, especially those in Kosovo, where Albanians became louder in their demands for equality with other Yugoslav peoples (Dizdarević, 2000). Within the Socialist Federal Republic of Yugoslavia, before the 1980s and 1990s, the Bosnian media were more tightly controlled than the media in the neighbouring republics because of the simple fact that Bosnia and Herzegovina had the most nationally heterogeneous population. Any content that contained any indications of nationalism was strictly removed, as it was feared that tensions could arise among the population.

However, as Belma Buljubašić (2014) has pointed out in her PhD thesis, in the 1990s the media in the different republics of Yugoslavia started acting as media in separate states rather than as synchronised and coordinated media of one country. In the first half of the 1990s, a significant proportion of journalists were in the service of ruling political structures, thus becoming spokespersons for separatist policies, ignoring all journalistic standards. The media accelerated the process of Yugoslavia's disintegration, spreading fear and panic and re-

traumatising those who had survived World War II, glorifying the infamous past by initiating a process of rehabilitation of people who had been portrayed as war criminals. The media space was flooded with revisionist historians, philosophers, writers, etc., offering theses on the common past that were completely different from those present in the public space before.[1]

'In 1991 there were 435 media outlets registered in Bosnia-Herzegovina: 377 newspapers and other print media, 54 radio stations, four TV stations and RTSA – a public state broadcasting enterprise with two TV and three radio channels' (Udovičić et al., 2001: 10, citing Media Plan Institute, 1997: 67). Although the media in Bosnia and Herzegovina sought to resist the nationalism that was spreading in the public space of Yugoslavia, after the first democratic elections the nationalist parties began struggling for control of Television Sarajevo as this media outlet had the greatest influence on the formation of public attitudes. Nationalist parties also set up their own newspapers to promote national ideas, but those newspapers also spread fear among citizens since they often portrayed other nations as enemies.

The war (1992–1995) interrupted the development and almost destroyed the media infrastructure of Bosnia and Herzegovina. The ownership transformation process was suspended, and many newspapers and broadcasters became propaganda instruments for the authorities and other centres of power:

> Due to drastic changes in the socio-economic and political situation during the war, only 50 percent of the media, or more precisely 272 active media outlets, survived the war. Of that number, 203 media outlets were based in the Federation of Bosnia-Herzegovina and 69 in the Republika Srpska. A drastic decline occurred in the field of the press because printing capacities were destroyed, distribution channels were cut, and political and military propaganda was more interested in broadcasters. (Udovičić et al., 2001: 10)

This led to a significant intervention by the international community in Bosnia and Herzegovina and its media. As Matthew Brunwasser, Lejla Turčilo and Davor Marko (2016: 15) point out:

> BiH is an extraordinary example of intensive assistance efforts by international donors to create a friendly environment for media. An estimated €87 million were

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[1]   For more on this, see Thompson (1999).

disbursed by all international donors – private foundations, NGOs and foreign governments – from 1996 until 2006, and by 2013, that number was probably over €100 million. USAID alone invested more than 40 million USD between 1996 and 2013 while the European Commission spent over €20 million from 1996 to 2002 on media assistance in BiH. The Open Society Fund BiH disbursed over 9 million USD from 1993 to 2009 on media programs.

The biggest intervention by the international community, in terms of funding, in recent years is the Independent Media Empowering Program (IMEP), a 5 million USD program of USAID (2017).

Brunwasser, Turčilo and Marko (2016: 15–16) identify four phases of international interventions in the B&H media sector:

- 1996–1998: intervention focused mainly on pacifying the media discourse and developing media pluralism, with support and assistance aimed primarily at opening up the media space to alternative sources of information to ensure that citizens were better informed;
- 1998–2002: intervention focused mainly on developing a legal and regulatory framework, and strengthening the public broadcasting system;
- 2002–2008: intervention characterised mainly by withdrawal of international actors from direct involvement in media reforms, which were left to the competence of local authorities (especially in the case of regulatory bodies and public service media);
- 2008 – present: intervention characterised mainly by the return of major donors, such as USAID, and continuous, but limited, EU efforts to foster reforms in the media sector.

This chronology shows how intervention by foreign political actors and large donors in the B&H media sector has developed since the war: starting with initial post-war interventions aimed at building the B&H media system, then leaving that system entirely in the hands of local actors, and then making a comeback in the last ten years as the system proved to be dysfunctional, but also in line with a revival of interest on the part not only of the EU and the US but also of other 'big players' (Russia, Turkey, Qatar, China) in media and politics in the Western Balkans.[2]

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[2]   For more on the intervention of international donors in the media in B&H, see Turčilo (2020).

The present-day media market in Bosnia-Herzegovina

KEY FACTS AND EVENTS:

- Huge number of media outlets in comparison to population.
- 86.2% of population use the internet.
- 2009: Foreign media enter B&H's media market (starting with Al Jazeera Balkans).
- 2013: Media literacy attracts growing attention after publication of first Report on Media and Information Literacy (in cooperation with UNESCO).

Bosnia and Herzegovina has a very large number of media outlets in comparison to its total population. At first sight, this could give the impression that there is a wide range of diverse information sources available to citizens. According to the Communications Regulatory Agency,[3] the national regulatory authority for telecommunications and broadcasting, 150 radio stations are currently registered in Bosnia and Herzegovina. Of these, three radio stations are part of the public broadcasting system, 64 are publicly-owned (by municipalities or cantons), 80 are private, and three are non-profit radio stations. The total number of currently registered television stations is 107, of which three are public service broadcasters, 19 are public television stations, and 85 are private. There are 11 on-demand audiovisual media service providers. In addition to these broadcasters, the citizens of Bosnia and Herzegovina have access to a large number of television and radio stations from abroad. According to the Communications Regulatory Agency, at present there are 35 cable, IPTV and DTH providers in B&H. The total number of subscribers is approximately 800,000 and providers usually offer over a hundred TV channels in their standard subscription packages.

According to the Press Council in Bosnia-Herzegovina,[4] the self-regulatory body for print and online media, there are currently eight daily newspapers, 106 magazines, eight religious magazines, and numerous other publications in B&H. In addition, there are seven news agencies. The exact number of web portals, an increasingly popular form of informing the public, cannot be determined.

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[3] See Regulatorna agencija za komunikacije BiH (www.rak.ba).

[4] See Vijeće za štampu u Bosni i Hercegovini (http://www.vzs.ba).

The Press Council's website lists 101 web portals, which indicates the popularity of this new medium.

In spite of this huge number of media outlets, analysts agree that media pluralism, especially in the Bosnian-Herzegovinian context, does not mean pluralism of content. This huge number of media outlets also raises the question of how they are financed in a country where the estimated spending on media advertising in the last five years has been an average of 35 to 50 million euros per year,[5] which is definitely not enough for all of these media to operate on market-based principles (many of them are supported financially by wealthy individuals, political elites, etc., in exchange for loyalty).

Research on the media scene in Bosnia and Herzegovina in the past five years[6] has shown several key characteristics of the B&H media market:

- *Lack of transparency* of media ownership. A law on transparency of media ownership is one of the key laws that are missing in Bosnia-Herzegovina and, in spite of the efforts of the professional community (journalists' associations, etc.), there is a lack of political will to adopt such a law and enhance media transparency in the country;

- Although the number of media is extremely large, their impact is not equal since *there is a (smaller) number of really (politically) influential media*;

- *A rise of copy/paste journalism* and decrease in ethical standards in media (especially in print and online media) – many media serve as tools of politically powerful people for discrediting political opponents. However, there is also a trend of *establishing highly professional investigative media and organisations* (such as the Centre for Investigative Reporting, CIN[7]);

- *Foreign media have started entering the B&H media market in the past 10 years.* This has led to diversity of media sources, but has also shown the growing interest of some countries – such as Turkey, Qatar, China, the US and Russia – in B&H;

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[5] For more details on the B&H media landscape, see Brunwasser, Turčilo and Marko (2016).

[6] See, e.g., Jurišić and Tešanović (2014); Turčilo and Buljubašić (2016).

[7] See Centar za istraživačko novinarstvo (http://www.cin.ba).

- There are *more than 2.8 million internet users* (Internet World Stats, 2019) – 86.2% of the population. There is no filtering of online content. Facebook is the leading social media resource, with 1,668,000 users in B&H (ibid.);

- *Web portals are on the rise and an increasing number of citizens are turning to online sources of information* (not so much because they offer better-quality and more reliable information, but rather because they are free of charge – which is extremely important in the conditions of a severe economic crisis for Bosnian citizens). The first B&H web portal, Klix.ba (initially called Sarajevo-x.com), was established in 2000 and since then the business of online web portals has been growing. It is impossible to specify the exact number of web portals in B&H since there is no register or available data. Web portals are within the remit of the Press Council, which has a Press Code for Print and Online Media,[8] but web portals are not obliged to register. Many of them are set up for the purpose of influencing public opinion during specific events (elections, etc.) and then closed down afterwards. However, web portals are becoming an ever more important source of news for B&H citizens. Some portals are of high quality, while others promote retrograde ideas and, often, hate speech and propaganda;

- *Media literacy has been attracting growing attention,* mainly due to efforts of the academic community and NGO sector. Activities conducted in this field include lobbying for the inclusion of media literacy in formal education, providing media literacy trainings for different groups, conducting media literacy research,[9] and publishing books on media literacy.

This brief portrait of the media landscape in Bosnia and Herzegovina reflects its complexity and complicity, but also some of the trends dominant both in the region and globally. In general, we may say that the process of transformation of the media system was concurrent with the transformation of society in the country, which, in B&H's case, was a very complicated post-war transition. Intervention by the international community in B&H included intervention in the media sector, in terms both of know-how and funding but, in the context of a complicated state structure and inter-ethnic relations in B&H, it did not produce the expected results. Parallel with that intervention, a number of politically powerful and wealthy individuals invested in media. This resulted

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[8] See Kodeks za štampu i online medije BiH (https://www.vzs.ba/index.php?option=com_content&view=article&id=218&Itemid=9).

[9] See Vajzović et al. (2018); Turčilo and Tajić (2014).

more in a boom in the number of media outlets than in true media pluralism and diversity. In terms of quality of media content, we may say that there still are high-quality media outlets and very professional journalists, but there are also numerous tabloid media, unprofessional journalists, and a lot of manipulation and spin in B&H media. Together with the crisis of the public broadcasting system (PBS) in the country, this has led to a situation in which it is difficult for citizens to trust the media and to find reliable sources of information. Considering the low level of media literacy in B&H, such a situation makes it easier for political elites to manipulate the public through media.

Media and politics

KEY FACTS AND EVENTS:

- Media divided by entity and ethnicity.
- Journalistic community also divided – six associations of journalists.
- Shrinking media space for alternative and diverse perspectives in the past five years.
- Strong political and economic pressures.

Media division along entity and ethnic lines is widespread in Bosnia and Herzegovina. Readership/viewership of media from the Federation of Bosnia and Herzegovina in Republika Srpska (RS) and vice versa is very small, and analysts agree that media in the country have become ethno-sectarian media empires, mainly promoting ethnic and political mainstream agendas (with rare exceptions, such as Buka,[10] a portal from RS which is read in the Federation as well, or Klix,[11] a portal from the Federation read in RS as well).

There is a limited development and circulation of the press (a decrease in newspaper circulation). As Turčilo and Buljubašić (2017: 16, citing Puhalo, 2015) point out:

> though circulation in most media is hidden, and this non-transparency is usually justified as a business secret, the informal indicators say that, compared to five

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[10] See Buka (www.buka.com).

[11] See Klix.ba (www.klix.ba).

years ago, the circulation is 50% lower, which is mainly due to the growth of online media, or web portals. It is also interesting to note that the ethnic division of the media and public space is most evident in print media: the most read RS newspapers in the Federation sell 5% of their circulation, mostly in Sarajevo, while the most read daily newspapers from the Federation of B&H sell 8% in RS, mostly to the population of returnees.

Also, growing political and economic pressures on media, as well as the concentration of media ownership in the hands of wealthy and politically powerful people, have led to the closure of some investigative and independent media outlets which were unable to survive in a market controlled by politics (for example, the well-read, high-quality newspaper *Slobodna Bosna* was closed in 2015, after publishing its one-thousandth issue). Twenty-four daily newspapers and weekly magazines have shut down in the past five years (Živanić, 2018).

Not only is the B&H media scene fragmented, but the journalistic community is also divided. There are six associations of journalists in Bosnia and Herzegovina. Some of them are ethnic-based (e.g., Društvo Hrvatskih novinara u BiH – Association of Croatian Journalists in B&H), others are confined to a single entity (e.g., Udruženje novinara Republike Srpske – Association of Journalists of Republika Srpska), while the two most prominent and most active associations of journalists throughout Bosnia and Herzegovina are BH Novinari[12] – Association of BH Journalists, and Društvo novinara BiH – Association of Journalists of B&H.

Recent years have seen the rise of the phenomenon of shrinking media space for alternative and critical voices, and under-representation of ethnic and other minorities in media (for example, people with disabilities who do not have a media outlet targeted at their specific needs, or ethnic minorities which do not have programmes in their languages)[13] Several years ago, interviews with journalists in Bosnia and Herzegovina gave some answers to the question about the causes of shrinking media space in the country:

The research has shown that the causes that lead to shrinking space in Bosnia and Herzegovina are coming from both inside and outside of the media, and that part of the responsibility for suppressing and silencing the alternative voices in

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[12] See BH Novinari (www.bhnovinari.ba).

[13] For more on shrinking media space in B&H, see Turčilo and Buljubašić (2017).

the public space lies with media and journalists (who put the particular interest of owners before the public interest, accept censorship and self-censorship, earning money by maintaining good relations with political and economic elites, among which only a few have the sensitivity to alternative opinions, attitudes and views), while part of that responsibility lies with other actors (regulators, legal decision-makers, and especially political and economic elites, who consider the media as a "tool" for promoting their interests, and who exercise various forms of pressures, both political and financial, and others), but it is certainly a part of the responsibility of the public, who provide little or no support for the work of a few high-quality media outlets that cannot resist the shrinking space mechanisms. (Turčilo and Buljubašić, 2017: 84)

The biggest threats to media freedom and independence are of a political and economic nature:

Political pressures on the media and journalists in B&H have been obstructing media freedom for years, and at the same time, preventing high-quality work from journalists. Some media workers say that political pressures on the media have been evident since the end of the war, in various forms, and that the situation has not changed to the present day, on the contrary, it is becoming increasingly complex. Interviewees cite numerous direct and indirect pressures, and some of them emphasize that there is often a very fine line between direct and indirect pressures on media companies and their employees. All of these forms of pressure lead to censorship, self-censorship, unprofessional reporting, journalists fearing for their lives, hindering quality work and, finally, the loss of investigative journalism. (Ibid.: 29)

Economic and political pressures quite often are interrelated either because wealthy people get involved in politics and develop an interest in media, or because politically powerful people are members of the managing boards of big companies and prevent those companies from advertising in media that oppose the interests of their political parties:

Economic pressures on the media are one of the key problems of the Bosnian media sphere, as precisely through economic pressures a climate of censorship and self-censorship is created, which significantly narrows the public space for views and attitudes that are beyond the mainstream. But in the B&H case, economic pressures are not only and exclusively tied to the advertising industry. Namely, there is a direct link between political elites, economic elites and media owners, which was shown by some earlier research (Turčilo, 2011), and economic pressures are directly related to political pressures. (Turčilo and Buljubašić, 2017: 36)

Discussing the relationship between media and politics in Bosnia and Herzegovina, we may say that every aspect of life and society in the country is highly politically influenced – the media being no exception.

Specificities of the public broadcasting system in Bosnia-Herzegovina

KEY FACTS AND EVENTS:

- 2005: Law on PBS adopted.
- This law provides for establishing a Public Broadcasting Corporation which, however, has not been established to date.
- PBS faced with economic crisis as well as political pressures.
- Decrease in public trust in PBS in recent years.

As noted in the book *A Pillar of Democracy on Shaky Ground: Public Service Media in South East Europe*:

The extraordinarily complex state structure and divided society of Bosnia and Herzegovina (B&H) is directly reflected in the structure and work of public service media (PSM) in the country. The public broadcasting system is neither a system nor public – a topic that has been discussed at great length in previous research and analysis[14] due to the fact that PSM operate under strong political pressure (which is reflected in the content of the programme itself and directly affects the level of trust the public has in PSM), burdened with problems of economic sustainability (especially the case with BHRT, the state-level part of the PSM), unable to cope with the demands of digitalisation (the entire country is behind of the curve on digitalisation due to the lack of political will and readiness to complete the process) and losing legitimacy as an institution that should put the public interest first.

It can be asserted that PSM in Bosnia and Herzegovina has struggled to fulfil all of its key tasks. It is in fact debatable whether there is such a thing as public service media at all, since most programming fails to meet even the minimum

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[14] See Ahmetašević and Hadžiristić (2017); Turčilo (2017).

standard with regards to independence, diversity, balance, content quality, non-discrimination or serving the needs of the public – the basic principles of modern public service media. The crisis of legitimacy is existential. (Turčilo, 2019: 49)

Public service broadcasting in B&H is regulated by the following laws: Law on the Public Broadcasting System of Bosnia and Herzegovina (adopted in 2005; hereinafter System Law), which regulates the structure and guiding principles of the public broadcasting services and the relationship among them; Law on the Public Broadcasting Service of Bosnia and Herzegovina (2005), which regulates the public broadcasting service at the state level; Law on the Public Broadcasting Service of Republika Srpska (2006), which regulates the public broadcasting service of the entity of Republika Srpska; and Law on the Public Broadcasting Service of the Federation of Bosnia and Herzegovina (2008), which regulates the public broadcasting service of the entity of the Federation of Bosnia and Herzegovina.

According to the System Law, the Public Broadcasting System of Bosnia and Herzegovina consists of one state-level and two entity-level public broadcasting services:

- The state-level public broadcasting service of Bosnia and Herzegovina (BHRT), consisting of one television channel (BHT) and one radio channel (BH Radio 1);[15]
- Radio-Television of the Federation of Bosnia and Herzegovina (RTVFBiH), consisting of one TV channel (FTV) and one radio channel (Radio FBiH);[16]
- Radio-Television of Republika Srpska (RTRS), consisting of one TV channel (RTRS) and one radio channel (Radio RS).[17]

The System Law provides for a fourth element of the PBS of B&H, the Corporation of Public Broadcasting Services of B&H – an umbrella organisation in charge of equipment, development, strategic planning, coordination among the three elements of the PBS, revenues collection and distribution, etc. However, such a Corporation has not been established to date due to the lack of political will to create a unified PBS for the whole country. That is why we say that the process of establishing a functional PBS in Bosnia and Herzegovina has not been completed.

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[15] See BHRT (http://www.bhrt.ba).

[16] See RTVFBiH (http://www.rtvfbih.ba).

[17] See RTRS (http://www.rtrs.tv).

The fact that an effective, functional and complementary system has not been established in B&H has led to numerous problems in the operation of the PBS and its work in the public interest. The three elements of the system act as competitors rather than as complementary sister services – they set and follow their own separate agendas; revenues are not shared according to the law and neither are human and technical resources. All of this has resulted in a non-functional, divided and distrusted PBS.

As regards the editorial policies of the three public broadcasting services, it is quite clear that with politically affiliated management boards, management, and editorial structures (there are, of course, exceptions, but they are precisely an exception, not the rule), one cannot expect them to offer balanced, fair, impartial reporting, and to comply with other principles and standards ensuring provision of quality information and representation of the interests of all. Previous media research shows that BHRT offers more balanced content than the other two elements of the system (RTRS and RTVFBiH), especially in 'sensitive' situations and processes (such as election campaigns[18]). The latest cases of biased reporting,[19] however, as well as of appointment of editors based on their political affiliation[20] show that the political elites are trying to take over this part of the system as well. Furthermore, the fact that there is no unique, original approach to developing editorial policies and consensus on professional standards also attests to political clientelism.[21] It is precisely the deviations from professional standards in part of the PBS (which are not limited exclusively to political clientelism, but also concern some other, even formal, standards, such as the appointment of inexperienced presenters and journalists whose communication style is inappropriate for a public broadcasting service, etc.) that are one of the reasons for the decline of public trust in the public broadcasting services.

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[18] For more on this topic, see Udovičić (2010).

[19] Such as the unprofessional reporting on the anniversary of the destruction of the Old Bridge in Mostar, after which a group of intellectuals wrote an Open Letter to BHRT, declaring that they will not appear as guests on BHRT programmes until professional standards of reporting are properly met (Analiziraj.ba, 2019).

[20] There have been several cases of controversial appointments of editors of BHRT programmes in the past few years.

[21] For example, there are cases of extremely biased reporting on some political subjects in exchange for certain privileges, such as material and other benefits, exclusive information, etc., which are the most direct indicators of political clientelism. However, there are also cases of journalists who work under the directive of political parties, or leave the public broadcasting services to become PRs or media advisers to certain politicians, elected officials or parties, only to eventually return to the PBS.

Another extremely important problem of the public broadcasting services in Bosnia and Herzegovina are labour and legal relations and the status of employees. This problem is particularly relevant for employees of BHRT as the latter is in a bigger financial crisis than the other two public broadcasting services. Extremely low and irregular wages, employment under part-time contracts, overtime and unpaid work, dismissals, transfers from one newsroom to another, non-payment of pension and health insurance contributions, are the main problems facing employees of BHRT as well as of RTRS and RTVFBiH. The responsibility for this undoubtedly rests with the management of the public broadcasting services, but also with the relatively quiet, dissociated and inactive trade union organisations of journalists in them.

As regards the image of the public broadcasting services and their public perception in Bosnia and Herzegovina, the two most often mentioned aspects are citizens' dissatisfaction with their programme and unwillingness to pay the RTV tax. This issue is all too often approached one-dimensionally, neglecting its many facets. Explanations for people's unwillingness to support the public broadcasting services range from dissatisfaction with the programme and, hence, reluctance to pay for it, to manipulation by the political elites, as a result of which B&H citizens do not regard the public broadcasting services as their own and do not want to give them money. The fact is that citizens do not think the RTV tax is an adequate way of financing the public broadcasting services: 55% of the respondents in a 2020 survey on media freedom in B&H said that the financial survival of public services can be ensured through the complete abolition of the RTV tax and their financing from the state and entity budgets (FES and BHN, 2020: 36).

This can be interpreted as indicating two problems related to B&H citizens' perception of the public broadcasting services: one is the widespread view that the public broadcasting services serve the state and entities, that is, they promote the interests of their elites and should therefore be financially supported by the latter; the other is a general misunderstanding of what financing from state/entity budgets means.

The fact that the majority of citizens want to transfer the responsibility for financing the public broadcasting services to the state and entities is actually an indicator of their low level of political literacy. Citizens do not understand that budget money is, in fact, their money (and even if they are aware of strong political influences on the public broadcasting services, they are unaware that

financing the latter from the state/entity budgets means continuing to finance such influences). They are also unaware of the fact that any public service financing from the state/entity budgets is essentially a transformation from public service (established in the public interest and financed by the public, as it is defined in theory) into state service (which serves the interests of the elite, not of citizens, and in which journalists are socio-political workers – as is the case in undemocratic systems).

Furthermore, the thesis that citizens are dissatisfied with the programme and are therefore unwilling to pay the RTV tax is superficial, speculative and manipulative as well, and also counts on citizens' fundamental ignorance of their legal obligations. The RTV tax is not a reflection of the audience's taste, but 'a tax for the possession of a radio or television receiver in a household or by a legal entity', as defined by the System Law, and it seems that this is something that the public does not understand. Non-payment of the RTV tax is one of the mechanisms for weakening the public broadcasting system, which is a conscious part of the agenda of some political representatives in B&H who urge citizens not to pay the tax. This is also a precedent in the institutional sense: namely, that political representatives of legislative institutions which have, among other things, passed statutory regulations on the public broadcasting system, directly invite citizens to disregard those regulations.

In general, as noted in previous research, including in the book *A Pillar of Democracy on Shaky Ground: Public Service Media in South East Europe*, a true transformation of the state-owned media into public service media has never happened in Bosnia and Herzegovina. Instead, B&H citizens have been offered three almost separate broadcasting services that are only formally integrated into one system but are not complementary at all. All three are becoming more and more influenced by the ruling political parties and less and less impartial and objective in their reporting. Although at the very beginning of the PBS, especially of BHRT, the public had great trust in that media, the level of public trust in the public broadcasting system in Bosnia and Herzegovina has been decreasing.

Being a journalist in Bosnia-Herzegovina: challenges of the profession

KEY FACTS AND EVENTS:

- 1995: Newly adopted Constitution of B&H guarantees freedom of expression and freedom of media.
- 2001: Communications Regulatory Agency and Press Council established.
- Number of journalists in B&H estimated at 2,000–3,500.
- Strong political and economic pressures on journalists, weak protection and solidarity.

When it comes to the legal framework on the media in Bosnia and Herzegovina, we may say that, on paper, it is very well developed, but in practice it does not function well. The Constitution of Bosnia and Herzegovina (adopted as an annex to the Dayton Agreement in 1995) guarantees freedom of expression and freedom of the media. The Law on Protection from Defamation (adopted in 2001 in Republika Srpska and in 2003 in the Federation of Bosnia and Herzegovina) decriminalises defamation and libel. The Freedom of Access to Information Act (adopted in 2001 both in the Federation of Bosnia and Herzegovina and in Republika Srpska) regulates the access to information held by public authorities, stating that the right to access this information is essential to the democratic process and that every natural and legal person has a right to access this information.

The broadcasting framework is constituted mainly by the Law on Communications of Bosnia and Herzegovina (2002). Several acts have also been adopted to align the laws regulating the broadcasting sector to the European framework.

Most analysts agree that legislation in B&H is largely sound and effectively establishes an appropriate legal framework for the media to operate freely and in the public interest. The main problem is that the laws are poorly implemented (Halilović and Džihana, 2012). Some key laws – such as those regulating the transparency of media ownership and the advertising market – are missing. Other key media problems are institutional, according to participants in the Balkan Media Barometer (Jurišić and Tešanović, 2014). Those

institutional weaknesses have resulted in failure to implement the digitalisation of television in B&H, a dysfunctional public broadcasting system, and political pressures on the Communications Regulatory Agency (CRA).

The country's main regulatory body for broadcast media is the state Communications Regulatory Agency, established in 2001. The CRA, although designed as an independent body, as the result of intensive external media assistance, suffers from similar issues faced by other state-level institutions and agencies established under strong international pressures – political parties in power have always been included in the appointment of the CRA director, while the Agency is constantly struggling to keep its political and financial independence.

The Press Council in Bosnia-Herzegovina, a self-regulatory body for print and online media, was registered in 2001. In 2020, the Council received 621 complaints about breaches of the Press Code (out of which 149 complaints were related to articles published in press and online media, while 443 were related to comments of online media visitors[22]). The number of complaints has been increasing over the years, which is partly attributable to the Council's extensive and effective efforts to raise citizens' awareness on this issue.

Data about the number of journalists working in B&H media are based on estimates that vary according to different sources. 'According to estimates by representatives of journalist associations from the RS and FBiH, the total number of journalists ranges between 2,000 and 3,500, while between 1,574 and 2,755 journalists are employed with labor contracts' (SEE Partnership, 2015: 10–11). In Bosnia and Herzegovina, journalists are among the lowest-paid holders of university degrees, along with teachers and architects: their pay averages 680 KM (340 euros) per month, compared to the average overall salaries of 829 KM (424 euros) for B&H citizens with higher education (Brunwasser, Marko and Turčilo, 2016: 11). Journalists at the public broadcasting services in Sarajevo – BHRT and RTVFBiH – have salaries averaging around 1,000 KM (511 euros). Salaries for journalists at RTVFBiH range from 600 KM (307 euros) for beginner journalists to 3,000 (1,530 euros) for editor-in-chief. However, salaries vary greatly from one media outlet to another and even within the same media outlet. Salaries in big private media outlets vary from several thousand KM for people in top-level positions (or highly qualified people) to nothing at all, as is often the case of entry-level journalists. It should

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[22]   Data as of 10 December 2020 (see https://www.vzs.ba/).

be noted that the highest salaries for journalists in B&H are to be found in the local office of Al Jazeera in Sarajevo (SEE Partnership, 2015: 12–13).

As regards media freedom, Reporters Without Borders (2020) states that in Bosnia and Herzegovina in 2020:

> The polarised political climate, marked by constant verbal attacks and nationalist rhetoric, has created a hostile environment for press freedom. Editorial policies reflecting ethnic divisions and hate speech are ever more evident. Journalists are attacked for their ethnic origins as well as what they write. Defamation suits by politicians often serve to intimidate journalists and deter them from pursuing their work. The instrumentalisation of the media for political purposes continues, and this is increasingly evident in the case of public service broadcasters.

However, B&H's ranking in the Reporters Without Borders World Press Freedom Index (WPFI) has improved in the last few years (from 68th out of 180 countries in 2013 to 58th in 2020), mainly due to the fact that no journalists have been killed in the country. According to research by Dragan Vuković (2020), however, in the 2014–2018 period there was an increase in the number of incidents/attacks on journalists (chart below).
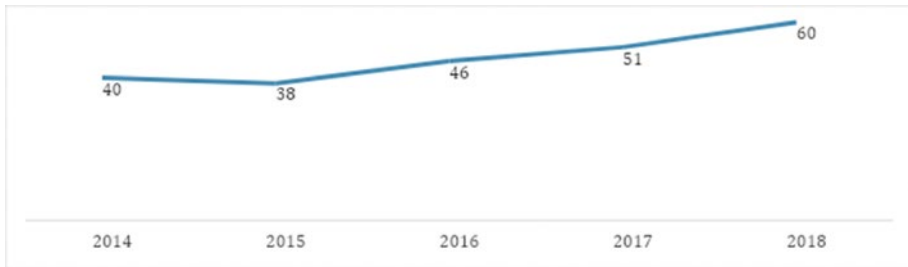
Number of identified incidents, 2014–2018. Source: Vuković (2020).

There is a noticeable trend towards an increase in the number of incidents from year to year – from 40 in 2014 to 60 in 2018, that is, by 50%. In 2019, the negative trend continued, with 57 new cases reported to the Free Media Help Line of the Association of BH Journalists (BHN, 2020). The increase in the number of reported incidents may be a reflection of the deteriorating state of journalists' rights and freedoms, but also of greater awareness among journalists that such cases should be reported.

As noted above, B&H's ranking in the World Press Freedom Index has improved in recent years compared to 2013, mainly due to the fact that no journalists have been killed and just a few have been physically attacked.
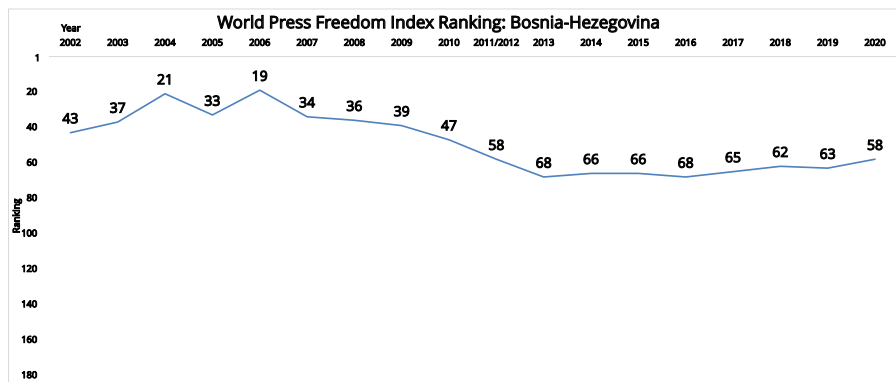
Source: Reporters Without Borders.

As regards changes in the journalistic profession in Bosnia and Herzegovina in the past 30 years, it is noteworthy that in many cases the role of journalists has turned from that of 'socio-political workers' (as they were called in socialist times) into that of 'workers for elites' (political and economic). Although due to the very large number of media outlets it is not very difficult to find a job if one is a young journalist in Bosnia, it is quite difficult to find a well-paid job in a media outlet that is independent from political and economic influences. For this reason, journalists tend to work in media for a few years and then try to find a job in better-paid professions, such as public relations. There are just a few genuine investigative media outlets in the country and well-educated and professional journalists usually work there, but they are under strong pressure and quite often even face death threats because of their investigations. Journalists who are attacked, threatened, or intimidated in other ways can ask for protection from state institutions (the police, for example: some journalists have been under police protection for quite some time because of threats against them) or professional associations (the Association of BH Journalists, for example, has a Free Media Help Line that enables journalists to ask for legal protection or other forms of help). Although there is not much professional solidarity in the everyday work of journalists in Bosnia and Herzegovina, whenever journalists are attacked the professional community does react. Thus, for example, in September 2019 journalists in Sarajevo protested after football hooligans attacked the newsroom of web portal Radio Sarajevo (Arnautović, 2019). Also, in August 2018 journalists in Sarajevo, Banja Luka,

Mostar, Tuzla, and Zenica protested after an attack on Vladimir Kovačević, a journalist from Banja Luka. As ordinary citizens joined these protests, this was one of the magnificent moments when journalists and citizens united to demand media freedom and protection of journalists (Zurnal.info, 2018).

Although we must admit that formally the level of independence has increased in comparison to socialist times, that the working conditions are to some extent better than 30 years ago, that there are highly professional media outlets and excellent investigative journalists, it is also fair to say that it still isn't easy to be a journalist in Bosnia and Herzegovina nowadays.

Updating the media system in Bosnia-Herzegovina: digitalisation and online media

KEY FACTS AND EVENTS:

- Digitalisation started in 2006, but hasn't been completed to date.
- Main reason for failure to complete digitalisation: lack of political will.
- New completion deadline set for 2022.
- Social media on the rise in B&H, especially Facebook as the dominant social network.

The digitalisation process was introduced in Bosnia in 2006 with the establishment of the Digital Terrestrial Television (DTT) Forum, an expert body on digital transmission. The Forum was tasked with preparing a national strategy for the introduction of DTT standards in B&H, forwarding it to competent state institutions for adoption, and informing the broader public about the process – an excellent idea which, unfortunately, has never been fully implemented in practice. A Strategy on Digital Switchover was adopted in 2009 and the first deadline for transition to a digital signal was set for 2011 but failed to be met. The first phase of installation of the new equipment in three major cities (Sarajevo, Banja Luka and Mostar) started in 2014 and was completed in 2016. In the summer of 2016, it was announced that the digital signal would finally be launched, but a few days after the announcement RTRS declared that they were not ready to launch their signal at the same time as Sarajevo and Mostar – the public was not informed in detail about the reasons

for this cancellation. The first phase of installation was completed at the end of October 2016 with a digital test signal. The second phase started in 2017, its aim being to digitalise more cities in B&H and connect the country with its neighbours. The deadline for its completion was set for early 2018 but, once again, failed to be met.

The Strategy on Digital Switchover envisaged that all digital transmitters would be managed by the joint Corporation of public broadcasters in B&H, which would ultimately allow commercial stations to access and broadcast a digital signal. The failure to establish the Corporation is among the reasons for the non-completion of the digitalisation process:

> Apart from a complicated bureaucratic procedure in regard to procurement, structural problems built into BiH's PSB system also slowed digitalization significantly. Legally, BiH's digital transmitting equipment ought to be in the possession or in the control of the joint Corporation, but since the Corporation was never established, there is no dedicated body in charge of the entire process. Equipment was thus in the possession of each broadcaster, which fragmented and further complicated the process, as … mentioned in the episode where RTRS attempted to set up a digital signal on its own. (Ahmetašević and Hadžiristić, 2017: 41)

On 1 November 2019, the Communications Regulatory Agency granted the legal entity Multiplex Service BH d.o.o. a licence for the use of radio frequency spectrum for the provision of electronic communications network management services in digital terrestrial broadcasting in B&H – Multiplex C. This enabled all TV stations, especially commercial ones, to plan digital terrestrial broadcasting.

Digitalisation, thus, has also become a political issue as well as a sign of how dysfunctional both the state system and the public broadcasting system is in Bosnia and Herzegovina. At present, it is still unclear when the whole process will be completed. A new deadline for its completion has been set for 2022, but no one can say for certain whether it will be met.

As regards the other dimension of updating the media system in Bosnia and Herzegovina – internet and online media usage – we may say that much progress has been made. According to available data, internet penetration in B&H is 86.2% (Internet World Stats, 2019). Facebook is the most-used social media platform in Bosnia and Herzegovina, with 1,668,000 users. Social media stats for August 2020 show that 99.4% of social media users use

Facebook, 1.01% Twitter, 0.08% YouTube, 0.1% Pinterest, and 0.07% Instagram (StatCounter, 2020).

It is notable that Twitter is widely used by influencers and journalists to shape opinion and disseminate news, while Facebook is more popular among ordinary people as a platform for both information-sharing and self-representation.

There are several trends in social media usage in B&H that are related to information-sharing and that are worth mentioning:

- Social media are very often used as (sometimes even the only) source of news for traditional media (which simply copy/paste Facebook statuses or tweets by politicians, celebrities, etc.). Two notorious cases in recent years involved tweets by SNSD member Rajko Vasić on 10 July 2018, the day before Srebrenica Genocide Memorial Day, denying Srebrenica and threatening a new genocide, which provoked strong reactions in media and society as well as strong condemnation from various political actors, including the OHR (N1, 2018); and an offensive tweet by Vjerica Radeta, a member of the National Assembly of the Republic of Serbia, after the death of Hatidža Mehmedović, founder and president of the association 'Mothers of Srebrenica' (B92, 2018).

- Social media are often used to spread hate speech (as in the two above-mentioned cases, by Rajko Vasić and Vjerica Radeta, but also by many fake Facebook profiles, etc.), and for that reason in 2012 the Press Council in B&H launched a campaign called 'You Are Not Invisible', working closely with different actors (police, judiciary, etc.) on education, legislation, fieldwork, etc., related to hate speech, and finding perpetrators of hate speech online. Hate speech is present not only on social media but also in visitors' comments on web portals. The Press Council works closely with web portals on moderating comments, as well as with advertisers, its aim being to discourage them from advertising on web portals which allow hate speech (Vijeće za štampu, 2019). This, to a certain extent, does help reduce hate speech on some portals, but we must note that hate speech is 'exploding' online, especially during election campaigns.

- There is a trend towards shrinking social media space for criticism, which is done by threatening prominent analysts (as in the case of political analyst Ivana Marić or journalist Dalija Hasanbegović), but also by shutting down

social media accounts of journalists, analysts and others who criticise the government and are reported by political party trolls (individuals paid by parties to spread political messages, but also to obstruct the work of opponents online), and thus have their accounts shut down. One such case was that of Dragan Bursać, a journalist who published a post/picture of concentration camps for Bosniaks in Serbia in May 2018 (Patria, 2018). Trolls of some political parties in Republika Srpska launched a campaign against Bursać, spamming his Facebook page with complaints falsely accusing him of spreading hate speech, and this got his Facebook account temporarily blocked.

- There is also a trend of spreading fake news through social media by citizens, which shows the low level of media literacy among the general public in Bosnia and Herzegovina. People tend to share news and information without questioning its content and sometimes even without reading it. There are several fact-checking portals in B&H, the most prominent ones being Raskrinkavanje.ba and Analiziraj.ba. They strive very hard to explain to citizens what content is fake news, but there are still many cases where people tend to believe such news anyway.

- Citizen journalism in Bosnia and Herzegovina is on the rise, and it is promoted and supported by a US government grant through USAID's Independent Media Empowerment Program and implemented by the Centre for Civil Society Promotion (CPCD), which provides citizens with grants, tools and skills to produce media content (CPCD, 2018). However, these stories by citizen journalists rarely get wide publicity, and not all of them are of public interest or high quality.

- Youtubers, gamers and influencers are becoming more and more popular in B&H, especially among the young generations. Some of them are very well-known and are employed by advertisers to promote their products, but lately also by different local and international NGOs to promote ideas of human rights, culture of dialogue, etc., since their influence on youth is very high.

In general, we may say that online media platforms are becoming an ever more important segment of the B&H media scene, but they are plagued by many problems – from fake news and hate speech to political manipulation, trolling and bots. They are also widely used for political campaigning in election time and for political debates on a daily basis. Unfortunately, these political debates

demonstrate a lack of political culture and culture of dialogue. This only shows that there is an urgent need to develop political and media literacy (including digital literacy) in Bosnia and Herzegovina.

Conclusions

The media in Bosnia and Herzegovina have gone through some significant changes in the past 30 years. These changes were caused by and/or followed not only the political transition from communism to democracy and the economic transition from state-owned economy to private corporate business but also by almost four years of war, which influenced all aspects of life in the country, including the information-communication system. Nowadays, the work of media in Bosnia and Herzegovina is fraught with difficulties. In brief, if we want to sum up some of the most important problems in B&H media, they would include the following:

- *Media in Bosnia and Herzegovina are facing many challenges,* political and economic pressures being among the biggest ones. This causes widespread self-censorship and demotivates journalists to pursue investigative and public interest journalism.

- *The working conditions for journalists and the media in Bosnia and Herzegovina are extremely difficult.* Journalists are faced with a number of issues related to their legal status, including irregular and low wages, work contracts that do not guarantee job security, and lack of support from professional journalists' associations and trade unions. As Dragan Vuković (2020: 25) points out in his MA thesis:

> In political terms, strained political relations in B&H since 2006 have also reflected on the abuse of power to manipulate the public by controlling the media and journalists, as opposed to investing in media freedom and established bodies to regulate the market and protect rights. In the labour law sense, Jurišić (2010)[23] states that the most common types of violations of labour rights of media workers in B&H are undeclared work, unpaid overtime work, and abuse of various types of employment contracts. The labour market

[23] Vuković is citing Jurišić, D. (2010). *100 prvih pitanja o pravima medijskih uposlenika u BiH.* Sarajevo: Udruženje/udruga BH Novinari. Available: https://bhnovinari.ba/wp-content/uploads/2012/01/100pitanja_bosanski.pdf (accessed: 20 October 2020).

of journalists is under the direct influence of the situation on the media market. The regulated media market in B&H is losing importance in addition to the less regulated market of online media and social networks, thus losing part of its revenue. Specifically for B&H, commercial sources of media financing are shrinking due to the influence of media from neighbouring countries, regional media houses, and world media groups. The reduction of commercial sources of funding for the media means a need for greater public funding or political patronage, which undermines the independence of the media and narrows the space for journalists to operate. In the social sense, the media audience is increasingly turning to sensationalist sources of information, as opposed to quality journalism, which again narrows the space for journalists who provide quality and timely information.

- *The public broadcasting system is in a particularly difficult position*, for a wide range of reasons – from political pressures to financial issues:

   The political dependence of the entity broadcasters, the financial dubiousness of the state broadcaster, the failure of the Corporation, the unclear vision and strategy for the development of the public broadcasting system in Bosnia and Herzegovina, the lack of support from the public for the public broadcasting system, a technologically obsolete and in terms of human resources overburdened system – all this represents characteristics of the public broadcasting system in Bosnia and Herzegovina today. (Turčilo, 2019: 59)

- *No progress in digitalisation in B&H has been made in the past four years* – Bosnia and Herzegovina is the only country in the region that has not completed the process of digitalisation. The reasons for that are mostly political, that is, a lack of political will to decide on joint investment in equipment in both entities, as well as a lack of technical support for both media and citizens. The first phase of digitalisation was completed in 2016, but little if any progress has been made since then.

All this contributes to the fact that people in Bosnia and Herzegovina are over-newsed, but under-informed. Unfortunately, the huge number of media outlets in comparison to the population does not guarantee that citizens are well-informed. However, it is fair to say that there are still some excellent examples of highly professional media and journalists in Bosnia and Herzegovina, whose great work gives hope for the future and prosperity of journalism as a profession in the country.

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The Bulgarian Media in Three Decades: What Happened and What Didn't

Orlin Spassov

Socialism: the ambivalent media legacy

One of the most important roles of journalism under socialism was to produce state and party propaganda. Despite this, the picture wasn't black-and-white. The socialist period in Bulgaria (1944–1989) was neither homogeneous nor unambiguous. This period itself had inherited a problematic media environment. As early as the 1920s, there were numerous instances of imposition of censorship, persecution of journalists, and crackdown on the opposition press. Between 1934 and 1944 all political parties and, by extent, political party newspapers were outlawed. The rest of the press was subjected to severe legal restrictions and control.

In 1944, after the change of the political system in Bulgaria, some party newspapers resumed publication. They did not last long, though. In 1947 they were shut down, private ownership of printing houses and publications was abolished, and total state control was established over all media. What followed was the most stagnant period of socialism in Bulgaria. There was a certain thaw after 1956, when the Bulgarian Communist Party began to disavow the practices of Stalinism. Despite this, all media, including radio and television (the latter launched in 1959), remained under strict ideological control.

More substantial processes of partial liberalisation of the Bulgarian media environment began only after the mid-1960s. They occurred first in some popular magazines like *Paraleli* (Parallels) and *Zhenata Dnes* (The Woman Today) as well as in more elite magazines like *Balgarsko Foto* (Bulgarian Photo). Those magazines were among the first print media in which the Iron Curtain was raised somewhat, letting in articles about Western fashion, arts and culture. Eventually, such print media became a sort of soft alternative to the official ideological discourse and broke up some of the main stereotypes imposed in Bulgarian media until then.

The next wave of liberalisation took place in the 1979–1989 period. Despite the relatively strict control, a number of media outlets were already providing quality journalism in line with high professional standards. Although control over radio and television as a whole was stronger than that over the press, the two broadcast media began to offer more modern and often critical programmes such as the radio current affairs talk show Nedelya 150 (Sunday 150) and the TV magazine programme Vsyaka Nedelya (Every Sunday). Under the influence of Gorbachev's perestroika, after 1985 significant journalistic investigations criticising irregularities in the economy and governance began to be conducted in Bulgaria, too. Precisely such qualities of Bulgarian journalism laid the groundwork for the subsequent changes.

Until 1989, there were six or seven national dailies in Bulgaria. At the time of the political changes of 1989, Bulgarian National Television (BNT) had two channels covering the entire territory of the country. Bulgarian National Radio (BNR) had four national programme services.

As a whole, an important contradiction emerged in Bulgarian media during the socialist period. On the one hand, there was strong political control over media content. At the same time, however, the media were a conduit for the works of Bulgarian culture, many of which needed a freer context both for their creation and for their reception by the public. This opposition between control and culture gave rise to contradictions and tensions which, along with the economic crisis of late socialism, facilitated the collapse of the system.

The media market: a Bulgarian version of capitalism

KEY FACTS AND EVENTS:

- 1990–1991: First private newspapers launched, including weekly *168 Chasa* (168 Hours) and daily *24 Chasa* (24 Hours).
- 1991: New Bulgarian Constitution, containing important provisions related to civil liberties and media, adopted.
- 1991: Voice of America starts broadcasting in Bulgaria; VOA's Bulgarian-language service closed in 2004.
- 1992: First private radio station, FM+, launched.

- 1993: Radio Free Europe awarded broadcasting licence; RFE's Bulgarian-language service closed in 2004; Svobodna Evropa (Free Europe) restored as a Bulgarian-language multimedia digital platform in 2019.
- 1994: Radio Deutsche Welle (DW) and Radio France Internationale (RFI) awarded broadcasting licences; DW stops broadcasting in Bulgarian in 2011, and RFI in 2009.
- 1994: Nova TV first private local terrestrial TV station to broadcast in Sofia.
- 1996: Bulgarian Association of Advertising Agencies founded, joins European Association of Advertising Agencies.
- 1997: Association of Bulgarian Radio and Television Broadcasters (ABBRO) founded.
- 1997: German media group WAZ enters Bulgarian market, buying dailies *24 Chasa*, *Trud* (Labour) and other leading print media.
- 1999: First national private TV station, Balkan News Corporation (bTV), awarded licence; owned by Rupert Murdoch's News Corp, bTV starts broadcasting in 2000.
- 2000: Second private national TV station – Nova TV, owned by Greece's Antenna – awarded licence.
- 2000: Union of Publishers in Bulgaria established.
- 2002: Bulgarian Association of Regional Media (BARM) set up.
- 2007: Irena Krasteva buys newspapers *Monitor*, *Telegraf* and *Politika*, and founds media conglomerate New Bulgarian Media Group Holding.
- 2008: Sweden's Modern Times Group (MTG) buys Nova TV.
- 2009: National Council for Self-Regulation (in advertising) founded by the Bulgarian Association of Advertisers (BAA), Bulgarian Association of Advertising Agencies (BAAA), and Association of Bulgarian Radio and Television Broadcasters (ABBRO).
- 2010: bTV ownership changes hands from News Corp to Central European Media Enterprises (CME).
- 2010: German group WAZ sells its Bulgarian media to BG Printmedia OOD and withdraws from Bulgaria.
- 2012: Bulgarian Media Union set up by 35 publishers of 68 local and national media outlets as alternative to the Union of Publishers in Bulgaria.
- 2013: Darik News acquires largest Bulgarian online media group, Netinfo; later that year Darik News and its Netinfo sell 75% of their assets to MTG, the Swedish owner of Nova TV and other channels in Bulgaria.

- 2013: Venelina Gocheva, former editor-in-chief of *24 Chasa*, and her company Pro News Bulgaria acquire BG Printmedia OOD, which bought WAZ's media in Bulgaria in 2010.
- 2014: Petyo Blaskov announces purchase of newspapers *Trud* and *Zhalt Trud* (Yellow Labour) from Venelina Gocheva and becomes *Trud* editor-in-chief.
- 2014: Tsvetan Vasilev's Corporate Commercial Bank (Corpbank), widely seen as a cartel of political, financial and media interests, goes bust.
- 2015: Telecom Mtel buys telecommunications operator blizoo (formed in 2010 by the merger of two of the biggest cable TV operators in Bulgaria, Eurocom Cable and Cabletel).
- 2019: MTG sells its business to Advance Media Group, a Bulgarian company owned by brothers Kiril and Georgi Domuschiev.
- 2020: United Group, a telecoms and media operator in Southeast Europe whose majority owner is London-based fund BC Partners, acquires Vivacom, the largest telecommunications operator in Bulgaria.
- 2020: Czech billionaire businessman Petr Kellner's PPF Group, an investment company registered in the Netherlands, acquires CME, the owner of bTV Media Group.
- 2020: United Group in talks to acquire Nova Broadcasting Group, owned by Kiril and Georgi Domuschiev.

The market changes in the Bulgarian media landscape after 1989 can provisionally be divided into two periods: before and after the country's accession to the European Union (EU) in 2007.

The first period saw a boom of new media outlets in Bulgaria. Economic activities in the media sphere outstripped a number of other areas of private enterprise. Major foreign media companies entered the Bulgarian market. Their presence defined the structure of the Bulgarian media landscape. It set standards for normal operation of the media market but, at the same time, also led to the latter's strong commercialisation. This, in turn, led to cut-throat competition. In an effort to reach larger audiences and increase their profits, many media outlets resorted to hybridisation of serious and sensationalist contents. There also appeared a number of frankly sensationalist media outlets. All this translated into a permanent shortage of quality media content.

Front page of the maiden issue of the emblematic daily 24 Chasa *(18 April 1991).*

Until the global financial crisis of 2007–2008, the development of the Bulgarian media environment as a whole was on the rise and there was optimism on the market. Many media outlets united in branch organisations. In the last years before the crisis, gross advertising budgets increased year-on-year in all media sectors (Antonova, 2013).

Bulgaria's EU accession practically coincided with the beginning of the global financial crisis and this had multiple negative effects in the following years. By 2009 the decline had become obvious across-the-board, except for online media – they were the only ones that saw their advertising revenues level off and even increase slightly (ibid.). Advertising budgets began to shrink already in 2008. They went on to suffer a year-on-year net decline of 27% in 2009 and 14% in 2010 (ibid.). In the next three years, net advertising budgets in media

decreased further, albeit not so drastically. It was not until 2014 that they grew slightly, by 0.7% (Piero 97, 2015a). The financing of the public service media was reduced significantly.[1] The expectations that the crisis could play the role of catalyst for the Bulgarian media market by consolidating it in a natural way, did not come true.

The market started recovering only in 2015, when net investments in advertising grew by 8.3% compared to 2014 (Piero 97, 2015b). This growth was especially tangible in the case of gross advertising budgets. Compared to 2014, in 2015 those for online media (excluding Facebook and Google) grew by 27.5%, for the radio sector by 8%, and for television by 2.7% (ibid.).

Against this background of a long crisis and difficult recovery, one of the main problems after 2007 was that very few media outlets managed to survive independently by supporting themselves financially. For instance, a study conducted in the 2011–2013 period found that 'Almost all [studied] media, regardless of their sources of revenues, are in financial dire straits. Except for bTV and "Telegraf" daily, almost all are loss-makers' (Blagov et al., 2014: 75).

The role of foreign investors in the Bulgarian media sector is ambivalent. At the start of the changes, Bulgaria needed role models of quality independent media. Predictably, those role models came from major foreign players which entered the Bulgarian market. All this, however, came at a price. Through their strong dominance on the market, the large foreign companies long suppressed the possibilities for normal development of the Bulgarian media industry. Whereas other countries, such as Slovenia and Croatia and, to some extent, Poland and the Czech Republic, significantly restricted foreign ownership of media, Bulgaria, conversely, widely opened up to foreign investment in the media sector. Foreign investors, however, quickly turned to profit-making, often at the cost of quality of content and, for the most part, left media policy-making at the local level to their Bulgarian editorial offices. The ultimate result was that the foreign media companies remained independent only formally as, in practice, they became strongly involved in Bulgarian politico-media developments and were not immune to influences. The pursuit of high circulation rates and ratings at any cost had a demoralising effect and drove

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[1] The state subsidies for the BNR fell from BGN 52 million in 2009 to BGN 42 million in 2016, while those for the BNT decreased from BGN 67 million in 2010 to BGN 65 million in 2016 (Kuzmanova, 2015). Considering that the two media outlets' expenditures are constantly growing, the Bulgarian public service broadcasters are chronically underfunded.

many Bulgarian media outlets to follow suit. This encouraged two things: collaboration with those in power and a turn to tabloid content.

After 2007, the role of the state as distributor of funds for advertising became significant. Funds are allocated to media outlets for the promotion of EU operational programmes and various state-financed public projects. The lack of clear eligibility criteria for media outlets in the allocation of advertising funds is an outstanding problem, the cause for much criticism both from Bulgarian and international organisations and institutions (Hagan et al., 2016).

The 2016 Media Pluralism Monitor (MPM), implemented in all EU countries, found the highest risks for Bulgarian media in the area of 'Market Plurality'. The levels of horizontal and cross-media concentration of media ownership indicated a very high risk (96% and 89% respectively). According to the 2016 MPM country report for Bulgaria,

> the Top 4 concentration calculations show a high level of concentration in the audiovisual sector – 92%, and 57% concentration in the newspaper sector. (…) Available figures on Top 4 audience shares are also indicative of generally high concentration: 82% in the television sector, 81% in the radio sector and 35% in the newspaper market. (Spassov, Ognyanova and Daskalova, 2016: 5)

The levels of concentration remained high in the following years, too. The 2020 MPM identified a 97% risk by the indicator 'online platforms concentration and competition enforcement', and a 90% risk by the indicator 'news media concentration' (Spassov, Ognyanova and Daskalova, 2020: 8). The latest major changes in media ownership point to a tendency towards simultaneous acquisition of telecoms and large media groups.

In 2020, the Covid-19 pandemic inevitably had an impact on the media, too. Even some of the largest Bulgarian media outlets such as bTV admitted to cutting spending. As a whole, advertising revenues declined (Antonova, 2020). Some media outlets took advantage of the financial instruments elaborated by the EU to mitigate the economic effects of the pandemic. Despite this, Covid-19 has had serious consequences, especially for smaller and for regional media outlets, some of which went bankrupt in 2020 (Vezenkov, 2020).

Media in the shadow of politics

KEY FACTS AND EVENTS:

- 1990: Weekly *Svoboden Narod* (Free People), the newspaper of the Bulgarian Socialist Democratic Party, resumes publication (after it was closed down in 1947).
- 1990: *Demokratsiya*, the daily of the Union of Democratic Forces (SDS), the largest opposition organisation, launched.
- 1990: *Rabotnichesko Delo* (Workers' Deed), the official daily of the Bulgarian Communist Party, renamed to *Duma* (Word).
- 1990–2000: Rise of the party press; its role declined significantly after 2000.
- 2010: Compulsory Deposit of Copies of Printed and Other Works Act amended, obliging print media (magazines and newspapers) to submit declarations naming the real owner of the media outlet.
- 2011: National Front for the Salvation of Bulgaria (NFSB) founded; one of the party's co-founders, Valeri Simeonov, is the majority owner of SKAT TV; in 2017 Simeonov became deputy prime minister; the ties between NFSB and SKAT are direct.
- 2011: Alfa TV, owned by nationalist populist party Ataka, goes on air; in 2019 ownership of Alfa transferred from Ataka to Foundation Alfa 2018.
- 2013: Well-known journalist Nikolay Barekov quits job as anchor and director of TV7, supported financially by Corpbank owner Tsvetan Vasilev, and, with Vasilev's financial support again, founds party Bulgaria Without Censorship; becomes MEP in 2014.
- 2014: TV Bulgaria 24 launched; its content coincides with the policy of the party Internal Macedonian Revolutionary Organisation (VMRO), although VMRO is not its official owner.
- 2015: Movement for Rights and Freedoms (DPS) politician Delyan Peevski officially becomes owner of media after his mother Irena Krasteva transfers to him half of her shares in Bulgarian Media Company EAD, owner of New Bulgarian Media Group; the latter is the publisher of a number of newspapers and owner of press distribution companies.
- 2019: Bulgarian Free Television (BSTV), subsidised by the Bulgarian Socialist Party (BSP), goes on air.

- 2020: National Assembly Deputy Chairman Valeri Simeonov accuses bTV journalists of corruption; media outlets and journalism organisations speak out in support of their colleagues.
- 2020: Specialised Criminal Court acquits independent publisher and businessman Ivo Prokopiev in so-called EVN case;[2] the investigation and trial of Prokopiev, owner of the influential news website Dnevnik.bg and the weekly *Capital*, both known for their critical stance towards the government, has been criticised by a number of Bulgarian and international journalism organisations as a form of political pressure on the publisher. Subsequently, Prokopiev was acquitted on all counts.

In the first decade after 1989, the media played a very important role for the political changes in Bulgaria. The media environment itself was strongly politicised. With the restoration of some old political parties and the emergence of multiple new ones, the party press flourished. The public service radio and television broadcasters were also very politicised, with the ruling parties trying to directly control them.

The period between 2000 and 2010 was characterised by attempts to shed light on media ownership, especially on that of print media outlets. This process was formally completed in 2010 with the adoption of an amendment to the Compulsory Deposit of Copies of Printed and Other Works Act obliging newspapers and magazines to declare their real owners. Despite this, however, many of them failed to submit the required declarations or declared as their owners persons/companies serving as a cover for the real owners. In the case of broadcast media, this issue is somewhat better regulated insofar as the licensing regulations require preliminary declaration of the owner. Even so, the real owners of broadcast media also often remain unclear.

The last decade (2010–2020) of the period under review was dominated by the rise of party-affiliated TV stations. Several political parties launched their own TV channels. These media outlets functioned primarily as PR channels of the relevant party headquarters and, in some cases (SKAT and Alfa), disseminated

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2   The case was about the privatisation of a 33% state-owned minority stake in the EVN electricity distribution company. Prokopiev and former finance and economy ministers, Simeon Djankov and Traicho Traikov, were accused of causing the Exchequer detriment through the underpriced sale of the stake in 2011.

extreme nationalist views and hate speech. In Bulgaria, the law does not prohibit politicians from owning media outlets. Thus, businessman and media mogul Delyan Peevski, MP of the Movement for Rights and Freedoms (DPS), has become one of the most influential and controversial figures on the Bulgarian media scene. He has turned his media outlets into a tool for pressure and, in some cases, for public vilification of political opponents.

As a whole, the basic conditions for media independence in Bulgaria have tended to deteriorate since 2007. Some of the most visible signs of gradual regression since the country's EU accession can be found in the World Press Freedom Index compiled by the international non-governmental organisation Reporters Without Borders. If in the period leading up to accession Bulgaria was ranked high in the Index (for example, 34th in 2003 and 36th in 2006), since 2007 its ranking has been steadily declining, dropping in three consecutive years (2018/2019/2020) to 111th out of 180 countries – that is, in last place in the EU as well as behind some countries of the Western Balkans.
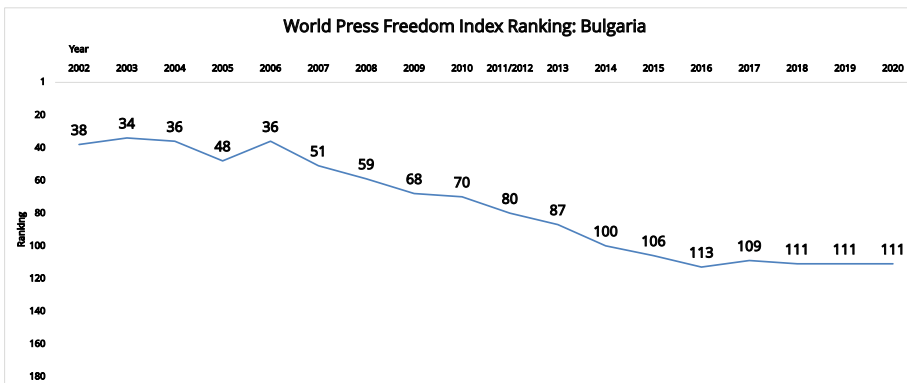
Source: Reporters Without Borders.

This state of collapse or, at best, of stagnation is confirmed by many other reports analysing media development in Bulgaria after 2007. Foundation Media Democracy summarised the conclusions drawn in key monitoring reports in a map of *Problem Areas in the Bulgarian Media Landscape (2011–2012)*. The problem area with the highest weight was that of political dependencies. The major issues in this area were the following: increased political pressure on media; media conformism and voluntary refusal to criticise the status quo; compliance with unofficial lists of politicians, parties and topics to be covered only in a positive light on the part of some editorial offices; allocation of money from public funds and European funds by the government and various municipalities

to pro-government media (by means of contracts for advertising and media coverage); strong dependence of regional print and online media on local government; lack of political will to tackle the problem of threatened media freedom (FMD, 2012).

In the next years the problems related to media freedom in Bulgaria remained more or less the same. In 2012 and 2014 the FES organised the implementation in Bulgaria of a special analytical tool surveying the national media landscape: Balkan Media Barometer (BMB). The BMB survey found that the main tendency regarding media freedom in the country was that 'Although freedom of expression is deemed to be adequately protected by Bulgarian law, there are significant risks to media freedom' (Daskalova and Spassov, 2014: 10). It noted that what was especially alarming was the police violence against journalists and citizens during the anti-government protests in the summer of 2013 as well as the cases in which journalists were pressed by prosecutors to disclose their sources for investigative reports. The survey also pointed out forms of indirect political pressure on media by those in power (ibid.).

For its part, a 2014 survey on *Influence on the Media: Owners, Politicians and Advertisers* established that power-holders (Government, President, MPs, mayors, etc.) were exerting pressure on media (Blagov et al., 2014). The 2015 annual survey on media freedom, conducted by the Association of European Journalists (AEJ) – Bulgaria, found that the 'pressure culture' in Bulgarian media was on the rise. 'Self-censorship is commonplace due to different forms of threats – from physical threats to threats of dismissal and pay cuts. There are stable tendencies of control and restriction of media pluralism,' the survey concluded (AEJ-Bulgaria, 2015).

The 2020 MPM country report for Bulgaria identified two indicators in the area of 'Political Independence' posing a particularly high risk: independence of PSM governance and funding (97%) and editorial autonomy (79%). According to the report,

> The formal legal procedures for appointment of directors general and management boards of the PSM do not provide adequate guarantees for independence from government or other political influence. (...) In addition, funding of the PSM remains problematic. (...) The amount of the state subsidy is decided without public discussion, based on a 'per hour of programming' principle, and not in line with the remit of the PSM (according to the requirements of EU state aid law). (Spassov, Ognyanova and Daskalova, 2020: 12–13)

It also notes that

> There are no regulatory safeguards for editorial autonomy in cases of appointments and dismissals of editors-in-chief. Self-regulatory measures stipulating editorial independence from political interference in the news media are not effectively implemented. Practices of politicians pressuring journalists are among the most troublesome issues in the media environment in the country. (Ibid.: 12)

The general climate of interference in the work of media has produced the phenomenon of political opportunism. Throughout the period under review, a number of media outlets, including some of the leading print media and TV channels, have opportunistically adjusted to the changes in the political configurations, shunning any serious criticism of those in power.

Against this background, a significant event in 2020 was the release of the European Commission's Rule of Law Report. The Country Chapter on the rule of law situation in Bulgaria clearly points out main weaknesses of the Bulgarian media environment, among which are the following: 'lack of transparency of media ownership in Bulgaria'; 'no regulatory safeguards for fair and transparent distribution of state advertising'; 'the ownership of several media outlets is closely linked to political actors in Bulgaria, even if not officially owned by them'; 'national and local media in all sectors are subject to systematic political control, and the majority of the leading newspapers in the country follow an editorial policy favourable to the Government' (European Commission, 2020: 16–17). In 2020, the European Parliament adopted an unprecedented Resolution on the Rule of Law and Fundamental Rights in Bulgaria, expressing 'deep concern at the serious deterioration of media freedom in Bulgaria over the past decade' and calling on the Bulgarian authorities to ensure better protection of journalists in the exercise of their profession (European Parliament Resolution, 2020: 8).

BNT and BNR: almost public service media

KEY FACTS AND EVENTS:

- 1990: Bulgarian Television airs first election campaign videos and debates.
- 1991: Bulgarian Television's satirical show Ku-Ku stages, in Orson Welles style, mock broadcast about an accident at the Kozloduy Nuclear Power Plant, causing panic across the country; lawsuit filed against the authors of the broadcast.
- 1992: Bulgarian Television's first channel renamed to Kanal 1 and second to Efir 2.
- 1992: Bulgarian Radio renamed to Bulgarian National Radio (BNR); BNR parliamentary channel launched.
- 1993: Bulgarian Television transformed into Bulgarian National Television (BNT).
- 1995: Journalists at BNR's Horizont Programme Service protest against censorship in BNR; seven prominent journalists fired from Horizont; protesting journalists call for BNR director general's resignation.
- 1997: BNT journalists go on strike, accusing BNT management of imposing censorship (on coverage of protests against formation of a new BSP government).
- 1997: First regulatory authority, National Council for Radio and Television (NCRT), set up.
- 1997: Parliament ratifies European Convention on Transfrontier Television.
- 1998: Radio and Television Act (RTA) adopted.
- 2000: BNT's Efir 2 closed down; Kanal 1 starts broadcasting 24/7.
- 2001: NCRT replaced by Council for Electronic Media (CEM).
- 2005: Parliament adopts Strategy for Development of Radio and Television Broadcasting Activities by Terrestrial Broadcasting.
- 2011: Bulgarian News Agency Act adopted.
- 2011: BNT 2, Efir 2's successor, goes on air.
- 2018: Key producers dismissed from BNT, reporters resign because of pressure from management.
- 2019: In unprecedented move, BNR's most popular programme service, Horizont, stops broadcasting for several hours after justice reporter Silvia Velikova is taken off air because of her critical reports; BNR

director general fired over case; a year later, investigation into pressure on Velikova and broadcasting stop concludes without any concrete results.
- 2020: Protests held outside BNT's headquarters – because of disapproval of BNT's coverage of the weeks-long protests in Sofia and the country calling for the resignation of the government and prosecutor general.
- 2020: Newly adopted Act Amending and Supplementing the Radio and Television Act transposes Directive (EU) 2018/1808 of the European Parliament and of the Council (Audiovisual Media Services Directive) into Bulgarian law.

As noted in the book *A Pillar of Democracy on Shaky Ground: Public Service Media in South East Europe*:

> At the very onset of the political changes in 1989, the state-owned television played a key role in the process of political and societal transformation. Even before the printed press and the radio had adapted to the new situation, the national television was quick to gauge the pulse of sweeping change. The volume of news and commentary programmes grew exponentially. On account of being both widely accessible and popular, the media quickly became a desirable tribune for newly sprung political parties and movements.

> At the same time, however, the national television remained in the clutches of unrelenting political control and tended to act haphazardly when under pressure from the events of the day. All governments, sometimes changing in rapid succession, took turns at attempting to gain firm control over the broadcaster. All too often during the 1990s, the BNT found itself embroiled in public scandal. The situation within the broadcaster was also highly volatile. Directors and managing boards were appointed to be dismissed almost instantly, journalists were fired. This uncertainty translated into internal conflict and a series of institutional crises. (Spassov, 2019: 70–71)

Kanal 1 has been broadcasting 24/7 since the beginning of 2000. In 2000 again, Kanal 1 started broadcasting news in Turkish, the mother tongue of 9.1% of Bulgaria's population. The BNT (as well as the BNR) has a network of correspondents across Bulgaria. The BNT and BNR also have correspondents abroad.

As regards the BNR in the 1990s:

> On the brink of the political changes that swept Bulgaria at the end of 1989 the BNR enjoyed the reputation of a relatively liberal and stable media, which employed excellent professionals and was not averse to giving airtime to some of the more critical voices in society. In the wake of the events in 1989, the radio retained its popularity and leading positions. In keeping with the BNT, however, it fell victim to political wrangling and pressure from the powers that be. Journalists were fired and strikes became commonplace. The multiple and exhausting internal conflicts and external pressure that afflicted the National Television in the 1990s also affected the National Radio. (Spassov, 2019: 71)

The BNT and BNR operate in accordance with the Radio and Television Act (RTA). The regulatory authority, the Council for Electronic Media (CEM), conducts competitions for directors general of the two public service media. After receiving applications, the CEM conducts public hearings of the candidates and then elects the winner. The term of office of the directors general of the BNT and BNR is three years.

However, it is noteworthy that:

> The selection of directors general is fraught with pressure and frequently accompanied by political manoeuvring. For example, in 2010 the Parliament voted to amend the RTA in order to reduce its members from 9 to 5 – three elected by Parliament and two by the President [of the Republic]. The amendment triggered discontent among opposition parties in Parliament because in their view it strengthened the control of the ruling party over electronic media, particularly in combination with the appointment of the 'right' people at the helm of the BNT and BNR. (Spassov, 2019: 74)

Other problems continue to throw a long shadow over the transparent appointment of directors general as well. For instance, before a new BNT director general was elected in 2017, the RTA was amended to allow extending the incumbent's term in office should the CEM fail to elect a new director general. This amendment effectively allows the incumbent director general to remain in office longer, thus postponing the election of a new one. Thus in 2017, a new director general of the BNT was elected more than 12 months after the expiry of the term of his predecessor, who continued to serve as director general. Such practices discredit the procedure for the election of directors general of the public service broadcasters and raise suspicions of political interference.

The BNT and BNR are chronically underfunded. In determining the subsidies for the two media outlets, their needs and public service character are not properly taken into account. The two public service broadcasters, and the BNT in particular, have been gradually relegated to the periphery of the media market in terms of market share. Despite this, the Reuters Institute Digital News Report 2019 pointed out the BNT as the most trusted media for news, with a score of 7.35 on a scale of 0 to 10. The BNR was second, with a score of 7.33. The news of the private commercial Nova TV and bTV was ranked third and fourth in terms of trust, respectively. Newspapers and online media were less trusted for news (Newman et al., 2019: 75).

The RTA obligates the BNT and BNR to follow principles of fair and balanced presentation of different political views in news and current affairs programmes. This is in line with the broader principle laid down by law, according to which 'Any opinion may be freely expressed in media services' (RTA, Article 11 [1]). In addition to the provisions of the RTA, there are also tools for self-regulation of the BNT and BNR (in-house Editorial Policy Rules) regulating issues related to the access of political figures to the two media outlets.

Regardless of the safeguards provided for by the regulatory framework and self-regulation tools, the period after 1989 abounds in examples of dependence of the public service broadcasters on the political conjuncture. The overall picture is one of volatility and inconsistency. There have also been periods in which the two public service broadcasters were viewed as relatively independent from external influence. The crucial factors in these situations were mostly personal in nature, such as the election of specific directors general, the composition of the CEM, and the political configurations in Parliament.

Journalism: between conformism and risk

KEY FACTS AND EVENTS:

- 1989: Podkrepa Union of Journalists in Bulgaria founded.
- 1990: Ninth (Extraordinary) Congress of Union of Bulgarian Journalists (UBJ, founded in 1955) held.

- 1991: Sofia University's Faculty of Journalism, the oldest of its kind in Bulgaria, renamed to Faculty of Journalism and Mass Communication.
- 1992: UBJ becomes associate member of the International Federation of Journalists (FIJ).
- 1995: BNR journalists found trade union Svobodno Slovo (Free Speech).
- 1995: Reporter Foundation set up to improve the professional qualifications of Bulgarian journalists; the foundation conducts an annual competition for Reporter of the Year.
- 1996: Centre for Independent Journalism (CIJ) established.
- 1996: Free Speech Civic Forum, a non-political association encouraging the development of civil society, founded.
- 1996: Access to Information Programme Foundation set up.
- 1998: Media Development Centre, a non-governmental organisation whose aim is overall improvement of the Bulgarian media landscape, founded.
- 1999: Bulgarian Media Coalition (BMC) established to unite media NGOs; BMC ceased operations in 2008.
- 2004: Code of Ethics of Bulgarian Media adopted.
- 2005: Foundation National Council for Journalism Ethics (NCJE) established.
- 2010: Association of European Journalists – Bulgaria founded; AEJ-Bulgaria is a member of the international Association of European Journalists.
- 2018: Media Literacy Coalition established.

Journalism education was introduced in Bulgaria in the 1952/1953 academic year with a degree programme in Journalism at Sofia University 'St Kliment Ohridski'. The Faculty of Journalism was renamed to Faculty of Journalism and Mass Communication in 1991, a name that more adequately describes the enriched and expanded curriculum. After 2000 the academic curricula and programmes were gradually reformed (in 2004 and 2008) so as to comply with European practices, and more precisely, with the Bologna Process; among other developments, the credit point system was introduced (Sofia University, 2014).

Journalism education in Bulgaria is largely practice-oriented. Despite this, standards are not fully adequate in terms of content and relevance. An additional reason for this is the lack of adequate technical resources. Most of

the technical equipment at Bulgarian universities is outdated and far from the actual working environment in media (especially television).

There is little cooperation between universities and media outlets. It is only in the last few years that some universities have started inviting prominent journalists, producers, and presenters to teach courses (most often elective ones).

As a rule, finding a job in a media outlet is not a problem, even for undergraduates. This is due to the quantitatively well-developed media market. The Bulgarian media market, however, is quite small in financial terms. This disproportion has produced significant distortions which have also affected the practice of journalism.

The aggressive approach of commercial media outlets and insufficient qualifications of young journalists have proved to be a serious threat to the quality of journalism in Bulgaria. Other problems stem from the declining prestige of the journalistic profession (especially in the press), low pay, and an overall climate of growing political and economic pressure on media which severely limits possibilities for the free and creative exercise of the profession (Daskalova and Spassov, 2014).

It was not until 2004 that self-regulation was introduced with the adoption of a Code of Ethics of Bulgarian Media. Until then, there was virtual chaos in ethical matters as each media outlet set its own ethical standards. The adoption of the Code was accompanied by the establishment of two ethics committees, one for broadcast media and the other for print media. However, most problems remained unresolved as a number of media outlets did not sign up to the Code. In 2013 the Bulgarian Media Union (BMU) adopted an alternative code of ethics which, however, has remained on paper only. In the final analysis, despite some successes, media self-regulation has failed to secure sufficient public support and to turn into an effective tool for improving the media environment in Bulgaria.

The journalistic profession is open to everyone, without any discrimination. The professional community of journalists, however, is not sufficiently consolidated. Since 1989, media owners have united in a number of organisations defending their interests, while journalism organisations have remained comparatively weak and can hardly offer trade union protection to their members. An exception to some extent are the public service media, where the trade union organisations are stronger. Staff turnover in media has been high throughout

the period after 1989. Unjustified dismissals are quite common, especially in private media, and journalists cannot rely on trade union protection.

The working environment itself is often unfavourable. In exercising their profession, journalists often encounter pressure from media owners or managers. Self-censorship is widespread. Instances of violence against journalists are quite commonplace, especially when covering protests (for example, in 2013 and 2020, when journalists were pushed, hit, or arrested by police). There have also been some cases of drastic physical attacks on journalists, including commissioned attacks. For example, in 1998 journalist Anna Zarkova of the *Trud* daily was attacked with acid; in 2007 Asen Yordanov, Burgas correspondent of the *Monitor* daily, was beaten up; in 2008 Ognyan Stefanov, Editor-in-Chief of the website Frog News, was beaten unconscious; in 2013 Lyuba Kulezich, talk show host at Nova TV, was beaten up; in 2020 Slavi Angelov, journalist and Editor-in-Chief of the *168 Chasa* weekly, was brutally beaten outside his home. Other methods are also used to intimidate journalists. In 2000 the car of Momchil Milev, reporter at the *Capital* weekly, was set on fire. In 2006 a bomb was detonated outside the apartment of Vasil Ivanov, investigative journalist at Nova TV. In 2011 the car of Sasho Dikov, programme director of Kanal 3 TV, was blown up and a small bomb was detonated outside the office of the *Galeria* weekly. In 2013 the car of bTV journalist Genka Shikerova was set on fire; and so on. As a rule, such cases remain unresolved or the persons who actually ordered the attacks are never found. There are also many instances of litigation against journalists.

The public perception of the journalistic profession in Bulgaria is controversial. Respect for the profession often alternates with contempt and there is widespread use of pejorative terms such as 'presstitutes'. In 2020 the prime minister publicly likened a group of women journalists to 'turkeys'.

As early as the 1990s, a number of non-governmental organisations operating in the media sphere were established in Bulgaria. Some of them were actively involved in initiatives on media regulation or self-regulation, or organised informal training of journalists. Gradually, however, their role declined, especially after Bulgaria's accession to the EU in 2007. Among the reasons for this was the reduction of financing possibilities. At the same time, however, many media NGOs have become part of the overall crisis of civil society institutions in Bulgaria in the last ten years or so. They have become the target of multiple smear campaigns, their activists being labelled as 'Sorosoids', 'foreign agents', 'grant-spongers', etc.

Digitalisation and the internet:
media fragmentation of the public

KEY FACTS AND EVENTS:

- 1989–1990: Company Digital Systems Ltd. starts providing email services and network news (UseNet).
- 1991: Digital Systems Ltd. starts providing internet services.
- 1992: Mobicom, the first mobile operator in Bulgaria (using the analogue NMT system), founded.
- 1992: Digital Systems Ltd. starts offering full TCP/IP access to the internet.
- 1993: Licence issued to the Bulgarian Telecommunications Company (BTC), the national telecoms operator.
- 1993: First Bulgarian website launched (www.digsys.bg).
- 1994–1995: First internet providers targeting mass users appear.
- 1995: Bulgarian Association of Information Technologies (BAIT) established.
- 1995: Association Internet Society – Bulgaria founded.
- 1995: Newspaper *Pari* (Money) first Bulgarian print media to launch its own website.
- 1995: Digital GSM system introduced.
- 1996: First internet café opens.
- 1996: IBM and BTC sign contract on construction in Sofia of a high-speed broadband network.
- 1996: Internet used to disseminate political messages during the presidential election campaign (websites of candidates, banners).
- 1997: Official website of Bulgaria's President launched.
- 1997: First Bulgarian internet portal, gyuvetch.bg, launched.
- 1998: News.bg, first online-only news site, launched.
- 1998: First online magazine launched.
- 1999: Official government portal, government.bg, established.
- 1999: National Strategy for High-Technology Development in Bulgaria elaborated.
- 1999: First online payment system introduced (ePay.bg).
- 1999–2000: Government attempts to introduce licensing for internet providers trigger first online protests; licensing proposal withdrawn.
- 2000: First online radio broadcast (by Internet Radio Bulgaria).

- 2001: Electronic Document and Electronic Signature Act adopted.
- 2002: Bulgarian versions released of Microsoft's Windows XP Professional and Office XP Professional.
- 2002: First Bulgarian online-only TV channel, BgWeb (targeted mainly at Bulgarians abroad), launched.
- 2002: Personal Data Protection Act enters into force; Commission for Personal Data Protection established.
- 2003: BTC introduces pulse-based rates for analogue telephone lines, eventually replacing dial-up with broadband.
- 2004: BTC privatised, starts providing ADSL internet access.
- 2004: Number of computers in Bulgaria totals around 600,000.
- 2006–2007: Emblematic environmental protests – the campaigns to save Irakli and keep Mount Strandzha's status of a nature park – organised online and by mobile phone.
- 2007: Electronic Communications Act adopted.
- 2012: Large-scale protests held in Bulgarian cities against the Anti-Counterfeiting Trade Agreement (ACTA) and in defence of internet users' civil and political liberties.
- 2012–2013: Large-scale protests (environmental, economic, political) organised through social media, online forums, blogs and mobile phones.
- 2013: Transition from analogue to digital terrestrial radio and television broadcasting completed.
- 2018: New EU data protection framework (GDPR) enters into force.
- 2018: Cyber Security Act adopted.
- 2019: CEM proposes legislative amendments by virtue of which internet sites are to be treated as electronic media, thus making them subject to media regulation; proposal rejected.
- 2020: Directive (EU) 2018/1808 of the European Parliament and of the Council (Audiovisual Media Services Directive) transposed into Bulgarian law.

The political changes of 1989 found Bulgaria with a comparatively well-developed communications infrastructure and IT industry. The country was a producer of disk drives, software and computers, and had adequate human resources. The acquired experience gave an impetus to the subsequent changes in this area.

The introduction of the internet in Bulgaria marked the beginning of an important technological transition that took place parallel to the political transition. Media were among the institutions that quickly and successfully took advantage of the opportunities offered by the new technological environment. In just a few years, from 1995 to 2001, practically all Bulgarian media launched their own websites.

Throughout the period since 1989, the internet access speed has been fast. Despite this, for a long time there were – and still are – some blank spots on Bulgaria's internet map (especially in the northeastern part of the country), where comparatively few people have access to the worldwide web. There are also inequalities in internet access among different social groups, particularly between younger and older generations. If in 2002 a total of 8.9% of the country's adult population used the internet (Vitosha Research, 2002), in 2020 the internet was available to 67% of Bulgarians, 10% of whom paid for online news and just 28% trusted news in social media (the most trusted for news were the public service BNR and BNT, by 72% and 71% respectively) (Newman et al., 2020: 65).

The internet quickly became dominated by the big media players, who went online in pursuit of influence and commercial success. Smaller and alternative online media were edged out to the periphery of the digital public sphere – in the same way as smaller and alternative offline media had been edged out earlier.

The quality of Bulgarian online journalism remains questionable and is rarely good. Most print media outlets also create new content for their online versions. Journalists working for online media are often under pressure to process a large number of information units and to attract more visitors to their website. This leads to lower quality of the published material (typos, spelling and stylistic mistakes, factual inaccuracies) and widespread use of sensational headlines and stories. High-quality journalism is offered by some more elite websites devoted mostly to culture. The mass audience, however, most often has access to online content of questionable quality.

At the same time, and particularly with the rise of social media, it has become harder to form a more widely shared public opinion. The attention of the public is fragmented, on the one hand, and confined to information bubbles on the other. In this context, the internet can hardly function as a public sphere. Conversely, it tends to isolate some groups from others. That is why the role

of social media in organising protests and other civil society initiatives remains comparatively limited in Bulgaria. Ad hoc online mobilisations are usually partially successful as they succeed in mobilising mostly like-minded people, but it is much harder to mobilise more heterogeneous groups.

Bulgaria has hitherto failed to ensure adequate personal data protection. After a hacker attack on the National Revenue Agency (NRA), personal data of more than six million Bulgarians (alive and dead) were leaked in 2019. In 2019 alone, there were more than 30 successful hacker attacks on Bulgarian companies (Minkov, 2019).

The digitalisation process in Bulgaria was accompanied by numerous scandals and political interference in determining the ownership of multiplexes. In 2011, the European Commission launched infringement proceedings against Bulgaria because of irregularities in the tenders for multiplexes. Television broadcast by the Digital Video Broadcasting – Terrestrial (DVB-T) system covers 96.2% of Bulgaria's population (Vivacom, 2016). The national digital radio broadcasting network covers 95% of the country's population through the BNR's Horizont Programme Service (Terrestrial Radio Broadcasting, [n.d.]).

Conclusion: a problematic democracy and the media

According to the US-based non-governmental organisation Freedom House, the quality of democracy in Bulgaria was 'best in 2008, after which it started worsening slowly' (BHC, 2012). In the last few years, Freedom House has consistently defined Bulgaria as a 'semi-consolidated democracy'. In countries in this category, political parties are mostly clientelistic and corruption is widespread in government. The connection between the weaknesses of the political system and the state of the media environment is obvious. Lack of sufficient autonomy is the most salient negative feature of the media system in Bulgaria. There are almost no independent media. Like most political parties, most media outlets are clientelistic and the economic principles of their operation are distorted by multiple dependencies (on the people in power, advertisers, distributors, etc.).

These specific features of Bulgarian democracy have had an indirect impact on the structure and functions of the media system. After the sharp confrontations at the beginning of the transition, a model of wider coalition-building and search for more consensual approaches in politics was tried out

in the country. Gradually, however, the principle of consensual democracy was replaced by policies of stronger confrontation and polarisation. These processes affected the relations between institutions, parties, civic groups, etc. Quickly and symmetrically, the media landscape also became polarised. There began the so-called media wars, that is, processes of strong confrontation between certain media groups. Thus the two processes – attempts to maintain a certain balance and pluralism, and strong confrontation between media – exist in parallel, the tendency being for the media system to become ever more imbalanced, partisan and polarised.

The media can have an impact on the scale and intensity of citizen participation in the political process. News, commentaries, current affairs programmes shape public opinion and thus have the potential to mobilise particular groups for political action. On the other hand, however, the media outlets themselves often suffer from a lack of trust, therefore their capacity to shape public opinion is limited. At some points in time, this lack of trust has escalated into opposition and criticism of the media themselves, including of leading TV channels (for example, during the 2012 environmental protests). Against this background, the Bulgarian media system often functions more as a part of the political status quo than as a mediator between the state and citizens. This limits media's capacities to encourage grassroots mobilisation for different actions or around specific causes. Today this role has largely been taken over by social media.

After 1989, the state is often used as a tool for ensuring media support for those in power. So-called state advertising is one of the sources for establishing such dependencies. Through state intervention in economic life, many media companies are directly or indirectly dependent on the benevolence of the powers that be. Provision of state 'support' is usually a kind of favour in return for positive coverage, that is, a form of control over media.

Against this background, the public service media are practically emasculated by constant underfunding and attempts to exert influence over them. They are treated rather as state media (in terms of the way they are financed, the programme content expected from them, etc.) As a result of this, they have failed to become a role model of unbiased and independent journalism, or have managed to offer such journalism only during some short periods or in some broadcasts in the last 30 years. They have largely lost their critical role as a 'public watchdog', especially in the last few years.

As a whole, professionalisation in Bulgarian journalism faces many difficulties. This is due in part also to problems related to journalism training. Within the framework of media culture itself, the lack of quality content is a central problem. At the same time, journalists often resort to self-censorship and obediently serve the interests of media owners. Journalism culture is relatively low and there is little if any professional solidarity. The professional community is strongly fragmented, with some groups being in conflict with others.

In this context, media self-regulation is almost blocked. The National Council for Journalism Ethics operates in fits and starts. The second, alternative code of ethics has practically never been implemented in the form of concrete decisions and review of cases. Self-regulation has been left in part to the media outlets themselves, some of which have in-house rules that include rules on ethical issues. This, however, is more a form of privatisation of self-regulation than the latter's transformation into a widely shared set of professional values.

After the political changes of 1989, Bulgarian journalism as a whole has not become less dependent, it has only changed its forms of dependence. Very few media outlets manage to avoid this development – and pay a price: they are either short-lived or are pushed to the periphery of the media public sphere. The newly emerged political party press has gradually been replaced by party TV channels that are directly or indirectly connected to the relevant party headquarters. At the same time, the major print dailies have started gravitating towards the ruling political parties, opportunistically adjusting to the changes after elections and readily switching sides depending on the winning party. This only highlights their clientelistic and populist character.

In the final analysis, the effects of media capitalism in Bulgaria have gradually limited the possibilities for developing media democracy. The Bulgarian version of media capitalism includes the effect of multiple extra-market factors and brute dominance of private over public interests. It is precisely this that has eroded media practice and made possible the almost total control over media in Bulgaria. The important decisions on media policies are made in many cases outside the media themselves. This has an impact also on the character of journalism. At many media outlets, journalism is practiced more as a kind of 'service' and therefore easily loses its ideal motives.

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The Media in Croatia: Deepest Crisis Ever

Stjepan Malović

The legacy of the socialist period

Croatia was one of the six republics which (along with two autonomous provinces) formed the Socialist Federal Republic of Yugoslavia, better known as Tito's Yugoslavia. This was a country ruled by the Communist Party under the strong leadership of Marshal Josip Broz Tito. Like all authoritarian leaders in the Soviet bloc, he rose to power under the auspices of the Soviet Union and the Comintern, but his anti-fascist struggle in World War II secured the country's enviable independence, so his 'decisive no' to Stalin, the undisputed leader of the communist world, was no surprise. Tito thus positioned Yugoslavia between the East and the West.

Tito's political determination strongly influenced the position of the media in Yugoslavia. Without a doubt, the Soviet media model prevailed in Tito's Yugoslavia; however, Tito's split with Stalin in 1948 enabled him to make some more liberal moves, and even to relax communist discipline in some instances. The opening-up of the country also led to a greater presence of Western values – thus, international popular music prevailed on the radio, Hollywood movies were screened in cinemas, and Western media could be consumed without major problems. This also affected the position of the media, and especially the role of journalists, who were able to practise professional standards of free journalism.

Of course, there were limits to journalistic freedom and there were topics that were definitely off-limits: any criticism of Comrade Tito, the party's communist ideology, and the Yugoslav People's Army was taboo. Criticism was allowed at a lower level, and exposure of fraudulent butchers, traders, and other such 'sinners' was welcome. In this situation, journalists strove to test the limits of their freedom by trial and error. For example, if a member of the party had been blacklisted, after some time a journalist might mention them casually, as if in passing. Then the editors and journalists would wait for the censors' reaction. If they were subjected to 'comradely criticism', then it was obvious that the 'wrongdoer' was still blacklisted and was not to be

mentioned. But if there was no reaction, then they could slowly return to the political scene.

The countries of the socialist bloc did not have such freedoms, so they looked enviously at Yugoslav journalism. But those were not true freedoms – whenever the political situation demanded it, Tito stepped in and returned everything to the good old Soviet media model. This situation – of alternating concessions and restrictions on journalistic freedoms – continued for almost ten years after Tito's death, the only difference being that the republics had now taken control of media on their territory. However, the communist system eventually became weaker and weaker, finally collapsing with the fall of the Berlin Wall.

The era of media freedoms had arrived. Control over media was no longer rigid, the party was turfed out of newsrooms, and journalists began to practise professional journalism. In Croatia, the first free elections and the referendum for independence, as well as the establishment of democratic political parties, gave rise to great hopes. The joy was short-lived, however, as Serbia's aggression on Croatia and the difficult war conditions led to the restoration of state control over the media.

Denis Latin, a prominent TV journalist, described the changes in Croatian journalism during the transition from communism to democracy as a long and painful process:

> During communism, journalists were at the service of party leaders. In Tudjman's regime, they shared the nationalistic interests of the ruling party neglecting their role of criticizing the government in the name of the public interest. The new political elite proclaimed media freedom, but journalists were totally confused and disoriented. Part of them were continuing to serve former politicians, part of them changed colors and joined the winners, serving them as they did before. Only a small number of journalists recognized that the time was coming for those who were thinking by their own heads and represented the interests of the public and civil society. (Malović, 2001: 84)

Media market transformations:
free market but irresponsible media

KEY FACTS AND EVENTS:

- 1989: First private newspaper (Oglasnik) launched.
- 1990s: Post-Yugoslavian media privatised.
- Early 2000s: International corporations enter Croatian media market; Germany's WAZ and Austria's Styria among first major investors.
- 2001–2003: Croatian Parliament adopts new media laws (Croatian News Agency Act, Media Act, Electronic Media Act, Croatian Radio Television Act).

The media market in socialist Yugoslavia, and in the first years of independent, sovereign Croatia, was simple: the state was the sole owner of all media-related companies – from publishing and printing houses to newspapers, radio and TV stations, transmitters and communications infrastructure. The state would probably have found a way to rule the internet as well, had it existed then.

But the changes were impossible to stop, and now we have what we wanted: a free market but irresponsible media and humiliated journalists. The transformation of the media market has been painful, even cruel, as a number of companies have disappeared, global corporations have moved in, and many journalists have paid a high price for this change, turning even into victims.

Thus, the 'idyll' of state ownership was interrupted by the first private media outlet, the weekly *Oglasnik*, in 1989. The changes were visible and unstoppable, and this paper timidly ushered in the era of private media in Croatia. In fact, *Oglasnik* did not publish news, it contained only classified ads. But it was private and thus opened the door to other private media.

Today's media ownership structure in Croatia was unthinkable in the late 1990s. As Nikola Grmoja, the political secretary of the political party Most, said in the Croatian Parliament in 2018, one of the main problems is the fact that the real owners of media outlets are not known: 'This is one of the key problems. Journalists who work in the media have a kind of self-censorship and when they open certain topics they are not in a good position in their editorial offices' (HINA, 2018).

The tragicomic story of Croatian media ownership has thus come to a full circle: from state ownership to the fact that we no longer know who our owners are because of scandalous privatisation, theft, fraud, and fake owners tasked with hiding the centres of power that run the media and thus shape public opinion.

Media privatisation in Croatia took place in several phases. The first was the transformation of state property into private property, which was done as part of the general privatisation of property in Croatia in the 1990s. The ruling party, the Croatian Democratic Union (HDZ) led by Franjo Tudjman, created conditions allowing loyal members to acquire property easily, very often for free. Two major scandals marked this period: the privatisation of *Večernji list*, the then best-selling newspaper, and of *Slobodna Dalmacija*, declared the best daily newspaper in Yugoslavia.

Changes in the Croatian media landscape were brought about by the entry of international media corporations. One of the first major investments came from Austria's Styria Media Group, which bought *Večernji list* in 2000, and then strengthened its position on the Croatian market by launching the tabloid *24sata* in 2005 and buying *Poslovni dnevnik* in 2008. An even bigger project was the entry of Germany's WAZ Media Group, which in 1998 bought 50% of the shares of Europapress Holding, the first major private media company in Croatia. It was founded in 1990 by Ninoslav Pavić and his partners, whose first publication was the weekly news magazine *Globus*. They went on to expand their business, both by acquiring existing newspapers and starting new ones such as the *Jutarnji list* daily (launched in 1998). For its part, WAZ had first entered the Bulgarian media market in 1997 in a similar way and was only interested in the financial side of the business, leaving the content to Pavić. However, financial failures forced Pavić to sell his shares to the lawyer Marijan Hanžeković, so the former Europapress Holding became Hanza Media in 2016. WAZ got out in time.

Once on newsstands: front pages of dailies. Source: ICEJ, 2005.

The new government that succeeded HDZ in 2000 was supposed to legally regulate the media and journalism, but it was not in too much of a hurry. The Croatian News Agency Act was adopted in 2001. Then in 2003, the Croatian Parliament adopted a whole set of media laws, including the Media Act, the Electronic Media Act, and the Croatian Radio Television Act. The new media legislation was adopted under pressure from the international community, which criticised the Croatian government for following non-democratic media legislation and demanded laws close to EU standards (Malović, 2004: 120).

Since that time, there have been no major changes in Croatian media legislation. The current government has promised new laws, but has not acted on its promise to date.

The state has a direct influence on journalism through other, non-media laws as well. Thus, there is a provision on defamation in the Criminal Code which has enabled the filing of hundreds of lawsuits against journalists for harming

someone's honour or reputation. Some people have made nice money from suing reporters.

Journalists felt the need for protection, so a campaign for media self-regulation was launched within the Croatian Journalists' Association (HND). Assisted by the Konrad-Adenauer-Stiftung, HND discussed possible forms of self-regulation and decided, in 2006, to establish a Media Council modelled on the German Presserat. Unfortunately, that decision was never implemented. Years later, in 2011, some kind of Media Council was established, but it turned out to be stillborn. In 2014 the Council was restarted, but failed again. Thus, there is insufficient media self-regulation in Croatia.

Instead, the state has established a regulatory agency for electronic media, which regulates radio and television broadcasting. It has very large powers and invests a lot of money to develop certain programmes.

By the way, investing public money in media without public control has become a favourite activity of HDZ which, except for the period from 2011 to 2016, has been in power again (in various coalitions) since 2003. This is how the FIMI-Media affair broke out, which was prosecuted in a court case that lasted for years. The case involved state companies, controlled by senior HDZ officials, buying advertisements in media in exchange for positive coverage of HDZ.

The state also supports pro-government media through the VAT rate and state subsidies. In order to operate, radio and TV stations must be awarded broadcasting concessions, which can even close down a particular media outlet, or limit its area of broadcasting and thus limit its advertising revenue.

Thus, the old communist method of direct control has been replaced by an intricate network where the media are controlled through funding. The state still owns a large number of financially powerful companies that can use their advertising funds to secure positive coverage. Local governments, cities and municipalities own shares in local radio and TV stations in their area, thus influencing content. And, finally, the public service broadcaster is actually a former state radio and television service. For its part, the national news agency is owned and funded by the state, which also appoints its top management.

All of this has served to unify the Croatian media landscape and, in a way, has increased the clout of the ruling party. Citizens have to look hard for information that is not propaganda. And there are fewer and fewer such media

because they are denied subsidies and have no chance of surviving in the market.

The result is that there is a significant imbalance between quality, serious, balanced and impartial media on the one hand, and sensationalist, tabloid, yellow media on the other.

Due to these circumstances, the media market in fact hinders the development of free media and independent journalism in Croatia. In addition, the severe economic crisis has reduced the purchasing power of the population, leaving many people with a choice between buying bread or newspapers. Average citizens invest their money in smartphones and subscriptions to the internet, thus satisfying their needs for communication and information via 'the medium of all media'. Of course, this information is appropriate to the market, so most people have no idea about its quality. Intellectuals (such as professors), civil servants and similar professions have low salaries and cannot afford to access the few quality media in Croatia.

This kind of market organisation is just another method to manipulate information and influence public opinion.

Media and politics: new methods, same old control

KEY FACTS AND EVENTS:

- 1990s: Formally, media become independent, but new form of media control established.
- 2001: Government doesn't even touch existing media monopolies.
- 2004: Pressure on journalists.
- 2008: Journalist Ivo Pukanić killed by car bomb.

Under socialism, politicians took it for granted that the media must serve them. A democratic Croatia was required to introduce, among other things, freedom of the media, independent journalism, and freedom of opinion and expression.

This happened – de jure. De facto, politicians quickly found new methods to exercise the same old control over the media and journalism while

presenting a democratic face to the public, especially to the international community.

Formally, the media became independent. In the old system, the Socialist Alliance of the Working People of Croatia (SSRNH) was the founder of all media. In the new state, this quasi-political organisation disappeared and the media were privatised. Thus, the formal connection of politicians to media was eliminated. However, new, subtle, invisible-to-the-public but very strong connections between politicians and media were created.

Some institutions, such as national minority organisations or local governments, have their own media – for example, weeklies or TV channels. Most own at least part of those media outlets, but the latter are not particularly influential in terms of impact. In most cases, even such small, local media outlets are controlled by the government.

Here is a typical example:

> How can one fight for the dignity of the [journalistic] profession while politicians will not let it out of their hands? The example of Samobor, a small but strong cultural centre, is paradigmatic: political parties control every local media outlet. None of the existing newspapers or radio stations are independent! (Malović, 2004: 31)

Among the media that have a clear publisher, the only one that stands out is the weekly *Novosti*. Originally founded as a newspaper of the Serbian minority and financed by public funds, *Novosti* is in reality a quality political weekly with a strong public influence. It is also the only influential media outlet whose content is determined by the owner.

Communist politicians were notorious for interfering directly in the editorial policy of media, very often phoning and instructing journalists what to report and how. This kind of politicians have disappeared from the scene, but young, new ones, who have grown up in a democracy, are using similar methods. Their interference is so obvious that international institutions have reacted and criticised this behaviour. Regrettably, however, they quickly revert to the familiar methods.

On 31 May 2004, the Croatian Helsinki Committee (HHO) Media Council issued a press release warning of mounting pressure on journalists, ranging from intervention from the very top to frequent assaults on journalists.

HHO stressed that

> An alarming series of incidents – which began with the December incursion
> of the then HDZ spokesman into the TV show Forum, and continued with the
> intervention of Minister Žužul in [Croatian News Agency] HINA, a hasty initiative to
> amend the HRT [Croatian Radio Television] Act, [eminent HDZ member and Health
> Minister Andrija] Hebrang's phantom list of bribed journalists who write about
> health, his pressure (…) on the show Nedjeljom u dva [Sunday at two] and HTV's
> Dnevnik, and the subsequent assessment by the Speaker of the Sabor [Croatian
> Parliament] that those acts do not endanger freedom of information – is no longer
> limited to the realm of politics. (…) [T]his series of incidents has spilled over into
> the relationship between owners and journalists, and even earlier – and almost
> imperceptibly – between media and advertisers: it has recently become known
> that a large company had denied advertising to *Večernji list* because of its critical
> articles about the company. We are witnessing a retrograde trend of suppression
> of the media's oversight function, for which the government in the country is
> primarily responsible. (Malović, 2004: 130)

Time has not improved relations between the state and media in Croatia. Siniša
Bogdanić, a journalist from Deutsche Welle, describes the situation in 2019 as
follows:

> The media space in Croatia is characterised by a network of political and
> corporate interests, non-transparent ownership, and marketing instead of
> journalism. Journalists are prevented from working freely, they are existentially
> blackmailed, and sued when they report the truth. (Bogdanić, 2019)

The number of cases of pressure on journalists and media has not declined
in recent years. For example, on 2 July 2020 the International Federation
of Journalists (IFJ) tweeted its support for journalist Maja Sever after Prime
Minister Andrej Plenković asked his political rival, Social Democratic Party (SDP)
President Davor Bernardić, during a pre-election TV debate if she had prepared
him for the show. 'Shame on you, Andrej Plenković! Full support to the
president of our affiliate, the Trade Union of Croatian Journalists, Maja Sever,
who was simply doing her job,' reads the IFJ tweet (n1info, 2020a).

The South East Europe Media Organisation (SEEMO), an affiliate of the
International Press Institute (IPI), has also expressed concern about pressure
on media in Croatia after a series of incidents against journalists and media
outlets.

On 23 February 2014, Ante Tomić, a writer and columnist with *Jutarnji list*, was attacked while sitting in a café in central Split by an unknown man who dumped a bucket of faeces over Tomić's head. Tomić said the man told him: 'Now you can write about me again.' SEEMO said it supported the Croatian Journalists' Association in its calls for police to apprehend the assailant as soon as possible.

In another case in 2014, SEEMO expressed shock at reports that carnival participants in the town of Omis burned an effigy symbolising Vinko Vuković, a journalist from *Slobodna Dalmacija* who has reported on corruption in the town.

SEEMO also said that it was surprised by accounts of pressure from Croatian financial authorities on the critical news portal Index.hr, which in recent years has reported on financial and other affairs in Croatia and in neighbouring countries.

A number of prominent journalists have also voiced concern about the media situation in Croatia. For instance, Ivo Pukanić, 1999 Journalist of the Year, who was assassinated by a bomb planted on a motorcycle parked next to his car on 23 October 2008, said it has never been harder for journalists in Croatia, given the influence of politicians (Malović, 2004: 32).

All governments (SDP- or HDZ-dominated) in Croatia have had the same approach to media legislation: no real change.

Among the many who think so is Inoslav Bešker, a prominent journalist from *Jutarnji list*, who wrote in April 2001 that the SDP-dominated government (which took office on 27 January 2000) had not even touched any of the existing media monopolies created by the previous HDZ government (Bešker, 2001).

An almost identical statement can be found in an open letter from the Croatian Journalists' Association (HND) and the Trade Union of Croatian Journalists (SNH) to Prime Minister Andrej Plenković and Culture and Media Minister Nina Obuljen Koržinek, written almost two decades later, on the occasion of the entry into office of Plenković's second government on 23 July 2020:

> A new Media Act or a new Croatian Radio Television Act have not been passed, while the Copyright and Related Rights Act has been criticised in a public debate by almost all relevant professional organisations.

During your last term, we were forced to take to the streets and protest, burdened by a huge number of lawsuits against our colleagues and the media, political pressure and pressure from advertisers, threats to journalists, jeopardising of professional rights and standards, disregard for media laws, lack of serious media policy. Today the situation is even worse. (HND, 2020b)

HND and SNH have precisely identified a number of problems and have proposed solutions for the next period. The term in office of the new government – which, however, is controlled by the same party, HDZ, and has the same prime minister as the previous one – has only just begun, so it is worth waiting a while for results. Still, there are few optimists. Croatian politics will not let go of media.
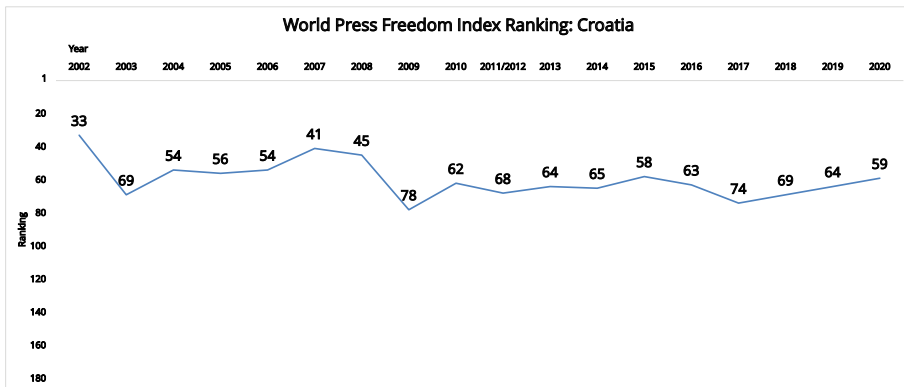
Source: Reporters Without Borders.

Public service media: a dream never come true

KEY FACTS AND EVENTS:

- 1992: HRT Programme Council founded.
- 2003: Political influence of dominant attitudes from 1990s felt in monitored programmes.
- 2004: Record number of proposals for amendments to Croatian Radio Television Act.
- 2011: HRT introduces ombudsman.
- Frequent protests of HRT journalists over the years.

Public service media in Croatia still remain an unfulfilled, long-held dream. Once upon a time, when state television was the only channel and state radio had only its own regional stations or specialised channels, very few, if any, believed that the uniform image of the world presented by the state news factory was true.

There is a paradigmatic anecdote about how state radio and television announced on their prime-time news shows that there would be no increase in petrol prices. Upon hearing the announcement, most citizens promptly got up from their comfortable armchairs, dressed, sat in the car and drove to the filling station, where there was already a long queue. When their turn came, they filled up, drove back home, and continued watching TV – the state one, of course, because there was no other.

Today, almost thirty years later, state radio and television have formally become a public service broadcaster, but nothing has really changed. Croatian Radio Television (HRT) remains essentially a state-run media, blindly following and enforcing the will of the government, whichever it may be.

> Croatia has declared the need for public service radio and television, but the transformation of the former state-run HRT into a genuine public service broadcaster is slow. Here, too, the role of the state is crucial, because the state alone can provide the conditions for an unobstructed transformation. Playing around with VAT, making calls to journalists, are the means and methods of the old, socialist system that ran the media in this very way. (Malović, 2004: 23)

HRT's legal status has been subject to frequent amendments, but nothing has really changed. Almost no other sphere in Croatia has undergone so many legislative changes, but none of them have actually ensured independent, impartial and balanced public service broadcasting.

Discussing the Croatian media space in 2004, I wrote that in the last ten years there had been a lot of unusual occurrences, which were related to the wishes of the ruling elites, that is, to electoral changes: 'Among those bizarre cases is the record number of proposals for amendments to the Croatian Radio Television Act, i.e. the composition of the Media Council. The public rapturously and heatedly got involved in the debates, which were counterproductive' (Malović, 2004: 105).

The quality of journalistic work and the editorial policy of HRT are not unambiguous. Undoubtedly, among the large number of journalists at HRT

there are top professionals. But their work more than clearly shows that HRT's biggest weakness is the editing, which does not respect professional standards but the will and interests of those in power.

In the 1990s, the international community had very strong objections to the restrictions on media freedom at HRT. The latter was rated first in negative assessments, but also in manipulating the public. Here is a case in point: in the legendary OSCE assessment of the Croatian presidential elections in 1997, it was said that they were 'free but not fair'. HTV reported only the first part of the assessment, i.e. that the elections were 'free', omitting 'but not fair'.

In 2003, the Croatian Helsinki Committee for Human Rights published a survey titled *Politics in HTV programming* (in Croatian). The survey followed changes in the structure of government in Croatia after the death of Croatia's first president and leader in its fight for independence from Yugoslavia, Franjo Tudjman, when the opposition had come to power and was expected to conduct major changes:

> it was necessary to determine the specific needs of Croatian society in the post-war period, such as the promotion of tolerance, multiculturalism and the coexistence of ethnic communities. Such an analysis seems to be a priority because it [the lack of media independence] is the biggest media-political problem in Croatia. It is important to establish the degree of HTV's emancipation not only because it is necessary to assess the degree and scope of transformation of this powerful institution into public service television, but also because media independence is an indicator of the country's overall democratic development. (Stantić, 2003: 9)

The results of the survey are extensive, but the main conclusion is that HRT is noticeably depoliticised – but equally so, more indicators show that the political influence of dominant attitudes from the 1990s is felt in the monitored programmes, hence the continuity in the presence of historical discourse, traditional and conservative values.

HRT has carried this curse throughout its attempts to reform into a genuine public service broadcaster. Today, the situation is significantly different because HRT is not the only television channel on the Croatian market – it faces stiff competition from two very strong international players such as RTL and Nova TV. In addition, two international TV news channels have appeared, Al Jazeera and N1. The airwaves are overcrowded with local radio stations, which threaten the once-monopoly position of Croatian Radio.

HRT has tried to introduce some forms of regulation and self-regulation. Thus, there is an HRT Programme Council, a body that represents and protects the public interest through programme oversight and improvement of the radio and audiovisual programmes, as well as other audio and audiovisual and multimedia services. The HRT Programme Council has eleven members. Nine of them are elected by the Croatian Parliament on the basis of a public call published and implemented by the Committee on Information, Computerisation and the Media of the Croatian Parliament. The other two members of the HRT Programme Council are elected by HRT journalists and other HRT employees actively engaged in the creation of HRT programme content in the manner provided for by the HRT Act and the HRT Statute.

It can be seen from the composition of the HRT Programme Council that the prevailing influence is that of politicians, more specifically, of those from the ruling party or coalition. Still, the role of the public is formally secured. Following the example of some media, the position of HRT ombudsman was introduced in 2011. However, the ombudsman's role is limited to solving mostly technical matters, such as signal strength. The fight for media freedom, or impartial, balanced programming and the independence of journalists is not within the HRT ombudsman's remit.

HRT journalists could not look calmly at what was happening in their workplace and have been fighting for years for their own independence and for the possibility to do their job in accordance with professional standards. Their protests are essentially over the same issues. Two are indicative of the constant problems facing journalists at HRT, one from 2010 and the other from 2019.

In 2010, journalists protested against the dismissal of part-timers and freelancers on whom a good part of HRT's programming depends:

> After HRT started firing part-timers and freelancers, outraged employees gathered today at the Marble Gate in Prisavlje to protest. Some 400 protesters gathered there, almost half of them full-time employees. Prior to the protest, a meeting was held at which, in addition to HRT employees, there were also representatives of HND and the Trade Union.
>
> The protesters waited in front of the [HRT] building for the acting director Josip Popovac, but when he did not show up and his secretary told them that he was

at a meeting, they entered the building and waited in front of his office, shouting: 'Give us back HRT!'. (ezadar, 2010)

Of course, HRT was not given back to them, so nine years later they were protesting once again, this time because of a bizarre situation – the HRT management was suing its own journalists:

> HRT will withdraw its lawsuits against journalists and HND if the defendants withdraw their allegations about the existence of censorship at HRT. To put it more clearly: stop criticising the work of HRT, stop warning about a number of problems, obediently carry out your tasks, and everything will be fine. It's an unfortunate situation, dear journalists, but don't be afraid, the judiciary is on your side. (Kuzmanić, 2019)

In such a situation, it is difficult to expect that journalists will do their job as they should.

The public is not indifferent either, so various protest rallies are often held. In a statement from the political party Pametno, the problem is clearly explained:

> Croatian Radio Television has long been neither a public nor an information service for citizens because its exclusively politically appointed management has turned HRT into a service for the HDZ, and prevented journalists from practising their profession, from practising journalism. (Hina, 2019)

Dissatisfaction with political interference in HRT's editorial policy has not abated over the thirty years since Croatia became independent and democratic. This is an indication that the former state television has been neither able nor allowed to become a genuine public service broadcaster. HRT remains extremely important to all political parties, especially at election time, and it even fares well in the court of public opinion. According to the Agency for Electronic Media:

> The most-watched national terrestrial channel is Nova TV, followed by HRT1 and RTL. At the top of the list of most-watched cable television channels are a children's channel (Nickelodeon), news channel (N1) and sports channel (Sport Klub 1). As usual, the most-watched television content in the Republic of Croatia are sporting events, football matches. (HND, 2020a)

It could be said that HRT is in a good second place. And it faithfully serves the authorities. What more could the authorities of a country in transition expect from the public service broadcaster?

The journalistic profession: constant fight for freedom

KEY FACTS AND EVENTS:

- 1990: 150 journalists at Vjesnik Publishing House dismissed overnight.
- 1996: Over 100,000 protesters gather in Zagreb's main square to support local Radio 101 against government's attempt to close it.
- 2020: Over 905 lawsuits currently active against journalists and media.
- In the past thirty years, life for journalists in Croatia has been dangerous and difficult.

Journalists in Croatia live in danger and poverty. Regimes change, but life for journalists remains the same: they constantly have to fight for media freedom, they dream of independence, and they have forgotten what it means to have an easy and pleasant life.

The latest scandal confirms this:

> The President of the Croatian Journalists' Association, Hrvoje Zovko, was fired unlawfully from public television, where he worked as the executive editor of HRT 4 until two years ago. The Rijeka County Court ruled in his favour, rejecting HRT's appeal against the first-instance judgement, which was also in Zovko's favour.

> Let us remind the reader that in this case, a quarrel with the editor-in-chief Katarina Periša Čakarun led the HRT management to terminate its employment contract with Zovko, with the explanation that he had violated the Istanbul Convention. (Klarić, 2020)

So, Hrvoje Zovko, a prominent journalist, the president of a journalists' association, a person of credibility in society, was fired because he had an argument with his editor. When he took the case to court, claiming that he had been dismissed unlawfully, the court ruled in his favour, but the HRT

management appealed, and it took two years for the initial ruling in his favour to be finally confirmed.

Zovko is not the only journalist who has had to fight for his job. Media owners are cutting jobs almost every day. The latest case is the downsizing of jobs at the Styria Media House:

> The Styria Media House, publisher of *24sata*, *Večernji list* and *Poslovni dnevnik*, has announced that it is streamlining operations, starting with some thirty layoffs, and 5%-to-25% pay cuts for journalists, media employees and managers at *24sata*. (…)

> Employees of *Večernji list* point out that they expect a new wave of layoffs in the autumn, following the example of *24sata* where employees (…) were notified in the spring of possible pay cuts after *24sata*'s financial reports and business results were presented at the end of June. (Gracin, 2020)

But this is only the latest case. The beginning of independent journalism in Croatia in the 1990s was marked by dismissals of journalists. Thus, 150 journalists at magazines of the Vjesnik Publishing House were dismissed overnight in 1990 as the magazines were closed down. At the same time, journalists at Radio Television Zagreb (now Croatian Radio Television, HRT) worked under a special regime. They came to work every day, but a porter with a list was waiting for them at the entrance. Access was only granted to persons on the list, the others being sent home. One didn't know whether one was dismissed or not and had to show up for work on the following day, too. It was terrible.

The threat of dismissal has hung over Croatian journalists throughout the history of independent Croatia. Initially done for political reasons, dismissals of journalists are now driven mostly by economic reasons.

Freelancers are even worse off. Their services can be terminated at any time without any explanation. And when they are employed, their fee is questionable and their rights are practically non-existent.

'"Freelance journalists have already been pushed to the margins of society, and with the new tax reform, they will be pushed even lower," warns Sanja Despot, one of the journalists who makes a living solely by freelancing' (Klancir, 2016).

But that's not all. Anyone who is dissatisfied with a journalist's coverage may file a lawsuit and seek compensation. Admittedly, this is possible in any country, but suing journalists in Croatia has become a good business.

As Hrvoje Zovko, President of HND, explains:

> The Croatian Journalists' Association has published the findings of a survey which show that there are currently 905 active lawsuits against journalists and media outlets, with plaintiffs seeking HRK 68 million. Although 905 lawsuits against journalists and media outlets is fewer than last year, the number shows that the judicial prosecution of media outlets and journalists in Croatia is still ongoing. It should be noted that the actual number is even higher since we received data from only 18 media outlets. We want to clearly warn the domestic and international public that lawsuits are the most common means of intimidating journalists and media outlets so that they would give up serious investigative stories. High compensation claims seek to ruin journalists and media outlets financially. Emotional distress seems to be a lucrative business because it is only treated with high compensation claims. Of particular concern is the fact that high-level state officials, local sheriffs, and even judges themselves are involved in filing lawsuits. This war of lawsuits against journalists and the media is a great shame for Croatia. (Portal Novosti, 2020)

Do journalists in Croatia have protection? Little, if any. It has already been mentioned that all attempts to establish an effective self-regulatory mechanism have dismally failed, despite the profession's efforts.

The only self-regulatory body is the HND Ethics Council, but it acts only if someone complains. Sanctions are mostly moral, such as warnings. HND reacts when the rights of journalists are threatened, but its powers are limited.

There are much stronger regulatory bodies, such as the Agency for Electronic Media (AEM), which keep the profession in check by protecting the government's rights to control the media.

Ethical standards are protected by various codes, from the HND Code of Ethics to in-house ethical standards of various media outlets, but there is no proper protection for journalists.

> Croatia has neither a well-developed media accountability system nor a body that sanctions unethical content in the media, because the HND Ethics Council acts exclusively on the basis of complaints from an injured party (...) At the HND Annual Assembly on 17 November 2006, the initiative of the HHO Media Council, the International Centre for Education of Journalists, the Croatian Association of Newspaper Publishers and the Croatian Association of Local Radio Stations on the establishment of a Croatian Media Council was accepted. (Vilović, 2006: 76)

This initiative, however, was not implemented and HND did not explain why. A Croatian Media Council was established five years later, in 2011, but it turned out to be stillborn and ingloriously ceased to exist. Thus, there is insufficient media self-regulation in Croatia.

The difficult state of Croatian journalism, however, has left a deep mark on the struggle for freedom of expression and thought. In the 1990s, for instance, frustrated citizens were not too happy with the media in Croatia, and longed for free and independent journalism. So, when in 1996 President Tudjman's government revoked the broadcasting licence of Radio 101, in effect closing this independent Zagreb-based radio station known for its free and independent reporting, about 100,000 people gathered in Zagreb's main square in a peaceful but impressive protest demanding the right to freedom of expression. The government reversed its decision the next day. Thus Stojedinica, as Radio 101 was affectionately called, has become a symbol of resistance to authoritarian rule. Croatian citizens, regardless of their political or ideological affiliation, showed their support for media freedom. In no other country in transition did citizens stand up so strongly in defence of the media.

These examples best illustrate that 'Croatian journalists, especially older and more experienced ones, have gone through several stages in achieving freedom of information and have learned to recognise the social limitations and opportunities for the full affirmation of independent journalism' (Malović, 2007: 25).

Prominent journalist Mirko Galić explains how Croatian journalists understand their profession: 'to be a "servant" of the profession, and not of these or those interests, not even of one's own if they are limited solely

to advancing one's "career"; to be in the service of one's country without betraying truth' (ibid.: 27).

Because of all this, interest in the journalistic profession has always been considerable. In the past, young people entered media outlets relatively easily, sometimes straight from school or university. As more and more young people entered the profession, publishers and professional associations decided to pay greater attention to the education of journalists.

The first university programme in journalism was established at the Faculty of Political Science of the University of Zagreb in 1971. Until then, there were two journalism schools, one at the Vjesnik Publishing House and the other at Radio Television Zagreb. In independent Croatia, the need for more intensive education of journalists became palpable, so in 1997 HND launched a journalism workshop, a several-month course for young journalists which was successfully completed by 150 participants. Europapress Holding also set up a journalism academy. Encouraged by these actions, HND established the International Centre for Education of Journalists (ICEJ) in 1998, which, in cooperation with similar media centres in the region united in the South East European Network for Professionalisation of Media (SEENPM), improved journalism in transition countries.

Universities also saw the need for education of journalists, so undergraduate and graduate study programmes were established at the universities of Zagreb, Dubrovnik, Zadar, Koprivnica, and Varaždin, as well as at a private university (VERN) and several colleges such as the Edward Bernays College of Communication Management.

The opportunities and framework conditions for the education of journalists in Croatia are great, and the curricula are satisfactory. At the same time, however, publishers prefer to employ young and inexperienced journalists who will follow their instructions unconditionally and blindly – which turns out to be a fundamental problem for Croatian journalism.

Digitalisation and online media environment: the future, but which one?

KEY FACTS AND EVENTS:

- 1992: CARNet, an academic internet network, launched.
- 1993: First online magazines (Byte and Bug) appear.
- 1999: First influential news sites (izbori.net, vlast.net) launched.
- 2000: CARNet survey on internet users finds issues of online privacy and security are 'very important' to 78% of respondents.
- 2020: Reuters Institute Digital News Report shows 88% of Croatian citizens get their news primarily from online media.

Croatian journalism, as media worldwide, has embraced the internet, which has become an unrivaled source of information. With the development of social media, the internet has completely changed the existing paradigm of mass communication.

> Reuters has published its global annual Digital News Report for 2020. As many as 88% of Croatian citizens get their news primarily from online media, the report shows. Most of them, 61%, get their news from Index.hr. Next are 24sata online (56%), Jutarnji.hr (49%) and Dnevnik.hr (41%). The second most popular news source after online media is television, from which 76% of citizens get their news. Of the television channels, most Croatian citizens get their news from Nova TV and HRT (59% each). Next after online media and television are print media (read by 55% of citizens), namely *24sata* (33%) and *Jutarnji list* (29%). (Index.hr, 2020)

Online journalism was completely unknown prior to the early 1990s. It was not until November 1992 that CARNet, an academic internet network, was launched, marking the beginning of internet and email use in Croatia. The first Croatian websites appeared in 1993. The first Croatian online media, the computer magazines *Byte* and *Bug*, also appeared in 1993. *Byte* was available on CARNet before the print edition (Malović, 2009: 53).

It didn't take long for Croatian online media to evolve from a modest start into a flourishing landscape. The true value of online media was realised by the Croatian public during the 2000 parliamentary elections. Dissatisfied with media coverage of these key elections, Matija Babić, at that time a student of

political science, decided to launch two websites: izbori.net and vlast.net. The beginning was more than modest. In May 1999, the two websites had only a few hundred visits each. However, Babić realised that people wanted to express their views and opinions, so he provided space for responses, comments, etc. – possibilities that traditional media did not offer to the public. The result was fantastic. On election day, 3 January 2000, izbori.net had more than 100,000 visits, a record high surpassed only by an adult video of pop singer Severina a few years later. Matija Babić clearly has a good sense for the needs of media users – his website Index.hr is currently the most-visited Croatian website.

Online journalism, just like web portals, was a novelty in the media landscape that was new and unknown both to journalists and the public. This has not been understood by the legislator yet, who has still not sufficiently specified what web portals are, or how they are to be regulated.

The current Electronic Media Act (adopted in 2009, amended in 2013) defines electronic publications as 'edited programme content published daily or periodically on the internet by electronic publication providers for the purpose of public information and education' (Article 2 [2]). It stipulates that a 'natural or legal person must submit a request for entry into the Register of Electronic Publication Providers, which is kept with the Electronic Media Council, prior to the first broadcast of the electronic publication' (Article 80 [2]).

The public, but even more so publishers of and journalists working for electronic publications, expect a more modern legal approach that will regulate a number of outstanding issues. Andrej Plenković's first government (in office from October 2016 to July 2020) planned to propose a new law on electronic media, but did not.

In Plenković's second government, which took office in July 2020, Nina Obuljen Koržinek is again Minister of Culture. The Culture Ministry's remit has been expanded to include media, thereby granting her greater powers over media issues. She has explained the situation with the new law as follows:

> 'The new law on electronic media hasn't been shelved,' she pointed out, 'but would have been introduced [in Parlament] at the very time the coronavirus pandemic struck, which changed everything radically. We didn't consider it appropriate to introduce the law at that time. On the one hand, because of the crisis that had negative consequences for the media; on the other, because all solutions should be considered in the context of the new situation,' she said. (n1info, 2020b)

News portals have introduced significant novelties to journalism and the media industry. Firstly, all or most news content is free. This means internet users have free access not only to original web portals but also to online versions of print, radio and TV media. Given the deep economic crisis and low incomes of citizens, this is an incentive for news consumption.

Online journalism, on the other hand, is faster than print; in terms of speed, it can be compared to live radio or TV broadcasting. However, online content stays around a lot longer than radio or TV. Speed and endurance of information online are the cause of many journalistic mistakes, which are usually not corrected or are corrected late. Journalists tend to use online news as a secondary source of information, on a copy/paste basis.

> In Croatia today, there are no commercial (online) databases (such as the American LexisNexis, Dialog, or Factiva) with digitised media content, i.e. with digitised content from secondary sources (...) As an alternative, online media publications are offered, which Croatian journalists can use as secondary sources (...) The advantage of online editions is their 24/7 updating, which is why some media publish more content on the internet than in their offline versions. (Brautović, 2009: 91)

As a result, the original mistakes (most often due to speed) are replicated. This reduces the accuracy of online journalism and thus the credibility of the message.

Another major advantage of the internet – an advantage widely used by news portals – is that it allows two-way communication. Users can respond and comment – under their real name but also anonymously or under a pseudonym. The road to hell is paved with good intentions – and freedom of the internet has turned it into a horrible, inappropriate, and unethical medium of spreading hate speech:

> That marginal media are the incubators of hate speech was shown by research conducted by the civic association GONG, which monitored a number of portals, television channels and newspapers throughout 2015 and 2016. The results were expected – it turned out that the portal Dnevno mostly incited hatred towards migrants and homosexuals, while the television show Bujica sought to shape public opinion in the direction of intolerance towards Serbs. (Bogdanić, 2020)

Media analysts are very concerned with the consequences of hate speech online. As Julijana Adamović, a writer and columnist, points out:

> A completely separate life is taking place on social networks – a virtual war in which insulting groups and even the entire nation is regarded only as a rhetorical manoeuver and few are aware that it spills over into real life. (Ibid.)

What about the so-called comments posted by ordinary people (readers, viewers, listeners)? Opinions differ. Gordana Vilović, a professor of journalism specialised in media ethics, explains:

> For some, they are the voice of the people (vox populi) and should be left in their original form. And that is the irreplaceable role of the internet as the freest medium. For others, the vast majority, it is unacceptable to promote intolerance and discrimination through these comments. However, it is important to note that web portals warn that 'insults, swearing and slander are prohibited'. (Vilović, 2011: 123)

Another widely discussed issue is online privacy protection and security. This was recognised as a major issue very soon after the rise of electronic media:

> According to a survey conducted by CARNet in 2000, 78 percent of respondents said that the issue of privacy and security of internet users was very important, while 70 percent believed that software developers put codes in their products that were capable of breaching users' privacy. (Brautović, 2007: 28)

The rapid development of the internet, the growing influence of social media, bloggers and influencers will take journalism in directions still unknown to us.

Conclusion: truth doesn't live here

The media image of Croatia today, in 2020, is not very good. This is disappointing but not surprising – considering the start in the era of socialist Yugoslavia, and the transition from a strictly controlled socialist media model to a model of Western free media and independent journalism, where censorship should have been abolished, and quality and responsible journalism promoted.

A recapitulation of the facts, however, points to a completely different conclusion and a whole range of negative phenomena in the Croatian media sphere.

At this point, the Croatian optimist on duty will react angrily and wonder if this author has any affinities for his country and its media at all?!

Concerned and responsible intellectuals regularly face such criticisms from the defenders of all things Croatian, especially when they try to point out the facts with calm, rational arguments.

The first paradoxical fact is that Croatian media and journalism in transition have failed to achieve the full values of free media practised in a democracy.

The media are still controlled – only the methods have changed, becoming more subtle and adaptable when the international community points to some violation of journalistic rights.

Journalism in Croatia is in a deep crisis. Media owners prefer young, insufficiently experienced, and obedient journalists. Over time, experienced, quality professionals have been expelled from media outlets, sometimes by very harsh methods.

The development of online media has accelerated this process. Today virtually anyone can photograph, videotape or write something with their digital device and instantly post it as news. Information is lightning-quick but painfully superficial. Everything young journalists learn in one of the many journalism study programmes is immediately forgotten once they begin to work, because they are asked to do something completely different.

Journalism no longer has editors and copy editors. Today, the best, the highest-quality and most experienced journalists do not become editors. Editors nowadays are products of the management, which tells them what kind of media it wants.

Owners want media that will attract as many advertisers as possible. The numbers of copies sold, of listens, views, and clicks only serve as an argument when selling media space to advertisers. Newspaper text is no longer different from advertisements because we have invented covert advertising, native advertising, and other suchlike practices where journalists turn into propagandists and write the way advertisers want them to.

No wonder sensationalism, manipulation, hate speech, bias, and 'the pearl in the crown' – fake news – prevail in modern media!

Once, the truth was the conditio sine qua non of journalism; what reigns supreme today is fake news, in all its possible forms.

The consequences of such journalism are visible even in the world's most advanced democracies, which boast freedom of media, thought and expression, and independent journalism.

If this is the case in such countries, it should come as no surprise to us that countries in transition have failed to achieve democratic goals, and thus another, new, role for media.

The consequence of this state of the media is reflected in the trust of Croats in the media. According to the Reuters Institute Digital News Report 2020,

> Index.hr, which Reuters defines as left-liberal, is trusted by 55% of Croats and distrusted by 24%. Most Croats (73%) trust Nova TV, and the fewest the portal Dnevno (24%). (…)

> Reuters states that the Croatian media market is characterised by strong commercial television providers and a print sector struggling to adapt to the digital age. The share of internet users in the population is now 92%, and 78% access news via smartphones. (Index.hr, 2020)

Let's hope that a future survey, in twenty years, will show a brighter picture of media in Croatia.

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Media Landscapes in Kosovo after 1989: Kosovo as a Unique Case of Media Culture in the Balkans

Remzie Shahini-Hoxhaj

Historical and cultural particularities of socialist media

The year 1989 marked the end of communism in Eastern Europe and the beginning of the transition to democracy, freedom of expression, and media freedom (Thomaß, 2001; Thomaß and Tzankoff, 2003). However, that was not the case in Kosovo. The year 1989 had a different meaning and consequences for Kosovo and the former Yugoslavia (Malcolm, 1998: 335–356). Instead of a peaceful democratic transition, wars and ethnic cleansings marked the decade from 1989 to 1999 (Schmitt, 2008: 313–332). The media in Kosovo had their own peculiarities throughout the main periods of their development after World War II: the socialist era (1945–1989), the period of Yugoslav disintegration and wars (1990–1999) (Judah, 2000: 140–285), the post-war period (1999–2007), and the post-independence period (2008–2020). Each period was accompanied by important changes. In turn, these periods shaped a media culture with distinct characteristics. As in the wider region, in Kosovo too 'cultural specificities and historical factors also influence[d] the operation of media systems' (Popović, 2015: 27).

Between 1945 and 1989, under the communist regime, the media environment was unlike that in other parts of Yugoslavia because of the regime's policy of repression towards the Albanian majority in Kosovo. In this context of heightened oppression, the establishment of the first Albanian-language periodical in both Kosovo and the rest of Yugoslavia was rather symbolic and could not serve the intended goals. *Rilindja* was established as a weekly magazine in the city of Prizren in February 1945, and became a daily newspaper in 1958 (Krasniqi, 2016: 134–137). However, the newspaper had a more limited societal impact since press circulation was low in the former Yugoslavia (Popović, 2017: 27), particularly in Kosovo. The first radio station broadcasting in Albanian was also established in Prizren in 1945, and later moved to Kosovo's capital city. Both media outlets promoted communist ideology above

all, but Radio Prishtina also served to softly stimulate the Albanian cultural consciousness. Radio Prishtina as a state-run media outlet had a bigger impact in Kosovo than *Rilindja* due to the high rate of illiteracy among the population.

The Kosovo media developed significantly after the new Yugoslav Constitution of 1974 granted Kosovo an advanced autonomous status (Malcolm, 1998: 328–331). Of course, the aim of Yugoslavia's government was to use the state-run media to promote its communist ideology and shape public opinion. Consequently, *Rilindja* became a very important centre of media, or a media conglomerate, by expanding its operations to include recording studios and taking over other print media outlets, including daily or weekly newspapers (Krasniqi, 2016: 136). Furthermore, in 1975 Kosovo established its first television station, Radio Television of Prishtina (RTP), with the support of Yugoslavia's network of television stations. This network supervised RTP's daily programming while providing technological assistance. Later on, RTP became more autonomous in its editorial and programming policies, informing, educating and entertaining the population within a state-run media policy (Shahini-Hoxhaj, 2018b: 99). Besides ideological censorship, media had a role in promoting a Kosovo national identity, which was done as a result of the 'mediatisation of society through radio and television, less through the press' (Schmitt, 2008: 280).

The years between 1990 and 1999 represent the second period, that of a radically changed media landscape as Yugoslavia disintegrated. In pursuit of a Greater Serbia, Slobodan Milošević took control over the state-run media and communist leadership (Silber and Little, 1996: 37–40, 58–69). With media support, his regime abolished Kosovo's autonomous status and closed all public institutions, including RTP (5 July 1990) and *Rilindja* (5 August 1990). The first step after the abolition of autonomy was the assault on RTP – hundreds of soldiers and police entered the RTP building, disrupted its work and disconnected the transmitter. RTP was shut down as an autonomous media outlet and integrated into Radio Television of Serbia (RTS). Other Albanian-run newspapers (Krasniqi, 2016: 138–141) were also shut down (e.g., *Fjala*, *Zeri Javor*, *Bota e Re*, *Shkendija*, *Kosovarja*, *Jeta e Re*, *Pioneri*). Not only did Serbia approve legislation outlawing Albanian-run media, it relied on the army and special police forces to physically close down such media (Malcolm, 1998: 345–346). This was a new time of suppressed freedom of speech. Dismissal of journalists and strict censorship was widely employed by the Milošević regime as a method of suppressing freedom of speech in Kosovo.

The regime adopted a system of apartheid that sought to promote the Serbianisation of public life (Schmitt, 2008: 313–315; Clark, 2000: 70–74) by cracking down on the media for a decade (1990–1999). During this period, known as the 'information blackout', people in Kosovo were informed mainly through international media (Shahini-Hoxhaj, 2018b: 100). The only way to survive was political reorganisation through 'parallel structures' in education and culture, including in media, as a way to overcome the apartheid that denied the majority population access to public institutions (Clark, 2000: 95–117). For example, in the early 1990s, a 30-minute radio programme broadcast from Zagreb, Croatia, served as a news source; later, a TV news programme that was accessible via TV satellite dishes operated out of Tirana (Lindholm and Gaon, 2005). While the regime sought to curtail the information space in Kosovo, journalists created new 'parallel' media outlets, including the newspaper *Bujku* which largely served as the platform of the biggest political party (LDK), but also the independently owned *Koha Ditore* (since 1997) and the weekly magazines *Zeri* and *Kosova Sot* which operated as private businesses (Krasniqi, 2016: 139). As the war in Kosovo escalated in 1998, journalists, alongside the majority of the population, were expelled as Serbia pursued ethnic cleansing. Yet, even in exile, journalists continued informing citizens about the unfolding events in Kosovo and the world from the safety of neighbouring countries where they found themselves as refugees.

The last period (after June 1999) before independence marks the transition to independent media and operations under a free market economy as Kosovo became a protectorate of the United Nations (UN). The present media landscape, its mission, and scope dates to the developments between 1999 and 2008, when a new legal framework was elaborated. At that time, the Kosovo media landscape was heavily dependent on external financial and professional support. A new media culture was created in post-war Kosovo as an export of the international community and was driven by journalists who founded new public and private media. International institutions played a key role in this regard, helping to establish television and radio stations and newspapers which were supported later by domestic governing institutions, but also crucial was the role of private enterprise. Today, as the youngest European country, Kosovo is home to a diverse media environment, but media freedom is still threatened by many factors. Not only the overlap of media and politics but also fuzzy ownership and fluctuating laws are a challenge, along with a small, weak market with serious difficulties in financial sustainability as in other parts of Eastern Europe (Zielonka and Mancini, 2011).

A late democracy and independent pluralist media market

KEY FACTS AND EVENTS:

- 1999: Radio Television of Kosovo (RTK) set up as public service broadcaster.
- 2000: Private TV channels KTV (KohaVision) and TV21 launched.
- 2000: Temporary Media Commissioner (TMC) established as a regulatory body.
- 2005: Press Council founded as a self-regulatory body for print media.
- 2005: Independent Media Commission (IMC) established as an independent regulatory authority for the broadcasting sector.
- 2008: Constitution of the Republic of Kosovo adopted.

The media transformations in post-socialist and post-war Kosovo towards pluralism and independence were determined by the political changes that took place while the country was under UN administration. This new media culture was created through the support of the UN and other countries. However, the role of Western democracies within a vibrant international presence in Prishtina was critical in decision-making and creating facts on the ground. This new context was furthered by their commitment to craft a new legal framework enabling media to operate and develop efficiently under a decade-long management by international staff. The aim was to create a flourishing pluralistic media landscape in an emerging democracy – furthermore, a media landscape that is grounded in professionalism. Although this initially seemed a chaotic approach, the international community's authority as an external power and international financial support produced enormous results.

Kosovo is a specific case as the legal and political context was developed through the commitment of the international community to enhance democracy and liberal peace. The first legal acts issued by the UN administration regarding post-war media institutions were based not on domestic legal experience (such was non-existent) but on international law and European media culture. The legal framework was shaped by the spirit of the Universal Declaration of Human Rights, and all acts were written and interpreted within this context, premised on the assumption that media freedom is an integral part of the right to freedom of expression. The development of a media system in Kosovo is not only a strong case of external

intervention; it also represents the latest case of establishment of liberal institutions and democracy in the Balkans.

However, to implement this policy, the UN administration decided that the Organization for Security and Co-operation in Europe (OSCE) was best positioned to build a new framework for media development in Kosovo. The OSCE committed to promoting not only the right to freedom of expression but also the right of everyone to have the freedom to seek, receive and impart, any and all, information and ideas through the media of one's choice. In urgent times like these, it was impossible to conduct any empirical research and analysis on media development, or to elaborate any media policy strategies – actions were required. Therefore, the initial priority was exclusively on establishing new media outlets. But there soon appeared cases of unprofessional reporting, which showed a clear need for a regulatory system. To achieve this goal, the OSCE established the institution of the Temporary Media Commissioner (TMC) in June 2000 (Lindholm and Gaon, 2005), which acted as the regulatory agency for broadcast media and was responsible for the implementation of a temporary licensing regime.

Later, in the context of transfer of ownership from the international to local institutions, an Independent Media Commission (IMC) was established in 2005 as an independent regulatory authority for broadcast media by Law No. 02/L-15 on the Independent Media Commission and Broadcasting, superseded in 2012 by Law No. 04/L-044 on the Independent Media Commission. Currently, the IMC is under the supervision of Parliament, which appoints IMC Board members and supports the IMC by funding its budget (Law No. 04/L-044, Articles 10, 11, 12, 13, and 45). Initially, the IMC lacked expertise, and the Board members were political appointees as they were 'elected by the majority of the MPs in the Parliament, meaning that [they were] people affiliated to the ruling political parties' (European Parliament, 2014: 32). The IMC is responsible for the regulation, management and oversight of the broadcasting frequency spectrum, but it also monitors programme content to ensure the freedom of expression. Its functions and broadcasting policy are in line with recognised international broadcasting and human rights standards (Law No. 04/L-044, Articles 3, 5, and 9). The process of licensing of broadcasters is simple, with minimal eligibility criteria (Articles 21 to 25). Although there have been significant problems in its work (European Commission, 2019: 85), the IMC could win respect and credibility. In 2019 it dealt with 35 complaints (most of them about violations during the national elections), showing professional judgement. The IMC follows the European

model of a transparent agency which, with international assistance, is an independent, capable regulator.

During the UN administration (1999–2007), independent media were supported as an essential feature of democracy as Kosovo transitioned from a war-torn society to a newly emerging country. The international community believed that media could help and shape the emerging democracy in practice. Therefore, the focus of Western countries and other donors was on providing the political and financial support necessary for a new media culture to emerge. Additionally, domestic journalists and political leaders recognised the interdependence between media and democracy, which need each other to further develop together. However, Kosovars had neither the experience and knowledge nor the finances to accomplish this. There is no estimate of the exact amount of financial support received by Kosovo media and civil society in this period, but there is no other sector that benefited more from international donors. Due to this funding, many media outlets were founded in the first few years after the UN protectorate was established, and some of these media have remained influential to this day. In 2001, there were a total of 145 broadcast media outlets in Kosovo, including KFOR and international broadcasters (Berisha, 2015: 2).

Next are a few examples of how external intervention worked in practice. The public service broadcaster (RTK) was supported by European countries and EU institutions. It received political backing, financial support, technical assistance, and was initially managed by the Europeans (Shahini-Hoxhaj, 2018b: 94–95). Japan was, and is, another major donor that continues to play an important role. American support was channelled through USAID and was essential to creating the two most professional private television stations (KTV and TV21) in 2000. Both TV stations started as civil society organisations or third-sector media, and as such were more free and critical in examining issues from various perspectives. In reality, they were commercial broadcasters from the outset. The ideological divisions between Americans and Europeans regarding media approach, media policy, and financial support to media were reflected in Kosovo. Thus, the Americans favoured a commercial approach to media, while the Europeans supported a public service approach. Furthermore, whereas many foreign donors helped print media to survive and develop, some media outlets expanded as a result of professional journalism and business decisions.

Other donors also helped establish public and private radio stations across the country, including radio stations providing news in the languages spoken

by other ethnic communities in Kosovo. Donors like Finland helped local broadcasters to create a critical multi-ethnic network of information and to use media to promote human rights (1999–2006). Local media continued receiving support from foreign donors later as well, because of the Western understanding that media were key to state-building in Kosovo, but the amount of support was less than before. Media freedom was not denied in post-conflict Kosovo, contrary to what local actors often claimed. Such claims were driven by a desire to attract and justify donors. The generosity of donors has significantly diminished over the last few years, with only a few media outlets receiving some support. Such reduced support continues to be provided for news services for minorities, along with support for the public service broadcasting network which offers news and entertainment in four community languages. Support for media offering programmes in multiple languages for minorities is provided because the Kosovo media are still largely divided along ethnic lines.

The actions taken by media organisations, policymakers and stakeholders in Kosovo from June 1999 through 2007 were necessary to establish media pluralism as well as a secure legal and political environment so as to meet the standards of independent journalism. The most radical changes took place after Kosovo's independence in 2008, however, as the legal framework was further enhanced by the adoption of a new Constitution which includes the most important international conventions and provisions guaranteeing the freedom of expression and media freedom. The Constitution guarantees and protects the freedom of expression, including 'the right to express oneself, to disseminate and receive information, opinions and other messages without impediment' (Article 40 [1]). It regulates the right to access public documents as follows: 'Every person enjoys the right of access to public documents. Documents of public institutions and organs of state authorities are public' (Article 41 [1, 2]). Article 42 [1, 2] of the Constitution is devoted specifically to freedom of media:

> 1. Freedom and pluralism of media is guaranteed.
> 2. Censorship is forbidden. No one shall prevent the dissemination of information or ideas through media, except if it is necessary to prevent encouragement or provocation of violence and hostility on grounds of race, nationality, ethnicity or religion.

The Constitution was, and is, the most important act, but its implementation was weak (Çollaku, 2018: 6). In addition, several other laws were not fully implemented, contributing to an overall detrimental effect. In this new context,

Kosovo's media policy was based now on foundations such as a credible public service broadcaster, self-regulatory mechanisms, protection of journalists, media diversity, and free-market competition.

The creation of a proper media environment involved a set of laws and institutions aimed at protecting journalists, but also at protecting citizens from unbalanced reporting. Media freedom cannot be taken for granted even in stable democracies, as is the case now with some EU members, let alone in a young democracy like Kosovo. While politics continues to interfere in media, some newly adopted laws have had a positive impact on the work of professional journalists – for example, the Kosovo Criminal Code (which regulates defamation and slander), the laws on Access to Official Documents, on the Protection of Journalism Sources, against Defamation and Insult, on Copyright and Related Rights, and on Protection of Whistleblowers. However, there are concerns regarding their proper implementation and cases of law enforcement failures (Çollaku, 2018: 8–13). All laws reflect European experiences, codes of conduct, and standards. European institutions had a key role in drafting them in cooperation with local institutions.

Lately, media pluralism is determined more by market conditions as more and more private companies are buying existing media outlets or establishing new ones. However, there is regional concern that with regard to 'media policy frameworks, media ownership and finances, media self-regulation, media content, journalism as a profession, and media ownership (...) commercialization and privatization [of media] have been devastating' (Popović, 2015: 25). The presence of commercial media has ensured diversity and representation of all parts of society, while the public service media continue to play their conventional role. This role includes supporting the country's political agenda and generating social cohesion in a war-torn society, often by shaping public opinion in this regard. Initially, commercial media competed with the public service TV broadcaster for influence, viewers, and market share (Miftari, 2017: 22), but later they moved towards greater professionalism by competing with one another in the provision of news and entertainment (Shahin-Hoxhaj, 2018b: 108–109). Television was and still is the main information source, shaping the opinion of the majority of Kosovo's citizens in recent years (Shahini-Hoxhaj, 2015: 555–565), but today the young generation has switched mostly to online media as a source of information (Shahini-Hoxhaj, 2018a: 81–82).

There is also a trend among some commercial media to offer a television programme mix between public interest and self-promotion of their business

interests. This is due to the fact that some broadcast and online media are owned and financed by local corporations. While most of the media in Kosovo follow certain public service standards, striving to inform all citizens, some media outlets are focused on promoting and protecting their business interests to the detriment of public service. As Kosovo is a small economy, with the lowest GDP in the region, non-corporate media are facing many financial challenges. The lack of financial stability often leads to dependence on politics or self-censorship. Editors and owners influence journalists not to report on particular cases – such as rule of law issues, for example – because of political pressure or economic interests of the media outlet.

Another challenge for Kosovo has been media concentration. As in the rest of the region (Popović, 2015: 28), this issue is also not regulated properly in Kosovo. An important issue concerns the lack of transparency in ownership, raising concerns about who the media serves: the citizens, political elites, or corporate powers. International institutions and local think tanks pretend that 'media ownership in Kosovo is considered to be transparent' (European Parliament, 2014: 33). Ownership of traditional media is more transparent than that of online media. However, analyses confirm that there are three types of media ownership: 'hidden ownership or nominal owners as a cover for real owners', 'family ownership', and 'big companies or corporations as media owners' (Berisha, 2015: 4). One of the most sensitive issues in this regard in Kosovo is the legal vacuum and partial data on media ownership because the existing legislation does not regulate either transparency of ownership or of media concentration (European Commission, 2019: 85). The IMC and the taxation authority oblige all media to submit annual reports about their real owners, but this does not ensure enough clarity.

The media market in Kosovo is friendly to private initiatives and businesses. Media do not pay any special tax, only the obligatory fees for electronic media, a licence fee and a transmitter fee. Media are exempt from value-added tax (VAT). There is 'no systematic and credible independent market research' (IREX, 2019: 60) as well as 'a lack of data on the distribution of the advertising funds' (European Commission, 2019: 85). There are few sources for media financing, such as advertising, sponsorship, donations, sales and/or circulation, and the main funding of public service media comes from the Kosovo national budget. In 2012 there was a financial crisis for the media, followed by a period of stability. Due to the Covid-19 pandemic, however, in 2020 financial sources decreased significantly, jeopardising media sustainability.

Media outlets in Kosovo (more than 100 television and radio stations, 300 news portals) provide local, national, and international news (ARBK, 2020; IMC, 2020). They inform about and examine a wide range of political, social, and economic issues. The influential media outlets are focused on politics, government decisions, parliamentary sessions, political fights among parties, regional and international issues. The mediatisation of politics and society has happened mostly through competition between television and internet-based media. Most media outlets also cover socio-economic issues, including the wellbeing of citizens, issues facing ethnic minorities, human rights, gender issues, or issues of other marginalised groups. The diversity of news sources allows citizens to cross-check information offered by various media outlets, but numerical diversity in itself does not guarantee a diversity of viewpoints. Media in Kosovo provide a public forum where news, opinions and political views are accessible and democratically represented, but the quality of media content, apart from that offered by the leading media, should be improved.

Between the old nationalistic and current populist trends

KEY FACTS AND EVENTS:

- 2000: Serb UNMIK employee abducted and murdered after daily newspaper *Dita* publishes article titled 'Kur Petar bëhet Pitter' (When Petar becomes Peter), accusing him of war crimes. Subsequently, TMC orders *Dita* to suspend operations.
- 2004: Violence and ethnic riots, fuelled by media reports, escalate in March.
- 2005: Press Code adopted by Press Council of Kosovo.
- 2012 and 2017: Government attempts to restrict freedom of speech through Criminal Code provisions and amendments fail.

The relationship between media and politics in Kosovo is determined by many factors and agendas, and is manifested at two levels: ethnicity/nationalism, and party politics/government. At both levels, this relationship is symbiotic, with media influencing politics, and vice versa. Both dimensions are crucial, as the following key examples show.

Since the end of the war, some media have continued to incite ethnic conflict through nationalistic propaganda and hate speech. At times, their agenda has seemed to be a continuation of war by other means. The lack of professionalism has also had violent results. The first case involves the daily newspaper *Dita*, which in 2000 published the names of suspected Serb war criminals alongside their photos and home addresses. The consequence was the murder of a UNMIK staff member two weeks later (Limani, 2005: 318). This drove the UN administration to temporarily shut down the newspaper, based on the recommendation of the TMC. Another crucial example involves media reports during the March 2004 deadly unrest. Media reports alleging that Serbs were responsible for the drowning of three Albanian boys from the ethnically divided city of Mitrovica incited a mob to attack Serb Orthodox churches and Serb neighbourhoods. Nineteen people died and more than 900 were injured. Those two events provided a lesson on how media should not serve as a platform for magnifying fear, but instead as catalysts of progress in media law and institution-building.

Those events showed that there was plenty of blame to go around in the media sphere. The public service broadcaster, RTK, as well as other TV and radio stations and print media were guilty of misreporting assumptions as facts and providing unverified news (Haraszti, 2004; Jahiri, 2018). In light of these failures, criticism by international and local actors has helped to avoid similar situations. Consequently, RTK was placed under the direct monitoring of the OSCE and international consultants advised RTK on editorial issues for two years (Miftari, 2015: 28). The Press Council of Kosovo (PCK) played a key role as well.

The PCK is a self-regulatory institution, founded by the print media in 2005, and presently includes representatives of newspapers, news portals, magazines, and news agencies. Its mission includes advancing the freedom of speech, the rights of citizens to be informed and protected from false information, and the protection of journalists from baseless complaints. The PCK adopted a Press Code in 2005, along with a medium-term strategy focused on implementing these principles.

Front page of Gazeta Express *published on the day Kosovo declared independence (17 February 2008).*

In recent years, while there have not been many cases of media negligence (at least, not as many as in 2004), there has been ample evidence of unprofessional journalism. In 2016, the PCK adopted a regulation that treats user comments as media content, thus forcing media to filter comments. This act came after LGBTQI NGOs complained about some offensive user comments. Another example involves an attack on a Roma woman by teenagers after she was wrongly portrayed on social and other media as a thief. The PCK took disciplinary action against the media outlets that were involved in propagating falsehoods. Another victim of such unprofessional journalism was the former female president of Kosovo, Atifete Jahjaga, who was portrayed in a sexist way in 2013.

Recent years have also seen the emergence of a new media awareness in Kosovo as a result of political developments advancing democratisation and strengthening nation-building. One such case is the relationship between Kosovo and Serbia. In the past, before 2008, headlines in Serbia were rarely considered news in Kosovo and did not have any lasting impact on framing the stories reported by domestic media. However, this has changed lately and now Serbia's nationalism concerning Kosovo makes news headlines in Kosovo. As new online media have gained in popularity, any news story published in Serbia is instantly accessible in Kosovo and is reframed to serve domestic

political purposes. This is adversely impacting the normalisation of relations between the two countries and is dangerous, considering that media played a catalytic role in the Yugoslav conflict by perpetuating an atmosphere of fear of the 'others', where the consequences were ethnic wars beyond imagination (Thompson, 1999).

Most media outlets in Kosovo are not political machines, although there are some that are affiliated with political parties. They are less beholden to the government, and although some media have political leanings, the presence of many outlets with various leanings balances political biases. Mostly during election campaigns, some media favour political parties that are viewed as allies. Compared to the rest of the region, Kosovo's media landscape is a lot more pluralistic and independent, which is a result of the media culture created by the international community and mirrors the quest for journalistic professionalism.

The case of Kosovo shows that consolidating a protective, legal and proper institutional environment for media is not a technical task, but a political challenge. That was difficult due to the weakness of the rule of law in Kosovo and because governments sought to constrain independent media. The most interesting cases of government attempts to control the media and restrict freedom of speech were in 2012 and 2017. In 2012, the then government's attempt to include provisions in the new Criminal Code (Code No. 04/L-082) criminalising defamation and compelling journalists to reveal their sources (HRW, 2012) ultimately failed after the provisions in question (Articles 37, 38 and 39) were repealed by a subsequent law (Law No. 04/L-129). In 2017, the then government initiated amendments to the Criminal Code providing for imprisonment of up to three years for insulting or expressing contempt for the Republic of Kosovo, for its constitutional order or its anthem, and of up to five years for defamation of constitutional bodies, including the President, the Parliament, the Government and the Constitutional Court. The government was accused of seeking to criminalise defamation and eventually withdrew the proposed amendments (EFJ, 2017).

Free access to institutions, documents and information is another concern in Kosovo. Despite the presence of other laws, in the last few years the government has adopted a new regulation guaranteeing that the work of public institutions is transparent and offered for public inspection. The problem remains, however, as to how the public can obtain official documents and information on public contracts, employment procedures, position papers on sensitive political issues, etc. When access to such documents and information

is granted, it is uneven and mostly favours the leading media. Despite legal protection, politicians will not give up their ambition to control the media. Control over RTK is the main target of the government and Parliament through their role in the election of board members and provision of financial support for RTK from the state budget. Private media cannot easily avoid government control, either. Advocates of independent media within Kosovo, the rule of law institutions and Western countries concerned with media freedom in Kosovo have more work to do in advancing independent media.

A serious global trend affecting Kosovo media is the rise of political populism. In Kosovo, there are no signs of increased authoritarianism due to the fact that all governments are weak and, very frequently, do not complete their whole term of office. But the global trend of declining democracy is impacting Kosovo as well (Shahini-Hoxhaj, 2018a: 73–75). Still, domestic institutions are less fearful and international institutions less worried about the state of independent media in Kosovo and their protection from politics. But the rise of populism has increased the pressure on media, and journalists are often labelled 'liars' and 'traitors'. By attacking the credibility of journalists, populist politicians seek to delegitimise the media (Bajrami, 2019). Politicians in Kosovo seem to have understood that the days of harsh responses by the EU, US and others to government attacks on media are over.

Building a public service broadcaster and its current politicisation

KEY FACTS AND EVENTS:

- 1975: Radio Television of Prishtina (RTP) launched; operates until 1990.
- 1999–2001: Radio Television of Kosovo (RTK) operates based on Memorandum of Understanding between UNMIK and the European Broadcasting Union.
- 2001: UNMIK Regulation 2001/13 establishes RTK as a public service broadcaster.
- 2012: Law on Radio Television of Kosovo adopted.
- 2013: Serbian-language public TV channel RTK 2 launched, as provided for by 2012 Law on RTK.

Unlike other post-communist countries, Kosovo was not faced with the challenge of transforming state-run media into a genuine public service media (Jakubowicz and Sükösd, 2008: 17–20; Jakubowicz, 2011). Kosovo's case of building a public service broadcaster from scratch is rather specific. RTK represents a unique case because it does not have any institutional continuity with the former socialist state-run RTP. After the war, the former employees sought to get their RTP jobs back, including the RTP premises, but were stopped by UN peacekeepers. The UN officials promised them a return to work, but this never happened (Thompson, 2000: 61–74). Thus, RTP was never reinvented from the old socialist broadcaster. Based on a Memorandum of Understanding between UNMIK and the European Broadcasting Union, a new Radio Television of Kosovo (RTK) was established instead in 1999. Its founding represents the largest media project undertaken by the international community in Kosovo. While a few former RTP employees – journalists, management staff and professional technical staff – could get a job at RTK, on an individual basis, an en-masse return was not allowed in order to prevent RTK from becoming a successor institution to RTP (Miftari, 2017: 25–29).

RTK currently includes four television channels, two radio stations, and a web portal. It is the biggest broadcaster in Kosovo, offering programmes on news, entertainment, education, culture, etc. (Fetoshi, 2018: 95–126). RTK 2 is a Serbian-language TV channel, while the other RTK TV channels and radio programmes provide news, analysis and entertainment in Turkish, Bosnian, and Romani. During the first years of its founding, RTK had no clear mandate or long-term goals as it was set up in a war-torn country, but it later developed based on clarity of mission and targets.

Due to the fact that, in Kosovo, transformation of a state-run media into a public service broadcaster did not take place, as was the case in the rest of the region (Qeriqi, 2019) or the world (Dragomir, 2017: 3–6), RTK benefited immensely from its set-up as a new institution with no links to the past. In the rest of the region, with the demise of communism, it was up to the national governments to transform the state-run broadcasters into genuine public service broadcasters; in Kosovo, however, the job of building a national public service broadcaster fell to the OSCE. The task was how to reinvent the European experience and model of public service broadcasting (Bardoel and d'Haenens, 2008). The first step taken by external actors in regulating public service broadcasting as part of the democratisation process in Kosovo was UNMIK Regulation 2001/13, which legally established RTK as a public service broadcaster. This regulation included establishing the framework for the work

of the Management Board, the international director, and the international and local staff of RTK. The first domestic law on RTK (Law No. 02/L-47) was adopted in 2006 and provided a good basis for its operation, but at the same time contained provisions that could potentially limit its editorial independence (Articles 15 and 19).

Today the most important national law concerning the operation of RTK is Law No. 04/L-046 of 2012, which says that RTK is 'the Public Broadcaster of Kosovo' (Article 3 [1]) and regulates its status as an 'independent public institution of particular importance' (Article 3 [2]). Additionally, the law defines RTK's mission as 'informative, educative, cultural and entertaining' (Article 3 [3]) and stipulates that its obligations include 'promoting a culture of civic dialogue and providing a wide arena for public discussion' (Article 7 [1.1]). It safeguards editorial independence, stating that the 'Editorial policy of RTK shall be independent, fair, professional, objective, balanced and impartial' (Article 18 [8]). Chapter V (Articles 24 to 38) regulates the governing and managing bodies of RTK, which are the RTK Board and General Director (Article 24).

As Parliament is the founder of RTK (Article 4 [1]), all 11 members of the RTK Board are appointed by Parliament, with a mandate of two to four years (Article 26 [1, 3]). Candidates for the Board can apply within 90 days prior to the expiry of the Board members' terms. A parliamentary ad-hoc Committee reviews applications and interviews the candidates. Subsequent to the interviews, the Committee recommends two candidates for each Board position, of whom one is elected by a simple majority of votes in Parliament (Article 26 [2.1, 2.3, 2.4]). This 'allows for the ruling party to appoint people over whom they have influence' (European Parliament, 2014: 33). Thus, the election of the RTK Board and its relationship with the government or political parties serves as an instrument to exert influence over the public service broadcaster. The law is the main instrument by which the government can limit the independence of the public service broadcaster. RTK is a good example of how 'politics uses (...) the law – as the grounds which regulate the rapport between the public media and the political power' (Rexha, 2016: 1). This has an adverse effect on editorial independence and programme content (European Parliament 2014: 33).

Another political instrument wielded to control the public service broadcaster is the appointment of the RTK General Director. The General Director is appointed by the Board (by a two-thirds vote of the whole Board) for a term of three years (Articles 29 [2.6] and 32 [3]). Formally, the Director is accountable to the Board, which is the main decision-making authority and is responsible for the key

issues. However, the position of RTK General Director is so influential and broad according to the law that it effectively places the Director in charge of managing the public service broadcaster. The Director can sideline the Board and engage in direct communication with Parliament, 'bypassing the competences of the RTK Board, as the sole formal authority to engage in direct communication with the Kosovo Assembly' (Miftari, 2017: 31). Other responsibilities of the General Director include: serving as the principal liaison between the RTK management and the RTK Board, overseeing the programming content, and managing RTK operations. The influence wielded by the RTK General Director is so great that his or her appointment often generates political tensions between the ruling parties and the opposition.

The law protects RTK's independence and professional journalism, but both its governing and managing bodies (Board and General Director) illustrate the pressures that can be exercised on the public service broadcaster. Its editorial independence is threatened by the manner in which it is financed. The manner in which RTK is financed has been unclear since its founding as there are no long-term mechanisms to provide financial predictability. During the first years of its operation, RTK was supported by donors and annual subsidies from the Kosovo budget. Parliament later decided to introduce a licence fee, to be collected by the Kosovo Energy Cooperation (KEK). While the licence fee provided financial sustainability for RTK, it did not last long as the Constitutional Court found it unconstitutional for the fee to be charged through the electricity bill. This decision left RTK with only one option for funding: the state budget. According to the 2012 Law (Article 21), RTK is financed from three sources: state budget, subscription fee, and own-source revenues – which, however, again failed to provide an 'appropriate financing method' (GAP, 2011: 15). In 2018, a draft law introducing a mixed financing scheme for RTK – a fee to be collected through KEK electricity bills, and a small subsidy from the state budget – was submitted to Parliament. However, this draft law was never approved by Parliament.

As is the case in the whole region (Bajomi-Lazar, 2016), in Kosovo too public service broadcasting is faced with multiple challenges: decline of trust and low audience rating, political influence through the appointment of the management, lack of editorial independence, pro-government preferences, underfunding and lack of financial independence, pressure by commercial corporations via advertising, non-transparency of management, and hostility on the part of commercial media. These shortcomings provide a real picture of the state of RTK – where it stands and what should be done. Instead of

being 'accepted as a true public service forum (...) it started to be regarded as a government service and controlled by the governing political parties' (Miftari, 2017: 48). Despite this, RTK is a consolidated institution, meets the key standards in its development, and still dominates the broadcasting sector in Kosovo with news bulletins and other programmes.

Challenges for the journalistic profession

KEY FACTS AND EVENTS:

- 2002: Association of Journalists of Kosovo founded.
- 2005: Journalism education introduced at University of Prishtina.
- 2008: Civil Law against Defamation and Insult adopted.
- 2013: Law on the Protection of Journalism Sources adopted.

After two decades of media pluralism in Kosovo, professional journalism is still challenged by some conditions and factors. There are solid accomplishments and a stable legacy, but there are real difficulties as well. There are still media and journalists who cannot meet professional standards. Often, the rivalry among media outlets has had adverse consequences such as provision of biased media content. Journalists and credible media are facing the hard task of maintaining ethical principles in a market that favours increasing numbers of viewers and unethical reporting. Yet, despite cases of disrespect of professional standards, the most influential media outlets respect journalistic standards, and seek objectivity by considering all significant sources and examining all sides of a story or event. Many laws in Kosovo regulate the work of journalists, but special mention here should be made of the Law on the Protection of Journalism Sources, which guarantees confidentiality of sources (Articles 1 and 2). According to this law, journalists have the right to remain silent about their sources of information (Articles 4 and 8). To date, no journalist in Kosovo has been forced by a court to disclose his or her source.

Journalism education did not exist in Kosovo in the past. In the absence of such education, after the war many international institutions offered a wide range of training seminars and courses for journalists (Hoxha and Andresen, 2017). Many training courses for journalists were conducted by the OSCE, USAID, EU, and IREX to introduce and enhance professional journalism, independent

news production and agenda-setting, and to avoid self-censorship (ibid.: 41–42). Education in journalism was first offered at the Faik Konica College, but it was more theoretical than practice-oriented. Many of the graduates of this programme went on to establish commercial television stations, or became editors. There was no consistent education for journalists in Kosovo, and the need for such education was keenly felt.

However, the real breakthrough in academic training of journalists and media professionals took place with the establishment of the Department of Media and Journalism at the University of Prishtina (UP) in 2005. The department at UP offers different degree programmes, including a PhD in journalism. Education in journalism is also provided by private colleges. Private colleges offer Bachelor's degrees based on accredited programmes. Following the high demand for journalists and media professionals, other schools of journalism were established, including the Kosovo Institute of Journalism and Communication (KIJAC) which was supported by the Norwegian government (Scott and Gafke, 2010). Over 90% of UP graduates find employment in the media sector. Education and training programmes for journalists in Kosovo follow Western standards in this field. Increasing levels of education in journalism have had positive results in the media, such as reduction of hate speech and biased reporting, independent news production, and independent agenda-setting (Hoxha and Andresen, 2017).

However, the World Press Freedom Index of Reporters Without Borders (2020) ranks Kosovo in 70th place out of 180 countries. This ranking is below the expectations of journalists in Kosovo. Nevertheless, Kosovo is ranked higher than other countries in the region – for example, Albania (84th), North Macedonia (92nd), Serbia (93rd), Montenegro (105th), and Bulgaria (111th). This middle-of-the-road ranking, however, does not mean that attacks on journalists have stopped. According to the Association of Journalists of Kosovo (AJK), in the period between January and September 2018 there were 13 cases of verbal threats and physical attacks against journalists and other media professionals. It is noteworthy that 'investigative journalists are most at risk due to their investigative reporting. Threats against them range from those of high state officials to those of ordinary citizens' (Çollaku, 2018: 7). Some cases remain unsolved, creating the impression that law enforcers are either unable or unwilling to investigate such cases. The AJK's demands for the appointment of a special prosecutor to investigate crimes against journalists were met in 2018. For some institutions,

Kosovo can be considered a safe country in terms of the physical threats, but it is rather different with regard to job security and payment. There are cases where media employers do not pay journalists, but due to fear of losing their job completely, journalists avoid voicing their problems and cases of breaches of contract are not reported to the authorities or made public. (European Parliament, 2014: 34)
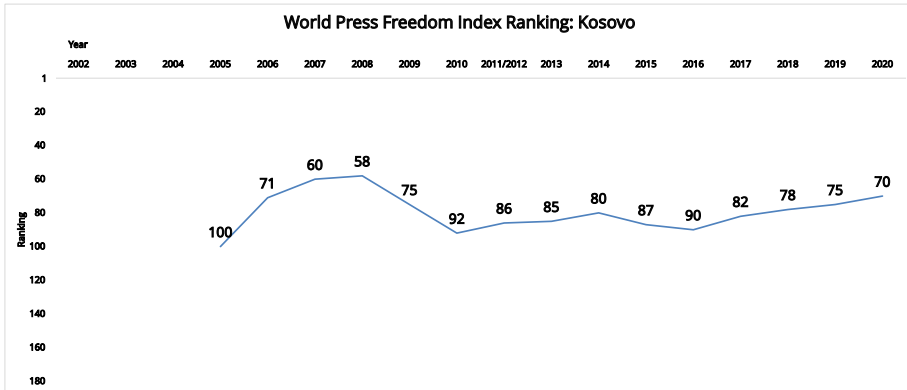
Source: Reporters Without Borders.

New media for the youngest society in Europe

KEY FACTS AND EVENTS:

- 1998: First online versions of some print media launched.
- 2013: *Gazeta Express* first newspaper to go online-only.
- 2015: Kosovo fails to meet digitalisation deadline (switchover from analogue to digital broadcasting).
- 2019: Internet access available to 93% of households in Kosovo.

Online media are the fastest growing and most important source of information for the larger part of society in Kosovo. Their rise in influence and impact has negatively affected traditional print and broadcast media (Zeneli, 2020). As the market for print media has shrunk rapidly, newspapers are forced to go online (Ismajli, 2020). However, Kosovo is still in the early stages of meeting all digitalisation requirements, and neither the digitalisation law nor

the digitalisation strategy have been implemented to facilitate this process. The strategy aimed to ensure that the digital switchover would be completed by mid-2015, the deadline set by the International Telecommunications Union (European Commission, 2019: 85). Due to the fact that Kosovo is not a UN member and that digitalisation has crossborder implications with Serbia, the government opposed it and the transition from analogue to digital did not take place. The Law on Digitalisation also left this issue pending and expectations that the digital switchover would be accomplished later have not been met (Miftari, 2017: 38–42).

In 2019, a total of 93% of households in Kosovo had internet access (eurostat. com), indicating that large parts of society can access information via online media. Newspaper circulation was low due to the costs and physical distances, but online media can be read at the same time regardless of whether one is in the capital or in a remote village. Whereas FM or AM signals could not cover the whole territory, the internet has enabled high-quality connection and communication at a low cost. With the rise of internet connectivity, parts of the country which did not have access to news broadcasts due to signal reception issues are now able to get news online. Online media diversity and exponential growth shows that there are a large number of users. However, the internet offers users the possibility to consume media content that meets their preferences and beliefs, and online media often adjust their content accordingly.

Despite the weak economy, the number of online media users in Kosovo is high and the country is certainly not behind others in the Balkans in this regard. However, the rise of new media has transformed not only the old media but also the role of consumers in media content. The majority of online media consumers are young and middle-aged people. The online population (urban and rural) are both consumers and creators of content as people look for information themselves, create and share their opinions via social media. If in the past each home had a television set, now that includes a computer and/ or smartphones as devices for information and entertainment. Furthermore, political leaders are using and misusing social media daily for promotion of political agendas (Gërguri, 2016), but also for political mobilisation and polarisation (Shahini-Hoxhaj, 2018a: 76–90).

For years, there have been concerns about the regulation of online media: 'Together with unprecedented media democratisation, the new (online) media have led to a drastic deterioration in the quality of the public dialogue in

Kosovo' (Berisha, 2015: 6). There are two main reasons for this deterioration. First, the independent regulatory authorities (the IMC and the PCK) do not have a guiding mechanism regulating new media. Second, online media also disregard professionalism as they pursue sensational news with the goal of getting as many views as possible (Kosumi, 2019). No broad debate on how to protect citizens while protecting the freedom of the new media and their development has been held to confront the challenge of an 'unregulated internet' and to make sure that media respect ethical principles of online journalism. Online media have also yet to address important questions about how to thwart the interference of non-Western actors like Russia and China in the Balkans which is done via online media. These new media have done very little to counter or limit Russian and Chinese propaganda, fake news and false narratives that are spread through their platforms. Intentionally or through gross negligence, online media outlets often promote media content and disseminate messages against their own country or Western partners. A new media culture established two decades ago cannot meet today's challenges.

Conclusions

Based on local research, domestic laws and international studies, this chapter analyses the key phases and aspects of media in Kosovo, and concludes that historical factors as well as critical political, economic and social changes played a key role in the establishment of a media culture that in many ways is unique. While the early 1990s represented a turning point in European politics with German reunification, in then-Yugoslavia the end of communism was accompanied by the violent breakup of the country. This, in turn, postponed for more than a decade the transition to democracy and the transformation of media institutions into free and independent media. Therefore, as this chapter shows, current media culture in Kosovo is less embedded in a post-communist trajectory due to institutional discontinuity – rather, it is more deeply rooted in external intervention, in the UN legacy, the commitment of Western democracies to promote liberal plural media, and the will of Kosovar editors and journalists to build a new media system that is grounded in the Western ideology of journalism.

This chapter analyses, within general characteristics of media development, specific domestic factors undermining professional journalism in both public service and commercial media in Kosovo: late democratisation, fragile institutions, exertion of political influence, poor implementation of laws, a weak

and small market, fuzzy media ownership, disrespect of ethical standards, and lack of regulation for online media. Kosovo has improved its position in international media rankings, but these and other factors might pose serious challenges, where either the protection of citizens from false information or protection of journalists might be at stake.

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The Montenegrin Media Market: Transformation from a Communist to a Mediterranean Media System

Nataša Ružić

Introduction

The history of global journalism has shown that ever since the 1520s, changes in the media depend primarily on the ongoing political and social processes within a given country. These factors reflect on the level of media freedom and define the future course of development of the media market. Montenegro has been no exception in this regard.

As compared to other European countries, Montenegrin print media emerged relatively late even though Montenegro established its first printing house in 1493. However, due to historical circumstances, the first Montenegrin newspaper, the weekly *Crnogorac* (The Montenegrin), was launched only in 1871, while in Europe the first newspapers appeared in the period from the mid-15th to the early 17th centuries. Montenegro got its first piece of media legislation, the Printing Act, in 1905. This law was adopted by Prince Nikola in order to gain control of the media market as well as to clamp down on opposition media. At the turn of the 20th century, Montenegrin media were either under pressure from the ruler or served exclusively for propaganda purposes. Ever since the first media were established, Montenegro has never boasted media freedoms, so it comes as no surprise that most changes on the market were of a formal character.

During the 20th century, Montenegrin media, i.e. journalists, did not have the freedom to report, but were rather coerced into accepting self-censorship. Communism did not allow the media to objectively inform the public about news from the country[1] and abroad, and the media served the communist

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[1] During the 20th century and until its independence in 2006, Montenegro was a part of the Kingdom of Serbs, Croats, and Slovenes (1918–1929), the Kingdom of Yugoslavia (1929–1941), the Federal People's Republic of Yugoslavia (1945–1963), the Socialist Federal Republic of Yugoslavia (1963–1992), the Federal Republic of Yugoslavia (1992–2003), and the State Union of Serbia and Montenegro (2003–2006).

party. The communist media system survived in Montenegro up until the 1990s. The main characteristics of this system were the following: media were exclusively state-owned; criticism of party activities was prohibited; journalists and editors were loyal members of the party (Malović, 2014: 79–80).

The first changes in the Montenegrin political system commenced in the late 1980s. Montenegro went through a two-phase transition (1989–1997 and 1997–2000). The transition started in 1989 when the younger generation of the League of Communists of Montenegro[2] rose to power. What is interesting is that after the fall of communism, the League of Communists of Montenegro won the first multiparty elections in 1990 (Vukićević and Vujović, 2012: 59). Boris Vukićević and Zlatko Vujović (ibid.: 59–60) explain how 'Already (…) the fact that the new government did not come out from an anti-systemic but from the systemic circle (like in Romania, only without its bloody scenario), reveals the roots of the authoritarianism of the Montenegrin regime in the coming period.' The next two elections, in 1992 and 1996, were neither fair nor democratic. The ruling structures were hostile towards opposition parties, which worked in difficult conditions – especially in the period from 1990 to 1997. As Vukićević and Vujović (ibid.: 60) point out, 'In the situation of war in the neighbourhood, with international isolation (1990–1995), civil and media freedoms were quite limited and followed by police control of the society and strengthening of the network of clientelist relations.' In an analysis of this period, Srđan Darmanović (cited in ibid.) defined the regime at that time as hybrid or semi-authoritarian because authoritarianism was predominant, albeit with certain elements of a democratic system.[3]

In such conditions, the media market underwent formal changes. In essence, Montenegro shifted from a communist to a Mediterranean media system. The main features of the Mediterranean media system, according to the classification of Daniel C. Hallin and Paolo Mancini (2004: 67–68), are: strong influence of political parties on the media; state model of the public broadcaster; financial subsidies to the media; commentary-oriented journalism; journalism serving as a springboard to political careers; formal education of journalists started relatively late. Although Hallin and Mancini have not included Montenegro in their classification, the listed features best

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[2] The Montenegrin branch of the League of Communists of Yugoslavia. The latter dissolved in 1990, but the communists of Serbia and Montenegro continued cooperating.

[3] It is noteworthy that Freedom House described the Montenegrin political system in the same manner, but this time in 2020 (Freedom House, 2020).

illustrate the conditions in which Montenegrin media operate as well as the situation on the market.

Changes on the media market in the last thirty years

KEY FACTS AND EVENTS:

- 1990: First private/opposition print media outlets, such as weekly newspaper *Liberal* of the Liberal Alliance and weekly magazine *Ogledalo* of the People's Party, published.
- 1990s: First private radio and TV channels launched.
- 1993: Law on Public Information adopted.
- 1998: New Law on Public Information adopted.
- 2000: Charter for Media Freedom adopted.
- 2002: Law on Media, Law on Broadcasting, and Law on Public Broadcasting Services 'Radio of Montenegro' and 'Television of Montenegro' adopted.
- 2020: New Law on Media and Law of National Public Broadcaster Radio and Television of Montenegro adopted.

The most important change that occurred on the Montenegrin media market in the 1990s was the establishment of the first private media outlets as well as the first opposition newspapers and magazines published by political parties. The first opposition monthly newspaper, *Liberal*, was published in Cetinje in 1990 by the Liberal Alliance, while the People's Party launched the weekly political-informative magazine *Ogledalo* (The Mirror) in 1990 as well (Sredanović, 2007: 98). At the same time, this was a period of closure of youth, student, and local newspapers, such as *Omladinski pokret* (Youth Movement) and *Studentska riječ* (The Student's Word), to name but a few. In this period, the average circulation of 45 print media outlets (four daily newspapers, three weekly newspapers, eight biweekly newspapers, 13 monthly newspapers, biannual and annual magazines) amounted to approximately 60,000 copies per issue (ibid.: 100). During the 1990s and early 2000s, over 20 private radio stations were founded in Montenegro. Table 1 provides an overview of the establishment of private radio stations, based on data from Sredanović (2007).

Table 1. First privately owned radio stations in Montenegro

Year of founding	Radio stations
1994	Radio Elmag, Radio Antena M, Radio Panorama
1995	Radio Jupon
1997	Radio D, Radio Boje, Radio Montena, Radio Gorica
1998	Radio Fokus, Radio Svetigora, Radio Mir, Radio Adriatik
1999	Radio Free Montenegro, Radio Vizija, Radio Ozon
2000	Radio M, Radio Corona, Radio Bussola
2001	Radio 083, Radio Trojka

Source: Sredanović (2007).

The Television of Montenegro began broadcasting news programmes five times a week back in 1972. Until the 1990s, the only competition to the future public service broadcaster was the Italian TV RAI, which could be watched in Montenegro since 1957. During the 1990s and early 2000s, local TV stations were established – TV Nikšić (1995), TV Budva (1999) – along with the first privately owned ones: TV Blue Moon (1995), TV Skaj Sat (1995), TV Elmag (1997), TV Montena (1997), TV APR (2000), TV Eho (2000), TV Orion (2001), TV Teuta (2002), TV IN (2002) (Sredanović, 2007: 106).

On the basis of these data, we can conclude that media pluralism developed on the Montenegrin market in the 1990s, following the adoption of the Law on Public Information in 1993 which enabled natural and legal persons to establish a media outlet by a simplified procedure. According to Velizar Sredanović (2007: 108), however, this law brought

> only the possibility of establishing private media, but not a complete departure from the habits of a one-party system (…). This was a time of the ruling party's absolute power and media domination, when the party's 'trusted people' were sitting on administrative and party committees, as well as publishing councils, instead of management and media experts.

The new Law on Public Information of 1998 prescribed the manner of establishing, managing, financing, and editing public media, the rights and obligations of journalists, the manner of publishing statements, responses, corrections and opinions. Article 4 of this law prohibited media censorship as well as any monopoly on the market. Article 5 obliged the Republic 'to encourage and support the diversity of all types of public information, the

versatility of ideas and thoughts in public information'. Article 15 stipulated that

> Public media are established by institutions, companies or agencies registered in the court register for newspaper publishing or broadcasting activities. Natural persons, political parties, civil associations, religious, educational, cultural, sports, health and other organisations and associations may establish public media in the field of the press, without founding and registering a company or institution.

Whereas the 1993 Law on Public Information prohibited foreign natural and legal persons from establishing public media, the new law stipulated that 'A foreign legal and natural person may be the founder of a public media in the Republic' (Article 11). The 1998 law defined the management positions in public media, which fell within the competences of the managing board, supervisory board and director, while the programming content was handled by the programming board and the editor-in-chief who appointed the editorial staff. In addition, the law provided for the establishment of a Council for the Protection of the Freedom of Public Information, appointed for four years and consisting of 17 members – seven members appointed by the Assembly, in proportion to the parties' representation in the Assembly, one member each by the President of the Republic and the Government, and two members each by the University of Montenegro, the Montenegrin Academy of Sciences and Arts, the Montenegrin Helsinki Committee, and journalists' associations (Article 60).

An important step towards changes on Montenegro's media scene was also the adoption of the Charter for Media Freedom at the regional table of the Stability Pact for South Eastern Europe on 8 June 2000. The Charter obliged state authorities to improve media freedoms, develop professional journalism, and conduct a transformation in accordance with European standards. A working group tasked with drafting a Code of Ethics of Montenegrin Journalists was formed as soon as in 2001; it was composed of media representatives, with a significant contribution from international organisations such as the Council of Europe, OSCE, IREX, etc. (Ružić, 2016: 303).

In terms of transformations on the Montenegrin media market, the most important year was 2002. This year saw the adoption of the Law on Media, Law on Broadcasting, and Law on Public Broadcasting Services 'Radio of Montenegro' and 'Television of Montenegro'. In the same year, or more precisely on 21 May 2002, the Code of Ethics of Montenegrin Journalists was adopted, and the first journalistic self-regulatory body was established. The

legislation of 2002 guaranteed the highest level of freedoms for Montenegrin media, while all subsequent laws and amendments represented a step backwards in comparison to the previous regulations.

In the new Law on Media, adopted by Parliament on 27 July 2020, we can find good solutions which ought to improve the position of Montenegrin media and journalists, although certain articles are disputable for they can complicate the work of journalists and disadvantage the media. One of the positive changes is Chapter III, 'Transparency of Media Financing from Public Funds' (Articles 13 to 16), obliging, inter alia, public sector authorities to publish on their websites records of payments to the media based on advertising and other contracted services (Article 14). Non-governmental organisations have been constantly warning about this problem in recent years. The annual reports on *Equal Chances for All Media*, published by the Montenegrin Centre for Civic Education, have demonstrated how some media outlets are 'rewarded' for their loyalty through advertisement payments by state institutions – an issue that is expected to be better regulated by the new law. Chapter IV (Articles 17 to 23) provides for the establishment and regulates the workings of a Fund for Encouraging Media Pluralism and Diversity, through which the state will finance non-commercial media contents in minority languages, as well as contents of public interest. The Fund's resources are to be used for contents that are important for promotion of cultural diversity, preservation of the tradition and identity of Montenegro, European integration, current social, political and economic topics, science, culture, art and education, protection of the rights and dignity of minority peoples against stereotypes and discrimination, fight against addiction, social integration of vulnerable categories, media literacy, etc. (Article 20). One of the problematic novelties in the law is related to the financing of the self-regulatory body – namely, the state may use sub-funds to finance the latter's operating costs. This is not a good solution for countries in which political pressure is traditionally exerted on the media, for the state can thus meddle in the self-regulation process.

It is commendable that the new law pays special attention to the constraints imposed by media outlets themselves. Article 27 protects journalists since it stipulates that 'Media content whose meaning has been changed in the editorial process may not be published under the journalist's name without his or her consent.' Article 28 grants journalists 'the right to refuse to prepare, write or participate in producing media content' that contravenes the law or the Code of Ethics, with a written explanation to the editor-in-chief. At the same time, the 2020 Law on Media also includes an article which could make work more difficult

for journalists. Article 30 stipulates that a journalist is obliged to disclose his or her source of information at the request of the state prosecutor if it is deemed necessary for the protection of interests of national security, territorial integrity and health protection. Reporters Without Borders reacted to this article and urged the President of Montenegro, Milo Đukanović, not to sign the new Law on Media (Đurović and Šćepanović, 2020). We know that protection of journalistic sources is crucial for the freedom of media as well as for informing the public.

Media subject to political pressure and economic dependence

KEY FACTS AND EVENTS:

- 2004: Duško Jovanović, editor-in-chief of Montenegro's highest-circulation daily paper, *Dan*, assassinated.
- Since 2007: Overall decline in Montenegro's ranking in Reporters Without Borders' World Press Freedom Index – from 58th out of 169 countries in 2007 to 105th out of 180 in 2020.
- 2013: Commission for Monitoring Investigations of Attacks on Journalists established.

Montenegrin media are exposed to political and economic pressures which are visible in certain legal restrictions, but also in restrictions imposed by media outlets themselves. International organisations, as well as the country's NGO sector, constantly warn that Montenegrin media and journalists are working in difficult socioeconomic conditions in which they are exposed to indirect manipulation methods such as pressure from media owners and editors. Such forms of pressure are difficult to prove, but they are visible in the editorial policy of media, or in the manner of reporting on topics of public interest.

Until 2020, Montenegrin media were classified as pro-government media, and opposition media which self-identified as independent. Based on the news programmes and media content, the audience can easily tell which side a particular media outlet is on. Above all, media's financial dependence often leads to omission of information and self-censorship, thus violating fairness as a professional standard. In a country of 625,000 people and a small market with an inflated number of media outlets fighting for a piece of the advertising pie, which is estimated to be worth a total of around 11 million euros, we

cannot expect to find free and independent media, but rather media that are exclusively survival-oriented.

Back in 2015, the Centre for Civic Education (CCE) first pointed out the problem of soft censorship in Montenegrin media. In *Eroding Freedoms: Media and Soft Censorship in Montenegro*, a report prepared in cooperation with the World Association of Newspapers and News Publishers (WAN-IFRA) and the Washington-based Center for International Media Assistance (CIMA), it was noted that

> Public financing of media in Montenegro is unregulated, uncontrolled and opaque. Authorities use biased allocation of state funds as indirect pressure on the media, undermining market competition and blocking development of free, independent and impartial media. (Vujošević and Vučković, 2015: 8)

The CCE's annual report for 2016 examining to what extent there were *Equal Chances for All Media in Montenegro*, pointed out that

> According to available data of CCE, mostly relating to information (...) acquired from 66% or 67% of public sector organs, around **2.5 million Euros are being invested in media and related subjects from public funds on annual level**, not including the additional 30% of organs that refuse to submit their information. This means that **this is a realistic minimum figure**, reasonably assumed to be significantly, if not twice, higher. (Nenezić and Vuković, 2017: 7; emphasis in original).

Studies by the Trade Union of Media of Montenegro and the Damar Agency best illustrate the problems that Montenegrin media face. For example, based on a survey of 54 journalists and 12 qualitative interviews conducted in 2016, the Trade Union of Media of Montenegro concluded that journalists were underpaid. It found that 83% of the respondents believed that the economic position of journalists was worsening, while a quarter of them claimed that there was 'a large increase in the average working hours of journalists' (Camović, 2016: 7). In 2016, the average monthly salary of journalists was around 470 euros, and only half of them were paid regularly (ibid.: 17). The surveyed media workers admitted that censorship and self-censorship were commonplace in Montenegrin media, and that it was editors who most often influenced the work of journalists (83%), followed by managers (63%), media owners (56%) and government officials (28%) (ibid.: 20).

Besides Montenegro's NGO sector, international organisations have also been warning that a decline in media freedoms prevents Montenegrin media from informing the public in accordance with professional and ethical standards. Truthfulness, accuracy, fairness, balance and impartiality standards are violated because freedom is the basic precondition for the respect of standards of ethical reporting. In 2018, the Damar Agency conducted a survey titled 'Citizens' and Journalists' Perception of Media in Montenegro' on a sample of 1,000 citizens and 136 journalists/editors in 11 print, broadcast, and internet media outlets, which showed that journalists were increasingly exposed to pressure even in their respective media outlets. Every fourth journalist was exposed to pressure and/or blackmail to do something other than what they thought was right. In the majority of cases (almost every other respondent of those exposed to pressure and/or blackmail), journalists were subjected to pressure from people they were reporting on, while every fifth respondent admitted to being exposed to pressure from editors or economic and political centres of power. One in ten respondents said they often or very often resorted to self-censorship, while 39% claimed they had never resorted to self-censorship (Komnenić, 2018).

The World Press Freedom Index, compiled by Reporters Without Borders every year, is based on specific criteria: number of journalists killed or assaulted, number of legal proceedings conducted against journalists, legislative framework as a form of legal restriction preventing journalists from doing their job, etc. The first World Press Freedom Index was published in 2002 and in it the Federal Republic of Yugoslavia (FRY) was ranked 60th out of 139 countries. After the FRY ended in 2003 and the State Union of Serbia and Montenegro was established, the latter's ranking fluctuated from 85th out of 166 countries in 2003 to 48th out of 168 countries in 2006. Montenegro gained independence on 21 May 2006 but first appeared as an independent state in the World Press Freedom Index in 2007. Since then, there has been an overall decline in its ranking – from 58th out of 169 countries in 2007 to 105th out of 180 countries in 2020. As the chart below shows, independent Montenegro was ranked highest in 2008 (53rd out of 173 countries), and lowest in 2014 and 2015 (114th out of 180 countries).

World Press Freedom Index Ranking: Montenegro
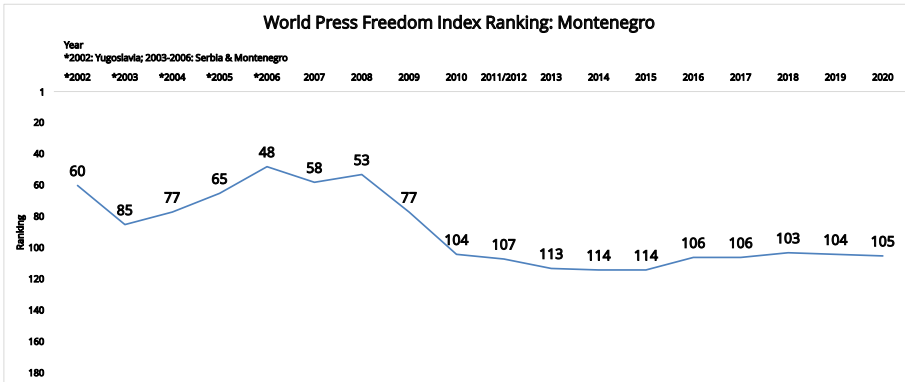
Source: Reporters Without Borders.

The overall decline in Montenegro's World Press Freedom Index ranking can be explained by the multiple attacks on opposition media journalists: the murder of *Dan* daily editor-in-chief Duško Jovanović (2004), the attacks on Tufik Softić (2007) and on Mladen Stojović (2008), the burning of *Vijesti* vehicles (2011, 2014), the bomb attack on *Vijesti* offices (2013), the attempted murders of Tufik Softić (2013) and of Olivera Lakić (2018), etc. From 2004 to 2021, a total of 87 attacks on journalists and media property were registered. A Commission for Monitoring Investigations of Attacks on Journalists was established in 2013, but according to *Dan* ex editor-in-chief Nikola Marković not a single serious case has ever been resolved. On the other hand, according to a report titled *Montenegro Media Sector Inquiry with Recommendations for Harmonisation with the Council of Europe and European Union Standards*, out of 33 registered cases in the period from 2004 to 2017, 14 were resolved, two were dismissed by the Prosecution Office, one was terminated due to the death of the defendant, four cases were dealt with by private suit, another four were pending, and there were six cases in which the perpetrators were still unknown (Krševan Smokvina, 2017: 84–85).

In 2020, Reporters Without Borders explained Montenegro's 105th position in the World Press Freedom Index by pointing out, among other things, the lack of progress in resolving the murder of *Dan* editor-in-chief Duško Jovanović and in identifying the attacker of investigative journalist Olivera Lakić, as well as the arrests of three journalists in January 'on suspicion of committing offenses causing panic and disorder by publishing of fake

news'[4] (Reporters Without Borders, 2020). In addition, media legislation has suffered significant regression. This refers primarily to the 2020 Law on Media and the 2020 Law on National Public Broadcaster Radio and Television of Montenegro, analysed in the next section.

Public broadcaster at the service of ruling structures

KEY FACTS AND EVENTS:

- 2002: State media outlet RTCG formally transformed into public service broadcaster.
- 2008: New Law on Public Broadcasting Services (PBS) of Montenegro cancels subscription fee and funding from part of tax on radio receivers in motor vehicles.
- 2016: Amendments to 2008 Law guarantee stable funding for PBS equivalent to 0.3% of GDP.
- 2020: New Law on National Public Broadcaster Radio and Television of Montenegro stipulates that candidates for RTCG Council members are selected by Parliament.

As we have seen in the previous sections, the year 2002 was a turning point for the Montenegrin media market. This was the year that saw the adoption of the legislative framework on media and of the Code of Ethics of Montenegrin Journalists, as well as the transformation of the former state-owned media, the Radio and Television of Montenegro (RTCG), into a public service broadcaster. It seemed as though the Montenegrin public had obtained a media organisation which would deal with topics of public interest and serve the public. However, the media outlet founded, financed and controlled by the public was forced to cave in to pressures and to put itself at the service of the ruling structures. As the *Montenegro Media Sector Inquiry* report points out,

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[4]   IN4S portal editor Gojko Raičević and Borba portal editor Dražen Živković were arrested for spreading panic by publishing a report that 'turned' a minor electrical failure at Villa Gorica in Podgorica into an explosion (Aktuelno, 2020). FOS Media journalist Anđela Đikanović was arrested for causing panic and disorder by publishing information that 'the Kosovo security forces ROSU would come to Montenegro on Christmas Day to provide support to the Montenegrin police' at a moment when citizens were regularly protesting against the adoption of the Law on Freedom of Religion (Dragaš, 2020).

> RTCG's transition from a state media to a public service media is generally deemed not to be complete. The appointment process of the Council members ultimately resting in the hands of Parliament, the whole management structure is usually strongly tied and connected to political interests. Editorial interference as well as self-censorship is widely acknowledged and criticised. (Kerševan Smokvina, 2017: 47)

The new Law on National Public Broadcaster Radio and Television of Montenegro, adopted in 2020, has not contributed to the resolution of these problems.

Pressures on Montenegro's public service broadcaster can be best illustrated by the deterioration of the legislative framework, the dismissal of RTCG's last three directors general,[5] unstable budget allocations until 2016, etc. Under the 2002 Law on Public Broadcasting Services 'Radio of Montenegro' and 'Television of Montenegro', the financing of the public service broadcaster was much more diverse, which was in accordance with the Amsterdam Protocol. According to Article 9 of this law, RTCG was funded from:

> 1) a part of radio-television subscription,
> 2) a part of the tax for the use of radio receivers in motor vehicles registered in the Republic,
> 3) production and broadcasting of advertisements,
> 4) production and sale of audio-visual works (shows, films, series, etc.) and of sound and picture repositories of public interest,
> 5) sponsorship of programmes,
> 6) organisation of concerts and other manifestations,
> 7) the Budget of the Republic of Montenegro,
> 8) other sources in compliance with law.

The new Law on Public Broadcasting Services of Montenegro, adopted in 2008, made RTCG more financially dependent on the Budget of Montenegro, since it cancelled the radio-television subscription fee as well as funding from the tax for the use of radio receivers in motor vehicles. From 2008 to 2016, 1.2% of the current Budget of Montenegro was allocated annually for financing RTCG (as provided for by Article 16 [1] of the 2008 Law), and it was not until 2016 that the public service broadcaster was guaranteed stable funding in the form of 0.3% of GDP (by an amendment to Article 16 of the 2008 Law). However, although

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[5] Branko Vojičić was dismissed in 2011, then Rade Vojvodić in 2016, and Andrijana Kadija in 2018.

budget allocations for RTCG have been constantly growing, we cannot speak of this media organisation's independence considering that it receives 90–91% of its funding from the Budget of Montenegro. In fact, the public service broadcaster could not survive on the market without budget support.

Table 2. RTCG revenues (in euros)

Year	Budget allocations	Commercial and marketing revenues	Other revenues	Donations
2017	11,511,000	1,329,442	–	95,040
2018	12,577,200	1,174,752	182,639 (incl. donations)	–
2019	13,822,200	1,450,451	177,742	–

Source: RTCG's financial statements for 2017, 2018, and 2019.[6]

The deterioration in legislation on the public service broadcaster is also attested to by the provisions for appointment of the RTCG managing bodies. Under the 2002 Law, the managing bodies were the Council, the Managing Board, and the Director General (Article 13). The RTCG Council had 11 members (Article 14).[7] The new Law of 2008 abolished the Managing Board and reduced the number of Council members to nine. According to Article 27 of the 2008 Law, the RTCG Council was to be appointed and dismissed by the Parliament. The most problematic change in the new Law on National Public Broadcaster Radio and Television of Montenegro, which was adopted on 27 July 2020, is the procedure for the selection of RTCG Council members.

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[6] Available (in Montenegrin): www.rtcg.me/rtcg/poslovanje.html (accessed: 20 January 2021).

[7] According to Article 16, the following were authorised to nominate RTCG Council members: University of Montenegro; Montenegrin Academy of Science and Art; Montenegrin National Theatre, 'Museums of Montenegro', 'Montenegrin Film Library' and professional associations of theatre artists and music composers; Montenegrin Media Institute; professional associations of journalists; Montenegrin Chamber of Commerce and other employers' associations; trade union organisations in Montenegro; 'Matica crnogorska', Montenegrin Helsinki Committee, and non-governmental organisations for the protection of human rights; Montenegrin Olympic Committee and non-governmental organisations from the field of sports, tourism and ecology; non-governmental organisations for protection of children, youth and family rights, education, health and social care; non-governmental organisations involved in the promotion of the rights of the members of national and ethnic groups.

According to Article 40 of the 2020 Law, the Parliament's body responsible for appointment ('the working body') compiles a list of candidates for members of the Council based on biographies and experiences of candidates, interviews of MPs with candidates, and number of institutions or NGOs that supported the candidacy. This practically means that the Parliament does not just vote on the appointment of RTCG Council members but also selects the candidates for Council members, which can result in the complete control of RTCG's highest managing body – which ought to act in the public interest – by the parliamentary majority.

From 2002 onwards, the public service broadcaster failed to fulfil its obligations to produce programmes for the entire public. For this reason, the 2016 amendments to the 2008 Law on Public Broadcasting Services of Montenegro[8] prescribed not only RTCG's obligations in terms of programme contents, but also obliged RTCG to submit a proposal of its programming obligations and to conduct a public discussion to determine whether the latter complied with the criteria set forth in the law (Article 9a of the Law on National Public Broadcaster Radio and Television of Montenegro).

Table 3. TVCG programme contents

Type of programme	2019	2020
News	48%	41.9%
Science-educational	4%	5.1%
Documentary	4%	5%
Programmes for minorities	2%	2.2%
Cultural-artistic (culture, children's shows, music, co-productions, films and series)	23%	22.7%
Commercial entertainment	8%	8.2%
Sports	11%	14.9%

Source: RTCG.[9]

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[8] By one of the 2016 amendments, this law was renamed to Law on National Public Broadcaster Radio and Television of Montenegro.

[9] Television of Montenegro's Programme and Production Plans for 2019 and 2020. Available (in Montenegrin): www.rtcg.me/rtcg/poslovanje.html (accessed 20 January 2021).

The public service broadcaster often experiences financial problems due to ineffective allocation of funds as the largest part of the budget is spent on wages. The number of employees at RTCG is being gradually reduced, but not in accordance with the Council of Europe recommendations. For example, in 2003 RTCG had a staff of 1,014 with open-ended contracts and some 200 employees hired under short-term contracts, while two years later, in 2005, it had 906 employees (Ružić, 2019: 154). In 2017 and 2018, the the number of RTCG employees stood at 717, increasing slightly, to 723, in 2019. As we can see in Table 4, RTCG spends much more on wages than on programme production and broadcasting. In addition, the Council members' salaries are quite substantial, and its operating costs total approximately 90,000 euros a year.

Table 4. RTCG expenditures on wages and programme production (in euros)

Year	Wages	Council operating costs	Direct and indirect programme production and broadcasting costs
2017	7,798,740	90,811	4,143,230
2018	7,843,847	91,284	4,390,715
2019	8,519,189	91,230	4,551,077

Source: RTCG's financial statements for 2017, 2018, and 2019.

The fact that the Montenegrin public is aware that RTCG is subject to political influence is best illustrated by an opinion poll commissioned by the Konrad-Adenauer-Stiftung Media Programme South East Europe and conducted in 2019, according to which only 15% of the respondents believed that Montenegro's public service media were free from political influence, while the overwhelming majority, 71%, said they were not free from political influence (KAS, 2019: 167). What is interesting is that despite obvious political influences, Montenegro's citizens tend to trust TVCG and RCG more than private television and radio stations.

The fourth estate – a springboard to political careers

KEY FACTS AND EVENTS:

- 2002: Code of Ethics of Montenegrin Journalists adopted; first journalistic self-regulatory body set up.
- 2003: Department of Political Science, offering a journalism major for the first time, established at University of Montenegro.
- 2012: Establishment of three media self-regulatory bodies: Media Council for Self-Regulation; Self-Regulatory Local Press Council; Press Council founded by *Vijesti*, *Dan* and *Monitor*.

During the civil war in Yugoslavia (1991–1995), the majority of Montenegrin media engaged in warmongering, spreading hate speech and inciting hostility towards the enemy. In this period, the Montenegrin media market was unregulated in terms of ethical and professional standards. It was not until 2001 that the working group, tasked with drafting a Code of Ethics of Montenegrin Journalists, was appointed. The Code of Ethics was adopted on 21 May 2002 at the Montenegro Media Institute, where it was signed by representatives of the Association of Journalists of Montenegro, the Association of Professional Journalists of Montenegro, the Association of Young Journalists of Montenegro, the Independent Union of Journalists of Montenegro, the Association of Independent Print Media of Montenegro and the Association of Independent Electronic Media of Montenegro (Vuković and Uljarević, 2019: 6). This Code of Ethics was partially amended at the end of 2015, reducing the number of basic principles set forth in it from twelve to eleven, and amending and specifying the guidelines for some of the principles (such as Guideline 8, which is related to minors). The revised Code also contains provisions on certain new ethical issues, such as those posed by online comments.

The first journalistic self-regulatory body in Montenegro, the Journalists' Self-Regulatory Authority, was founded in 2002 by journalists' and media associations that had adopted the Code of Ethics, and four media – *Pobjeda*, *Vijesti*, *Monitor* and *TV Atlas*. It published its first report in 2006 and its last in January 2010, suspending its work two months later after the representatives of *Vijesti* and *Monitor* resigned from its Council for Monitoring and Complaints (Vuković and Uljarević, 2019: 7). A new self-regulatory body, Media Council for Self-Regulation (MCSR), was established in March 2012 by 18 print, broadcast, and internet

media. Some other media refused to join the MCSR, claiming it was made up exclusively of pro-government media. Local media established the Self-Regulatory Local Press Council in April 2012, while opposition media (*Vijesti*, *Dan* and *Monitor*) set up their Press Council in May. The Self-Regulatory Local Press Council published only one report, while the Press Council never commenced operations and its founders later opted for appointing ombudspersons to deal with complaints, etc. The NGO Human Rights Action, which monitored self-regulatory practice in the period from 2012 to 2014, found that the MCSR was selective in its criticism, being much more critically oriented towards media that were not its members. As a matter of fact, in this period the MCSR was the only self-regulatory body in Montenegro which received funding (a total of 67,000 euros) from the government, i.e. the Ministry of Culture (ibid.: 7–12).

The *Montenegro Media Sector Inquiry* report recommends that media professionals respect ethical norms and rise above divisions:

> The existing polarisation and division among the industry itself speaks volumes in relation to state of play of journalism. This should not be the case. Media professionals should be united in their efforts to raise levels of professionalism for the better of the entire industry. They should be apolitical, non-profit and should consist of as many media professionals as possible to achieve media pluralism and healthy media environment. Personal differences and egos should be abolished in concerted efforts to professionalise the sector and secure best possible conditions for media freedoms. (Erševan Smokvina 2017: 86)

The report recommends that journalists maintain personal stamina which

> as another core value of true journalism professionals can directly be seen by utter refusal to succumb to any form of pressure by any party, wishing to alter the line of journalistic reporting due to their various interests. This is not easy to do. It becomes even more difficult in societies such as Montenegro, in which, like in many others, journalists face many difficulties in the efforts to do their job professionally. (Ibid.: 90)

Even though journalism has always been perceived as a craft in the Western Balkans, the 1990s showed that education of journalists was necessary in Montenegro. The first informal training for journalists was initiated in 2003 by the Montenegro Media Institute (MMI) using the learning-by-doing method with Denmark's support. Since then, the MMI has been regularly organising trainings for journalists and PR managers. The year 2003 also saw the introduction of

journalism education at university level in Montenegro, with the establishment of the Department of Political Science at the University of Montenegro's Faculty of Law. Initially, the Department offered four majors: in diplomacy and international relations, journalism, political science/administration, and social work. The Department of Political Science was transformed into the Faculty of Political Science in 2006. In the 2017/2018 academic year, the Journalism study programme was renamed to Media Studies and Journalism. After completing a three-year undergraduate course, students are awarded a Bachelor's degree, with the possibility of continuing their education by pursuing a Master's degree. The University of Montenegro's Faculty of Sport and Physical Education, which was established in 2008, offers a course in Sports Journalism. The private University of Donja Gorica also offers formal education in journalism in its study programme on Communicology and Media (Advertising and PR). In addition to formal education, the NGO sector organises non-formal education, i.e. courses/schools in the field of journalism which last a couple of months.

The situation and trends on the Montenegrin market are also monitored by the international organisation IREX. IREX's annual Media Sustainability Index (MSI) provides in-depth analyses of the conditions for independent media in 80 countries across the world The MSI measures five objectives: free speech, professional journalism, plurality of news sources, business management, and supporting institutions. Each of the objectives can receive a score from 0 to 4. A score ranging from 2 to 3 indicates 'near sustainability'.

Table 5. Montenegro in Media Sustainability Index

Year	2014	2015	2016	2017	2018	2019
Free speech	2.27	2.35	2.41	2.18	2.46	2.61
Professional journalism	1.81	1.99	1.85	1.75	2.19	2.30
Plurality of news sources	2.38	2.46	2.44	2.25	2.81	2.67
Business management	1.69	1.80	1.96	1.80	2.13	2.19
Supporting institutions	2.15	2.12	2.17	2.20	2.41	2.46
Overall score	**2.06**	**2.15**	**2.17**	**2.04**	**2.40**	**2.45**

Source: IREX.

As Montenegro's overall score shows, IREX rates its media system in the 'near sustainability' category, i.e. the country has improved in terms of the legislative framework, professionalism, business environment and support to independent media. Judging from Table 5, the overall development trend is positive.

The Media Union of Montenegro has continuously warned about the precarious socioeconomic position of media workers. Disappointed by their socioeconomic position as well as by the everyday pressures they face, more and more journalists are opting for a PR job, which seems easier and more secure. Some former journalists also establish their own NGOs and quite often end up as MPs. For example, the members of the previous Parliament (2016–2020) included a former RTCG journalist, a former journalist at a private TV station, and former journalists at opposition media. The link between politics and the media is attested by the fact that a former RTCG director general was appointed as chargé d'affaires of Montenegro's embassy in Kosovo, while another former director general was appointed as ambassador to Croatia in the 2009–2011 period. These examples best illustrate that Montenegro belongs to the Mediterranean media system and that the journalistic profession is used as a springboard to political careers.

Media digitalisation and adjustment to new online environment

KEY FACTS AND EVENTS:

- 1997: First online media, Cafe del Montenegro (CDM), launched.
- 2009: Start of digitalisation process.
- 2013: RTCG's web portal launched.
- 2015: Analogue signal discontinued.
- 2016: Rulebook on Electronic Publications adopted.
- 2019: RTCG digitalisation completed.

The media are obliged to adjust to the new rules imposed by the development of technology and the change of the reader matrix. Flexibility is crucial for surviving on a market where everything is changing continuously. Millennials and zoomers are still a subject of research and cause many dilemmas for the media, which aren't sure how to win the new audience over.

In Montenegro, the digitalisation process started in 2009. The Ministry for Information Society and Telecommunications and the Broadcasting Centre played the most important role in this process, with EU financial support. The digital switchover was preceded by the adoption of a Law on Digital Broadcasting, as well as by a public information campaign conducted by the Ministry for Information Society and Telecommunications. Digitalisation provoked discussions since many media experts and media editors warned that not all were going to survive this process. The public service broadcaster did not have to worry because the state had allocated 17,800,000 euros for the digital transition. Although the analogue signal was discontinued in Montenegro on 17 June 2015, RTCG officially switched to digital, i.e. to HD, on 27 November 2019. This date was picked for a reason, since it marked the double anniversary of RTCG – 75 years of RCG and 55 years of TVCG (P. I., 2019).

With the development of the internet, it has become clear that all media are going to move to the digital realm. As a new form of media, the internet in Montenegro has been developing more slowly than in other European countries. Even so, today the internet is the main source of information for Montenegro's citizens. The survey on *ICT usage in Montenegro*, conducted annually by the Statistical Office of Montenegro, found that in 2019 a total of 74.3% of surveyed households had internet access at home (MONSTAT, 2019: 1). As many as 86.4% of citizens aged 16–74 accessed the internet via mobile phone (ibid.: 2). This should come as no surprise considering that in its 2019 Global Competitiveness Report, the World Economic Forum ranked Montenegro fourth out of 141 countries by number of mobile-cellular telephone subscriptions per 100 population (WEF, 2019: 400). Montenegrin citizens used the internet most often for participating in social networks, as reported by 84.6% of the respondents, while 75.7% read online news/magazines (MONSTAT, 2019: 6).

According to the website of the Agency for Electronic Media,[10] as of July 2020 there were 101 portals on the Montenegrin market. However, this figure also included websites of non-governmental organisations, fact-checking websites, portals that promote art and culture and do not inform the public about current events, etc. If we exclude the listed categories, the number of portals from which Montenegrin citizens could inform themselves was 86.

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[10]   See Agencija za elektronske medije Crne Gore (https://aemcg.org/).

The first Montenegrin online media outlet, Cafe del Montenegro (CDM), was established in 1997, while print media went online relatively late. The presently most visited news portal, Vijesti, was established only in 2011, even though the print edition was launched in 1997. As ever more citizens are informing themselves online, the circulation of print media has declined significantly. Prior to the adoption of the 2020 Law on Media, Montenegrin print media did not publish their circulation figures, but they are now doing so because Article 60 (1) of the new law provides for a fine ranging from 1,000 to 8,000 euros for failure to publish circulation figures, among other data. Thus, we now know the circulation figures of four daily newspapers: *Pobjeda* (5,620), *Vijesti* (4,323), *Dan* (9,106) and *Dnevne novine* (3,800). The public service broadcaster's portal was also launched relatively late, in 2013, and it gets 50,000 visits a day (RTCG, n.d.). Community media have also emerged on the Montenegrin market, such as the portal Glas Zabjela which was launched at the end of 2016.

Online media are facing new problems such as, for example, comment moderation – one of the many questions here is whether to opt for pre-moderation or post-moderation.

A Rulebook on Electronic Publications was adopted in January 2016. Article 4 of the Rulebook defined 'electronic publications' as 'editorially shaped internet pages and/or portals that contain programme content with audio or video materials that are transmitted to the public, as well as electronic versions of print media and/or media which are made available to the general public regardless of their scope' (AEMCG, 2016: 1). Under the 2020 Law on Media, the term 'electronic publication' has been replaced by 'online publication'. Article 26 of this law defines an online publication as 'a media whose content is disseminated via the internet, and which cannot be considered an audio-visual media service according to the law governing the field of audio-visual media services'.

Guideline 2.8 of the Code of Ethics of Montenegrin Journalists also prescribes that online media must adopt internal rules on commenting. Article 26 of the 2020 Law on Media obliges the founder of an online media outlet to remove any content that is not in accordance with the law within 60 minutes. The same term of time is prescribed for the removal of comments upon reception of complaints. Fines ranging from 1,000 to 8,000 euros are prescribed for violations of Article 26 in regard to the removal of comments (Article 60 [5, 6]), but also in cases where 'an online publication does not prescribe rules for publishing third-party comments and does not make them publicly available'

(Article 60 [7]). This is how the issue of comment moderation is expected to be resolved in the future, as it poses the biggest ethical problem because the commenting culture in Montenegro is at a rather low level.

Conclusions

In the past thirty years, numerous changes have taken place on the Montenegrin media market. Thanks to the Laws on Public Information of 1993 and 1998, the nineties saw the establishment of private media and the inflow of foreign investments in the Montenegrin media industry. The most significant changes occurred in 2002, when the industry was regulated for the first time by the adoption of a legislative framework (Law on Media, Law on Broadcasting, and Law on Public Broadcasting Services 'Radio of Montenegro' and 'Television of Montenegro'). The year 2002 also witnessed the adoption of the first Code of Ethics of Montenegrin Journalists and the establishment of a media self-regulatory body. In the period from 2008 to 2020, there was a significant regression in the legislation that regulates the public service broadcaster. The new Law on National Public Broadcaster Radio and Television of Montenegro, adopted in 2020, stipulates that the candidates for RTCG Council members are to be selected by the Parliament's body responsible for appointment, which practically means that the parliamentary majority will be able to control the public service broadcaster.

The public service broadcaster is still in the hands of the ruling structures for two reasons: flawed legislation allowing the powers that be to control RTCG, and financial dependence on the state budget. Although since 2016 RTCG has had stable funding, it cannot be said to be independent considering that it receives 90–91% of its funding from the Budget of Montenegro. These factors prevent RTCG's genuine transformation from a state media into a public service broadcaster.

Montenegrin media operate in difficult conditions and are forced to fight for survival in a crowded market – as of 2020, four print media, one weekly newspaper, 30 monthlies, 55 radio stations, 20 TV stations and 86 portals are vying for a piece of an advertising pie estimated to be worth only around 11 million euros in total. Pressure is exerted on the media not only through the legislative framework but also through state aid to media as well as through state advertising.

The position of journalists has been gradually deteriorating due to the economic crisis in the country, which has had quite an impact on their work. Previous studies have shown that journalists are exposed to pressure from various actors, ranging from editors to the people they are reporting on. The 2020 Law on Media may partially improve the position of media workers in terms of respect for professional and ethical standards since it enables them to refuse an assignment by sending a written explanation to the editor-in-chief.

Time has shown that despite the changes, old problems on the market still remain. Not only are Montenegrin media not free from political pressures, they are also exposed to additional economic pressures. The position of journalists is not much better, since those who are in employment are not at full liberty to report on topics of their choice, and those who engage in investigative journalism risk their security. Instead of loyalty to the party as in the communist system, the journalists of today are expected to be loyal to the media owner or the parliamentary majority, depending on the type of media they work for. Professional and ethical standards suffer in such circumstances, as the media ponder on why they don't have a loyal audience.

Montenegro has transitioned from a communist to a Mediterranean media system, but the majority of the old problems have remained in the digital era as well, where they have taken a new form. Such market developments and problems could have been expected, having in mind Montenegro's media heritage.

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Dependent in Independence: Moldovan Media System Swings Between Political Submission and Sustainability[1]

Aneta Gonţa

The legacy of the Soviet period: a media system deeply ideologised and dependent on public money and/or party funding

The Soviet period of Moldovan media history was dominated by propaganda and ideology. For almost 50 years, all traditional media in the Moldavian Soviet Socialist Republic (MSSR) – including newspapers, magazines, radio and TV stations – were founded and/or financed by the ideological organs of the only active political party in the country, the Communist Party of Moldavia. Here are the titles of some newspapers and magazines of those times: *Socialist Moldavia*, *Soviet Moldova* (in Russian), *The Young Leninist* or *The Soviet Peasant*; and of some TV programmes: The Party Life, Party's Will – People's Will, or History of the CPSU[2] (Parfentiev, 2010: 143).

According to Professor Constantin Marin (2016), 13 newspapers with national coverage, 81 with regional and local coverage, 95 with specific coverage (within the kolkhozes, or collective farms, for example), and more than 50 magazines were published in the MSSR before 1989. All of them, without exception, were subject to drastic censorship and had the same purpose – propaganda of the socialist regime. More specifically, during the Soviet period the Moldovan press, 'as an instrument of official political and ideological propaganda, was meant to contribute, above all, to raising the political consciousness of the population so as to secure unconditional support for the Soviet Union's

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1   This study does not include an analysis of the situation of media in the Transnistrian region (a breakaway region in a narrow strip of land between the Dniester river and the Ukrainian border that is internationally and officially recognised as part of Moldova, but is de facto not controlled by Moldovan authorities).

2   The Communist Party of the Soviet Union.

domestic and international policies' (Bagrin, 2016: 123). In order to reinforce this process, the so-called *rabsel'kor* (рабселькор in Russian, worker-peasant correspondent) movement, which recruited correspondents from among workers and peasants, was very active in different stages of the Soviet period. They practised a sort of 'citizen journalism' in the Soviet interpretation.

In the same context, a press agency was involved in collecting and disseminating the official information reported by the national TV channel and radio station of the MSSR. As Marin (2016) notes, the attempt of an alternative radio station, founded in Chisinau in 1939, to inform the population against Soviet propaganda, lasted 300 days. The media content was mostly in Russian, with some in Romanian, called Moldavian and written in the Cyrillic alphabet. There were no independent initiatives in the field of media and the press was not governed by any commercial considerations whatsoever. The Moldovan press benefited from a kind of liberalisation and encouragement of progress only after the crucial year 1985, when perestroika (restructuring) started. Marin (ibid.) emphasises that newspaper circulation soared when journalists turned their attention to previously prohibited topics, such as political reprisals, deportations of Moldovan peasants, the famine of 1946–1947, history of the nation, Romanian language, and transition from the Cyrillic to the Latin alphabet.

In February 1989, the first newspaper written in Romanian in the Latin script, *Glasul* (The Voice), appeared as a private initiative of a Moldovan writer, printed in Riga and Vilnius, and then in Moldova (Munteanu, 2019). Another event which led to the liberalisation of the media market was the abolition of the article of the Soviet Constitution proclaiming the ruling and monopolistic role of the Communist Party. The existing newspapers, now under the control of the new regional and local authorities, were renamed, and the new political parties began to issue their own newspapers. In these conditions, the reform of the media landscape seemed to have been initiated at the dawn of the new state, the Republic of Moldova.

Glasul, *the first newspaper written in Romanian in the Latin script (1989). Source: Natalia Munteanu.*

Media market transformations: without vision and honest investments, the Republic of Moldova has a vulnerable, unsustainable media system

KEY FACTS AND EVENTS:

- 1993: First private radio station, Unda Liberă (Free Wave), launched.
- 1994: Newly adopted Press Law allows, among others, for regional administrations to fund print media.
- 1994: First profitable newspaper, *Spros i predlozhenie* (*Спрос u предложение* – Demand and supply), including classified ads, launched in north Moldova.
- 1995: First Audiovisual Law adopted.
- 1995: First private TV station, Catalan TV, launched.

- 1996: Coordinating Council of the Audiovisual established as public autonomous authority on audiovisual communication.
- 1997: Law on Advertising adopted.
- 1998: State ownership of print media officially abolished.
- 2000: Law on Access to Information adopted.
- 2006: Second Audiovisual Code adopted.
- 2010: Laws on Privatisation of Public Periodicals and on Freedom of Expression adopted.
- 2015: Provisions ensuring ownership transparency included in audiovisual legislation.
- 2018–2019: National concept of media development for 2018–2025 and new (third) Code of Audiovisual Media Services adopted.
- Provisions concerning media have also been included in general legislation: the Constitution (1994), Law on Trade Secrets (1994), Electoral Code (1997), Penal and Civil codes (2002), Law on State Secrets (2008), Law on Copyright and Related Rights (2010), Law on Personal Data Protection (2011), Law on Competition (2012), etc.

According to Marin (2016), since 1991 the qualitative evolution of Moldovan print media has been marked by (de)nationalisation, political pluralism, private enterprise, and diversification. I would add, for the audiovisual, and in part for the online segments, the monopolisation of ownership and content in the third decade of Moldova's independence.[3] With the emergence of the new state, the government inherited financial and ideological control of most print media outlets from the old regime. All attempts at independence failed because of financial pressure from the public authorities. The explosion of political parties (more than 50 in the first five years of independence) generated an explosion of party print media, with an increased activity during election campaigns.

Some hope of liberalisation came at the end of the 1990s, when state ownership of print media was officially abolished, but no mechanism to end dependence on the state was proposed. As a result, the majority of state

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3   The Moldavian Soviet Socialist Republic declared independence upon the dissolution of the Soviet Union in 1991 and changed its name to Republic of Moldova. The country has experienced three decades of independence since then – the 1990s, the 2000s, and the 2010s, herein referred to as the first, second, and third decade respectively.

newspapers (except the press in the Gagauz-Yeri[4] and Transnistrian regions) disappeared. Some of them were transformed into private ones. Only a few survived under the conditions of market economy. Private television appeared and attracted a growing audience.

In the 2000s, the privatisation of print media was very difficult. The party press diminished considerably. In 2000–2001, some newspapers that had based their development strategies on international grants disappeared too. Others, conceived as business enterprises, survived and made progress. In 2009–2010, there was a boom in new private television and radio stations and newspapers. However, the long-expected pluralism and diversity came about with a huge concentration of ownership, content and advertising, beginning in 2010, when Parliament amended the Audiovisual Code to allow one media owner to hold not two, but five broadcasting licences. On the eve of the 2014 parliamentary elections, four out of five TV stations with national coverage (except for the public service broadcaster) belonged to a single owner, Vladimir Plahotniuc, a prominent member and later leader of a major political party, the Democratic Party of Moldova. In 2017, after another amendment to the Audiovisual Code reduced the number of licences that can be held by a media owner from five to two, Plahotniuc transferred the ownership of two TV stations with national coverage to one of his advisers. Since 2019, the new ruling party, the Party of Socialists of the Republic of Moldova (PSRM), has had a growing influence, ownership and control of an important part of the Moldovan media.

The independent press, much less than the politically affiliated one, struggles to survive, depending on external grants/investments that invariably come from people interested in promoting political ideas or winning political capital.

Thus, in the last 30 years, the government, political parties and politicians have been the main actors shaping the Moldovan media landscape. But none of them has had a genuine interest in developing a sustainable media system. As media experts (Macovei et al., 2017: 6) point out, 'Since 2009, all governments, in their activity plans, have been committed to reforming the media in accordance with democratic principles. No government has honoured its commitments.' In the first decade, some members of the Moldovan cultural/

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[4]   Gagauz-Yeri is an autonomous region located in the southwest of the Republic of Moldova, inhabited mainly by Gagauzians, a people of Turkish origin who are Christian Orthodox. In December 1994, the Moldovan Parliament recognised its autonomy and in 1995, following a local referendum, the border of the region was established. The region has an area of 1,830 km² and a population of approximately 150,000 people.

academic community were involved in developing an independent media landscape, but financial and political pressures drove them to give up, or to accept to do political journalism.

Furthermore, in the absence of policies for protecting the national information space, autochthonous content has been overtaken by foreign content (mostly from Russia) for 30 years now. In the mid-1990s, Moldovan local and national print media benefited from investments made by the first foreign programmes. Such investments continue to come occasionally, but they are chaotic and insufficient to counteract the Russian influence. The Moldovan print media are divided into Romanian- and Russian-language media, functioning and acting as if they were from parallel worlds.

Boulevard/tabloid media were never really developed and popular in Moldova. Some efforts have been made to establish such media outlets, but they have disappeared or have insignificant popularity and influence on the audience. As regards diversity, progress has been made mainly in terms of external pluralism, i.e. number of broadcast media (one TV and one radio channel in 1991 vs 116 broadcasters in 2020, including 14 with national coverage), and of online media. The level of internal pluralism is low because of the concentration of content provided by monopolistic media holdings. For example, except for the public service broadcaster, few media outlets provide content for different social groups, ethnic and linguistic minorities (other than Russians) living in Moldova. The local print media market, in turn, saw a boom in private print media in the mid-1990s, followed by a steady decline in the 2000s and 2010s. A local TV/radio market has appeared only in the last two decades, and it is weak and unstable. The main source of support for regional and local media comes from international investments under projects implemented by local NGOs and programmes.

Media and politics: an incestuous relationship

KEY FACTS AND EVENTS:

- 1990–2000: Proliferation of party newspapers, followed by decline since 2000.
- 1991–1995: Relative liberalisation of the press compared to Soviet period.

- 1993: First public strike of journalists from a newspaper (*Sfatul Ţării*) founded by first Moldovan Parliament – journalists protest against state control and claim right to professional independence (*Sfatul Ţării* closed down in 1994).
- 1995: First local private newspapers launched in response to censorship by the then ruling Agrarian Democratic Party.
- 1999: Parliament adopts Concept of State Support and Promotion of Mass Media between 1999 and 2003, meant to serve as a basis for drafting legislation strengthening the Fourth Estate. De facto, it never came into force. The Party of Communists of the Republic of Moldova (PCRM) returned to power in 2001 and began a process of media monopolisation and censorship.
- 2003: State funding of regional newspapers resumes.
- 2006–2007: Public service municipal TV and radio broadcasters brutally privatised for political purposes.
- 2012: Broadcasting licence of party-affiliated TV channel (NIT) withdrawn for failure to provide pluralism of opinion.
- 2015: Provisions ensuring ownership transparency in audiovisual sector included in legislation.
- 2017–2018: So-called 'anti-propaganda law' adopted and enforced. The law amended the Audiovisual Code, banning the rebroadcasting in Moldova of TV programmes with informative, analytical, military and political content coming from countries that have not ratified the European Convention on Transfrontier Television (including Russia). Interpreted as directed against Russian propaganda, this is the only (legislative) attempt to reduce the latter's influence on the national media landscape in recent years. In December 2020, however, the Code of Audiovisual Media Services was amended, reversing the ban and allowing retransmission of news, analytical, military and political programmes from countries that have not ratified the European Convention on Transfrontier Television (including Russia).
- Since 2010: Huge monopolisation of broadcast and online media by politicians.
- Since the end of the second decade, a lot of initiatives on media reform have come from civil society. The most important laws (or draft laws) were elaborated by media NGOs. Some of them have been enforced, others rejected.

In the 30 years of Moldova's independence, the media and the political system in the country have had an incestuous relationship. The euphoria of the first years of freedom, when the press could, at long last, call things by their true names, was soon dampened as the media faced multiple challenges posed by the market economy. As Professor Victor Moraru (2001: 89) notes, learning the art of business information has proven to be much more difficult than delivering lessons about democracy.

The development of a multi-party system led to the proliferation of newspapers financed and influenced by political parties. In the first half of the 1990s, this process took the form of 'transformation of social movements into political parties' (Moraru, 2001: 97). Moldovan journalists identified themselves with the editorial policies of party newspapers. Nevertheless, most of them understood soon that 'the media is an extraordinary resource for legitimacy and political influence for parties' (ibid.: 98), ignoring the real public interest and citizens' right to information.

The lack of state policies, vision and strategy for the Moldovan media landscape led to its chaotic development. Politicians took advantage of this situation, promoted their ideas, and won elections. The government used financial pressure as a mechanism to control at least one newspaper officially founded by the state, as well as the public service broadcaster. In the 1990s, the attempt of the official government newspaper to break away from its founder and take the path of freedom of expression lasted 48 hours, after which there was a return to the previous status quo. In these conditions, Moldova benefited from the first international and private investments in media as a protest against the new forms of pressure and censorship exercised by political parties, but also as an alternative to the state press. The end of the decade saw a boom in such enterprises and raised hopes that things could change.

These hopes were dashed in 2001, when the Party of Communists won the parliamentary elections and quickly monopolised the media landscape. Between 2001 and 2009, journalists at many local and national media outlets were intimidated by the authorities. The ruling Party of Communists exerted pressure on all types of media, restored state funding of regional newspapers, subordinated many newspapers as well as the public service broadcaster, and even used a private TV station as its mouthpiece. Multiple warnings and recommendations of the Council of Europe and the European Union, included in an Action Plan signed in 2005, failed to convince the ruling party to liberalise the media system. However, the first initiatives in

investigative journalism were undertaken during that period and developed further in the third decade.

New hopes were raised after the big political change in 2009, when the Communists were overthrown and a coalition of pro-European parties came to power. However, they acted exactly like their predecessors: they subordinated most print media outlets and prepared the ground for the huge concentration of ownership, content and advertising. An influential politician and later leader of the Democratic Party, Vladimir Plahotniuc, monopolised the media system between 2010 and 2019 (by 2019 he owned and/or controlled, directly or indirectly, at least six TV stations with national and/or regional coverage: Prime TV, Publika TV, Canal 2, Canal 3, CTC Mega, Familia Domashniy; at least three radio stations: Publika FM, Muz FM, Maestro FM; and several web portals).

Since the departure of the Democrats from power and of Plahotniuc from the country in the summer of 2019, the Party of Socialists has intensified its influence over part of the media. Thus, TV stations like Accent TV, NTV Moldova and Primul în Moldova, as well as newspapers like *Argumenty i Fakty* (*Аргументы и факты*), *Komsomol'skaya Pravda v Moldove* (*Комсомольская правда в Молдове*) or *Moldavskie Vedomosti* (*Молдавские ведомости*), all published in Russian, but also a lot of online publications financed by people affiliated to the Party of Socialists, have become more and more vocal and intensive in promoting the representatives of the party and the President of the Republic of Moldova, Igor Dodon. Moldovan politicians now prefer to subordinate existing print media outlets rather than to create classic party newspapers as in the 1990s. The monopolisation of the press by the ruling parties has encouraged the establishment of media outlets financed/supported by the opposition, which have a smaller share. When a particular political party comes to power, the number and influence of the media outlets supported by it increases.

On the eve of Moldova's fourth decade of independence, Moldovan media are strongly influenced by political changes and games and, in turn, influence society according to their owner's political ideology. A study (Zaharia and Moșneag, 2017) on the reaction of public institutions to journalistic investigations, for example, shows that even when the authorities have been notified of certain illegalities reported by independent journalists, things have not changed much. The investigated officials have remained in office and some have even been promoted. Still, an increase in the number of journalistic investigations, including those involving the independent press, has the potential to move things forward and change the face of the Moldovan media landscape. In addition, alternative

platforms offer the possibility to create and disseminate quality media content, even though their audience is not comparable to that of politically controlled television stations (the periodic TV audience measuring confirms that the stations owned or influenced by politicians are top-ranked).
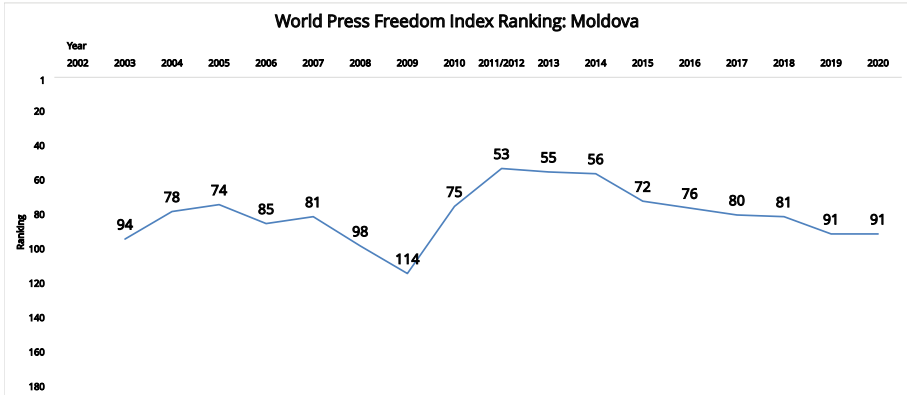
Source: Reporters Without Borders.

Public service media: a continuous trek

KEY FACTS AND EVENTS:

- 1990: Radioteleviziunea Națională sole national broadcaster in Soviet Moldova.
- 1992: External service Radio Moldova Internațional (RMI) launched (broadcasting over the years in Romanian, English, Spanish, French and Russian).
- 1994: Teleradio-Moldova State Company created.
- 2002 and 2004: Protests and 'Japanese strike' of journalists at Teleradio-Moldova against censorship imposed by Communist government.
- 2002: Law on the National Public Audiovisual Institution 'Teleradio-Moldova' Company adopted.
- 2004: Public Broadcasting Institution Teleradio-Moldova (TRM) created, including TV Moldova 1 and Radio Moldova.
- 2004: TRM Board of Observers (BO) set up – reorganised in 2007 and transformed into Supervisory Board in 2018.

- 2007: TV Moldova Internaţional (TVMI) launched (with the aim of reintegrating Moldovan citizens into the national information space and promoting the country's image abroad).
- 2007: Regional public broadcaster Gagauziya Radio Televizionu transformed into public institution, including one TV channel and one radio station. The institution is founded by the People's Assembly of Gagauzia, the local Parliament, and operates in accordance with the provisions of the Moldovan Audiovisual Code and local statutory acts. It is the world's only broadcaster offering programmes in the Gagauz language.
- 2008: Radio Moldova Muzical (music station) launched.
- 2010: Radio Moldova renamed to Radio Moldova Actualităţi.
- 2010: ECHR rules in favour of group of TRM journalists in Communist censorship case.
- 2012: Code of Conduct of BO Members adopted.
- 2012: Radio Moldova Tineret (youth channel) launched.
- 2012: State newspaper *Moldova Suverană* passes into ownership of its editor-in-chief.
- 2013: RMI and TVMI closed due to lack of financial resources.
- 2013: New TRM Statute approved.
- 2014: Ombudsperson service instituted at TRM as autonomous self-regulatory entity.
- 2016: TV Moldova 2 launched. Moldova 2 broadcasts replays of Moldova 1 as well as live concerts and sports events.
- 2017: Continuous Training Centre established at TRM.
- 2018: State enterprise Moldpres State News Agency transformed into public institution, with the State Chancellery as founder.

The transformation of Moldovan state-owned media into public service media (including development of the relevant legislative framework) was difficult and took more than 10 years. The first Audiovisual Law (1995) contained confusing provisions equating state and public service media outlets. In 2002, during the Communist government, the Parliamentary Assembly of the Council of Europe, concerned about the general political situation in Moldova as well as about TRM journalists' protests accusing the authorities of censorship and control, recommended revising the Audiovisual Law and changing TRM's status from state company to public institution.

At the same time, in 2002 and 2004, a group of TRM journalists organised huge protests against censorship and took their case to the European Court of Human Rights (ECHR). In their application to the ECHR, the journalists argued that 'TRM has been under political control throughout its existence. But since February 2001, when the Party of Communists won the parliamentary elections, the restrictions on journalists' freedom of expression have been intensified.' In 2010, the ECHR judged that the government of the Republic of Moldova had violated Article 10 (freedom of expression) of the Convention for the Protection of Human Rights and Fundamental Freedoms, and ruled unanimously in favour of the journalists.

The Law on the National Public Audiovisual Institution 'Teleradio-Moldova' Company was adopted in 2002 by Parliament despite opposition from the Moldovan president. In 2006, the newly adopted Audiovisual Code clearly stipulated the public service status of TRM as well as of regional broadcaster Gagauziya Radio Televizionu. But the true process of transformation of Teleradio-Moldova into a public service broadcaster took place, according to Marin (2016: 767), between 2010 and 2014, after the fall of the Communist government and before the monopolisation of the Moldovan media system by the Democratic Party. This fact is confirmed by a series of monitoring reports and NGO studies conducted during this period.

After 2014, however, the situation changed, as the then government also placed the public service broadcaster under its control. Multiple monitoring reports and studies carried out in recent years show that the Moldovan public service broadcaster follows the government's agenda, acting like a spokesperson of the authorities. In 2019, when the Republic of Moldova plunged into a major political crisis and had a dual government for a week, it took TRM a long time to go live and announce the real situation.

The first sociological studies measuring media consumption and trust in Moldova were conducted in 1998. The Barometer of Public Opinion (BPO) survey conducted by the Institute for Public Policy provides relevant data biannually. In different periods and contexts (during election campaigns, for example), other studies are also carried out, most of them focusing on media audiences, consumption and perception. According to these studies, throughout the 30 years of Moldova's independence trust in the public service TV broadcaster has been very high. Even in the digital era, it is at the top of the list of most consumed and most trusted media outlets. TRM's television and radio channels have always been in the top five to seven.

In the 1990s, the levels of consumption and trust in TRM were very high because there were few, if any, alternatives. After the appearance of private channels, the situation changed – but not in a radical and categorical way. In 2004, for instance, in the middle of the period of Communist government, TRM was the most watched TV channel in Moldova and its evening news bulletin remained the favourite television programme of about 20% of the population. In October 2018, approximately 40% of the population said that TV channel Moldova 1 was their primary source of information (IPP, 2018). In 2019, the public service broadcaster remained one of the most important sources of information for Moldovan citizens (IPP, 2019) as well as one of the top five in terms of audience size, according to data of the TV MR MLD measurement, the official representative of The Nielsen Company in Moldova (agb.md).

By law, the budget of the public service broadcaster is made up of state subsidies and internal revenues (advertising, donations, sponsorships, etc.). Various studies as well as the TRM management claim that the public service broadcaster is, and has always been, underfunded. TRM's dependence on state funding makes it vulnerable to pressure from the government and politicians. Year after year, media experts argue that financial dependence on the government, politically motivated appointments of Supervisory Body members, political control and weak management are the main problems hindering TRM's transformation into a genuine public service media.

The journalistic profession: between dependence on employers and professional autonomy

KEY FACTS AND EVENTS:

- 1999: First Code of Ethics of journalists in Moldova adopted by Union of Journalists; National Commission of Ethics established to facilitate application of Code.
- 2009: Press Council of the Republic of Moldova, a national self-regulatory body for print media and online publications, founded by six associations/media and human rights institutions.
- 2010–2011: Press Council adopts new Journalist's Code of Ethics.

- 2011: Journalists sign the new Journalist's Code of Ethics which empowers the Press Council to monitor application of the Code and to examine cases of its violation.
- 2019: Press Council adopts Journalist's Code of Ethics in new version.
- Since May 2020: Journalist's Code of Ethics open for signature to all media content producers: media staff as well as individual journalists and graduates from faculties and schools of journalism.

In Moldova, the choice of/access to the profession of journalism is free and equal for all. Anyone may train in and practise this profession, regardless of gender, ethnicity, language, religion, etc. By the time Moldova declared independence, journalism education had been available to young people in the country for 25 years.

The first university programme in journalism was established at the Faculty of Philology of Moldova State University in 1966. In 1980 a separate Faculty of Journalism was founded at the same University. In 1993 the Faculty of Library Studies and Bibliography was incorporated into the Faculty of Journalism, which was subsequently renamed to Faculty of Journalism and Communication Sciences in 1995, after the introduction of communication sciences as an academic discipline at Moldova State University. Starting with one group of students, mostly male, back in 1966, the journalism education programme attracted more and more students and was feminised over time. In some periods, especially after the boom in new media outlets (at the end of the second and in the first half of the third decade), the State University's Faculty of Journalism and Communication Sciences, the largest of its kind in Moldova, was among the top three to five most sought-after faculties. Nowadays, two public educational institutions, two private (accredited) institutions, and one school affiliated to the non-governmental sector offer education programmes in the field of journalism. Students can study at state expense, pay a fee, or get a scholarship. As a rule, there are more applicants than state-subsidised places in journalism education programmes.

As other fields of education in Moldova, in all those years journalism has suffered from the lack of a state strategy for matching supply and demand for staff. Hence, there are more graduates than jobs in journalism, but media outlets have to look for people to fill their vacancies and complain about the poor quality of university studies.

Several institutions that are not accredited to teach journalism have Master's degree programmes related to media. The programmes include both theoretical and practical courses. The main problem of public institutions is the lack of modern equipment for practical training, but also, in some places, the mismatch with the labour market and its new requirements. In the private sector, basic training may be weaker, even if the equipment and practical training of journalists is very good. Graduates' skills show that the best solution would be to combine the two types of approaches in journalism education, otherwise the traditional practices of teaching/learning the profession or hands-on only training do not always yield the desired outcomes.

The Chisinau School of Advanced Journalism (CSAJ), for example, was launched in 2006 as a response to the 'theorisation' of journalism education at public institutions. The School offers reliable curricula for practical courses taught by the leading national and international experts in the media field and adapted to the new realities and challenges. Although it is not accredited to teach degree programmes, the CSAJ offers an important alternative to public and private traditional education in journalism, and trains not more than 10 to 15 students per year, with different higher education backgrounds. About 60% of all CSAJ graduates work in media or communications.

In addition, Moldovans can study journalism abroad, especially in Romania, which annually grants scholarships for students from Moldova. A European diploma is becoming ever more attractive and offers the possibility to work abroad.

In the first decade, all Moldovan journalists had been trained by the Soviet school and it took years not only for them but also for journalism education programmes to adapt to the new realities. The approaches in journalism education have varied over the years – from complex education of journalists with comprehensive cultural competence and analytical skills to training journalists specialised in various fields. However, since the multiplication of media outlets at the national, regional and local levels, employers have been complaining about the insufficient competence of university graduates and say they have to retrain them on the job.

A 2017 study on media needs conducted by the Centre for Independent Journalism (CJI, 2017) shows that the main problems of Moldovan media are the shortage of competent employees, poor staff training, and the impossibility to train journalists at the workplace. Most respondents in this study underlined

the need to improve university education in journalism as a solution to many problems in the field.

In the last 30 years, the academic and professional communities in Moldova have not found a way to cooperate so as to significantly increase the professional level of journalists. Many training courses have been organised under various projects over the years, usually by international organisations (or with their support) and local NGOs, but they remain insufficient and sometimes inefficient because of their sporadic and non-strategic character.

At the same time, as a large part of the Moldovan media landscape is politically affiliated, the many journalists who work at such media outlets have a restricted autonomy. In the absence of an effective trade union (the Union of Journalists left over from the Soviet period is an amorphous and dysfunctional organisation), the interest of the employer dictates the editorial policy, and compliance with this interest leads to self-censorship. However, journalists working at independent media outlets funded by international grants, projects and independent investments can avoid self-censorship. Some media outlets have their own Codes of Ethics besides the general one, which serve as an important mechanism for protecting the independence of journalists.

Digitalisation and online media environment: similar traits as traditional media, plus some positive and negative elements from virtual space

KEY FACTS AND EVENTS:

- Second half of 1990s: First news portals appear; traditional newspapers launch online versions.
- 2006: Republic of Moldova pledges to complete transition from analogue to digital terrestrial television by 2015.
- 2007: Concept of Digital Terrestrial Television (DVB-T) developed.
- 2008: First online TV station in Moldova launched.
- 2009: Audit Bureau of Circulation and Internet Moldova (BATI) established at Centre for Independent Journalism's initiative. BATI's

aim is to provide independently verified data and information on circulation, internet traffic and audience measurement.

- 2009: First and largest online platform live-streaming public events launched (privesc.eu, still very active in 2020; has since expanded into Romania).
- 2010: Strategy for transition from analogue to digital terrestrial television elaborated.
- 2010: Internet Protocol Television (IPTV) launched. IPTV is the delivery of television content over Internet Protocol networks. This is in contrast to delivery through terrestrial, satellite, and cable television formats, and allows streaming the source media.
- June 2015: Deadline for switching from analogue to digital TV broadcasting postponed twice (to 2017 and to 2020).
- 2018: Provisions concerning online media and digital TV included in Code of Audiovisual Media Services.
- 2019: Moldovan Journalist's Code of Ethics supplemented with provisions on online media.

Online media in Moldova emerged in the late 1990s, when some websites disseminating information about the country for the international community were launched. Gradually, their format changed to that of digests and news aggregators, offering faster access to diverse information. According to Nicolae Negru (2001: 26), in 2000 the majority of Moldovan print media outlets were only just beginning to go online. Negru notes that lack of money, limited access to the internet, still small number of internet users, and an underdeveloped online advertising market hindered the development of this new type of media. However, the Moldovan internet, including Moldovan online media, has grown steadily since then, becoming, in the third decade of independence, an indispensable phenomenon with its positive and dangerous aspects.

At the beginning, journalists from traditional quality media were sceptical about the seriousness, importance and future of the online press, calling it 'secondhand' or 'Google journalism'. It took time for the existing media to switch from the 'shovelware' approach (Marin, 2016: 773) to provision of specific, internet-adapted content, and to expand their outreach from initially predominantly urban to rural audiences.

Although the internet is not expressly regulated by law, the Regulation on the Management of Names in the Top-Level Domain .md, adopted in 2000 and widely criticised by civil society, in effect permits the state to close websites suspected of publishing unlawful content. The provisions of this document have been applied several times by the .md domain administrator – for example, one website nearly lost its domain name in 2009, while another was temporarily closed twice, in 2009 and 2010 (Open Society Foundations, 2012: 8, 93). Another law, the one on Copyright and Related Rights, has also repeatedly allowed abuses, both in terms of limiting the right to freedom of expression on the internet, and theft of information.

The third decade of Moldova's independence has brought about a higher level of internet penetration, easier internet access, higher consumption of online content (according to the BPO, whereas in 2005 the internet did not appear on the list of Moldovans' information sources, in 2020 almost 70% said they use the internet on a daily basis) and a better adaptation of journalism to the digital environment. Many new online-only publications have appeared, while print media have differentiated their content, offering two versions – print and online. The digital environment has enabled journalists and media content creators to address sensitive topics, to conduct investigations and disseminate them in regional and/or local media. It is an important space for expressing public opinion. Journalists, activists and politicians, among others, have created their own blogs and, later, vlogs, to express their opinion on various issues, policies, decisions of the authorities, etc. The country's president from 2016 to 2020, Igor Dodon, for example, is one of the first and most active Moldovan bloggers, and has continued to be digitally active through social media and, more recently, through his vlog.

The events of April 2009 were part of the positive changes the internet brought to Moldovan society. During the Communist period (2001–2009), when traditional media were largely under government control, digital platforms provided an opportunity to exercise freedom of expression. In this context, the mass protests following the April 2009 parliamentary elections (widely suspected to have been fraudulent), known as the 'Twitter Revolution', originated on Facebook and Twitter. These mobilisations later brought more than 20,000 people into the streets of the capital, and eventually led to new elections. At the same time, the growing number of social media users made it possible to use these platforms to mobilise citizens to vote in the November 2010 parliamentary elections (which saw a record-high voter turnout in the country and among the Moldovan diaspora).

In another case, also in 2009, one of the most popular news websites nearly lost its domain name because of user comments which the Prosecutor General's Office saw as undermining the sovereignty of the Republic of Moldova. The protesters, mobilised mostly online, but also the actions of civil society, did not allow its closure.

Social media have also been used to raise funds and mobilise support for artists, social initiatives in various fields, petitions, etc., in each case proving the power of the new technologies, media and online platforms.

The Moldovan online media environment suffers from many problems, some of them typical for broadcast and print media as well, others specific to the developing digital space. Thus, politicisation has spread also to the online environment. For example, some websites were conceived not as a business venture but as a propaganda tool as early as in the 2000s (Negru, 2001: 27). In addition, many media experts, such as Alexandru Dorogan (2017), think the delay in the digitalisation process is explained by the covert interest of some political forces and economic structures to control the Moldovan audiovisual sector. Not least, especially in recent years and during election campaigns, trolls and anonymous websites will appear overnight and start disseminating fake news, misinformation and disinformation. Practice shows that, combined, all these phenomena influence the political decisions of Moldovan citizens and the country's development path.

Conclusions

When the Soviet Union collapsed, the Moldovan press was deeply ideologised and the new state was not ready for the creation of a new system based on market economy principles.

The newly independent Republic of Moldova never developed real and sustainable policies on the media system, including provision of subsidies or protection of the Moldovan information space. Hence, the Moldovan media landscape has developed chaotically and is dependent mainly, on the one hand, on political parties and politicians who invest in media in order to win political capital, and on the other, on external investments such as grants and projects.

The media system in Moldova has never managed to detach itself from politics, acting as an appendix to the latter. After a thaw in the 1990s, the harsh rules

of market economy quickly disillusioned journalists who wanted to build a free and politically independent press. Politicians, who had not prioritised the elaboration of sustainable and visionary policies for the development of the media system in a democracy, quickly took control of the press – at first by publishing their own newspapers, and later by politicising print, broadcast, and even online media. The diversification of the political spectrum has led to diversification of media outlets affiliated to different groups – and hence, to the establishment of several barricades from which not only politicians but also media fight each other.

In the Republic of Moldova, the transformation of state-owned media into public service media applies to the national and regional broadcasters. The process is difficult and is not over. Despite the existence of a legal framework regulating public service broadcasting on democratic principles of freedom of expression, pluralism, and editorial independence, public institutions have failed to implement the relevant legislation. The public service broadcasters remain profoundly dependent on and influenced by the political system, and act mainly as spokespersons of the authorities involved in appointing managers and members of supervisory bodies.

Access to the profession of journalism is easy in Moldova. A sufficient number of institutions provide training and education in journalism. However, many media outlets suffer from a shortage of professional staff. Because of the lack of communication between the educational system and the professional community, the gap between demand and adequate supply is widening. In addition, some competent journalists work for the politically affiliated media outlets, and it is therefore very difficult for independent media to find good employees.

The internet has brought many opportunities for the development and diversification of media in Moldova, but it has also given rise to dangerous phenomena that affect not only the information space but also the 'information health' of citizens: for example, a wider public space for expressing opinions, attractive multimedia content or greater accessibility versus an avalanche of fake news, trolls, disinformation or propaganda on anonymous websites. In the absence of regulation, it is difficult to fight against harmful online phenomena. Added to the problems of traditional media, they all form a context in which the Moldovan media system is in a complicated situation and far from being truly free and independent, after 30 years of state sovereignty.

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The Media Landscape in North Macedonia in the Decades of Post-Socialist Transition: Changing Times, Persistent Problems

Marina Tuneva

Introduction: the media landscape during and after the socialist period

Pluralisation and democratisation of the media landscape in North Macedonia commenced after the country gained independence in 1991. Before 1991, all broadcast and print media, publishing houses, and other media production and distribution companies were owned and strictly controlled by the state.

The one-party system allowed the socialist government to directly influence the public service broadcaster. In the socialist system, criticism of the government was rare (Trpevska and Micevski, 2014). It was done only at the initiative of a certain informal faction at the top of the governing structure (Ivanov, interview, 2020). Once the political system transitioned from single- to multi-party, other types of players, such as business and political centres of power, gradually started to exert influence on the media.

The establishment of a pluralistic media sphere was accompanied by many challenges related to the legislation, the large number of broadcasters, weak economic market, rise of influential media owners, political clientelism, and degradation of the quality of the profession in the country. Over the years, the authorities have adopted and improved the media legislation, harmonising it with European standards. However, the political elites have always found ways to bypass laws and influence media and their editorial policies. Political pressure is perceived as a reason for the erosion of journalism's integrity. Some of the most influential media owners have established and maintained political-clientelistic relations with centres of power, thus influencing the quality of information citizens receive.

The fragmentation of the media market affected media professionalism and sustainability. Policymakers in the 1990s were convinced that everyone should be given an equal opportunity, and let the market forces define the outcome. In a situation of economic scarcity, many national and regional media outlets became dependent on political and business centres of power. The political elites used various mechanisms to financially intervene in the media market, thus supporting 'eligible' media and disrupting fair competition.

The public service broadcaster (PSB), as one of the pillars of the media system, has undergone complex reforms in the course of its transformation from a 'state broadcaster' into a 'public service broadcaster'. Despite the abolition of the broadcasting fee and the introduction of state budget financing in 2017, stable financing remains one of the main challenges, in addition to editorial independence from political influences of ruling elites and restoration of audience trust.

Professional education in journalism has been continuously offered since 1977 even though curricula require essential reforms to include more practice-oriented training. Regardless of this, the young generations' interest and enthusiasm in studying journalism has been declining as the socio-political circumstances in the country have led to derogation of the profession.

Newly established online media proved to be a platform for critical voices in a media sphere that was completely dominated by politics. However, some of these were used for propaganda purposes only. Similar tendencies appeared on social media which at first represented a free public space, but were later used to serve different centres of power and to spread disinformation, fake news, and hate speech.

Large fragmentation of the media market – a persistent problem for decades

KEY FACTS AND EVENTS:

Emergence of key media actors
- 1991–1997: Approximately 300 private broadcasters.
- 1993: A1 TV.
- 1996: *Dnevnik* daily, first private newspaper.
- 1997: First concessions granted to 140 broadcasters.
- 1998: Sitel TV.
- 2004: Kanal 5, Telma TV, Alsat M TV.
- 2008: 21 new licences granted on national level (including to A2 TV, Kanal 5+ and Sitel 2 TV) and more licences on local and regional level.
- 2013: Alfa TV.

Closure of key media actors
- 2011: A1 TV and print media owned by Velija Ramkovski; *Forum* biweekly magazine.
- 2017: MPM print editions, (including *Dnevnik*, *Utrinski vesnik* and *Vest*); *Republika* weekly.
- 2018: Nova TV; several regional and local TV stations; Radio Slobodna Makedonija (nationwide).
- 2019: *Nezavisen vesnik* daily (print edition); 1TV.

Adoption of new regulatory acts
- 1997: First Broadcasting Law adopted and a total of around 140 concessions allocated, three of them for national services (two for television and one for radio), and 137 for local services (57 for television and 80 for radio).
- 2005: Law on Broadcasting Activity.
- 2013: Law on Audio and Audiovisual Media Services; Law on Media.

Establishment of regulatory bodies
- 1997: Broadcasting Council.
- 2014: Agency for Audio and Audiovisual Media Services (AAAVMS).

After the country's independence in 1991 and up to the year 2000, the focus in the media sphere was placed on creation and consolidation of a pluralistic media space to replace the previous media system which was dominated by the PSB and the state news and publishing company Nova Makedonija (Ordanoski, 2012: 59). In the absence of specific regulation, the number of private broadcasters mushroomed, reaching approximately 300 by 1997.

The large fragmentation of the media market was partially resolved with the adoption of the first Broadcasting Law in 1997, which allocated the first concessions to about 140 media outlets (Trpevska, 2004: 291). While the television market in 1991 was dominated by the public service broadcaster, MRT, in 2003 A1 TV rose to first place in terms of market share.

The market could not sustain such a large number of media, but 'the notion prevailed that most of the already operating media should be given equal opportunity' (ibid). Fragmentation of the broadcasting market was one of the biggest obstacles to professionalisation of the media sector. Commercial media were not treated as business entities, but rather as a means of achieving political, economic, or other influences. There were many governmental financial interventions in the media in the form of subsidies and grants. An additional problem was the existence of parallel markets due to the linguistic and cultural diversity in the country. This led to the establishment of mostly small newsrooms which lacked human and technical resources, with a poor and low-quality programme offer and unified informative programmes, without major investments in production, staff training and media buying (Nikodinoska, Tuneva and Milenkovski, 2017). Later on, the media regulator declared a moratorium on the issuance of new licenses. In 2008 it granted 21 new TV licences on national level and more on regional and local level, which increased the number of broadcasters.

Broadcast media have been mainly owned by domestic legal entities and powerful individuals affiliated with certain centres of power. One exception is Alfa TV, which is majority-owned by Hungarian citizen Peter Schatz (Trpkovski, 2020). Alfaskop is the company that directly owns Alfa TV. Its editorial policy is considered to be close to VMRO-DPMNE (Jordanovska and Sarkadi Nagy, 2018).

Media ownership in 2019 formally met the legal requirements, but according to the 2017 Media Pluralism Monitor report: 'the country is still struggling to cut the clientelistic ties between political actors and the media (…) and to find appropriate solutions to safeguard political pluralism while ensuring

sustainability of private media on the highly fragmented media market' (Trpevska and Micevski, 2018: 4).

Until 2010, the three most influential private TV stations were A1 TV, Sitel TV and Kanal 5 (Trpevska and Micevski, 2014: 268). After the closure of A1 TV in 2011, in 2012 the picture on the market changed as Sitel TV and Kanal 5 became the main private actors on the media scene.

Between 2008 and 2012 the government was among the five largest advertisers in the media. The VMRO-DPMNE-led government spent 38 million euros on advertising in the period between 2008 and 2015 (Government of RNM, 2017a). State advertising was considered to have directly influenced media editorial policy, leading to stronger political-clientelistic and corruptive relations between the government and the media.

In 2019, the media market comprised 49 commercial TV channels, 72 commercial radio stations, the PSB, around 30 dailies, weeklies and periodical magazines, and around 80 internet news media (Nikodinoska and Milenkovski, 2020: 7). In 2018, the total revenues of the PSB, commercial TV channels and commercial radio stations amounted to 39.86 million euros, down from 42.4 million in 2017 (AAAVMS, 2019a: 5–7). The regulator has been reporting a decline in advertising revenues for years now, 'mainly resulting from the discontinuation of government advertising since 2015, as well as from (…) the ongoing political turmoil' (Nikodinoska and Milenkovski, 2020: 15). Local media markets have been economically weak and are not attractive for advertisers (IREX, 2019).

Transformation of the print media market started in the 1990s, with the beginning of the privatisation process of the state-owned publishing company NIP Nova Makedonija.[1] However, certain bad moves led to enormous debts of the company. It was subsequently sold to a Slovenian company, but following the 2002 elections the new government decided that the buyout was unlawful and this resulted in bankruptcy proceedings.

The *Dnevnik* daily, launched in 1996, was the first private print media outlet in the country. In 2003, German media group WAZ bought *Dnevnik*, *Utrinski vesnik* and *Vest*. From a business point of view, WAZ's entry into the market was perceived as a new impetus to market development and competition.

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[1]   Publisher of the *Nova Makedonija* and *Večer* dailies, and of dozens of other publications.

Bigger fluctuations in the print media market occurred in 2011, when newspapers owned by Velija Ramkovski (the owner of A1 TV) were shut down because of his publishing company's debt of one million euros. The next print media regrouping occurred in 2012, when WAZ sold its Macedonian branch office, Media Print Macedonia (MPM), to Macedonian businessman Jordan Kamčev and his company Orka Holding AD Skopje. All MPM editions were shut down in 2017 due to a deep financial crisis and managerial wrongdoings. In 2019, the number of print media was reduced to five dailies and three magazines (AAAVMS, 2017).

A long history of political manipulation through media

KEY FACTS AND EVENTS:

- 2012: Broadcasting Council instructs Sitel TV and Kanal 5 to align operations with 2005 Broadcasting Law, according to which incumbent politicians or their relatives cannot own broadcasters.
- 2016: Electoral Code amended to prohibit media from donating to political parties' campaigns.
- 2017: State advertising prohibited by government decision.
- 2018: Political parties agree that election campaigns are to be financed from the state budget.

North Macedonia has a long tradition of political manipulation through media. At the beginning, with the establishment of a pluralistic media system, these tendencies were not very evident. Over the years, however, the clientelistic relations with politics grew stronger, escalating in the period between 2008 and 2016 during the rule of VMRO-DPMNE.

Media freedoms in the period between 1997 and 2005 were broader under the more restrictive media legislation; once the legislation was fully harmonised with the European standards, media became more dependent on various centres of power (Trpevska and Micevski, 2014: 259).

During the 2001 conflict,[2] the media community was divided along ethnic and linguistic lines mirroring the ethnically divided society (Ordanoski, 2012: 78). After 2001, cases of obvious misuse of media for political purposes increased. The VMRO-DPMNE government launched the so-called 'Pajažina' (Spider Web) scandal related to alleged tax evasion by companies owned by Velija Ramkovski, who was subsequently tried in court and sentenced to 13 years in prison. Sitel TV was wholly-owned by the company of Goran Ivanovski, son of Socialist Party leader and long-time MP Ljubisav Ivanov – Džingo. Kanal 5 was owned by Emil Stojmenov, son of the former MP and former minister of finance in the VMRO-DPMNE government, Boris Stojmenov. In 2012, the regulator instructed those two television stations to align their operations with the 2005 Law on Broadcasting Activity, according to which incumbent politicians or their relatives cannot own broadcasters. Consequently, Ivanov resigned as MP, while Stojmenov transferred the ownership of Kanal 5 to another person. Regardless of these moves, de facto independence of the two television stations from the centres of power was not achieved and they continued favouring VMRO-DPMNE.

The decade between 2006 and 2016 was marked by complete political dominance over the media, achieved through: state advertising in 'eligible' media, censorship, political pressures and intimidation, political dominance over the PSB, retaliation against journalists, or closure of critical media (Ordanoski, 2012: 81–82). The media served more as 'a means of mobilisation and not a means of information' (Trpevska and Micevski, 2014: 263), as well as for spreading propaganda orchestrated from one political centre. New media outlets supportive of the government were established, or smaller regional broadcasters close to the ruling party were bought in a dubious manner (Apostolov, Jordanovska and Cvetkovska, 2014). The dominance of pro-government media narrowed the space for critical media. The internet was seen as 'the last sanctuary for critical journalism'; however, it was misused for establishing pro-government online media outlets entirely favouring the ruling party (Trpevska and Micevski, 2014: 277–278).

State advertising was done in a way that ensured that advertisements from government campaigns, institutions and large domestic companies were

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[2] Political tensions and unresolved interethnic relations between the Macedonian and the Albanian communities caused an armed conflict in the country in 2001. The conflict was resolved in August the same year with the signing of the Ohrid Framework Agreement by the leaders of the four key political parties of ethnic Macedonians and Albanians. The Agreement was brokered by the EU and the US.

published in pro-government traditional and online media (Nikodinoska, 2020). Even though state advertising was prohibited by a government decision in 2017 as the result of pressure from the professional media community, 'several municipalities and public enterprises on local level continued allocating funds from their budgets to some of the local TV stations which were considered as politically close to the local politicians' (Trpevska and Micevski, 2018: 8). According to research, municipalities continued disobeying the government's decision and spending funds on advertising as well as directly employing journalists.

Political advertising during election campaigns proved to be another mechanism for clientelistic relations between media and political parties. For instance, 23 days before the local elections in 2013, VMRO-DPMNE transferred 460,000 euros to Sitel TV (Trpevska and Micevski, 2014: 287). In 2016, the Electoral Code was amended, prohibiting media from donating to political parties' campaigns. In 2018, the political parties agreed that election campaigns are to be financed from the state budget. The media community assessed this as a high risk of political influence over media and press freedom (Selmani, 2020).

A report prepared by a group of independent experts (known as the Priebe Report) in 2015 confirmed 'the existence of an unhealthy relationship between the mainstream media and top government officials, with the former seemingly taking direct orders from the latter on both basic and fundamental issues of editorial policy' (European Commission, 2015: 19). Based on the Priebe Report's recommendations, the so-called Pržino Agreement (an EU-mediated political agreement between the main political parties, aimed at resolving the systemic political crisis in the country) also contained a pledge by the political parties for systemic reforms in the media sector. The proposed reforms were blocked in the Parliament throughout its term of office from 2017 to 2020.

World Press Freedom Index Ranking: North Macedonia
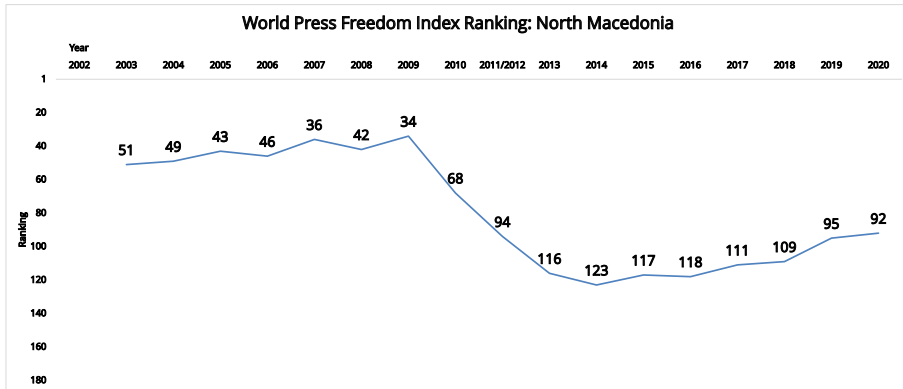
Source: Reporters Without Borders.

Public service broadcaster torn between politics and citizens

KEY FACTS AND EVENTS:

- 1998: Newly adopted Law on the Establishment of the Public Enterprise Macedonian Radio Television transforms the latter from state to public service broadcaster.
- 2013: PSB's independence guaranteed by newly adopted Law on Audio and Audiovisual Media Services.
- 2017: Public broadcasting fee abolished.
- 2019: PSB renamed to National Broadcasting Service by government decision of 5 March.

Since 1991, the PSB has undergone three major statutory transformations. First, the 1997 Broadcasting Law and the 1998 Law on the Establishment of the Public Enterprise Macedonian Radio Television[3] transformed it from 'state broadcaster' to 'public service broadcaster'; secondly, the 2005 Law on Broadcasting Activity completed the legislative process and explicitly defined Macedonian Radio Television (MRT) as a public broadcasting service, with clear provisions regarding its programming functions, editorial independence, and the institutional autonomy of its governing bodies: Council, Management

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[3]   Renamed to National Broadcasting Service by a government decision of 5 March 2019.

Board, and Executive Director of MRT. The 2005 Law provided for a greater role for the Council as the highest supervisory body of the PSB. And finally, the 2013 Law on Audio and Audiovisual Media Services guaranteed independence of the PSB, but decreased the presence of the civil society sector in its Council.

The primary source of funding for programmes production and broadcasting as well as for technological development of the PSB is from the state budget. Prior to the 2017 amendments to the Law, the PSB was financed from a broadcasting fee. 'Regardless of the secured financing, media organisations and experts believe that the state must allocate more money to the PSB' (Blaževski and Rizaov, 2019).

The process of PSB transformation has been a complex one, as the result of the entire post-communist transformation of the political system. Lack of adequate regulation, scarcity of financial resources, and lack of debate on the PSB's mission are considered to be among the main reasons for the difficult transformation. 'The reform of the MRT has been the subject of an ongoing debate in recent years and has elicited numerous declarations on the part of the government according to which it intends to address the situation' (Sekulovski, 2019: 181).

In 2005 and 2006, there were 29 local public service broadcasters operating in different parts of the country in accordance with the 1997 Broadcasting Law.[4] Their shutdown coincided with a genuine boom of private broadcast media. Local PSBs also failed to become immune to the attempts at political control and continuously faced financial problems.

Many challenges and problems have been continuously ignored for years, among which the need to 'reduce further the dependence of public service broadcasting on public authorities and other political influences' (Šopar, 2005a: 1188). The PSB has been facing financial and organisational challenges for many years now, 'resulting in the decline of the audience and erosion of its media identity' (Trpevska and Micevski, 2014: 294).

Although MRT, in accordance with the law, is 'accountable only to the legislative power (annual reports, financial plans, etc.), the practice of direct communication and informal "accountability" of the MRT management to the

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[4] Pursuant to Article 173 of the 2005 Law on Broadcasting Activity, on 29 May 2006 the Broadcasting Council decided on their transformation through a privatisation process, which they were obliged to implement by 29 November 2006.

representatives of the executive branch of power' has remained unchanged. This has further 'undermined its institutional autonomy and editorial independence' (ibid.).

Although the Council of MRT has certain competences of a self-regulatory nature, it does not possess the characteristics of a real self-regulatory body. 'The political influence on some of its members, the strategic undermining of the mechanisms of transparency and disregard for ethical and professional standards [has] led to a conclusion that the Council did not defend the public interest' (ibid.: 291). With the 2018 amendments to the 2013 Law on Audio and Audiovisual Media Services, the power to nominate Council members 'has been granted to organisations with a certain profile, which currently can recommend candidates who are eligible to apply in open competitions followed by a parliamentary vote that requires a 2/3 majority' (Sekulovski, 2019: 176). Even though the procedure for election of new members of the Council was expected to be completed last year, it is still ongoing. In the so-called Plan 3-6-9 of 2017, the government committed itself to adopting changes in the media legislation and appointing members of regulatory bodies, among which is the MRT Council (Government of RNM, 2017b). However, the general impression in the media community is that media reforms were used as an additional trump card in a political deal through which votes were secured (Media Development Center, 2020).

No (self-)evaluation of the implemented programme projects has been carried out to date either by the journalists and the editorial staff, or through a special public opinion poll on MRT programmes which would give a direct insight into the impressions and opinions of the so-called general public/audience (AAAVMS, 2019b). In the meantime, the PSB has not established an effective mechanism for communication with the public. It has neglected the importance of its relationship with citizens and civil society, leaving a lot of room for direct political influence.

The European Commission has repeatedly pointed out the absence of an independent editorial policy and the lack of financial autonomy of the PSB. According to experts, to ensure an independent PSB, there is a need for

> reforms that should result from inclusive democratic processes involving all stakeholders in society, including the civil sector, whose influence should be key in these reform processes. However, in order to make actual changes in this regard, the system of values, as well as the culture of managing public resources, public institutions, and the state in general, must be changed. (Mitevska, 2017: 17)

The journalistic profession – integrity compromised by politics

KEY FACTS AND EVENTS:

- 1977: University studies in journalism introduced.
- 1994–1997: Demand for university journalism education soars as new media outlets mushroom.
- 2013: Self-regulatory body, Council of Media Ethics, established.

The process of defining media policies started in 1996/1997, when the first Broadcasting Law was elaborated. The Law provided for, among other things, the creation of an independent regulatory body and protection of media pluralism. However, even though the media system was built on the foundations of the Western liberal model, 'this model could not easily take roots in the media system of a "transitional democracy" due to structural anomalies in the political system' (Trpevska and Micevski, 2014: 258).

At the beginning of the country's independence, NGO representatives and the academic community were actively involved in defining future media policies. As a former journalist and editor-in-chief for the PSB said in a 2013 survey interview, 'The freedom at that time cannot be compared with the non-freedom of today ... as an editor in chief ... I did have contacts with politicians ... but, no guidance at all ... not a word on that' (ibid.: 260). Over the years, media owners became increasingly aware of the power of media to influence authorities and to promote their business and political interests. Although it is inadmissible, journalists were often asked to promote certain economic or political interests. This practice was commonplace in all media owned by businesspersons or political party leaders (Šopar, 2005b).

This resulted in indifference in journalism as a profession. The media and journalism were treated 'as a tool for achieving political and corporate interests of the emerging elites' (Trpevska and Micevski, 2014: 265). Although the media policy in the 1990s was considered to be liberal, this turned out to be only hypothetical. It hindered the creation of a competitively capable, programmatically diverse and socially responsible system in the country (Ordanoski, 2012). There was 'a practice of subtle and direct pressures of political and business actors on journalists executed through the editors' (Trpevska and Micevski, 2014: 302). Therefore, it is not surprising that journalists had to self-censor.

Self-censorship has long been a persistent problem in the country. The 2015 case involving the illegal wiretapping of some 100 journalists[5] revealed close links between the VMRO-DPMNE-led government and the owners of pro-government media outlets at that time, who had been receiving the lion's share of government advertising funds. '"This violation of privacy directly affects press freedom in Macedonia, fueling a climate of fear and self-censorship (…),'" said Mogens Blicher Bjerregård, EFJ President' (European Federation of Journalists, 2015). However, self-censorship remains widespread as journalists have little if any job security and 'become easily vulnerable to pressure in their editorial offices' (Nebiu et al., 2018: 10).

Recent years have seen multiple transfers and replacements of journalists and editors. In five years, approximately 50 editors and journalists quit or were replaced on account of pressure by or at the whim of the owners (Meta News Agency, 2015). There are various reasons why journalists quit their profession. Low salaries, constant work pressure, high expectations of the editorial staff and the audience, and the allure of related professions, especially public relations, can at some point make even the best journalists think about leaving the profession (SSNM, 2017).

There are no legal provisions regulating the exercise of the profession of journalist in the country. More specifically, journalists do not need a licence or registration to practice the profession. Nor are they required to have professional education in journalism. Today journalists can acquire professional education and training at three state universities and one private school of journalism. University studies in journalism were introduced in 1977 and were especially in high demand between 1994 and 1997, when the number of new media outlets mushroomed. Journalism education 'is still exceedingly theory-based,' while 'the practical part of journalism, which is one of the key elements required for being a professional journalist, is something which has remained a problem to this very day in the journalism education process' (Šopar, Georgievski and Trajkoska, 2017: 54). There are also NGOs whose activities are closely related to the education of journalists.[6]

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[5] This case was made public by then opposition leader Zoran Zaev, according to whom the wiretapping operation was ordered and commanded by then Prime Minister Nikola Gruevski and the head of the State Security Service.

[6] MIM, BIRN Macedonia, SCOOP, NGO Infocenter, the Institute for Communication Studies, AJM, and Council of Media Ethics.

However, journalism is not a desired profession. Interest among young people in studying journalism has been largely declining. Media have long been used as an extended arm of those in power, who have abused them for personal gain at the expense of the public interest. The fact that the quality of journalistic reporting has deteriorated has significantly affected both the perception of and entry into this profession. In addition, younger generations are aware that journalism is not a lucrative profession (Stankoviḱ, 2019).

Media in the country, in general, lack internal self-regulatory practices or proper statements of editorial policies. 'Private media does not publish internal acts in their websites that guarantee the independence of the editorial collegium from media management' (Nebiu et al., 2018: 10). The establishment of a media self-regulatory body, the Council of Media Ethics, at the end of 2013 is seen as a positive development and a step forward by journalists and media willing to assume responsibility for professional reporting. It is also evaluated as a positive step by EU experts (European Commission, 2015: 18–19).

The online world – free but constantly misused

KEY FACTS AND EVENTS:

- 2008–2017: Internet space turns into alternative public sphere.
- 2014–2017: 79% of complaints submitted to Press Council concern online media reporting.
- 2019: 'Disinformation, hate speech, disrespect of professional standards and violations of intellectual property are frequent in online media,' European Commission states in its progress report for North Macedonia.
- 2019: Register of Professional Online Media created by Council of Media Ethics and Association of Journalists.

The media landscape in the country has changed with the expansion of the internet and social media. From 2008 to 2017, the internet space turned into an alternative public sphere in which many critical voices managed to break through. This 'was some kind of a "reflection" to the political environment in which political centers of power dominated most of the traditional mainstream media' (CMEM, 2017: 2).

> The rapid growth of broadband connections in 2008–2010 has had a significant impact on the way audiences access the news. (...) [P]eople access the news directly, item by item, through (...) search engines. Sharing via social networks and media aggregators results in fewer direct access hits to traditional media websites. (Belicanec and Ricliev, 2012: 19–20)

Facebook is considered a significant platform for public debate and activism. There are over one million profiles on Facebook, 'but most probably it has somewhere around half a million individual users' (Saracini et al., 2015: 10).

The blogosphere expanded from 2005 onwards; by 2011, around 50,000 blogs had been opened. However, not more than 5,000 could have been considered active in 2010, due to political parties' abuse of the blogs, especially during election campaigns, 'turning them into propaganda tools and means to harass opponents' (Belicanec and Ricliev, 2012: 35).

There is a large number of web portals, yet there is no official record on them. It is generally estimated that about 100 online portals produce news content. Many of them face financial difficulties and therefore employ a small number of journalists and editors, which affects the quality of the media content they produce (Nikodinoska and Milenkovski, 2019). Journalists in the online media are often employed on a part-time basis, yet they have the same obligations as regular employees but not the same rights (Tuneva and Milenkovski, 2015: 10).

Online media are mostly owned by domestic natural and legal entities. 'Some of them are run by journalists who previously worked for *A1* or other now closed media outlets, but others are created anonymously as pro-government mouthpieces' (SEEMO, 2015: 16). 'Seven online media outlets (...) are owned by foreign capital, namely Hungarian. These are media whose editorial policy is inclined towards the right-wing party VMRO-DPMNE' (Nikodinoska, 2020: 10, citing Jovanovska, Bodoky and Belford, 2018). After the government was changed and 'the SDSM came to power in 2016, media that, in turn, support its policies also emerged. In 2019, the husband of the prime minister's adviser bought several online media outlets, expressing his intention to further expand the media business' (ibid., citing Jovanovska, 2020).

A recent audience survey shows that in the last decade, the internet has dramatically changed audience habits: 'If one looks at the audience as a whole, television is still the most used medium, but the internet is catching up on it' (AAAVMS, 2020: 6). According to an IRI poll conducted in 2016, the internet and

websites ranked second as the primary source of political news for the public with 37%, or almost double the 19% in 2014 (Center for Insights in Survey Research, 2016: 51). However, audiences are highly critical of news portals as

> Internet media are a particularly suitable channel for spreading disinformation and inciting hate speech. The growing trends of these phenomena generally make it more difficult for citizens to access news of public interest, given the fact that the internet, as a source of information, has drawn level with television in terms of frequency of use (76%). (Nikodinoska, 2020: 7, citing AAAVMS, 2020: 7–8)

In its 2019 progress report for North Macedonia, the European Commission (2019: 28) states that 'Disinformation, hate speech, disrespect of professional standards and violations of intellectual property rights are frequent in online media.' In the 2014–2017 period, 79% of the complaints submitted to the Press Council concerned online media reporting (CMEM, 2019). The numbers since then have been similar.

Portals 'provide revenue from advertising, and online advertising has been on the rise since 2016' (Nikodinoska, 2020: 11). Still, for the 2020 parliamentary elections, 'as many as 230 online media outlets applied to the State Election Commission for the paid political advertising provided for the participants in the pre-election campaign. (…) Media organizations warn that this poses a risk of political influence over the media and media freedom' (ibid.).

Media organisations are against legal regulation of online media and underline that the laws related to the liability of traditional media also apply to online media. In 2019, a Register of Professional Online Media[7] was created by the Council of Media Ethics and the Association of Journalists in an effort to promote media self-regulation in this field. It is 'a kind of a response to the dissonance that exists in the media sphere about the need to regulate online media due to non-compliance with ethical and professional standards' (ibid.: 13).

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[7]   The Register is available at www.promedia.mk.
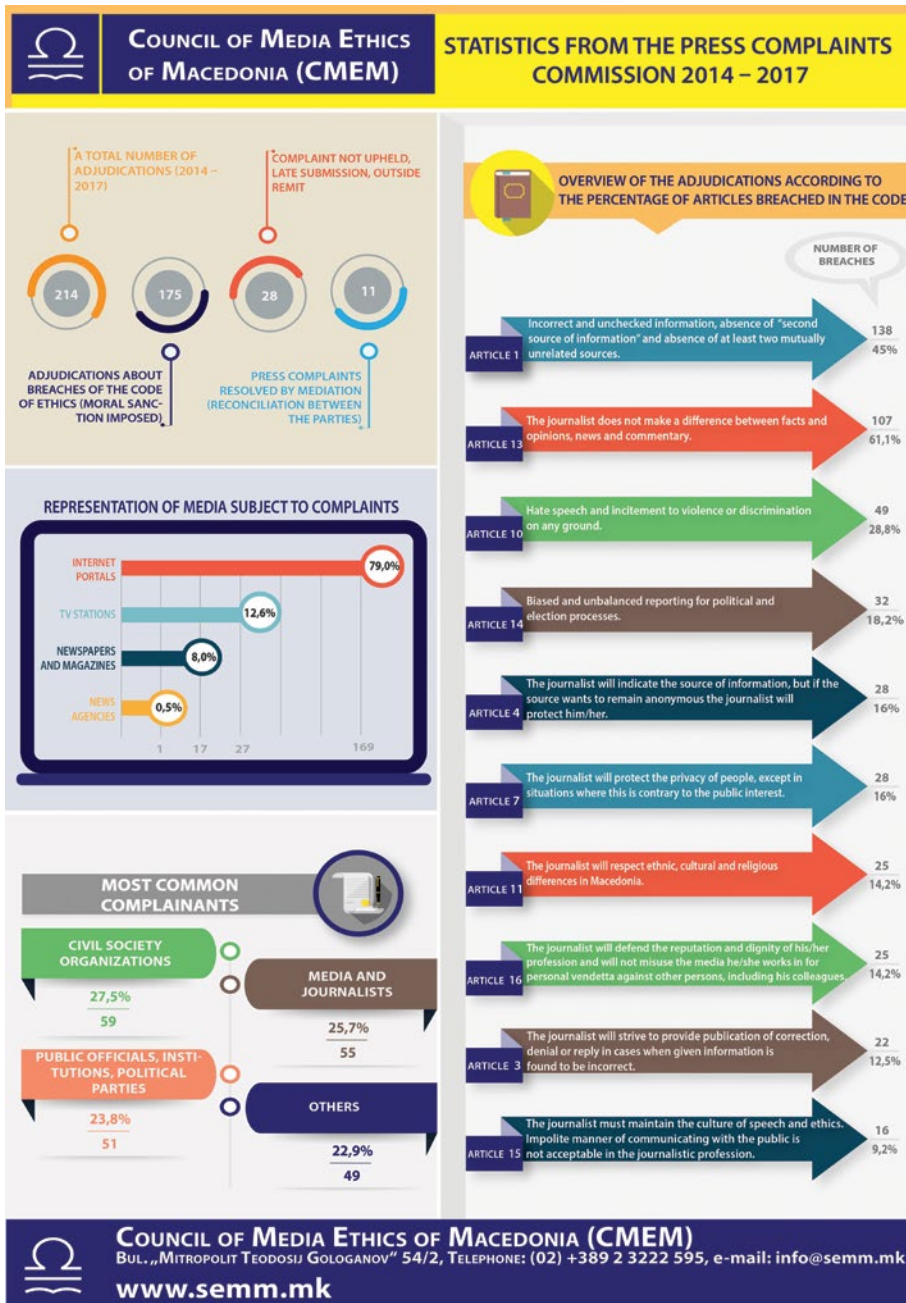
Source: CMEM, 2019.

Conclusions

The large fragmentation of the broadcasting market after North Macedonia gained independence in 1991 was one of the biggest obstacles to the professionalisation and financial stability of the media sector. The media market could never sustain so many media, since the fall of advertising revenues has been an ongoing challenge for years now. The struggling media have often engaged in political-clientelistic relations with centres of power due to the fact that governments have financially intervened through various mechanisms in the media market.

Political clientelism has been part of the media landscape since media owners realised that they could use their media to achieve their political and business interests. Some of the most influential media outlets have fiercely defended government policies for years. In the period between 2008 and 2016, the media sphere was entirely politically dominated and critical voices were silenced. The 2015 wiretapping scandal eventually led to a change of government and a stronger commitment to systemic changes in the media sphere. The media climate improved slightly. Certain reforms, however, have not been accomplished to date.

Many challenges and problems related to the functioning of the public service broadcaster, MRT, have been continuously ignored over the years. Among the major ones is the need to further reduce the dependence of the PSB on public authorities and other political influences. In addition, financial and organisational challenges have resulted in the decline of MRT's audience and erosion of its media identity. MRT has neglected the importance of its relationship with citizens and civil society, thus leaving room for direct political influence. The new government pledged to conduct reforms related to the PSB, but they were blocked in the Parliament throughout its term of office from 2017 to 2020.

In the meantime, even though journalism studies are available at three state universities, interest in this profession among young people has been declining. Many civil society organisations also offer a variety of courses for media professionals. Still, journalism as a profession has been losing its appeal to youth due to low salaries, constant work pressures, high expectations of the editorial staff and the audience, and the allure of related professions. Young people are aware that journalists and media are often used for political manipulation, that the quality of journalistic reporting is low, and

that journalism is a high-risk, underpaid profession. Ethical and professional standards are often breached, but the establishment of the Council of Media Ethics of Macedonia is seen as a positive step in self-regulation of the profession.

The online sphere started to develop after 2010 due to the rapid growth of broadband connections in 2008–2010, which had a significant impact on the way audiences access the news. Online business has been on the rise in recent years, with the emergence of a number of serious news portals. The most common observations about the work of online media are the presence of disinformation and manipulations, inaccurate reporting, unsigned texts, and copy/paste journalism. The significance of social media as a space for public debate and political activism has grown since 2011, but they have proved to be suitable channels for producing and spreading disinformation and hate speech.

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A Century of Struggles for a 'Free Press': Media Capture in Romania from National-Communism to Capitalism. Any Way Out?

Adina Marincea

Media capture during national-communism:
caught between rival state interests and propaganda

The Romanian media seem to have longstanding ties, directly or indirectly, to the political realm. The beginning of the twentieth century was marked by monarchist and war propaganda – several war publications with a propagandistic role appeared during the First World War, with millions of copies distributed on the front or in the country (Hentea, 2017; Petresc, 2015). After the First World War, the media were split between a diverse, independent press and political party newspapers, which had less credibility among readers and therefore lower circulation numbers (Micu, Scurtu and Agrigoroaiei, 2003). In 1937, King Carol II appointed a radical-right anti-Semitic government led by National Christian Party leaders A. C. Cuza and Octavian Goga, which banned *Adevărul*, *Dimineaţa*, and *Lupta* – left-wing newspapers, or with Jewish ownership (Rusu, 2010). In 1939, a year after establishing his royal dictatorship, King Carol II created a Ministry of National Propaganda which lasted, in different forms but with similar attributions, until 1949 (Direcţia Arhivelor Naţionale Istorice Centrale, 2014). Carol II also introduced press censorship and kept tight control over what was published inside and outside the country (Dieaconu, 2018). The Ministry was in charge of upholding the monarchist propaganda as well as the personality cult of Carol II.

After King Carol II was forced to abdicate by General Ion Antonescu in 1940, the Ministry was tasked by the Antonescu government with preparing the reluctant Romanian public opinion for going to war against the Allies, on the side of Nazi Germany. Most newspapers at the time complied with the regulations issued by the Ministry of Propaganda; at least 11 newspapers were directly edited by the Ministry (Anton, 2007). The funds allocated to the Ministry of Propaganda increased four times between 1940 and 1943: from 189 to 761 million lei. The

Ministry used all available media channels to conduct war propaganda and anti-Soviet/anti-communist propaganda as well as to promote the collaboration with Nazi Germany alongside German propaganda, which also heavily infiltrated Romanian media at that time (ibid.).

Communists came to power after the ouster of General Antonescu[1] and Romania's turn to the Allies. During the communist regime, which banned the opposition press, the media were totally controlled by the Romanian Communist Party (PCR). Censorship and the silencing of any opposition became common already in the first years of the regime, after the establishment of the Romanian People's Republic (later renamed the Socialist Republic of Romania) in 1947. The crackdown on anti-communist newspapers began as early as 1946–1947, targeting the mouthpieces of the opposition parties: *Dreptatea* (Justice), the newspaper of the National Peasants' Party (PNȚ), and *Liberalul* (The Liberal), the newspaper of the National Liberal Party (PNL). Among the first measures of suppression were the slashing of their newsprint quotas, destroying the newspapers or not distributing them, followed by increasingly aggressive acts such as vandalising their headquarters or arresting editors (Comisia Prezidențială pentru Analiza Dictaturii Comuniste din România, 2006). Editorial control became official with the nationalisation process launched in 1948, which included the nationalisation of cultural institutions such as printing and publishing houses, cinemas, book distribution, etc.

Dissent from within the country through media outlets became impossible; it was conceivable only from outside the country. The most longstanding opposition to the regime therefore came from the Vatican, through Radio Vatican, and from the US, through Vocea Americii (Voice of America) and Radio Europa Liberă (Radio Free Europe, RFE). The latter two radio stations were financed by the US Congress, with heavy involvement of the CIA. Both were broadcast in Europe from Munich, among other cities, and were Cold War instruments of anti-communist propaganda. Radio Free Europe represented the people's voice, and Voice of America the official, government voice (Uttaro, 1982) – whose mouthpiece it has remained to this day (Robinson, 2017). Vocea Americii aired its first Romanian-language broadcast on 2 November 1942 (Silivestru, 2015a; Carp, 1997), while Radio Free Europe was launched later, broadcasting for the first time on 4 July 1950 to Czechoslovakia and then

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1   General Antonescu was removed from power on 23 August 1944 (and later executed) by a coup d'état led by King Michael I together with several parties: the Romanian Communist Party, the Social Democratic Party, the National Liberal Party, and the National Peasants' Party.

extending its services to the other communist countries in Europe. Radio Europa Liberă, RFE's Romanian service, went on air in October–November 1951 (Silivestru, 2015b; memorialsighet.ro) and was still active at the time of the 1989 Revolution,[2] broadcasting news about the start of the Revolution in Timişoara and subsequent developments in Bucharest. The radio collaborated with and broadcast interviews of emigrants and people who had managed to flee from communist countries.

Listening to and spreading news and comments of Western radio stations was considered a crime and became a frequent reason for being spied on, harassed, convicted of instigating 'public unrest' and accused of being an 'agent of Europa Liberă', meaning an agent of foreign interests. The Securitate (Department of State Security, the Romanian secret police) also used different radio jamming techniques to stop people from listening, infiltrated agents into the radio stations' headquarters (Lupşor, 2020), and even attempted several assassinations and bombings targeting Radio Europa Liberă or dissidents (Tofan, 2020). People listened to the Western radio stations in the privacy of their homes, in silence, alone or with their families. There were, however, two exceptions, when Radio Europa Liberă was listened to in public (memorialsighet.ro) in the streets or blared out from people's homes: during the invasion of Czechoslovakia in 1968 and after the 1977 Vrancea earthquake.[3]

In 1974, the press was officially subordinated to the Communist Party (PCR) by the Law on the Press (Law 3/1974). Three years later, the Romanian Radiotelevision (Decree 474/1977) and the national press agency Agerpres (Decree 474/1977), which are currently Romania's main public service media, were also officially designated as essential PCR propaganda instruments. The Romanian Radiotelevision was founded earlier, in 1956, when the Romanian Television appeared and merged with the much older Radio Romania. By 1968, the Romanian Television had six studios and 700 employees, broadcasting around 3,000 hours per year on two channels; by the 1970s, it covered 83% of the country's territory and had 1.5 million subscribers (Calen, 2016).

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[2]   The Romanian Revolution started on 16 December 1989 in Timişoara with a protest against the government's attempt to evict Hungarian Reformed church pastor László Tőkés. It then spread to the capital and the rest of the country, culminating in a mock trial that resulted in the execution of the national-communist dictator Nicolae Ceauşescu and his wife, Elena, on 25 December, and the fall of the regime.

[3]   The second most powerful earthquake in Romania in the twentieth century, with a magnitude of 7.2 on the Richter scale.

As for newspapers, *Scînteia* (The Spark) was the organ of the PCR. It was first published as an underground newspaper from 1931 to 1940. When Romania switched sides during the Second World War and joined the Allies in 1944, *Scînteia* resumed publication and was officially accepted by the regime. All newspapers in Romania were administered by two institutions: Editura Scînteia (The Spark Publishing House) and the State Enterprise for Printing and Administration of Publications (ISIAP).

Scînteia, 24 November 1982. Source: Personal archive.

As the press was totally controlled, there were very few attempts at illegal, clandestine newspapers, brochures, or other types of media outlets, and they were promptly repressed. Still, there may have been more such attempts which, however, have either remained undocumented or are tucked away in the national archives.

So far, two such clandestine print media outlets are publicly known; both appeared towards the end of the Ceauşescu regime. The first clandestine magazine was *Ellenpontok* (Contrapuncte/Counterpoints), which came out in two issues in 1981 and 1983 and was edited by Hungarian intellectuals

from Oradea (Totok, 2011). The clandestine magazine was launched after the failed attempt of the members of the Ady Endre Literary Circle in Oradea to create a local literary magazine in Hungarian. Their initiative was a form of opposition to the regime's forcible national homogenisation policies which were hostile to minorities. For this reason, they attracted a strong backlash from the Securitate, which labelled them 'nationalist-irredentists' and started persecuting them. The secret police had found out about the magazine from the Hungarian news service of Radio Free Europe/Radio Liberty (RFE/RL),[4] which they were intercepting.

The second clandestine newspaper known to have been published during the nationalist-communist regime was *România* (Romania). It was launched in 1989 at the initiative of Petre Mihai Băcanu, then long-time journalist at the newspaper *România Liberă* (Free Romania), who set up a group called 'The National Alliance R' in 1988 with the aim of publishing the clandestine newspaper (Băcanu, 2003). He was arrested by the secret police in January 1989. Prior to his arrest, he had managed to publish only a single issue of the clandestine newspaper (Pârvu, 2019a).

While in 1989 there were 495 newspapers and magazines in Romania, out of which 36 dailies, in 1990 their number increased to 1,444, out of which 65 dailies (Buzaş, 2009), reaching in 2002 a total of 1,500, out of which 100 were local (Preoteasa, 2004). The early 1990s boom soon fizzled out. Whereas in 1990 the main national dailies, *România Liberă* and *Adevărul* (former *Scînteia*), had a circulation of up to 1.5 million copies, in 1992 it dropped to 110,000 and 180,000 copies respectively (Buzaş, 2009).

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4   In 1976, Radio Free Europe merged with Radio Liberty – another anti-communist radio station financed by the US Congress – and became Radio Free Europe/Radio Liberty (RFE/RL).

Media market transformations: from 'freedom' to 'mogulisation'. Increasing concentration, decreasing professionalisation

KEY FACTS AND EVENTS:

- December 1989–1990s: TVR, *Scînteia*, and other newspapers rebrand themselves as 'free', some changing their names; many undergo privatisation.
- 1991: First private television, Society for Organising an Independent Television (SOTI), begins operation; first private news agencies, AM Press and Mediafax, founded.
- 1992: Swiss company Ringier first foreign media group to enter Romanian media market, launching weekly magazine *Capital*.
- 1992: *Evenimentul Zilei* (EVZ) newspaper founded by several press editors from the national-communist period.
- 1993: Private TV channel Antena 1 and newspaper *Jurnalul Naţional* – both owned by Dan Voiculescu – launched.
- 1994–1995: Ringier takes over *Libertatea*.
- 1995: Private channel ProTV launched by Central European Media Enterprises (CME) in partnership with businessman Adrian Sârbu.
- 2001: German media group Westdeutsche Allgemeine Zeitung (WAZ) buys *România Liberă* daily; first TV news station, Realitatea TV, set up; B1TV, owned by the Păunescu family, starts broadcasting; *Libertatea* becomes best-selling newspaper.
- 2002: Ringier buys EVZ.
- 2006: Private press agency NewsIn founded; businessman Sorin Ovidiu Vîntu publicly acknowledges ownership of Realitatea TV; businessman Dinu Patriciu launches Adevărul Holding.
- 2010: Ringier sells both *Capital* and *Evenimentul Zilei* (EVZ); WAZ withdraws from Romania.
- 2011: România TV (RTV) launched by Sebastian Ghiţă.
- 2013: NewsIn goes bankrupt.
- 2014: *Libertatea* rebranded from tabloid to general news.
- 2018: Ringier buys *Gazeta Sporturilor* – GSP.
- 2019: National Audiovisual Council (CNA) withdraws bankrupt Realitatea TV's licence; Realitatea TV moves entirely online.
- 2020: New TV channel launched – Aleph News, owned by Adrian Sârbu.

In the final days of the Revolution, after Nicolae and Elena Ceauşescu fled Bucharest on 22 December 1989, several newspapers with a long history under the Ceauşescu regime were suddenly rebranded as 'free' and renamed: *Informaţia Bucureştiului* (Bucharest Information) became *Libertatea* (Freedom), *Scînteia* (The Spark) became *Adevărul* (The Truth), *Scînteia Tineretului* (The Spark of the Youth) became *Tineretul Liber* (Free Youth); others, such as *România Liberă* (Free Romania*)* or *Flacăra* (The Flame), kept their names but published their first 'free' issues.

Petre Mihai Băcanu, who had published the single issue of the clandestine newspaper *România* in 1989, continued to write for *România Liberă* after the Revolution. *România Liberă* was privatised in the 1990s, passing into the hands of several shareholders, and was subsequently bought by German media group Westdeutsche Allgemeine Zeitung (WAZ) in 2001. WAZ withdrew from Romania in 2010, accusing the 'media businessmen' who use the press to advance their other business interests and therefore 'distort' the media market (Hotnews, 2010).

Many media structures from the communist period lived on, transformed on the surface. The state television, which has always been under heavy control, broadcast live during the Revolution and was part of it. It rebranded itself as the 'Free Romanian Television', but has remained under heavy political influence to this day. According to Manuela Preoteasa and Andrei Schwartz (2015), despite the initial apparent editorial independence in the 1990s, Romanian media remained 'haunted' by habits from the national-communist past: most notably, connections of media owners to the old secret police (Securitate), lack of financial transparency, and propensity for secrecy regarding both financing sources and real owners. Some of the most visible press owners or journalists have been proven to be former Securitate collaborators, while the practice of infiltrating secret service agents into press offices has long continued, as has been revealed in the past two decades.

In the first half of the 1990s, newspapers were mostly run by journalists. This changed in the early 2000s, when national and foreign media investors began to gain ground in Romania. However, Cristian Ghinea and Alina Mungiu-Pippidi (2010) claim that being run by journalists was not a guarantee of professionalisation as the press was highly personalised – editorial policies were often dictated by the 'media stars' and their personal likes and dislikes.

The Romanian print media landscape was characterised by low foreign investments. The most notable investor was the Swiss company Ringier, which

soon became the biggest foreign publisher. It entered the Romanian media market in 1992, launching the weekly magazine *Capital*. In 1994, Ringier bought the *Libertatea* newspaper in part, and one year later, in full. In 2001, after it had positioned itself as a tabloid, *Libertatea* became the best-selling newspaper in Romania, reaching a peak audience in 2008: an average of 212,000 copies sold and 1.3 million readers (Obae, 2009). In 2014, *Libertatea* started to rebrand itself from tabloid to 'general news', and in 2016 it was officially classified as such by the Romanian Audit Bureau of Circulation (BRAT). When Ringier bought *Gazeta Sporturilor* – GSP (Sports Gazette) from Voiculescu's Intact Group in 2018, Cătălin Tolontan, former editor-in-chief of GSP, joined *Libertatea* and started publishing resounding journalistic investigations.

In 2007, Ringier became interested in the Romanian television market as well, buying a 25% stake in the newly launched Kanal D, owned by the Turkish Doğan Media Group; in 2012, it withdrew from Kanal D. Ringier also made changes in its portfolio of print media. In 2010, Ringier sold both *Capital* and *Evenimentul Zilei* (EVZ), a newspaper founded in 1992 by several press editors from the national-communist period and bought by the Swiss company in 2002. EVZ had brought a new approach, mixing quality coverage with sensationalist, tabloid-style news. The new owner was Bobby Păunescu, a businessman who also owned *Curierul Național*, a general newspaper founded by Adrian Sârbu together with other journalists in 1990. The Păunescu family also owned two regional dailies and a TV channel launched in 2001: B1 TV, the only channel that supported Traian Băsescu in the 2009 race for the presidency. George Constantin Păunescu, Bobby Păunescu's father, made much of his fortune in the 1990s, and was suspected of having connections with the former Securitate (Biro, 2010).

In 1991, one of the first post-communist news agencies, Mediafax, was founded by Adrian Sârbu, owner of the Media Pro Group which also included ProTV. Mediafax remained for a long time the biggest news agency in Romania, facing very little competition from Agerpres or other smaller agencies. Due to Mediafax's dominant position on the market, there were complaints of high prices until competition appeared (Ghinea and Mungiu-Pippidi, 2010: 320). In 2006, a new agency, NewsIn, was founded by a media group owned by businessman Sorin Ovidiu Vîntu, who at the time also owned Realitatea TV and several other TV channels and radio stations. In 2010, following the economic crisis, NewsIn underwent massive restructuring and layoffs, but nevertheless went bankrupt in 2013.

The first private TV station was launched in 1991 – Society for Organising an Independent Television (SOTI), financed by an association based in Washington. It operated until 1994 and formed many of the media stars that later moved to ProTV. SOTI's decline started with the withdrawal of US funding after the 1992 elections that consolidated the power of Ion Iliescu and the Democratic Front of National Salvation (FDSN, later PSD), with which SOTI had a somewhat tense relationship[5] (Pârvu, 2019b). After Antena 1 was founded in 1993, the two channels shared the same frequency until 1994, when the National Audiovisual Council (CNA) withdrew SOTI's licence. Antena 1 was owned by Dan Voiculescu, a businessman and politician who was later proven to have been a Securitate informant. In 1993, Voiculescu also launched *Jurnalul Naţional* (National Journal), the first newspaper with its own printing house. He went on to build one of the biggest media groups in Romania, Intact Media Group, which owns several TV channels, radio stations, newspapers and magazines.

ProTV was launched in 1995 by Central European Media Enterprises (CME) in partnership with businessman Adrian Sârbu. CME was founded in 1991 by former American diplomats Ronald Lauder and Mark Palmer, with the express purpose to establish 'free' TV channels in the former communist countries of Central and Eastern Europe. They brought a new, commercial media business model, the 'Romanian version of infotainment' (Preoteasa and Schwartz, 2015: 22), the depoliticisation of news content through its infusion with entertainment and sensationalism.

In 2001, the first news station was launched – Realitatea TV, which combined news with talk shows. The channel was owned by Silviu Prigoană, a businessman who later entered into politics and also owned several other niche TV and radio channels. Realitatea TV went through many changes in ownership and a lack of transparency about who the real owners were. In 2003, 55% of the channel's shares were sold to a Swiss investment company but were later bought by businessman Sorin Ovidiu Vîntu, who also bought the rest of its shares through different transactions including an offshore company. However, it was not until 2006 that Vîntu publicly acknowledged that he was the real owner of Realitatea TV after the CNA asked all TV channels to reveal the identity of their owners. In 2010, another businessman, Sebastian Ghiţă, took charge of managing Realitatea TV, and in 2011 Elan Schwartzenberg, also

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[5]   SOTI did not provide favourable coverage to the new regime, which also responded in kind. One journalist recalls asking for the transcript of a public Senate meeting in 1992 – his request was rejected despite the fact that the transcripts were supposed to be public.

a businessman, bought some of its shares. In that same year, 2011, Realitatea TV went into insolvency and the conflicts between Ghiţă and Schwartzenberg led to a split, whereupon the former launched another TV channel – România TV (RTV). Politician Cosmin Guşă took over part of the shares in Realitatea TV, while Elan Schwartzenberg went under criminal investigation for the takeover of the channel. In 2013, the owners of Realitatea were Cosmin Guşă and Maricel Păcuraru. The latter also went under criminal investigation in a case related to the Romanian Post and was sentenced to four years in prison but was released earlier. In 2019, Realitatea TV went bankrupt, the CNA withdrew its licence and the TV channel moved entirely online.

In 2006, Dinu Patriciu founded Adevărul Holding, a media company publishing the *Adevărul* daily and several other newspapers and magazines. Patriciu, one of the founders of the National Liberal Party, was a billionaire businessman who made much of his fortune in the 1990s by taking over the second largest oil company in Romania, Rompetrol, and later became the richest Romanian. A criminal investigation for embezzlement and money laundering in the Rompetrol case was started against him in 2006. He was acquitted in 2012, when he also sold Adevărul Holding to businessman Cristian Burci, and died two years later.

In 2007–2008, the Romanian media market became more concentrated and the term 'media moguls' entered into popular parlance due to its frequent use by then president Traian Băsescu, who instrumentalised it to political ends. The market was dominated by six big players, out of which five were Romanian and only one was foreign: Adrian Sârbu, Sorin Ovidiu Vîntu, Dinu Patriciu, the Voiculescu and the Păunescu families, and Swiss media company Ringier. In terms of circulation and audience, together they controlled about 90% of national newspapers and 45% of the television market (Ghinea and Mungiu-Pippidi, 2010: 322). This concentration was expected to ensure the professionalisation of management and to provide a stronger economic foundation, at the expense of editorial independence and quality (Avădani et al., 2007a). News became commodified, and sensationalism – part of the recipe for commercial success.

Journalists and media experts in the region considered foreign investments as a vector for more independence (Lupu and Avădani, 2020), but also drew attention to the fact that foreign (Western) companies often had double standards in the way they operated at home or in other Western countries as compared to Central and Eastern Europe, where they adapted to the corrupt

local practices (Štetka, 2012). There were high expectations from foreign investors regarding the professionalisation of journalism and the improvement of media quality, but in most cases these expectations were not met (Štetka, 2013). Some foreign-owned media outlets, such as ProTV, were even the drivers of sensationalistic coverage, imposing a business model that shifted the mission of news from public information to entertainment – *infotainment*.

The economic crisis that started in 2007–2008 hit Romanian media hard, especially the print media, forcing some newspapers to move entirely online. Advertising budgets were slashed, many media companies underwent significant restructuring and downsizing, and journalists' position became extremely precarious, leaving them more vulnerable to commercial and political pressures. National Anticorruption Directorate (DNA) investigations or convictions of owners for corruption also affected both the print media and the television market. Though it never fully recovered to pre-crisis levels, the Romanian media market returned to sustained growth starting in 2013, until another crisis hit – the Covid-19 pandemic, which is expected to bring the first decrease in seven years (Initiative, 2020).

For many years until 2007, the Romanian television market was dominated by the state television, TVR1, followed by ProTV and Antena 1 (TVR, 2008). This drastically changed after 2007, when ProTV and Antena 1 took the lead. In 2010, the audience leader was ProTV, with a 3% rating, followed by Antena 1 – 2%, Realitatea – 1.3%, Antena 3 – 1%, TVR1 – 1% and Kanal D – 0.9% (TVR, 2011). Some changes took place in the following years: Kanal D rose to third position between 2014–2015 (Obae, 2016), a position it has kept to this day, followed by Romania TV which also gained ground between 2014–2017 (Bunea, 2018), and Antena 3. Less successful during the past decade were TVR1, which dropped to eighth position in 2019, more than halving its 2010 rating, and Realitatea TV, which fell to thirteenth position that year (Bambu, 2020).

In 2020, the Romanian media market was dominated largely by the same main players. The television market was shared among CME (ProTV, which remains the leader), Intact Group (Antena 1), and Doğan Media (Kanal D), which together consistently represented around 75% of all market revenues in the last three years. A smaller slice of 3–4% went to the Digi Group (Initiative, 2018; 2019; 2020). ProTV has been the audience leader for well over a decade now.

The publishing market was largely split among Ringier, Adevărul Holding, Mediafax Group, and Burda Romania, which between 2018 and 2020 held a

total share of 73% of rate card revenues (Initiative, 2019; 2020). However, the German company Burda, publisher of glossy magazines, withdrew completely from the Romanian market in July 2020, leaving Ringier the only foreign investor in the sector. The Romanian media market had become more concentrated after Ringier's acquisition of GSP from Intact Group in 2016, when the main players were reduced from four to three.

Media and politics, money and power.
'Watchdogs' of the 'free' press: Securitate informants, undercover agents, businessmen and politicians

KEY FACTS AND EVENTS:

- 1990: Adrian Sârbu becomes advisor to Prime Minister Petre Roman.
- 1991: Dan Voiculescu enters politics, founding the Humanist Party of Romania (PUR).
- 1999: Radu Vasile (PNŢCD) government issues ordinance exempting media companies from paying advertising and publicity fees.
- 2003: Dinu Patriciu withdraws from politics to focus on his business.
- 2006: Patriciu tried for embezzlement and money laundering; Dan Voiculescu exposed as former Securitate informant.
- 2007: President Băsescu coins term 'media moguls'.
- 2008: Voiculescu placed under criminal investigation.
- 2009: Realitatea TV confronts President Băsescu live with video showing him hitting a child; during the final presidential election debate, Băsescu forces rival Mircea Geoană to admit visiting Sorin Ovidiu Vîntu's house the night before; Geoană loses elections.
- 2010: Dan Diaconescu, owner of OTV, arrested on charges of blackmail; upon release, founds the populist People's Party – Dan Diaconescu (PPDD).
- 2012: Patriciu acquitted; former TV presenter Gabriela Firea leaves journalism for politics, joining PSD and winning seat in the Senate (going on to become Bucharest mayor in 2016).
- 2013: CNA shuts down OTV.
- 2014: Diaconescu runs for president; Robert Turcescu, journalist who moderated 2009 presidential elections debate, confesses to being

undercover agent for Romanian military intelligence; Sorin Ovidiu Vîntu exposed as former Securitate informant; Voiculescu sentenced to ten years in prison.

- 2015: Adrian Sârbu placed under criminal investigation for tax evasion and money laundering related to Mediafax Group.
- 2016: Sebastian Ghiţă, owner of România TV, flees country to avoid criminal charges.
- 2019: Rareş Bogdan, former political talk show host at Realitatea TV, withdraws from journalism to run in European Parliament elections on Liberal Party ticket, and wins MEP seat.

Although the beginning of the twentieth century, after the First World War, had brought considerable diversity of the press in Romania, politically engaged media were present in the form of political party newspapers (Micu, Scurtu and Agrigoroaiei, 2003), as well as royal and state-conducted war propaganda (Anton, 2007; Dieaconu, 2018). Opposition newspapers were banned under Carol II and, later on, by the (national-)communists who created or maintained only the newspapers, radio and TV channels that were directly controlled by the Romanian Communist Party. Many of the biggest media outlets, as well as journalists with longstanding media careers before 1989, transformed overnight into the so-called 'free' press, which largely kept its connections with the main political parties, almost mirroring the affinities and rivalries on the political scene. After 1989, despite the initial enthusiasm driven by the drastic regime change, the media remained captured – but less and less by the state, and more and more by private interests (Mungiu-Pippidi and Ghinea, 2012).

One of the first examples is the case of Rodipet, the national press distribution network founded in 1952. After the 1989 Revolution, its role and relevance started decreasing due to fraudulent privatisation in 2003 as well as political instrumentalisation. Sometimes, this took the form of censorship: when newspapers published something inconvenient for local or national politicians or the government, the relevant issue of the newspaper was not distributed, being, for example, thrown out of the train (Preoteasa, 2004; Pârvu, 2019a). This capture of the Rodipet distribution network drove some newspaper owners to switch to private distribution companies, thus accelerating Rodipet's demise. The company went through several changes of ownership, both private and public, which made it the subject of criminal cases that showed it had fallen prey to political and commercial interests.

One of the most visible connections between media owners and politics was the case of Dan Voiculescu or 'Felix' – his former Securitate code name revealed in 2006. In 1991, he entered politics, founding the Humanist Party of Romania (PUR), later renamed the Conservative Party (PC). He served several terms in office as Senator and was also vice-president of the Senate. His party became a political ally of the Social Democratic Party (PSD) during the Năstase government in the early 2000s, but frequently switched political sides, forming alliances both with the right (PDL-PNL) and with the left (PSD) so as to secure seats in Parliament and government. Voiculescu and his party's political career grew in parallel to the influence of his media empire, registered under the name of his daughter, Camelia Voiculescu. He headed the Parliamentary Committee that in 2007 initiated the impeachment procedure against President Traian Băsescu, who became his express enemy and against whom his Antena TV channels led an intense media campaign for years. In turn, Băsescu coined the term 'media moguls', frequently attacking big owners like Voiculescu, Vîntu, and Patriciu. Băsescu managed to use criticism of media owners' political influence over their media outlets to his advantage, presenting himself as a victim of their targeted attacks through media. In 2008, Voiculescu was placed under criminal investigation for money laundering and fraudulent privatisation. In 2014, he was sentenced to ten years in prison, but was released after less than three years on grounds of good behaviour: allegedly writing several books and carrying out different work activities.

Prior to launching ProTV, Adrian Sârbu had a brief foray into politics in the first Petre Roman government in 1990, as advisor to the prime minister, having played the role of 'camera operator' during the Revolution. Although he soon quit politics to launch the MediaPro brand and start building his media empire, he remained close to the circles of power. At the beginning of the 2000s, ProTV was one of the most heavily indebted television channels in Romania, owing the state millions of dollars. Many suspected that this debt was tolerated by state authorities in exchange for a less critical stance towards the government (Avădani et al., 2007a; Preoteasa and Schwartz, 2015). This suspicion was fuelled by the fact that at the end of the Năstase government in 2004, MediaPro as well as the other indebted media groups suddenly paid off their debts after the presidential and parliamentary elections which brought a significant change in power: PSD governance was replaced by a centre-right alliance formed by the National Liberal Party (PNL) and the Democratic Party (PD).

Suspicions around ProTV's relationship with the state were also fuelled by the emergency ordinance issued by the Radu Vasile (PNȚCD) government in 1999,

which was supposed to exempt media companies from paying advertising and publicity fees as well as related penalties, which was believed to benefit mostly ProTV (Marian, 2014). The Năstase government intended to approve this ordinance in 2001, but the final decision was continuously postponed until 2014, when it was finally rejected by the parliamentary majority around PSD. Later, tensions were revealed between Sârbu and then PSD prime minister Victor Ponta (Mediafax, 2014). In 2015, a criminal investigation was launched against Adrian Sârbu for tax evasion and money laundering related to the Mediafax Group, and he spent four months under arrest. As of October 2020, his trial is still ongoing. He is also under criminal investigation, together with former president Ion Iliescu, former prime minister Petre Roman, a former head of the secret services (SRI) and other important figures, in the 'Mineriad' case (in which miners quashed protests against the government in June 1990), for allegedly having solicited explosives to blow up the protesters. Meanwhile, in 2020 Sârbu launched a new television channel, Aleph News.

Sorin Ovidiu Vîntu, owner of Realitatea TV, was one of the people who became rich in the early 1990s. He is best known for the National Investment Fund (FNI), a Ponzi scheme in which more than 300,000 people lost their savings. After an initial apparently good relationship with former president Traian Băsescu, Realitatea TV being among the few channels which supported him, from 2007 Băsescu began to increasingly attack Vîntu as one of the 'media moguls' (Mediafax, 2010). In the presidential elections of 2009, Vîntu and his TV channel played an important role. On the one hand, Realitatea TV confronted Băsescu live with a video showing him hitting a child, obtained from Dinu Patriciu, owner of Adevărul Holding (Pantazi, 2009). On the other hand, during the final presidential election debate, moderated by Robert Turcescu, a journalist who was later confirmed to have been an undercover agent for Romanian military intelligence, Băsescu (who was also later confirmed to have been a Securitate informant) took his political opponent, Mircea Geoană (PSD), by surprise, asking him about his alleged visit to Vîntu's house the night before, which Geoană was forced to admit. Geoană lost the elections although he had a clear advantage in the polls, which led many to believe that this debate cost him the election. In 2014, it was revealed that Sorin Ovidiu Vîntu had also been a Securitate informant. He was eventually sentenced to a total of 11 years in prison on several counts, including embezzlement and blackmail.

Sebastian Ghiţă, one of the youngest Romanian millionaires, Vîntu's former business partner who ended up pressing criminal charges against him, set up a new television channel in 2011, România TV (RTV). A member of PSD, Ghiţă was

close to prime minister Victor Ponta, and in 2012 won a seat in Parliament. He resigned from PSD and joined the right-wing nationalist United Romania Party (PRU) in 2016, and then fled the country to avoid arrest on charges of influence peddling, tax evasion, and money laundering.

Dinu Patriciu, owner of *Adevărul*, the best-selling Romanian daily newspaper, was also heavily involved in politics. One of the founders of the National Liberal Party (PNL), he held public office as Minister for Public Works and Territorial Planning, and served several terms as MP. He withdrew from politics in 2003 to focus on his business, but kept his political ties, sponsoring several candidates and parties in election campaigns (Mediafax, 2008). Patriciu was put on trial in 2006 for embezzlement and money laundering, but was acquitted in 2012 and died in 2014.

Another case worth mentioning is that of OTV, a local TV station set up in 2000 with limited resources by journalist Dan Diaconescu, who broadcast long live shows with himself and other guests, usually laypersons talking about sensationalist topics: scandals, crime, occultism, etc. In 2002, OTV's licence was withdrawn for two years for violation of audio-visual regulations, but Diaconescu accused the government of censorship. In 2004, OTV started broadcasting again in a similar format, 'offering Romanians extreme forms of infotainment with bizarre characters' (IREX, 2009: 89). OTV was one of the few television channels that often invited President Traian Băsescu to appear on air, and his presence in the shows brought some legitimacy to the channel. Because of OTV's success, mainstream media copied its model in some of their shows, which led to the 'OTV-sation' phenomenon, a tabloidisation of TV shows. In 2010, Diaconescu was arrested by the National Anticorruption Directorate on charges of blackmailing a local mayor. Diaconescu was soon released and, claiming his arrest was politically motivated, announced that he would run in the next presidential elections as well as form a new political party, People's Party – Dan Diaconescu (PPDD). PPDD, considered to be a populist party (Gherghina and Miscoiu, 2014), was founded in 2010. Diaconescu ran in the 2014 presidential elections, but won less than 5% of the vote. OTV helped him launch his political career and was used extensively to promote his party, which also drew sanctions from the CNA. The CNA eventually decided to shut down the channel in 2013 because of repeated violations of broadcasting rules and non-payment of imposed fines. In 2015, Diaconescu was found guilty of blackmailing the local mayor and sentenced to five and a half years in prison.

In their study, Ghinea and Mungiu-Pippidi (2010: 12) conclude that 'The way these TV news stations operate might be seen as a metaphor for Romanian media: extreme fragmentation, politicisation and preferential arrangements between the owners and the state.' The situation of the local press is sometimes even bleaker, and this drives away foreign investors, as was the case with WAZ. Václav Štetka (2013) has found that the media system in Romania, as in many other Central and East European countries, is characterised by investments in the press by local business tycoons who buy media outlets in order to use them to promote their political and economic interests, which therefore increases domestic investments often at the expense of foreign capital, which gradually withdraws.

The connection between mass media and politics in Romania has been strong in the past three decades of 'free' press. Media owners have been directly involved in politics or close to political power. But there have also been many cases of journalists turning into politicians, using their visibility, credibility and popularity in the media to gain electoral credit, some with great success. Some notable examples are those of Gabriela Firea who, after a long career in newspapers, radio and television, joined PSD and was elected mayor of Bucharest in 2016, running for reelection in 2020 but coming second; or Rareş Bogdan, former host of a popular political talk show on Realitatea TV, who joined PNL and now holds a seat in the European Parliament.

Public service media:
a history of subordination to state power

KEY FACTS AND EVENTS:

- 1889: Romanian Telegraphic Agency (predecessor of the Romanian national news agency Agerpres) founded.
- 1927: Council of Ministers approves establishment of Romanian Radio Broadcasting Company (SRR), which starts broadcasting in 1928.
- 1956: Romanian Television (SRTV) founded and merged with Radio Romania under Romanian Radio-Television.
- December 1989: TVR rebrands itself as TVRL (Free TVR).
- 1990: News agency Agerpres rebranded as Rompres.

- 1991: Public service media (PSM) subscription taxes replaced by annual audio-visual tax.
- 1992: First Audiovisual Law adopted; CNA established under it.
- 1994: Romanian Radio-Television split into Romanian Radio and Romanian Television, whose functioning is regulated by Law 41/1994; annual audio-visual tax replaced by TV and radio subscription taxes payable only by owners of a radio or TV receiver.
- 2002: New Audiovisual Law adopted.
- 2003: TV and radio subscription becomes mandatory, to be paid by all Romanian citizens regardless of whether they own a receiver or not.
- 2005: Series of legislative proposals aimed at improving PSM operation initiated by several political parties after Parliament issues negative evaluation report of Romanian PSM. None of these, and other legislative proposals of this type initiated over the next decade, would be adopted.
- 2009: Rompres rebranded back to Agerpres.
- 2016: Parliament passes law abolishing radio-TV tax and providing for PSM financing mostly from state subsidies as of January 2017.
- 2017: TVR's outstanding debt paid by government and its annual budget raised; legislative proposal PL-x nr. 438/2017 initiated to amend law regulating Agerpres's operation and grant Parliament power to arbitrarily dismiss agency's director.

Public service media in Romania include the Romanian Television (SRTV) with its TVR channels, the Romanian Radio Broadcasting Company (SRR) and the National Press Agency, Agerpres. The Romanian Television was founded in 1956; it was subordinate to the Radio and Television Committee which reported to the Council of Ministers. In the same year, it was merged with Radio Romania (founded earlier, in 1928), forming the Romanian Radio-Television. In 1994, the latter was split back into SRR and SRTV, whose operation is regulated by Law 41/1994.

The state-owned Agerpres is the oldest news agency in Romania, dating back to 1889 when it was founded under the name of Agenția Telegrafică a României (Romanian Telegraphic Agency). It was rebranded as Agerpres in 1949, as Rompres in 1990, and back to Agerpres in 2009. However, it has remained somewhat irrelevant and, being under the direct control of the Parliament, has been involved in several cases of editorial censorship and of giving in to

pressure from the government or different politicians (Tolontan, 2019). In 2013, the former head of the press office of PSD, Alexandru Giboi, was appointed director general of Agerpres. In 2016, the news agency was accused of editorial intervention in the context of an interview with then education minister Adrian Curaj that was toned down to avoid sensitive/controversial topics. But the most serious threat to the agency's independence came in 2017, with a legislative proposal to amend the law regulating the operation of Agerpres so as to align it with the public service radio and public service TV in the subordination of its director to the Parliament. Agerpres is the only one of the three Romanian PSMs whose director cannot be dismissed arbitrarily by the Parliament by rejecting the agency's activity report. This has been proven over time to be the main instrument of political control, because there are no criteria stipulated for the rejection of the report, nor any requirements for justification of the decision. Without any safeguards against abuses, all political parties have de facto instrumentalised this legal gap, rejecting the PSM reports whenever they wanted to change the management with one that was more favourable to them. Alexandru Giboi, the director general of Agerpres, opposed this change, criticising the tendency to politicise the agency. The proposal was adopted by the Senate and received the government's support in 2020.

During the national-communist regime, TVR served as the regime's ideological instrument. However, in TVR's first decades, starting with the appointment of Silviu Brucan in 1962 as its vice-president, it developed close relations with the BBC, which was a source of know-how (Mustaţă, 2012). TVR programmes combined an educational and informational component with entertainment, and there was space for diversity, which completely disappeared at the beginning of the 1980s. The last stage of Ceauşescu's dictatorship brought total control and politicisation of television, a stigma which would remain long after the end of the regime. However, Dana Mustaţă (2012) has pointed out that TVR's development under the national-communist regime was not very different from that of Western broadcasters, and that it wasn't defined entirely by political control – which was the case in the late 1970s and throughout the 1980s.

During the Revolution, TVR rebranded itself as the 'free' television, adding an L for 'Liberă' (Free) to its name to mark the change – TVRL. But despite the initial enthusiasm and public trust won as a result of the important role TVR played during the Revolution, it soon became clear that the state television broadcaster had failed to free itself from the state, aligning with the new regime that came to power (Martin and Ulmanu, 2016).

At the start of the 1990s, TVR had a partial monopoly on audiences and had their trust as well, which made it a strong competitor of the newly launched private TV channels. The state television broadcaster had almost 99% coverage, including most rural areas, whilst private stations covered only 50–72% (Preoteasa, 2004). Competition started when the CNA defined the procedures for obtaining national satellite broadcasting licences in 1995, which opened up the Romanian market for nationwide private TV channels. As a result of the competition from the latter, which applied a highly commercial model and various forms of infotainment, TVR also began to adopt a more sensationalistic approach at the expense of the more educative and cultural programmes (Coman, 2003). However, this was not enough to keep up with the competition.

In 2006–2007, TVR was still the audience leader, but had a significant drop in rating and market share. TVR's market share dropped in a decade from 34.4% in 2002 to 4.5% in 2012. TVR1 saw its rating decline from 5.4% in 2002 (TVR, 2013) to 3.4% in 2007 (TVR, 2008), and went on to lose its leading position and sink lower and lower in people's preferences, reaching a 1% rating between 2010 and 2014. From 2015 (TVR, 2016), TVR's rating started to drop well under 1%, where it is currently placed (Bambu, 2020; TVR, 2019).

Among the problems that former TVR directors themselves have acknowledged (Avădani et al., 2007b) are: old infrastructure, lack of performance criteria for management positions and of a well-defined and sustainable strategy and vision, and a very low TV tax – which was recently abolished altogether. Starting in 2006, over the next decade TVR ended every year in the red, accumulating a huge debt. By the end of 2016, it owed the state approximately 145 million euros. Part of the reason was the TV tax, the lowest in Europe: less than one euro per month, compared to a European average of 13 euros (Bunea, 2014). This was the result of a decision by the Năstase government in 2003, which made TV subscription mandatory and subject to a TV tax set by government decree. Because there were no other provisions regarding the conditions under which the tax should be determined or updated, leaving it at the political will of the incumbent government, the tax remained unchanged for 14 years and in 2016 it still amounted to around one euro per household per month. Despite many recommendations that the tax be increased (Martin and Ulmanu, 2016) – which was not necessarily a popular measure due to the decreased credibility of the institution and dissatisfaction with the programmes it offered – at the end of 2016 the radio-TV tax was abolished altogether, leaving the state radio and TV broadcasters to rely mostly on state subsidies. This led to an even more poignant politicisation of the state media (Lupu and Avădani, 2020). In 2017, the

PSD-ALDE government paid off the entire debt of TVR and increased its budget (which was now to be financed entirely by the state), but did not address any of the other major problems that had led to TVR's disastrous situation.

There is a large consensus that the law regulating TVR's operation is a big part of TVR's problems and that it keeps the television station politicised. Law 41/1994 stipulates that, if the Parliament rejects the annual activity report of the public service radio and TV broadcasters, this automatically leads to the dismissal of their Council of Administration. This mechanism has been continuously used by all political parties, irrespective of their political affiliation, to abuse the law and turn it into a way to control who is in charge of TVR. Arbitrary dismissals are possible because the law does not define specific conditions for the rejection of the report, nor does it require justification of the decision or sanction abuses. As a result, despite the fact that the term in office of the TVR Council of Administration members is four years, only one of the 13 president-directors general of TVR since 1989 has served their full term in office. The average time served in this position is around two years, which is only half of what the law stipulates. Such short terms make it impossible for the PSM management to carry out a long-term strategy and are a clear reflection of how the current law allows ruling political parties to change the PSM management upon every change in Parliament and government. This goes against the common principles agreed upon by the European Broadcasting Union (2020) to ensure the independence of PSM.

ActiveWatch, an NGO that since 1999 annually monitors the state of the media in Romania, has concluded that TVR has been continuously subordinated to political power, irrespective of which party is in power. But while in the case of private TV channels the political biases have often been more obvious, leading sometimes to sanctions from the CNA, TVR's reporting in the 2000s seemed rather balanced on the surface, complying with the audio-visual representation rules. Rather, TVR's pro-government biases were shown by omission of certain topics or news that might represent the politicians in power in an unfavourable light (Ganea and Martin, 2005). However, this balanced coverage had later degraded, TVR's bias in favour of the then PDL government being manifested not only through disproportionate representation but also through dominance of pro-government political commentators and 'political marketing' (Ganea et al., 2012). This visible politicisation and subordination to state power continued in the following years, irrespective of which political party was in power, in some cases being sanctioned by the CNA as well as the Constitutional Court. In 2018,

the president-director general of TVR, Doina Gradea, was accused by TVR journalists of censorship, abuse of power, and intimidation tactics.

There have been many cases of journalists from both the state television and the public radio (SRR) complaining of censorship and political pressures, including targeted attacks (Ganea and Martin, 2005; Ganea et al., 2013; 2014), but those complaints have remained largely unaddressed by the PSM management. At SRR, journalists organised themselves into a group called Radio Romania Professional Initiative, which aimed to expose cases of censorship and editorial interventions within the radio. They argued that these cases usually involved the management or journalists connected to the ruling party, or with a past career in the national-communist propaganda system (Capital, 2005).

As a result of these problems, in 2005 several civil society organisations together with PSM journalists formed a working group to propose significant changes to Law 41/1994 that regulates PSM operation, aiming to depoliticise the two public service broadcasters. Political parties instrumentalised the issue, the centre-right alliance making electoral promises that they would amend the legal framework so as to reform the PSM but, once in power, broke their promises (Ganea and Martin, 2006). Thus, as of 2020 the legal framework on PSM remained unamended, despite many other legislative proposals. The repeated failed attempts to pass amendments to the law have shown the absence of political will on this issue.

Despite many warnings from the TVR management regarding its financial problems, the latter were not addressed and TVR accumulated a huge debt. TVR also lost lawsuits filed by more than 700 employees whom it was obliged to pay for their unindexed salaries over the course of four years. Production budgets were cut, public trust in TVR deteriorated due to perceived politicisation, and the audience was dissatisfied with the quality of TVR programmes. These issues made people unsympathetic to TVR's financial situation and not very receptive to a potential increase of the TV tax. To these was added the failure of TVR to provide live coverage of the Colectiv tragedy.[6]

In addition, PSM faced the problem of undercover secret service agents in top management. In 2012, Claudiu Săftoiu, a former head of the Foreign

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[6]   This involved a fire at a club in Bucharest on 30 October 2020, in which 64 people died and over 100 were injured.

Intelligence Service (SIE) and former adviser to President Traian Băsescu, was appointed president-director general of TVR, while Ovidiu Miculescu, appointed head of SRR, was a former collaborator of the Securitate. In 2016, a criminal investigation was launched against Miculescu and other members of SRR's Council of Administration for abuse of office and conflict of interest. Miculescu was involved in several scandals, including over using SRR to conduct a campaign against a legislative proposal separating the two management positions, that of PSM director general and of president (a campaign sanctioned by the CNA), and harassing whistleblowers through sanctions and criminal complaints against them (Tolontan and Oprea, 2019; ActiveWatch, 2016).

The CNA has proved ineffective in controlling the multiple deviations from the audio-visual rules and has lost credibility due to its own involvement in scandals regarding politicisation, conflicts between board members, and failure to sanction wrongdoing. Moreover, several CNA members have been under investigation for corruption. In addition, there have been long intervals when the institution could not function due to lack of quorum, which led to serious violations of audio-visual rules, some during election campaigns, that were left unsanctioned (Ganea et al., 2017), and a further self-discrediting of the institution.

The journalistic profession: alienated, vulnerable and precarious

KEY FACTS AND EVENTS:

- 1994: Press Monitoring Agency (AMP), later known as ActiveWatch, established.
- 1998: Romanian Press Club (CRP) and Romanian Audit Bureau of Circulation (BRAT) established.
- 1999: AMP launches *Freedom of Expression – FreeEx* programme.
- 2001: Romanian Union of Journalists (MediaSind) founded.
- 2002: Convention of Media Organisations (COM) established and coordinated by ActiveWatch and Centre for Independent Journalism (CJI).
- 2004: First Collective Labour Agreement in the Media concluded; COM publishes Journalist Statute and Code of Ethics of COM.

- 2007: BRAT starts providing data on website traffic through the Internet Audience and Traffic Measurement (SATI) study.
- 2007–2008: Global financial crisis hits Romanian media sector hard, its effects to be felt for years to come, deepening the precarity of journalists (especially at the local level) and media's vulnerability to increased politicisation.
- 2009: Group for Good Journalistic Practices, formed of COM organisations, adopts Unified Code of Ethics.
- 2014: Coalition for a Clean Press initiated by Romanian Academic Society (SAR), CJI and ActiveWatch.

In 1998 was founded the Romanian Press Club (CRP), an association of editors and journalists that was responsible for the first ethics code, published in 2003. By that time, CRP had managed to attract 40 publishing houses, including the most important national media institutions. CRP also had its controversies, being seen by some as 'a close circle of powerful insiders who wanted to influence the government to their benefit', where journalists were increasingly replaced by corporate representatives of media conglomerates as the media market gradually changed (Ghinea and Mungiu-Pippidi, 2010: 325–326). The CRP Journalist's Code of Ethics remained largely on paper.

In the same year, 1998, was founded the Romanian Audit Bureau of Circulation (BRAT), a non-profit, independent organisation formed of media owners, media agencies, and advertisers. It aimed at establishing standards and methodologies for measuring media performance and auditing circulation figures so as to provide reliable audience data. Since 2007, BRAT also provides data on website traffic through the Internet Audience and Traffic Measurement (SATI) study.

In 2001 was established the Romanian Union of Journalists (MediaSind), which later became a federation and signed the first Collective Labour Agreement in the Media in 2004. MediaSind is also a member of the International Federation of Journalists (IFJ) and the European Federation of Journalists (EFJ), and many of its members are journalists from the public service media. MediaSind, which managed to attract thousands of members, joined the Convention of Media Organisations (COM), a coalition of over 30 media organisations, journalists, media owners, and journalist unions founded in 2002 and coordinated by ActiveWatch and the Centre for Independent Journalism (CJI). COM organised

a series of meetings and conferences and created the first self-regulatory mechanism in the Romanian media sector, the Journalist Statute and the Code of Ethics of COM, in 2004.

In 2009, COM organisations set up the Group for Good Journalistic Practices, which adopted a Unified Code of Ethics and was responsible for overseeing potential violations.

Despite those efforts, self-regulation was insufficient to ensure the adoption of and voluntary compliance with the Code of Ethics. The press was at best superficially responsive to self-regulation initiatives, even when they were prompted by public authorities. Such was the case of the Romanian Audiovisual Communications Association (ARCA), an association of the major Romanian radio and television broadcasters. When the CNA ordered media organisations to publish the Code of Ethics that they used, ARCA published a document that was adopted and written by the management rather than journalists and that, instead of providing safeguards for editorial independence, expressly stated that broadcasters can intervene arbitrarily, at their will, in editorial activity (Ganea et al., 2012).

Media experts and journalists became increasingly sceptical about the possibility of self-regulation, due to the lack of willingness on the part of media owners or the lack of credibility and reciprocal trust within the journalistic community; still, the majority preferred these efforts rather than state regulation (Ganea and Tiţa-Călin, 2009; Avădani et al., 2006). In 2014 there was another self-regulation initiative – the Coalition for a Clean Press (Coaliția pentru o Presă Curată), founded by the Romanian Academic Society (SAR), CJI and ActiveWatch in an effort to help regain public trust in media. The Coalition called on press managers to publish their media outlet's shareholding structure, big advertising clients, financial revenues and debt (Coaliția pentru o Presă Curată, 2014). Only eight national and 10 local media outlets responded to the call (România Curată, 2014).

Journalists in Romania did not have a strong enough representation to counter the political and commercial pressures they were subjected to. Private media organisations discouraged their employees from unionising, which left many of the journalists from commercial outlets without any representation and also made it difficult for the existing unions to gain strength. Journalists were left to feel alone and vulnerable, without real means of protection against abuses, editorial interventions or cuts in salaries and other work-related

rights (Ganea and Martin, 2006). Especially after the global financial crisis, work conflicts increased and this made journalists more involved in union activities, all the more so after a number of lawsuits were won by journalists, not by media owners (Ganea et al., 2012). The financial crisis led to further de-professionalisation of the media industry and deepened journalists' precarity. Many media organisations reduced the number of their employees almost by half, some newsrooms being left with only three or four people to do all the work, who, furthermore, were underpaid and with unstable jobs (Avădani and Lupu, 2016). This increasing de-professionalisation marked by violations of journalistic ethics and even of the law became visible and began to be sanctioned by the CNA and in courts, not just by civil society organisations. Besides tabloidisation and practices such as publishing graphic and highly disturbing images, the press also started to publish disinformation with the aim of political manipulation (Ganea et al., 2017).

One of the biggest problems that Romanian journalists still face is economic precarity, which leaves them vulnerable to political and commercial interference and makes it difficult to produce high-quality journalism. Low wages are a national problem in most sectors of the economy, but journalism has been one of the more precarious areas, especially after the 2007–2008 global financial crisis from which Romanian mass media have not yet fully recovered. It is estimated that journalists at local media outlets earn between 1,200 and 2,500 lei per month after tax, the equivalent of around 250 to 500 euros (Lupu and Avădani, 2020). This sum is not sufficient for a decent standard of living, considering that the minimum income for a decent living for a single adult was calculated in September 2019 at 2,621 lei per month (FES, 2019).

The financial crisis hit especially the newspaper industry, which also suffered because of the increasing online content. Romanian readers did not get used to paying for news, and when the news websites started providing content for free, newspaper readership decreased. With less revenue both from newspaper sales and advertising, many media outlets had to restructure, cutting jobs, and became more vulnerable and dependent on money from politicians, public authorities, or commercial actors:

> If between 2004 and 2014 the control was mainly political, the media being owned by politicians, directly or through intermediaries, now it is enough to pay for the content. 'You don't even have to buy a print media outlet, you can just hire it now.' (Lupu and Avădani, 2020: 49)

The new practices of editorial control included advertorials and public budget allocations – public authorities being among the first media buyers, especially in the case of local media outlets. Journalists in many cases complain that they have been reduced to the role of 'press release editors' (Lupu and Avădani, 2020), indirect spokespersons for public authorities or different organisations. The precarity, constant pressures, poor infrastructure, bad management, lack of training and prospects for development, as well as the feeling of being useless and irrelevant, have driven many journalists to migrate to other jobs and other fields. Some have migrated to politics, or become spokespersons for authorities, thus implicitly revealing their previous connections or positioning. Over the past decade and especially in the past five years, there have been many cases of journalists with a long career in media who have migrated to politics and ran in elections or announced their intentions to do so.

There has been some progress in the area of journalists' safety. If in the first two decades after 1989 journalists were often physically abused, cases of direct violence against journalists have since decreased – with the exception of anti-corruption protests in recent years, where journalists have also been subjected to police brutality. In addition, intimidation, harassment and even threats against journalists are still quite common, especially coming from public authorities and politicians, and seem to have increased in recent years.

Source: Reporters Without Borders.

Access to the profession remains relatively open, but it reproduces the same types of discrimination that are common on the entire Romanian job market, most frequently structural racism (ECRI, 2019). People in media organisations complain that it has become difficult to find motivated, well-

informed journalists to hire, and think that journalism faculties are partly to blame because they are disconnected from practice and do not adequately prepare students for work in a newsroom (Lupu and Avădani, 2020). The problems run even deeper: high functional illiteracy, as repeatedly shown by the low PISA scores (OECD, 2019; 2016), deficient critical abilities of both teachers and students (Schwab, 2018). The poorly developed educational system fails to equip young people with the necessary skills before they reach university. Abilities like critical thinking are crucial for journalistic work and if one doesn't acquire them before being admitted to a three-year BA program, it is difficult to see how the latter could fill this gap. As a result, media literacy in Romania takes a paradoxical form: despite generally having the necessary ICT infrastructure and digital skills, people lack the capacity to critically use them.

Digitalisation and online media environment: building on the ruins of the printed press

KEY FACTS AND EVENTS:

- 1999: RevistaPresei.ro, one of the first exclusively online news portals, launched (the future Hotnews.ro, one of the biggest news websites in Romania).
- 2006–2007: Digital expansion starts with increase in blogs and newspaper websites.
- 2009: Think Outside the Box (TOTB), an online community of independent journalists initially publishing articles on other news websites (e.g. Hotnews and Adevărul), set up.
- 2011: Casa Jurnalistului, one of the first communities of independent reporters publishing exclusively online, set up; Dela0.ro, a self-sustaining alternative journalism platform, launched; TOTB starts own website.
- 2012: RISE Project, a non-profit investigative journalism initiative, founded.
- 2015: PressOne, an independent online publication, launched.
- 2015–2020: Internet and social media use (including for news), grows; investigative journalism initiatives multiply.

- 2017: Recorder, an online independent publication, launched; Să Fie Lumină (Let There Be Light), a crowdfunded investigative journalism initiative, starts publishing articles online.
- 2019: Inclusiv, the first membership-based, non-profit news website, launched after raising over 100,000 euros in crowdfunding campaign.
- 2020: Printed newspaper consumption drops to one of the lowest levels in EU; online advertising budgets reach peak, 10 times bigger than in 2007.

Though television remains by far the preferred source of information for 97% of Romanians and internet use is below the EU average, there is also a steady increase in online use: 60% use the internet and social media (European Commission, 2019a), and the same percentage consider social media a good way to keep up-to-date with current political affairs (European Commission, 2018).

The internet is used in Romania by around 90% of the population, out of which 75% use it (almost) daily and 86% use it to access social media (INSSE, 2018). The internet and social media are the least trusted of all channels, but nonetheless their credibility is increasing: by the end of 2019, 39% of Romanians tended to trust social media, compared to 28% in 2018, and 44% said they trusted the internet in general, compared to 37% in 2018 (European Commission, 2019b). Overall, recent years have also seen a slight restoration of Romanians' trust in media. If in the autumn of 2018 only 57% said they had some trust in the press, less than the EU average, their share jumped to 70% in just a single year, well above the EU average. There is not enough data to identify the reasons for this increase in trust, but the Eurobarometer surveys clearly show that Romanians' feelings about the press have fluctuated significantly in the last five years. The rise of independent media platforms and investigative journalism initiatives may also have contributed to increasing trust in the press in Romania.

Technological advances combined with the politicisation of media have transformed the work of journalists. Some of them complain about de-professionalisation, arguing that nowadays many journalists don't even go out for news, but simply receive online photos, videos, press releases or other forms of information from public authorities, or choose to make news out of Facebook posts – a questionable practice, especially when it is abused (Lupu and Avădani, 2020).

For many newspapers, revenues from online have become almost equal to those from print, and some journalists think that in a few years printed newspapers and magazines will disappear almost completely (Lupu and Avădani, 2020). Online expansion started around 2006–2007, with the big newspapers' websites as well as smaller publishers and blogs that managed to support themselves, all sharing an advertising market of around six to eight million euros (Comănescu, 2007). In 2019–2020, blogs became almost obsolete, while social media increasingly gained ground, including as a news source. According to the latest Reuters Institute Digital News Report, the internet and social media, together with television, are the main sources of news for Romanians, while printed newspaper and magazine consumption has dropped to one of the lowest levels in the EU (Newman et al., 2020). However, there is still a rather large gap between the younger and older generations: the former prefer the internet while the latter remain an adept of television, especially in rural areas. Online advertising budgets have increased more than 10 times since 2007, reaching a peak of 99 million euros in 2020 (Initiative, 2020). In 2019 there were 11 million active social media users in Romania, mostly of Facebook, followed, by a wide margin, by Instagram (ibid.). Unlike Western countries, Twitter has gained very little popularity among Romanians and is the least preferred social media platform.

The rise of social media as a news source, however, has also brought new, significant challenges. One is a new form of media capture, 'infrastructural capture' – 'circumstances in which a scrutinizing body is incapable of operating sustainably without the physical or digital resources and services provided by the businesses it oversees and is therefore dependent on them' (Nechushtai, 2018: Abstract) – which could pose risks related to the competition for digital advertising revenues that makes the situation of the press even more precarious. In addition, significant difficulties are posed by what Facebook terms 'coordinated inauthentic behaviour', as well as by the spread of disinformation. Both are mechanisms of political and ideological propaganda that are hard to control, especially in a manner that is not itself biased. In July 2020, Facebook removed 35 accounts and three pages on Facebook and 88 Instagram accounts operating from Romania and pretending to be American accounts, conducting pro-Trump propaganda. Earlier, in March 2019, Facebook had also removed 31 Romanian pages, groups and accounts for promoting, in a coordinated way, politically biased content favouring PSD, while posing as anti-fake-news outlets or independent sources (Gleicher, 2019). However, the problem with such interventions is that they can be arbitrary and are decided solely by Facebook on the basis of rules that are not transparent, therefore posing risks of further instrumentalisation or perpetuation of biases.

Another problem brought by online and especially social media is the rise of hate speech. Platforms like Facebook are much more open to public participation than other media channels, but they are also mostly unregulated. In a country like Romania where discrimination on grounds of race, class, ethnicity, gender identity, sexual orientation, disability, etc., is high and norms of civil discourse are rather low, unmoderated and unsanctioned freedom of expression gives rise to uncontrolled hate speech (Marincea, 2019). In most cases, newsrooms don't have sufficient resources to allocate for moderation online, let alone for moderation on their social media pages. Leaving moderation solely up to Facebook has also been shown as faulty because the IT giant doesn't have the capacity to deal with all instances of hate speech, and has been proven many times to have its own issues regarding biased rules, insufficiently trained moderators, or moderators who must make fast decisions on very complex, often highly subjective, issues. In practice, this translates into pages and groups that spread hateful or even far-right content that goes unnoticed for years – or, even worse, that is noticed and reported but Facebook doesn't consider it a breach of its 'Community Standards'. One eloquent example is found in a study conducted by the Elie Wiesel National Institute for the Study of the Holocaust in Romania, which monitored Facebook and YouTube accounts. They identified and reported over 150 Facebook groups actively instigating and spreading hate speech against Roma and Jewish people, regarding which Facebook decided to suspend the accounts or delete the hateful posts in just 10% of the reported cases (INSHR-EW, 2017).

Despite these growing concerns, there have also been notable positive developments. With the rise of online media, new media platforms and business models have appeared that allow for more editorial independence. Investigative journalism initiatives have multiplied and they are no longer the exclusive territory of big publishers like *Gazeta Sporturilor* or *Libertatea*, both owned by the Swiss media group Ringier. The resurgence of investigative journalism in the last decade is due partly to the rise of online consumption, partly to the failure of the traditional media business model which has become ineffective since the global financial crisis, leaving many disillusioned. At least for some, the lessons have been that investigations have no place in newspapers or television channels whose existence depends on public money, or on money that comes with a political or commercial agenda. The tabloidisation and politicisation of the press have created a need for quality journalistic content which these new media models have, until now, successfully explored. Having produced a series of quality and impactful investigations, initiatives like Think Outside the Box (TOTB), Casa Jurnalistului

(Journalist's House), Dela0.ro, RISE Project, PressOne, Recorder, and Să Fie Lumină (Let There Be Light), have started gaining readers' trust and building an audience among the middle class that is willing to pay for journalistic content in the form of donations or subscriptions. Currently, it is estimated that around 16% of Romanians, mostly from urban areas, pay for online news (Newman et al., 2020).

The most ambitious new business model that has appeared in recent years is that of Inclusiv, Romania's first membership-based non-profit news website that aims to support itself exclusively from readers' contributions. It was launched in 2019, after the Inclusiv community of journalists raised 104,000 euros from 1,600 members in a crowdfunding campaign (Mako, 2019), and in 2020 it had a monthly budget of almost 4,000 euros from 820 members.

However, this resurgence of investigations has also led to harassment, intimidation, and threats against journalists. Among the most notorious recent cases have been those of journalists Emilia Şercan and Diana Oncioiu. In recent years, Emilia Şercan has been investigating cases of plagiarism among high-ranking officials, including at the Police Academy, as well as efforts to cover them up by measures such as limiting public access to the library where the allegedly plagiarised PhD theses were found (including the rector's). After publishing several articles on the topic on the independent online journalistic platform PressOne, in 2019 she received death threats unless she stopped her investigations. Investigators found that the death threats had been sent by a police officer at the Police Academy, who was given a suspended sentence of one year in prison, while the former rector and vice-rector, accused of instigating blackmail, are still on trial. Similarly, Diana Oncioiu from Dela0.ro (an independent journalism platform) was threatened with physical violence if she continued writing about the Church in the context of her investigations within the investigative project Să Fie Lumină regarding cases of paedophilia at a theological seminary and efforts to cover them up.

Other types of harassment and intimidation were formalised, carried out by public authorities using regulations such as the GDPR in what became known as the 'Teleorman Leaks'. In this notorious case, in 2018 journalists from the RISE Project, a non-profit investigative journalism initiative, published leaked photos and other documents concerning a local company under investigation by the DNA, connected to then PSD leader Liviu Dragnea. The Romanian Data Protection Authority (ANSPDCP) ordered them to reveal their source and threatened to fine them up to 20 million euros for violating GDPR rules, if they

didn't comply. The Association for Technology and Internet (ApTI), together with other organisations, filed a complaint to the European Commission regarding Law 190/2018 which implements GDPR in Romania (ApTI, 2019). They warned about the insufficient safeguards against abuses such as that in the RISE Project case, as well as about the special derogations allowing political parties to arbitrarily use personal data for political or advertising purposes.

It is not a mere coincidence that all those cases of harassment and intimidation targeted investigative journalists from independent journalistic initiatives that support themselves at least partly through crowdfunding. This seems to suggest that this new type of media business model, if it can become financially sustainable, could potentially make journalists less vulnerable to direct political and commercial pressures and editorial interventions which have plagued the Romanian press in the decade since the global financial crisis. However, it is not enough by itself to protect journalists in the absence of strong journalist organisations and unions, more solidarity within the journalistic community, and rehabilitation of media credibility through better-quality content and compliance with existing codes of ethics.

Conclusions

The Romanian press has been close to political parties ever since the early twentieth century, even before the communist regime. During national-communism, the only possible opposition through media came from sources outside the country, most notably Radio Vocea Americii and Radio Europa Liberă, two US-based radio stations controlled by the CIA that had a clear anti-communist mission and were active in the region. There were two attempts at clandestine print media outlets in the 1980s, before the fall of the regime, but they were soon suppressed after publishing just a few issues.

Some tactics that were used during the national-communist regime to suppress the media – such as destroying newspaper issues or blocking their distribution, as well as infiltrating secret police agents into newsrooms – went on long after the 1989 Revolution. Infiltration of agents has continued to this day.

During the Revolution and in the following months, many newspapers from the former regime rebranded themselves overnight as 'free'. This was also the case of the state television station, which symbolically added the new term to its title, rebranding itself as the 'Free Romanian Television'. However, many

of those sudden changes remained rather superficial, as political control over media remained in place. Many journalists with long careers during the former regime became leaders of the 'free press', and former Securitate collaborators became media owners, popular journalists, PSM directors or businesspersons and politicians with direct or indirect ties to the press.

At the beginning of the 1990s, the Romanian press saw a spectacular rise both in diversity and in circulation. However, enthusiasm was soon dampened and the initial high levels of public trust in the press gradually declined. In the first decade after the Revolution, the media market was more fragmented, and media outlets were frequently owned by journalists themselves. The first commercial television channels appeared and increasingly eroded the monopoly of the state television station. They also came up with a new business model, commodifying the news and promoting infotainment as the new standard. Media professionalisation was low, and remained so in the next decades.

Starting in the 2000s, privatisation brought important changes in ownership. This was followed by multiple changes of shareholders, especially in the case of commercial television, which were often used as a way to hide the true owners. Media companies, especially television, had very little transparency about their financing and ownership, a secrecy practice that was used to cover up what was later exposed as corruption and political or commercial influences. The lack of transparency has continued to this day, despite several attempts at self-regulation or direct calls from media and journalists' associations to make public their financing source and ownership.

In the first decade after 1989, several foreign media companies entered the Romanian market: the German WAZ and the Swiss Ringier on the newspaper market; the Turkish Doğan Media Group and Central European Media Enterprises (CME), the latter founded by two American former diplomats, on the television market. Media experts tend to associate foreign investors with greater political independence, but this came at the price of tabloidisation and commercialisation. Though one would have expected that foreign media companies would bring new practices to professionalise the Romanian media, they seem to have adapted to the local context and applied a strategy of de-politicisation of content both to survive the strong political pressures on the press and to increase their profits.

By the end of the 2000s, the Romanian media market had become more concentrated, dominated by six media conglomerate owners – businessmen

who made fortunes in the 1990s, politicians, and one foreign company. The first two categories of owners were often referred to as 'media moguls', a term coined by then President Traian Băsescu that went on to be instrumentalised as a key topic of political disputes and reckoning.

Romania's media sector was among the hardest hit by the global financial crisis of 2007–2008. Many journalists were laid off, or their jobs became much more unstable and precarious. Advertising budgets were slashed, leaving journalists, as well as the media companies they worked for, financially insecure and therefore more vulnerable to political and commercial pressures. Though, by and large, the Romanian post-communist press was never truly independent to begin with, political control became even stronger and more visible after the crisis, with television channels and newspapers split along partisan lines and mirroring the affinities or rivalries on the political scene. Some of the big media owners were directly involved in politics, holding seats in Parliament or government, while others had indirect ties. Most of them, however, were investigated on charges of corruption related to their media empires. Moreover, the connections between media organisations and politicians were also manifested in the frequent cases of journalists migrating to politics, some going on to hold high positions, such as MEP, senator, MP, or city mayor.

The main problem faced by Romanian public service media is direct political control by the Parliament through arbitrary dismissal mechanisms. This applies especially in the case of the public service radio and television broadcasters, whose Council of Administration is changed at every change of Parliament, through the rejection of their annual activity report which automatically leads to the dismissal of their Council of Administration. Agerpres, the national news agency, enjoys more independence in this regard, but a legislative initiative that is currently under parliamentary review could change the law, aligning the agency with the other PSM in their complete subordination to Parliament.

The state television station, TVR, suffered a spectacular downfall after 1989 – from a monopoly position to a marginal television channel. This was the result of many factors, among which: excessive politicisation, old infrastructure, a TV tax that was left unchanged for 14 years until it became the lowest in the EU, poor-quality TV content, and accumulation of a huge debt. All those largely unaddressed problems have led to a loss of public trust in TVR and to a reluctance on the part of the public to save the channel by paying a higher TV tax. In recent years, the tax was abolished altogether and the outstanding debt was paid off by the government, leaving TVR entirely dependent on

state subsidies and therefore even more vulnerable to political control. In addition, time has clearly shown that there is no political will or commitment to depoliticise the PSM on the part of any of the parties which have been in power. Though many proposals have been initiated during the past two decades to amend the legislation that allows for arbitrary dismissals of the PSM management, none has passed so far. In this context, the latest financial decisions regarding the debt and tax are perceived as further, intentional deepening of political control over TVR.

A series of circumstances have made journalists from both public and commercial media companies increasingly vulnerable to political pressures. Among them are a lack of trust and solidarity in the journalistic community, which has led to the absence of strong representation and unions; increasing economic precarity, especially after the global financial crisis; inefficient self-regulation due to a lack of will on the part of media owners, and therefore very few safeguards for editorial independence. Together, these conditions have inevitably led to the de-professionalisation of a press that had never gone very far in professionalising, in the first place.

However, the last few years have also brought some notable positive developments. With the rise of digital consumption, a number of independent media platforms and investigative journalism initiatives have appeared. New business models are being tried, based on crowdfunding, membership, donations, which create a more direct relationship with the readers and have the potential for greater editorial independence if they can become self-sustaining. Such initiatives slowly win their readers' trust by publishing relevant investigations or quality and diverse content, and thus manage to form an increasingly wider segment of people who are willing to pay for news – something which Romanian readers are not used to doing. But the digital advance has also brought many challenges, in the form of disinformation and political instrumentalisation of social media and algorithms, concerns about privacy and surveillance capitalism, or an uncontrollable spread of hate speech. Those issues run deeper and are not confined to the journalism sector. However, what journalists can do is to regain credibility and public trust by publishing quality content, respecting codes of ethics, and unionising or creating stronger journalistic networks to fight against political and commercial pressures and increasing precarity. And in this way, slowly transforming a vicious circle into a virtuous one.

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Three Decades Later: From Self-Managed to State-Captured Media in Serbia

Ana Milojević

Introduction:

the legacy of the 'exceptional' case of communism

The legacy of the socialist period in Serbia is tied to the history of the Socialist Federal Republic of Yugoslavia (SFRY). As one of the Yugoslav republics, Serbia was part of the specific institutional, economic and social set-up of the SFRY. According to Miroljub Radojković (2009: 90), Yugoslavia was an 'exceptional' case among the communist regimes due to the 'self-management model of its political and economic system' which empowered 'citizens to take part in the decision-making process' and cultivated a unique political culture. From another point of view, the political system of Yugoslavia was 'an authoritarian regime with limited societal pluralism, in which power was divided between the constituent republics and federal government' (Zakošek, 2008: 590).

These two key features, a self-management model and a federal state system, were reflected in the Yugoslav media system, which was 'positioned between the communist and liberal extremes' (Milutinović, 2017: 377) and was considered as very liberal and decentralised for a communist country (Radojković, 1994; Tunnard, 2003). Each republic had a somewhat independent media system, regulated by the laws of that republic, with media catering to the latter's audiences (Radojković, 1994; Mihelj, 2004; Volčič, 2006). In other words, the media were politically controlled, but not tightly from the federal level. Furthermore, the Yugoslav media scene was seen as culturally diverse (Thompson, 1999). Nevertheless, although almost each religion, minority, local community, or any other audience segment in Yugoslavia had its own publication, only few media had a wide influence. As Christopher R. Tunnard (2003: 103) points out, only five newspapers out of 2,825 published in 1987 in Yugoslavia 'had a circulation of more than 100,000, and four of these were located in Serbia'.

Along these lines, most of the history of the media system in Serbia can be characterised as powerful political/business elites controlling or capturing

influential media while simulating media pluralism. From the beginning of the communist regime in 1945, the newspaper landscape was dominated by two dailies – *Borba*, the mouthpiece of the ruling party, and *Politika*, which represented a wider group of socialist forces. Even during this phase, 'the regime encouraged the diffusion of local print and electronic media financed and controlled by local authorities' (Castaldo and Pinna, 2018: 269). Radio Television Belgrade (RTB) was a 'State monopoly' until the 1990s (Milivojević, 2005: 1328). Broadcasting in Serbia dates back to 1929, when Radio Belgrade – the predecessor of today's public service broadcaster, Radio Television Serbia (RTS) – was established. Television Belgrade went on air in 1958, with a second TV channel launched in 1972 and a third in 1989. However, there were a number of local, Belgrade-based media outlets, such as the radio station Studio B, which started broadcasting in 1970 and offered more entertainment than Radio Belgrade.

The disintegration of Yugoslavia started with the fall of communism along with the slow-brewing nationalist conflicts in 1989–1990. New party systems were established in all Yugoslav republics after the first multiparty elections of 1990. The elections in Serbia brought to power Slobodan Milošević, the leader of the Socialist Party of Serbia (SPS), whose regime shaped the pace and trajectory of the transformation of the country's political and media systems. Namely, besides the communist legacy, Serbia's democratisation pathway was burdened with a decade-long authoritarian regime marked by national wars, the 1999 NATO bombing, economic devastation, and international isolation. Therefore, most scholars assume that the process of Serbia's democratic transition started after the fall of Milošević in October 2000.

Media market transformations:
long privatisation and inefficient regulatory bodies

KEY FACTS AND EVENTS:

- 1991: Law on Public Information and Law on Radio Television, introducing private ownership of media, adopted.
- 2002: Newly adopted Law on Broadcasting provides for establishment of regulatory agency and privatisation of state-owned media; law subsequently amended numerous times.

- 2003: Republic Broadcasting Agency (RBA) established.
- 2007: Deadlines for completing media privatisation missed.
- 2014: New set of laws – Law on Public Information and Media, Law on Public Service Media, and Law on Electronic Media – significantly rewrites media legislation.
- 2015: Privatisation of state-owned media finally completed.

During the Milošević regime, the media system was transformed from self-management into a state-market model (Milutinović, 2017). The framework for this transformation was set primarily by two laws passed in 1991, the Law on Public Information (*Official Gazette of the Republic of Serbia*, No. 19, 29 March 1991) and the Law on Radio Television (*Official Gazette of the Republic of Serbia*, No. 48, 5 August 1991). These laws introduced private ownership in the media sector and provided for the development of the advertising market, but at the same time allowed the government to seize ownership or control of the most influential media and to capture the media market. The leading newspapers, *Politika* and *Večernje Novosti*, as well as the main news agency Tanjug, were turned from self-managing into state organisations (Castaldo and Pinna, 2018: 269; Milutinović, 2017: 368). The authority over RTS was 'transferred to the Government, including powers to appoint the Steering Board, Supervisory Board and Director-General' (Milutinović, 2017: 368).

On the other hand, private independent media (mostly radio and television stations) flourished – at the end of the 1990s, the total number of media outlets in Serbia was over 1,000 (Castaldo and Pinna, 2018: 269). The exponential growth of private media outlets could not be supported by the advertising market, which was underdeveloped and manipulated by state interventions. The state budget was the main source of funding for most of the national media, while the major advertisers were companies whose owners were in clientelistic relations with Milošević and other state officials. Furthermore, the procedures for allocating licences and frequencies for radio and television broadcasting were neither properly established nor strictly followed. Altogether this created so-called 'chaos in the ether' (Veljanovski and Stavljanin, 2017: 57). Newspapers could be printed by three publishing houses, of which only one (Forum in Novi Sad) was not under direct or indirect government control, while distribution was controlled by the two pro-government companies (Tunnard, 2003: 104). Therefore, private independent media in Serbia could survive only with the help of international media assistance

programmes, which played a significant role in the Serbian media system throughout the 1990s and 2000s, as Davor Marko (2013) shows. According to Marko (ibid.: 10), international media assistance was far-reaching, including 'the adoption of an adequate legal framework, the establishment of regulatory bodies and practices, the transformation of the state TV into a public service broadcaster, and the empowerment of journalists and media managers to cope within the market conditions'.

With international assistance, democratisation of the Serbian media sector was initiated immediately after 2000 with the drafting of several structural laws, such as the Law on Public Information, the Law on Telecommunications, and the Law on Broadcasting. However, the adaptation and implementation of the media laws was complex and slow (Milutinović, 2017; Veljanovski and Stavljanin, 2017). According to those laws, the deadline for privatisation of state-owned print and broadcast media was 2005 and 2006 respectively (subsequently postponed until the end of 2007). However, those deadlines were not met. An overview by Boban Tomić (2007: 66–72) shows that by 2007 only 57 media outlets had been privatised, while 52 were in the process of privatisation and 120 were still state-owned, mostly by local authorities. Furthermore, the Law on National Councils of National Minorities, adopted in 2009, allowed the government to avoid privatisation by transferring control of state-owned media outlets to minority councils. By 2011 there were still 73 media outlets to be privatised.

One of the aims of the Law on Broadcasting, adopted in 2002, was to establish a national regulatory authority for broadcast media. Thus, the Republic Broadcasting Agency (RBA) was set up in 2003. However, the RBA Council was structured in a way that enabled the government to exert influence over the nomination and election of six out of its nine members as well as over the Council's decisions (Veljanovski and Stavljanin, 2017). According to Castaldo and Pinna (2018: 272), 'amendments adopted between August 2004 and October 2006 further enhanced government influence over the Republic Broadcasting Agency (RBA) while strengthening its discretionary powers in distributing licences'. For example, an amendment adopted in 2006 conferred the authority for approving the RBA's financial plan on the government instead of Parliament (Matić, 2012: 48). The first procedure of issuing broadcasting licences, conducted between 2006 and 2008, was criticised for disregarding quality and diversity criteria (Jakubowicz, 2006), and lack of transparency and clear rules (Matić, 2012: 48). Four years later, in 2012, the perceptions of radio and TV editors regarding the procedure of issuing broadcasting licences in 2006/2008 showed that the RBA's 'decisions were the result of political and economic influences' (Matić, 2012: 47).

A new set of laws passed in 2014 – Law on Public Information and Media, Law on Public Service Media, and Law on Electronic Media – significantly rewrote Serbian media legislation. Under those laws, media privatisation was finally completed in December 2015. However, the state still holds almost half of the shares in the two oldest national dailies, *Politika* and *Večernje Novosti*. Also, the status of the once most influential news agency, Tanjug, is unclear. The agency is still operating despite the state decision to close it, after an unsuccessful attempt at privatisation in 2015. Furthermore, according to Castaldo and Pinna (2018: 275), 'many of the privatized public media went to entrepreneurs close to the SNS [Serbian Progressive Party], which were able to recoup the costs through grants provided by local authorities'. The regulatory body was renamed to Regulatory Authority of Electronic Media (REM) by the 2014 Law on Electronic Media, but did not become much more independent. Namely, the process of constitution of the REM Council remained problematic, and the Council barely functioned between 2017 and 2019, with three members fewer than the supposed nine. Financial independence could not be achieved either, since Parliament failed to discuss the REM's annual reports and to approve its financial plans (Đurić and Dobrilović, 2019). Furthermore, any regulatory document issued by the REM had to be approved by the Ministry of Culture and Information as well.

Media and politics: instrumentalisation of media through political-business linkages

KEY FACTS AND EVENTS:

- 1998: Newly adopted Law on Public Information grants government broad powers to suppress media freedom through huge fines or outright closure.
- 1998–2000: Several independent media outlets shut down and heavy fines imposed under 1998 Law on Public Information.
- 2001: Law on Public Information repealed.
- 2007: Ministry of Culture and Information forms working group to draft law regulating media ownership transparency; draft law never submitted to Parliament.
- 2011: Anti-Corruption Council reports that in 2008–2010, ownership of 18 out of 30 most influential national media isn't completely known.

- 2015: Anti-Corruption Council reports that 27 of 50 analysed media have non-transparent ownership.
- 2015: New Media Register, introduced by 2014 Law on Public Information and Media, becomes operational.

During the 1990s, the state-run media were turned into a propaganda machine used to justify Milošević's nationalistic claims (Kisić, 2015). In addition to exercising full control over TV Belgrade (later RTS), Milošević was a close friend and political ally of the owners of two new private TV stations – Željko Mitrović, owner of TV Pink and member of the Yugoslav Left (JUL), a party led by Milošević's wife, and Bogoljub Karić, owner of BK TV. Faced with growing public dissatisfaction and protests, Milošević took more severe measures to tighten control over state media or to intimidate independent media. The most drastic one was the Law on Public Information, adopted in 1998, which allowed 'the authorities to close down periodicals and independent radio stations the ruling elite [didn't] like' and 'to impose massive summary fines on managements, editors and journalists with no process for an appeal being allowed' (Gallagher, 2000: 121). One of the first decisions of the newly elected government in 2000 was to repeal this law in early 2001 and to reimburse 'several independent media outlets for the huge fines inflicted by the former regime' (Castaldo and Pinna, 2018: 271).

The new government also initiated the elaboration of a new legal framework for the media sector. However, despite the adoption of new media laws, many old issues remained unresolved and turned into enduring structural problems. First of all, the non-transparency of media ownership usually hid links with political actors. Data about the ownership structures of the media in Serbia were incomplete and unreliable, and the powers that be were constantly reluctant to empower the regulatory body to act upon adopted legislation. In 2007, the Ministry of Culture and Information formed a working group to draft a specific law regulating ownership issues (Veljanovski, 2009). Although the group came up with a draft law after a year and a half, the law was never adopted. The only step in this direction was the introduction of a new Media Register by the 2014 Law on Public Information and Media. The Media Register became operational in 2015. However, the Balkan Investigative Reporting Network estimated the Media Register as inaccurate and the oversight of its implementation as inefficient (BIRN, 2017).

In its analysis of media problems in Serbia in the 2008–2010 period, the Anti-Corruption Council, an advisory body of the government,

> found out that among the 30 most significant analyzed media (...), as many as 18 [did] not have a sufficiently transparent ownership, and their real owners are not known to the domestic public. The reason for this is primarily the presence of off-shore companies in the media ownership structure, whose primary purpose is to hide the real media owners and to conceal the interests of such media from the public in this way. (Anti-Corruption Council, 2011: 3)

As Irina Milutinović (2017: 373) explains further, 'The real end owners are often hard to identify as they are disguised behind proxy companies registered at addresses of law or consultancy firms that act in their clients' capacity.' For example, Serbian businessman Milan Beko declared in a TV interview in 2010 that he was actually behind the companies officially registered as the owners of the majority stake in the newspaper company Novosti, the publisher of one of the most read dailies in Serbia, *Večernje Novosti*. According to Izabela Kisić (2015: 80), Milan Beko holds a 62.24 percent share in *Večernje Novosti* and 'controls his share through three of his companies (Trimax Investments Gmbh, Ardos Holding Gmbh, and Karamat Holdings Ltd).' Beko is also politically well-connected. A member of the cabinet in the Milošević era, in 2009 he was close to the Democratic Party, while in the mid-2010s he moved closer to the Serbian Progressive Party (ibid.).

Similar ownership patterns and linkages can be identified between other influential media outlets and political parties. In 2011, the Anti-Corruption Council (2011: 7, 12, 13) revealed the linkages between the tabloid *Press* and the Democratic Party, the national Radio S and the Socialist Party of Serbia, and the tabloid *Pravda* and the Serbian Progressive Party, among others. Four years later, the Anti-Corruption Council (2015) reported that 27 out of 50 analysed media had 'non-transparent ownership, partially transparent or disputable' ownership. As Jovanka Matić and Dubravka Valić Nedeljković (2014: 344) point out, the existence of media which make barely any profit usually indicates hidden ownership by powerful tycoons. Such media are often used by informal alliances of businesspersons and political forces as an instrument against political opponents and business competitors. Although such alliances shift with the shift of power on the political scene, ties between media moguls and politicians remain persistent, at both the national and local levels.

Another major problem is the financial influence of state institutions on media through allocation of state advertising funds. According to the Anti-

Corruption Council (2011: 16), in the 2008–2010 period the total advertising market was around 160 million euros, of which between 36 and 40 million euros (or almost one quarter) came from state institutions. The biggest share of that came from the state telecommunications company Telekom Serbia, which spent more than 10 million euros a year directly for media services (ibid.: 20). Allocation of public funds was not supervised by any regulatory body. As Věra Stojarova (2020: 170) explains, advertising was, and is, a tool for silencing media since government-controlled public companies placed advertisements only in government-friendly media. Similarly, government-friendly media were favoured in allocation of state advertising funds. In 2008–2010, media earned income from the authorities and other state institutions in various ways, including on the basis of 'specialized information services, contracted information services, subscriptions to services, cultural subsidies, allocations of money from the funds foreseen for the civil sector for implementation of projects, and even for research services' (Anti-Corruption Council, 2011: 18). For example, in 2009 the Agency for Small and Medium-Sized Enterprises paid the company Ringier (which publishes the most influential daily in Serbia, *Blic*) 4.48 million dinars (approximately 38,000 euros) for research services (ibid.). The Balkan Investigative Reporting Network revealed that in the 2011–2013 period, 33 municipalities spent almost 200 million dinars (approximately 1.7 million euros) in the media sector, based on direct contracting (BIRN, 2013: 3).

Political influence was also exercised through advertising agencies run by close friends and allies of politicians in important government positions, or even by high-ranking politicians themselves. During the presidency (2008–2012) of Boris Tadić (leader of the Democratic Party), two agencies controlled the advertising market: Universal McCann, owned by a close friend and advisor of Tadić, and Direct Media, owned by Dragan Đilas, vice-president of the Democratic Party and mayor of Belgrade (Veljanovski and Stavljanin, 2017: 63). The revenues of both agencies 'skyrocketed' due to deals with the state (Matić and Valić Nedeljković, 2014: 361).

Public service media captured by the state

KEY FACTS AND EVENTS:

- 2002: Law on Broadcasting introduces concept of public service broadcasting, foresees transformation of state-owned RTS into two separate public service broadcasters (RTS and RTV), and provides for financing through subscription fees.
- 2006: RTS and RTV start operating as public service broadcasters.
- 2014: Law on Public Service Media (PSM) regulates status and operation, and defines remit of public service broadcasters.
- 2019: Studies show PSM enjoy high levels of trust and audience ratings.

Within the decentralised Yugoslav media system, Radio Television Belgrade (RTB) developed as the main broadcaster in Serbia, along with Radio Television Novi Sad (in the province of Vojvodina) and Radio Television Priština (in the province of Kosovo and Metohija). Those relatively independent stations were amalgamated into a single, centralised state broadcaster, Radio Television Serbia (RTS), in 1992 (Radojković, 2019: 215). As Snježana Milivojević (2005: 1351) points out,

> During the 1990s, RTS was under the direct control of the Milošević regime, which used it as its chief tool of political propaganda. More than 1,000 journalists and other staff were forced to leave RTS because the regime considered them politically unreliable. Many distinguished professionals among these later joined other media and continued to oppose repression. Subsequently, professional standards were degraded, as 'patriotic journalism' became the norm at RTS.

In order to keep up with the nationalistic tendencies and policies of the regime, RTS coverage of current events, especially ongoing wars in the region, was distorted. Therefore, RTS gradually lost its credibility with the audience, and the civic protests of 1996–1997 included protests against the biased reporting of RTS. In one form of protest against the regime propaganda on television, 'throughout the major cities dissatisfied citizens – on streets, in front of their houses, on balconies – hit pans, rang bells and produced all kinds of other noises' during the RTS prime-time news hour (Milivojević, 2005: 1351). Also, 'During the anti-Milošević demonstrations on 5 October 2000, protestors stormed the RTS headquarters and set it on fire. Broadcasting ceased for

several hours and was restored under a new RTS symbol' (ibid.: 1352). Although it was a powerful symbol of democratisation at the time, the genuine transformation of RTS into a public service broadcaster would take years, with many ups and downs.

RTS began its transformation into a public service broadcaster after a decade of degradation. Aside from outdated equipment, during the 1999 NATO bombing many elements of the transmission system, some studios, the Avala television tower, and other technical assets were destroyed. Furthermore, RTS was without credibility, an overstaffed, massive enterprise that was hard to manage. With such a legacy, the legal groundwork for RTS's transformation was laid by the 2002 Law on Broadcasting, which 'introduced and defined public service broadcasting and stipulated the establishment of two public broadcasters – RTS, with its base in Belgrade, and RTV, with headquarters in Novi Sad' (Marko, 2017: 20). However, it was not until 2006 that the public service broadcasters (PSB) began operating, 'when all necessary preconditions were fulfilled (adopting the legislation, establishment of the regulatory body that further elected the PSB management, making license fee collection work, etc.)' (ibid.). RTS was not able to achieve autonomy over the following years, though, and its financial, organisational and editorial independence remained problematic.

The legal framework introduced in 2002 was aimed, among other things, at securing independent financing through subscription fees. However, the collection of fees was insufficient to support RTS. As Kisić (2015: 87) explains, 'With monthly fees of less than five Euros and total receipts between forty and seventy percent, *RTV Serbia* was among the "poorest" public broadcasting services in the region and in Europe.' After fee collection rates plummeted in 2012 and 2013, then prime minister Aleksandar Vučić kept his election promise to abolish the fee because it was a burden on households, and the fee was replaced by a tax under the Law on Public Service Media of 2014. The 2014 Law stipulates that the amount of tax is to be determined by the Steering Boards of RTS and RTV, that budget money must be allocated for precise purposes, and that financial management must be transparent. However, under this law, RTS and RTV have become dependent on the state budget and have lost some of their already weak financial independence.

The same law also defines procedures for the election of the RTS and RTV governing bodies, the Steering Board and Director General. The Steering Board is a supervisory body consisting of members appointed and dismissed by the REM.

The intention of the new legislation was to strengthen the role of the Steering Board and make the Director General more accountable. However, the Steering Board's work is strongly dependent on the regulatory authority, the REM, whose autonomy is questionable. Furthermore, it has become a common practice for directors general to be installed directly by the government or by the will of high political circles, usually sidelining the Steering Board (Marko, 2017). For example, shortly after Vojislav Koštunica was elected prime minister in 2004, his media consultant was appointed RTS Director General without a public call. According to Marko (2017: 24), 'The Steering Board has been marginalized, dominated by the Director General and his unilateral decisions and acts.'

All governments have shown much greater interest in controlling editorial policy than in securing independence of RTS. As the Anti-Corruption Council (2011: 4) pointed out, 'state authorities exercise special influence through RTS which, instead of being a public service to the citizens, is a service of political structures and productions which are closely connected with top officials of the parties in power.' Subsequent analysis of the aired programmes found political bias in reporting, and a tendency of RTS to act as a government mouthpiece (Matić, 2012; Veljanovski, 2016). Despite that, RTS has remained one of the most-watched TV channels in Serbia. According to Kisić (2015: 86), RTS had the best ratings in 2011, with a 24% share of the total television audience, as compared to private TV stations Pink (20%) and TV Prva (15%). More recent findings confirm that 'Serbian citizens have greater trust in public service media than in their private counterparts', and that 'daily use of PSM is higher than the average in the region' (Radojković, 2019: 230, 231).

The journalistic community: deeply divided and economically deprived

KEY FACTS AND EVENTS:

- 2006: First common Code of Ethics adopted by the main journalism associations.
- 2009: First self-regulatory body, the Press Council, established.
- 2014: EU progress reports start highlighting deteriorating conditions for full exercise of freedom of expression in Serbia.

During Socialist Yugoslavia, the distinct idea of 'self-managing journalism', with journalists understood as advocates of the working class, collective agitators, propagandists of the proletariat, was dismantled under the political and economic post-WWII circumstances (Splichal and Vreg, 1986: 51). Journalists were defined as 'socio-political workers' by the 1973 Code of Yugoslav Journalists (ZNJ, 1973), and they worked as 'the state bureaucratic apparatus' (Splichal, 1981). Such a legacy was conducive to turning journalists of the state media (*Politika*, *Večernje Novosti*, RTS, Tanjug) into tools of nationalistic propaganda during the Milošević era (Thompson, 1999; Kisić, 2015; Volčič, 2006). Most independent media that emerged in the 1990s as 'a response to the regime's repression' (such as the daily *Naša Borba,* Radio B92, the news agencies Beta and Fonet) were not after profit, 'but involved a "defense of the profession and of the right to free expression"' (Kisić, 2015: 67).

The division between independent and pro-government media reflected onto the journalistic community. The cleavage between journalists involved in 'war-mongering propaganda' and journalists dedicated to protecting 'professionalism and ethics' was evident from the establishment of independent journalists' associations in the 1990s (Kisić, 2015: 90). As pro-regime journalists had their own association, the Journalists' Association of Serbia (UNS), which had been under governmental control, three new associations assembled reporters for independent media outlets: the Independent Journalists' Association of Serbia (NUNS), the Independent Journalists' Association of Vojvodina (NDNV), and the Association of Independent Broadcast Media (ANEM) (ibid.). Collisions between journalists and associations continued long after 2000.

Several months after the end of the Milošević regime, the government 'appointed new management in all the state-run media, the appointments themselves reflecting the "distribution of power" among the parties of the victorious coalition' (Kisić, 2015: 70). However,

> the state-run media in the service of the regime and its war-mongering propaganda in the 1990s survived the transition. Hardly any lustration had taken place in the media's domain. Only editors-in-chief and some of the most stringent propagandists of the Milošević era lost their jobs. (Ibid.)

At the same time, independent media, which were used to international donations in the 1990s, struggled to become economically viable on a weak market. This led them to diverge from public interest towards

commercialisation and political alliances. Moreover, political tabloids flourished, totally degrading 'journalistic ethics and discourse by running fabrications about individuals and their private lives, pornography, etc., while also promoting hate speech' (ibid.).

Instead of the expected lustration and fundamental change in the field of journalism after the end of the Milošević regime, divisions, political alliances, economic and professional deterioration continued. The tensions between journalists' associations did not subside. NUNS and Independent electronic media association (ANEM) representatives among other non-governmental organisations were included in the working groups tasked with drafting media laws that would lay the groundwork for 'free flow of information, and media independence from political and other centres of power' (Veljanovski, 2009: 50). The work on drafting new laws did not proceed smoothly, and neither consensus among the relevant actors nor media freedom were achieved. The associations disagreed on many issues, including on the professional codes. The first common Code of Ethics was adopted by the main journalism associations in 2006. The first, and so far only, self-regulatory body, the Press Council, was established in 2009, but started working two years later.

Lack of cohesion and self-regulation in the professional community leaves journalists exposed to various forms of pressure. The lack of autonomy has been confirmed by many studies (Široka, 2005; Kujundžić and Kožul, 2007; Janković et al., 2009; Radojković, Milojević and Ugrinić, 2014), and journalists continuously report that they work under pressure from political parties, government officials, PR officers of big advertisers, while media owners are usually caught up in clientelistic relations with political and business elites (Milojević and Krstić, 2018). External pressures on media are often felt more strongly at the local than at the national level.

Surveys among journalists show that their level of education is getting higher. According to Milivojević (2011: 17), in 2011 a total of 73% of journalists had university education, compared to 56% in 2002. However, higher education has not led to stronger professionalisation. As the Media Sustainability Index 2012 showed, freedom of expression and professional journalism in Serbia had improved marginally since 2001 (IREX: 130). Although the regulatory framework has become more stable in recent years, journalistic freedom is still in decline: 'since 2014 the EU progress reports started to emphasize more and more insistently the deteriorating conditions for the full exercise of freedom of expression in Serbia' (Castaldo and Pinna, 2018: 276).

According to Freedom House's *Nations in Transit 2014* report, the radio morning show Mentalno Razgibavanje (Mental Exercises) 'was taken off the air in December [2013] after the hosts made references to [Prime Minister Aleksandar] Vučić's private life. NUNS expressed concern that the suspension was political [although the] station said the show was temporarily shelved to make room for holiday programs' (Savic, 2014: 553).The following year, B92 Television stopped airing Serbia's most popular political talk show, Utisak Nedelje (Impression of the Week), 'under apparent government pressure' (Savic, 2015). The host of the show, 'Olja Bećković, accused Prime Minister Vučić of pulling strings that led to the cancellation' because he 'was reportedly angered by his opponents' frequent appearances on the weekly show' (ibid.). In August 2014, after publishing a critical report against the government, BIRN journalists were accused by the newspaper *Informer* and other pro-government media 'of being "spies" backed by the EU', while Vučić declared that the report had been 'financed by a wealthy businessman facing corruption charges' (Castaldo and Pinna, 2018: 276). In January 2015, after BIRN released a report on a case of misconduct in a public tender, Vučić accused BIRN 'of spreading lies and, even worse, he claimed that the EU was behind this attack aiming to destabilize his government' (ibid.). Such claims were supported by *Informer*, which published a series of follow-up articles against BIRN, and TV Pink, another pro-government media outlet, which 'aired a four-hour special, which had among its guests the interior minister Nebojša Stefanović claiming that the EU funded BIRN and other media groups in order to destabilize Serbia' (ibid.). Similarly, in March 2016, the director of the Crime and Corruption Reporting Network (KRIK) was accused of being a 'French spy' by *Informer*, which published 'details that could only be obtained through illegal surveillance by security services' (ibid.).
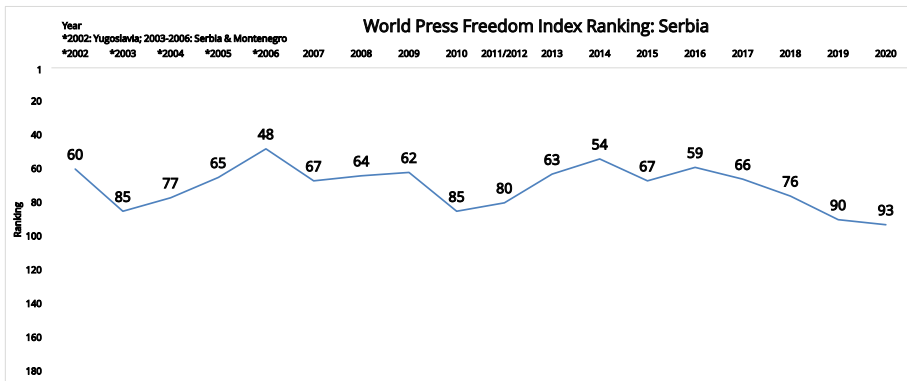
Source: *Reporters Without Borders.*

Serbia's deeply divided, economically deprived journalistic community has been unable to attain the much-needed autonomy, trust and societal recognition. The Serbian public perceives the media as one of the least trustworthy institutions, unfree, dishonest and corrupt (Pjesivac, 2017). According to the Serbian participants in a study conducted in Serbia, Macedonia, and Croatia in 2013 and 2014 by Ivanka Pjesivac, Katerina Spasovska and Iveta Imre (2016: 340), news media could not be trusted because they are 'controlled by different sources of power' and serve as 'pure instruments for the realization of their controllers' interests'. The Serbians interviewed in this study pointed out that underpaid journalists, under political and economic pressures, 'often cede to censorship and corruption', taking money from politicians and oligarchs to cover up important facts, create scandals, or serve as 'publishers of only official information "that politicians give them during press conferences"' (ibid.: 337).

Digitalisation and online media environment: internet-based protests, publics and counter publics

KEY FACTS AND EVENTS:

- 1998: Formation of Otpor, the most influential of many resistance groups, and the most sophisticated in the use of internet and other communications technologies for overthrowing Milošević.
- 2010: Newly adopted Law on Electronic Communications allows authorities to maintain database on citizens' electronic communications, and security and police forces to access information without prior permission.
- 2017: First internet-born, grassroots protest (Protest Against Dictatorship) held, followed by internet counter-campaign.

The Milošević regime was weakened and finally overthrown in October 2000 after massive protest demonstrations in Belgrade, the result of long resistance. Organised resistance against Milošević was deeply integrated into the use of the internet. Tunnard (2003) has stressed the key role of the Otpor (Resistance) movement in overthrowing Milošević. Otpor was initiated in 1996 by the users of the small Serbian internet service provider Sezam Pro, mostly students at Belgrade University, who began emailing each other

shortly after Milošević annulled the November elections, and quickly grew into a resistance community with a network of affiliates throughout the country. They communicated from public computers, which gave them almost complete anonymity and kept their activities hidden from the authorities. At its peak, Otpor was able to assemble rallies of more than 100,000, using only the power of e-mail. Furthermore, 'mass e-mail campaigns became a common way for the foreign press to be informed of what was happening inside Serbia' (Tunnard, 2003: 113). Otpor's first public communication was on its website, and the internet was crucial in maintaining close ties and consultations with its greatest benefactor, the US. The heavy restrictions imposed by the government on the independent media were circumvented via the internet. For example, when in December 1996 the only independent radio station in Belgrade, Radio B92, was shut down by the government, 'its signal was immediately rerouted via the Internet to a host in the Netherlands, thus making it available to the entire outside world as well' (ibid.).

Recent grassroots movements and protests show that the internet remains one of the most important resources for political activism in Serbia. According to Dalibor Petrović (2016), the recent appearance of grassroots movements such as the initiative *Ne davimo Beograd* (NDMBGD) (Don't Let Belgrade D(r)own) signals the restructuring of the civil sector in Serbia, which was dominated by NGOs mainly financed by foreign donors. Based on an analysis of NDMBGD's use of Facebook for mobilising, informing, and recruiting supporters, Petrović (ibid.) argues that digital platforms are very important for political activism, especially when certain societal groups feel that mainstream media are closed to their ideas. There are certain warnings about the existence of 'self-censorship in media due to the pressures from different interest groups, or media financial dependence from those groups, resulting in uneven treatment of different political actors or open favorizing of the ruling party in election campaign' (Pavlica, Gavrilović and Đapić, 2017: 75). The case of the Protest Against Dictatorship can be illustrative in this regard.

The Protest Against Dictatorship began spontaneously a day after the 2017 presidential elections. It 'was the first articulation of public disapproval of the decline of democratic standards and the rise of illiberal leadership in Serbia' (Kleut and Milojević, 2021: 82). Initiated by a single Facebook post, it brought out tens of thousands of protestors across Serbia and lasted for a month. Social media played a crucial role in its organisation. Facebook groups served as communication platforms for 'planning and defining protest goals, coordinating participants and activities, and as the main means of disseminating information

and mobilising support' (Petrović and Petrović, 2017: 422). At the same time, this protest triggered mobilisation of counter-publics, demonstrating how the internet is used for political propaganda.

Cover of the weekly magazine Vreme *(12 October 2000) dedicated to the protest events on 5 October 2000.*

Front page of the daily newspaper Danas *(11 April 2017) covering Protest Against Dictatorship in 2017.*

Since the protest was organised mainly via the 'Against Dictatorship' Facebook page, ten days after it started a fake, cloned Facebook page was created (Petrović, 2018: 21). It was used for an astroturfing campaign, spreading 'alternative' information, and creating confusion by: questioning the causes of the protest; claiming that the protest was losing momentum and meaning; criticising the organisation of the protest for lack of synchronisation and material resources, etc.; pointing out the loose leadership as a significant deficiency (ibid.: 25). The fake page was successful. It attracted many more followers than the original, mostly due to sponsored posts, and contributed to the weakening of the protest and disintegration of the protest network. However, this example is just one manifestation of the much wider web-based political propaganda in Serbia.

According to Dalibor Petrović (2018), the government uses the internet for political propaganda in a highly organised and sophisticated way. There are indications that many comments on the main news portals are created by 'bots' and posted through a specialised platform called Tvrđava (Fortress). The term 'bot' in Serbia refers to a real person who is paid by political actors to conduct propaganda, or to post messages online in their interest. Petrović (ibid.: 20) states that according to a document that was revealed by accident, 'in 2018, 3,456 party activists were employed as "bots" for the Serbian Progressive Party, delivering around 10 million comments on 201,717 news stories'. Besides shaping public opinion through commentary on news, heavy verbal attacks on politically unlike-minded people are common on Twitter and other social media. Furthermore, very few people have been arrested and prosecuted for messages posted online (Petrović, 2018; Surčulija Milojević, 2015). Those and other such activities intimidate freedom of expression on the internet, and have led to strong polarisation of Serbia's online public sphere.

Jelena Surčulija Milojević (2015: 605) has pointed out 'take-down/removal of Internet content for political reasons' as a problem in Serbia. There were several such cases during the 2014 election campaign. The first case involved the removal from YouTube of satirical videos made out of an RTS report showing the Prime Minister carrying a boy to the rescuing helicopter after the boy was rescued from a blizzard. Almost overnight, many parodies of the report were released and in the next few days they were removed due to infringement of copyright. Second, two blogs were taken down for criticising Prime Minister Aleksandar Vučić for his decisions and behaviour during the state of emergency declared over a heavy flood in the town of Obrenovac: the blog Telepromter was removed for criticising the behaviour of the Prime Minister at government

meetings; the entire blog section of the *Blic* daily's website was removed after the publication of a text by journalist Dragan Todorović calling for the Prime Minister's resignation because of his responsibility for the delayed reaction to the flood, among other reasons. Finally, another popular form of taking down internet content was the hacking of websites – such as Peščanik, a radio programme on Radio B92 that had been forced to move online so as to continue to offer independent content, which was under hacker attacks for six days after publishing a letter of Serbian scientists 'claiming that the PhD of the Minister of Interior was a plagiarism' (ibid.: 606). Those cases drove Dunja Mijatović, the OSCE Representative on Freedom of the Media (RFOM), to take a public stand, urging 'the authorities to nurture uncensored debate on issues of public interest' and warning that the arrest of people for their writing was 'not acceptable (…) and can lead to self-censorship' (ibid.).

Conclusions

Considering that Serbia was the largest constituent part of 'the most "liberal" communist country', to quote Nebojša Vladisavljević (2020: 29), Serbia was 'widely expected to move fast on the road to democracy and EU integration after the end of communism but ended up in new authoritarianism and war'. The process of transition to democracy in Serbia started a decade later than in other communist countries, and was shaped by the legacy of an authoritarian regime, war, and economic devastation.

Following such a historical path, the trajectory of Serbia's media market transformation can be roughly divided into three periods according to the introduction and implementation of structural media laws and regulatory mechanisms. In the first period (1991–2000), 'the Serbian media system featured elements of a state-market model' (Milutinović, 2017: 368). New legislation allowed for the establishment of private media, which were competing with state media and forming a market. However, the market was weak and heavily influenced by the government, with state ownership of the major media, a chaotic legal framework, lack of independent regulatory bodies, and control over distribution of frequencies and newsprint. The second and third periods, those of the Serbian media system's democratic transition, were demarcated by the year 2014 (ibid.: 371–372). During the first phase of this transition (2000–2014), a new regulatory framework was introduced, but the implementation of laws was slow and inconsistent, and there was a lack of political and professional will for reforms. A set of new media laws, adopted in

mid-2014, were designed to be 'a step forward to the second, more successful phase of media transition', enabling completion of media privatisation, securing transparency of media ownership, and achieving functional independence of regulatory bodies (ibid.: 372). As of December 2020, however, a number of problems remain unresolved.

Despite the existence of a democratic legal framework, the main structural features of the media landscape in Serbia – high fragmentation and saturation – have undermined the economic sustainability of media. Therefore, media often enter into political partnerships in order to secure preferential treatment in the allocation of state funds and state advertising, and capital investments and advertising revenues from their business allies. In return, media provide positive coverage to their political/business affiliates. To keep these hidden from the public, media ownership remains largely non-transparent.

Those features are observable in the functioning of the Serbian public service media. Although the independent governance and funding of the PSM are guaranteed by law, in practice PSM are highly dependent on the state budget and under heavy political influence. The appointment and dismissal of their managing bodies and directors general have never been autonomous, and many experts warn that the director general and board members are usually known in advance. Furthermore, PSM are funded from the state budget, although the law provides for financing by subscription fees. Therefore, Serbia's PSM have not achieved sufficient editorial and financial independence yet.

The journalistic profession has also been struggling to adapt to the fundamental systemic changes, transitioning from the 'self-managed' and 'state-managed' to the 'public service' model. According to the latest Code of Ethics (Savet za štampu, 2015: 5), journalists are obliged to serve the public by providing true and genuine information. This definition of journalistic duty is in line with the traditional liberal ideas of democracy. However, despite the shift towards the normatively ideal role of journalism in society, journalists have not been able to achieve professional autonomy, stability or credibility. The profession has been working under difficult conditions, suffering from low social respect, low wages, and high pressures from co-workers, editors, politicians, and advertisers.

Overall, strong influence of the state, political partnerships, clientelism, and low professional autonomy have been steady features of the media system in Serbia over the last thirty years. Those features have been translated into the online media environment, although the internet has been one of the

important factors for democratisation in Serbia. During the Milošević regime, 'many of the resistance communities formed themselves in cyberspace; and several new technologies and applications were innovatively used to outwit the government' (Tunnard, 2003: 112). Recent grassroots movements and protests show that the internet remains an important resource for political activism. However, there are strong indications that the internet is also used for political propaganda, that freedom of expression might be endangered, and that self-censorship is increasing.

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Endnotes: What We Learned about the Media in the Region

Nikoleta Daskalova

The chapters collected in this book offer an overview of the changes in the media landscapes of ten countries in South East Europe since the watershed year 1989. The analysis of each country is structured around five thematic areas: media market transformations, interactions between media and political actors, development of public service media, state of the journalistic profession, and digitalisation and online media. The identification and generalisation of key facts and trends in a thirty-year period, until 2020, were left to the expert judgement of each author. This makes the chapters of this book somewhat heterogeneous, despite their standard format. Besides this, the media landscape of each of the ten countries has specific characteristics depending on the local social and political context. A case in point are the processes in the countries of the former Yugoslavia, where the changes in the media systems were driven not only by the collapse of the socialist regime but also by the collapse of the federation itself. Ultimately, the year 1989 was not equally important for all countries included in this book, but the time immediately after 1989 brought about dramatic changes in the media landscape of all of them.

At the end of this book, we believe it is important to underline that although the media in South East Europe have similar characteristics, the region is not homogeneous and is hard to classify as any one type. In addition to the conclusions which every reader will draw for themselves, we will highlight several features that delineate the ambivalent, occasionally contradictory, character of the media silhouettes and stories in this part of Europe.

The legacy of socialism: nuances matter

The chapters in this book begin with an overview of the legacy of the socialist regime. The comparative perspective on the period is not necessarily consistent with the long-dominant view, imposed as early as in the 1950s in Western literature by Siebert, Peterson and Schramm, that Soviet communist media

were 'used almost exclusively as instruments of propaganda and agitation'[1] and had virtually no other role. The view that the media were a well-controlled instrument in the hands of the authoritarian state remained prevalent for decades with regard not just to the Soviet Union but also to Eastern Europe as a whole, readily lumping together the countries in the region. It was not until the fall of the Iron Curtain that this view began to be increasingly critiqued as too generalised and one-sided, it itself being the fruit of the ideological bias of the Cold War without sufficient empirical justification.

This book by no means denies the leading role of state censorship and the propaganda use of the media before 1989. This is unquestionable but, at the same time – as some of the authors note – the picture was more nuanced. It becomes clear that the socialist experience was not identical in all countries in the region. Whereas in Albania '[t]he oppressive censorship (…) was similar to that during China's Cultural Revolution' (Godole, p. 14) in the former Moldavian Soviet Socialist Republic there was 'drastic censorship' (Gonţa, p. 177), while in Yugoslavia journalists were granted greater, albeit still limited, freedom as a result of Tito's split with Stalin and a possibility to 'relax communist discipline' (Malović, p. 97). Yugoslavia itself combined 'a self-management model and a federal state system', which led to 'a somewhat independent media system' in each republic, the media being 'politically controlled, but not tightly from the federal level' (Milojević, p. 265). Against this background, Remzie Shahini-Hoxhaj (p. 125) argues that in Kosovo '[b]etween 1945 and 1989, (…) the media environment was unlike that in other parts of Yugoslavia because of the regime's policy of repression towards the Albanian majority in Kosovo'. Lejla Turčilo (p. 40), in turn, stresses that 'the Bosnian media were more tightly controlled than the media in the neighbouring republics because of the simple fact that Bosnia and Herzegovina had the most nationally heterogeneous population'.

In addition to varying from country to country, the socialist regime also varied in its different phases. For example, in the Bulgarian media environment there were 'processes of partial liberalisation' after the mid-1960s (Spassov, p. 69). Gorbachev's perestroika of the mid-1980s led to the lifting of taboos on certain topics in the Soviet Union as well as in other countries under Soviet influence (Gonţa; Spassov).

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[1]   See Fred S. Siebert, Theodore Peterson and Wilbur Schramm, *Four Theories of the Press* (Urbana and Chicago: University of Illinois Press, 1963 [1956]), p. 121.

Last but not least, already before 1989 the media environments of part of the countries in the socialist bloc allowed representations of Western popular culture and, despite the strict censorship, offered instances of high-quality journalism (Malović; Spassov).

These ambiguities of the regime in the countries under study are of importance in assessing the processes that took place after the collapse of socialism. In the first place, prerequisites were created for the development of a heightened sensitivity towards the freedom of speech and towards state and party intervention in the media sphere. Censorship and self-censorship acquired dual implications – at once a source of severe disapproval and a well-mastered manner of interfering in editorial matters. Regardless of the change of generations in journalism (more gradual in some countries, more abrupt in others), freedom and dependence actually entered into symbiosis in the post-socialist reality.

Another curious effect is found with regard to the quality of media content. The great expectations after the end of socialism that the free market and professional education of journalists according to Western standards would lead to high-quality media products were only partially met. Both this book and previous assessments[2] by local experts have found that there is a crisis of quality journalism in the region. Some studies have even found a certain nostalgia for the journalistic practices and the feeling that the profession has meaning that existed during late socialism.[3] In the final analysis, what is important is that the critical view of the contemporary state of the media in the region allows analogies with the period of socialism. This is not a romantic reading of the past; it is, rather, a pessimistic assessment of the present.

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[2]   Cf., e.g., IREX's Media Sustainability Index reports on the countries of the region for 2001 to 2019 (https://www.irex.org/resource/media-sustainability-index-msi).

[3]   A study on the journalistic profession in Bulgaria, for instance, recorded recollections of active journalists who described their work on the eve of 1989 as 'free', 'revolutionary', and of 'great import' – unlike their efforts at present today, when 'you do what you do and at the end you see that it's pointless'. See Орлин Спасов, Николета Даскалова и Валентина Георгиева, *Да бъдеш журналист. Състояние на професията* (София: АЕЖ, ФМД, 2017), pp. 37–38 (http://fmd.bg/wp-content/uploads/2017/10/JournalistProfessionBG2017.pdf).

Money and power: media under control, again

The transition from state-controlled mass media to a free and pluralistic media market has been very problematic. One of the characteristics of the previous regime – the use of media for political purposes – has, in a sense, remained typical of South East Europe after 1989, too. Despite the abolition of official state censorship and propaganda and the introduction of legal guarantees of freedom of expression, the media environments in this part of Europe have practically remained very politicised. In all ten countries under study, there are similar dependencies between media and political actors despite their different paths of political development in the last three decades. Military conflicts, creation of new states, EU accession – these phenomena are part of the contemporary history of South East Europe as a whole, but not of all countries in the region. The points of intersection between media and politics, however, have led to very similar practices. Two meta-figures are of importance in this regard – of the state and power conjuncture, on the one hand, and of media owners on the other.

Already in the early 1990s, the media were an inseparable part of the tumultuous social processes in the region. They were both a catalyst and an instrument of the new political confrontations between ruling and opposition forces and/or in the context of national and ethnic conflicts. In these processes, those in power had an advantage in spreading political messages. The new governments benefited from their access to the media infrastructure inherited from the previous regime. As Aneta Gonţa (p. 180) concludes about Moldova: 'With the emergence of the new state, the government inherited financial and ideological control of most print media outlets from the old regime.' Describing the situation in Romania, Adina Marincea (p. 227) points out that after 1989 'many media structures from the communist period lived on, transformed on the surface' and that 'Romanian media remained "haunted" by habits from the national-communist past', including by 'connections of media owners to the old secret police (Securitate)'. For her part, Jonila Godole (p. 19) stresses that the media in Albania have been instrumentalised in all election campaigns since 1992 and that the then newly elected government 'slowly fell into the old model of controlling the press and freedom of speech'. Comparisons about the way those in power controlled the media before and after 1989 are also made by other authors in this book.

The dependence on those in power is most evident in the case of public service media. The transformation from state-controlled to genuine public service broadcasters turned out to be one of the major obstacles to the

democratisation of the media systems in the region. This was a problem in all countries under study. The conclusions and descriptions of the authors from the different countries are remarkably similar in their criticism and pessimism: 'a dream never come true', 'at the service of ruling structures', 'a spokesperson of the authorities', 'a history of subordination to state power', 'strong political pressure', 'captured by the state', 'almost public service media', etc. Even the more specific case of Kosovo, where the public service broadcaster was created as a new structure 'with no links to the past', is ultimately indicative of the same type of shortcomings: 'lack of editorial independence', 'political influence through the appointment of the management', 'pro-government preferences', etc. (Shahini-Hoxhaj, pp. 139–141).

The vulnerability of public service media in the region runs through two key points of influence by those in power – through the election of their management and/or the relevant regulatory bodies, in which the respective parliament usually has the decisive say, and through funding from the state budget. Both mechanisms are enshrined in law and are therefore structurally preconditioned. The attempts to secure greater independence through collection of fees from citizens have, on the whole, been unsuccessful and unpopular. This, in turn, is largely due to citizens' low trust in the public service broadcaster or to their general reluctance to financially support a public institution, all the more so if it is politically dependent. As a result, the emancipation of public service media has become even more difficult. Lejla Turčilo (p. 52) argues that this public attitude is indicative of a 'low level of political literacy'.

The controversial role of the state as a funding source has also affected private media. After the initial boom in new media outlets in the early 1990s, it eventually turned out that most media markets in the region were not big enough to ensure financial stability for all players in the field. The situation deteriorated even further as a result of the global financial crisis of 2007–2008, when advertising budgets were slashed. Deprived of revenue, media markets became heavily dependent on the state as a major advertiser. The price paid by media in return for advertising allocated by the central and local governments – usually without clear rules – is self-censorship and favourable coverage of the 'benefactor'. This simple scheme of controlling media has seriously undermined the quality of journalism. Curious in this context is the case of North Macedonia, where 'state advertising was prohibited by a government decision in 2017 as the result of pressure from the professional media community', but some municipalities nevertheless continued allocating advertising funds to friendly local media (Tuneva, p. 206).

These findings point to the conclusion that state intervention is not conducive to media sustainability; rather, it distorts the market and limits pluralism. Another specific characteristic of the region that has a similar effect has to do with private media ownership. The lack of transparency of ownership is a problem, and so is the frequent absence of a distance between owner and staff. The risks to pluralism come primarily from media influence peddling and production of journalistic content serving political and business interests. In fact, this combination of political and economic pressure is one of the most specific characteristics of the media in South East Europe. It is the result of the hardships faced by media in supporting themselves by purely market mechanisms (small and/or very concentrated market, low solvency of the population, audience migration to social and other online media, etc.) and of the parallel ambitions of political-corporate circles for public influence. Marina Tuneva's (p. 210) conclusion about North Macedonia is valid for the whole region: 'Over the years, media owners became increasingly aware of the power of media to influence authorities and to promote their business and political interests.' Since they are exercised behind the scenes, such forms of pressure by owners and editors on journalists 'are difficult to prove, but they are visible in the editorial policy of media, or in the manner of reporting on topics of public interest' (Ružić, p. 157).

Ultimately, the practices of control over editorial policy and the phenomena of clientelism and political opportunism (Spassov, p. 80) have had an adverse effect on journalistic autonomy. Compelled to observe imposed taboos or to favour particular topics and persons, journalists have become workers for political and economic elites (in the words of Lejla Turčilo, p. 57). And when this occurs against the background of unfavourable working conditions in which the options are either conformism or exit from the profession, there is a serious danger of paralysis of the otherwise guaranteed journalistic freedom.

Business and geopolitics: foreign interests in the region

Whereas the relations between local media and political actors in the countries of South East Europe are similar, the practices of foreign interference are rather different.

On the one hand are countries such as Kosovo and Bosnia and Herzegovina, whose post-war media systems (after 1995 in B&H and after 1999 in Kosovo) were built with significant financial and professional assistance

from the international community (governments, private and supranational organizations). This assistance included developing a legal and regulatory framework, training journalists, strengthening the public broadcasting system, providing support to new and independent media. The authors regard this import of democracy as substantial, necessary and beneficial. The dependence on international donors at that stage of development of the national media systems is viewed as positive and international intervention is seen as important support (Shahini-Hoxhaj; Turčilo).

The role of Western donors in improving local pluralism is appreciated in other countries in the region as well. Ana Milojević (pp. 267–268), for instance, points out that throughout the 1990s and 2000s, against the background of a mostly government-controlled media sector, 'private independent media in Serbia could survive only with the help of international media assistance programmes'.

On the other hand, foreign interest in South East Europe after 1989 was not limited solely to geopolitical export of democratic standards. The opening of borders after the fall of the Berlin Wall opened up new business opportunities. Although they were risky, the emerging media markets in the former socialist countries turned out to be an attractive field for large Western companies looking to expand their portfolios. The Swiss Ringier (in Romania from 1992) and the German WAZ (in Bulgaria from 1997) were among the first to target the print media sector in the region. Later on major foreign players entered the broadcast media market as well.

The influence of foreign investors on the media markets in countries like Bulgaria and Romania, as noted by Orlin Spassov and Adina Marincea, has been ambivalent. Its positive effects came primarily from the introduction of standards of work which contributed to the professionalisation of journalism. At the same time, however, in an effort to increase their profits the foreign players resorted to aggressive market practices, which posed risks to the public sphere because of the excessive commercialisation of media. In parallel with that, the Western companies engaged in 'corrupt local practices' and 'collaboration with those in power', failing to justify the initial expectations that they would be role models of independent journalism (Spassov, pp. 74–75; Marincea, pp. 230–231).

Regarding the ambivalent foreign influences in the region, the picture becomes even more diverse when we look at Moldova. In the last three decades, its

media system has been under dominant Russian influence and 'the Moldovan print media are divided into Romanian- and Russian-language media, functioning and acting as if they were from parallel worlds' (Gonţa, p. 182).

The last ten years or so have seen a new wave of foreign interest in media in South East Europe. This interest has taken different forms. The internet has turned into a battlefield of geopolitical information wars – for and against the EU, Russia, the US. Foreign companies have been buying and selling media, entering and exiting the local markets. Having withdrawn earlier, key donors are coming back – such as USAID in Bosnia and Herzegovina (Turčilo, p. 42). Russia's influence is growing, and new players are moving in – such as Turkey, Qatar and China (ibid.; Shahini-Hoxhaj, p. 146). Processes in the region are developing dynamically and the overall picture is becoming even more nuanced. Against this background, we believe it is reasonable to presume that precisely the relations between local and foreign actors are the important variable which can largely drive media developments in the region in one direction or another, deepening or lessening the similarities between the different countries.

The digital horizon: between hopes and scepticism

The development of the internet has brought both new opportunities and new challenges in the media sphere, the authors of this book unanimously conclude.

The internet offers alternatives that can make up for some shortcomings and dependencies of traditional media. More space for freedom of expression, independent (citizen) journalism, investigations and lifting of taboos on sensitive topics – all of these provide valuable opportunities for improving the information environment, a sort of antidote to pressure and self-censorship. The authors attest that these phenomena have indeed had a positive effect on pluralism in the region, although still on a limited scale.

At the same time, however, the internet is also an incubator of hate speech, disinformation, and strongly polarised opinions, generating tensions between different social groups. In a region where military conflicts are part of the very recent past, such trends can be particularly dangerous. How, and to what extent, should online practices be regulated are increasingly important questions in the ten countries under study. Future distinctions between the countries of the region based on possible regulatory actions or omissions will

most probably appear and increase depending on whether the respective country is an EU member or not.

Online media are increasingly plagued by the all-too-familiar problems of the media environments in this part of Europe – pressure against critical voices, substandard quality of journalism, disrespect of the ethical rules of the profession. There are threats to online freedom of expression, including cases of take-down/removal of content for political reasons (Milojević, p. 282).

Final note

This general overview of the ten chapters collected in this book confirms the conclusion that the last thirty years have seen major transformations in the media landscape of South East Europe. Viewed in a comparative perspective, it is clear that the changes in the different countries did not occur at the same pace and in the same direction. The head start which Yugoslavia had over the rest of the countries in the region because of its relatively more liberal practices during socialism was lost in the subsequent conflicting processes of disintegration. War delayed media democratisation by up to a decade (as in the cases of Kosovo and Serbia). For their part, the countries which joined the EU took the lead in reforms because of the pre-accession requirements. As the following years have shown, however, EU membership is by no means a guarantee of sustainable media freedom – suffice it to mention the notorious case of Bulgaria, whose World Press Freedom Index ranking began to drop dramatically precisely after the country's EU accession. Actually, it is curious that the South East European countries with the highest average ranking over the years are Bosnia and Herzegovina and Romania – considering that the former went through war and post-war crises, while the latter has offered media-political-criminal stories as if taken from thriller movies, but featuring real-life media moguls and journalists.[4] In the final analysis, it is evident that we cannot fit in one single mould the causal ties that have made the media in the region what they are today. Obviously, South East Europe is a specific, intriguing case that needs to be read more than once in order to be understood in its full depth.

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[4] Adina Marinca describes several such cases in her chapter on Romania.

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Reporters Without Borders' World Press Freedom Index: Data Sources

Year	Source	Countries included (total number)
2002	https://rsf.org/en/reporters-without-borders-publishes-first-worldwide-press-freedom-index-october-2002	139
2003	https://rsf.org/en/second-world-press-freedom-ranking-october-2003	166
2004	https://rsf.org/en/third-annual-worldwide-press-freedom-index-2004	167
2005	https://rsf.org/en/worldwide-press-freedom-index-2005	167
2006	https://rsf.org/en/worldwide-press-freedom-index-2006	168
2007	https://rsf.org/en/worldwide-press-freedom-index-2007	169
2008	https://rsf.org/en/world-press-freedom-index-2008	173
2009	https://rsf.org/en/world-press-freedom-index-2009	175
2010	https://rsf.org/en/world-press-freedom-index-2010	178
2011/ 2012	https://rsf.org/en/world-press-freedom-index-20112012	179
2013	https://rsf.org/en/world-press-freedom-index-2013	179
2014	https://rsf.org/en/world-press-freedom-index-2014	180
2015	https://rsf.org/en/ranking/2015#	180
2016	https://rsf.org/en/ranking/2016#	180
2017	https://rsf.org/en/ranking/2017#	180
2018	https://rsf.org/en/ranking/2018#	180
2019	https://rsf.org/en/ranking/2019#	180
2020	https://rsf.org/en/ranking/2020#	180