

EUROPE & EURASIA



MEDIA SUSTAINABILITY INDEX 2018

Tracking Development
of Sustainable
Independent Media
Around the World



USAID
FROM THE AMERICAN PEOPLE



MEDIA SUSTAINABILITY INDEX 2018

The Development of Sustainable Independent Media in Europe and Eurasia

www.irex.org/msi

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Founded in 1968, IREX has an annual portfolio of over \$80 million, offices in 20 countries, and a global staff of 400. We work in more than 100 countries worldwide.

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Institute for Advanced Studies GAP (Kosovo)

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Legal Media Center (Kazakhstan)

<http://lmc.kz>

Media Development Center (Macedonia)

<http://mdc.org.mk>

Independent Journalism Center (Moldova)

<http://ijc.md/eng/>

Media LTD (Montenegro)

<http://www.media.cg.yu/index.htm>

Center for Independent Journalism (Romania)

<http://www.cji.ro/>



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INTRODUCTION



It is my pleasure to introduce the 2018 edition of the Media Sustainability Index (MSI) for Europe and Eurasia. Once again the MSI provides unparalleled depth of information about the state of the media in 21 countries from the Balkans to Central Asia. Local media professionals offer an inside view of the barriers they face in their day-to-day work. In particular this year, they pointed to increasing threats against, and intimidation of, media workers, as well as financial stresses and their impact on professional ethics and editorial independence. Panelists across several countries also highlighted issues that have been discussed in previous MSI studies, including: inadequate journalism education at the student and professional levels, the deliberate proliferation of fake news and propaganda, the politicization of state funding to public service broadcasters, and weak enforcement of media laws that meet international standards for free speech and media freedom.

The MSI, now in its 17th year, is one of the world's most trusted recurring studies of media health. IREX developed the MSI to provide an international development approach to measuring media sector performance. Looking beyond issues of free speech, the MSI aims to understand the degree to which

news and information from both traditional and non-traditional sources serve its audience reliably. This year, in an exciting innovation, IREX has developed the Media Sustainability Explorer (which can be found at www.mediasustainabilityindex.org), a platform that allows users to analyze MSI data since the inception of the study in 2001 across MSI objectives as well as the countries that the MSI studies.

The MSI measures a number of contributing factors of a well-functioning media system and considers both traditional media types and new media platforms. This level of investigation allows policymakers and implementers to analyze the diverse aspects of media systems and determine the areas in which media development assistance can improve access to news and information that empowers citizens to help improve the quality of governance through participatory and democratic mechanisms.

Findings in the MSI also provide useable analysis for the media and media advocates in each country and region. By reflecting the expert opinions of media professionals in each country, its results inform the media community, civil society, and governments of the strengths and weaknesses of the sector.

The MSI is not possible without a large cast of players. Foremost, more than 250 media professionals from throughout Europe and Eurasia took time from their busy schedules to reflect on their own media sector and provide the thoughtful comments that make the MSI stand out as a media development assessment tool. Discussion moderators and authors from each country organize the MSI and contextualize the panelists' thoughts. Without Stephanie Hess's dedicated logistical and management support—coupled with prior contributions from Jessica Sadler, Lee Ann Grim, Raquel Rosenbloom, and Rachel Crocker—this year's MSI would not have been possible to produce. The United States Agency for International Development (USAID) has been a consistent supporter of the MSI, funding the project from its inception and ensuring its ongoing implementation.

We hope you will find this report useful, and we welcome any feedback.

Sincerely,



Linda Trail
Managing Editor

EXECUTIVE SUMMARY



When examined through a regional lens, there was slight improvement in the combined average score for the 21 countries studied in the 2018 Europe & Eurasia Media Sustainability Index (MSI): In 2017 the combined average score for E&E was 1.81 and in 2018 this score increased to 1.84. The largest gains on the regional level were in legal protections of free speech and access to information, professional journalism, and plurality of news sources. However, the region still faces challenges to creating and supporting a vibrant information space and healthy media ecosystem.

On a country-by-country basis, Kosovo ranked the highest, with an overall score of 2.56, followed by Albania (2.42), Montenegro (2.40), and Moldova (2.38). While all of these countries were ranked in the top five scorers in last year's MSI study, a per-objective score examination for 2018 shows:

- ▶ Kosovo: Moderate improvement across all MSI objectives.
- ▶ Albania: Moderate improvement in Objectives 1 (freedom of speech), 3 (plurality of news), and 5 (supporting institutions) with lower scores in Objectives 2 (professional journalism) and 4 (business management).
- ▶ Montenegro: Increases in all objectives, with higher gains in Objectives 2 and 3.
- ▶ Moldova: Small increases in Objectives 1, 2, and 3, with moderate loss in the Objective 5 score.

On the opposite end of the spectrum, Kazakhstan (1.41), Azerbaijan (1.02), and Uzbekistan (1.00) were the lowermost scores, with Turkmenistan's score

of 0.39 making it the lowest ranked country. It is worth noting that while Uzbekistan is on the lower end of MSI scores, its overall score showed some improvement, likely a reflection of the current thaw following the death of long-time President Islam Karimov in late 2016. While observers of Uzbekistan are tentatively hopeful about current positive signals, it is likely too soon to be confident that this is a long-term trend.

Macedonia and Montenegro saw the largest overall score increases this year, in comparison to 2017. The improvement across all objectives this year for Macedonia's media sector can be attributed to political changes that prioritize media in democratic reforms. Although Montenegro's score improvement shows promising progress and puts it in the Near Sustainability category, weaknesses in the country's media sector include low revenue generation, declining professional development opportunities, political biases, and low adherence to professional standards.

Kyrgyzstan and Serbia saw the largest overall decreases in their scores. While Kyrgyzstan's MSI score for the business management objective increased slightly, all other objective scores experienced a decline, moving Kyrgyzstan from Near Sustainability in 2017 to Unsustainable Mixed System in 2018. Serbia's scores in all MSI objectives are indicative of a downward trend in the country's media space. Among the factors feeding this spiral are: media content is more polarized now than at any time in almost 20 years; an increase in fake news; editorial pressure on media; and a poor overall economic operating environment.

What's Inside the 2018 MSI and Launch of the Media Sustainability Explorer

IREX has analyzed major significant themes that emerged across multiple chapters, countries, and regions in this year's edition. Panelists from many countries independently pointed to the danger of violence and threats against journalists and media outlets, along with adverse financial pressures and their impact on professional ethics and editorial independence.

While our discussion below will concentrate on the concerns surrounding intimidation of journalists and the effects of financial stresses on ethics and independence, as in previous MSI studies the issues of fake news and propaganda continue to impact media sectors throughout the region. Various chapter authors provided some insight into the effects of these ongoing issues. In Bulgaria, the chapter noted that lack of transparency in the ownership of online media contributes to the distribution of fake news and propaganda. The Armenia chapter noted that its media sector is flooded with information, making it difficult for people with weak media literacy skill to identify propaganda from real news. The author of the Ukraine chapter noted that pro-Russia and Kremlin-controlled media propagates fake news and propaganda, which has led the Government of Ukraine to block Russian social media networks and online services. In Moldova, the chapter author noted that "external (i.e., Russian) and internal propaganda has continued. This material mostly discredits the country's European integration prospects and promotes the Russian agenda."

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Again this year IREX has compiled a summary of panelist and chapter author recommendations organized into several themes: 1) Improving journalists' safety and protection; 2) Strengthening access to information; 3) Improving journalism education at universities and for working journalists; 4) Encouraging editorial independence in public and private media through transparent media funding and ownership; 5) Strengthening adherence to journalism ethics; and 6) Increasing advocacy for media freedoms. IREX hopes these will be useful to MSI users.

While scoring charts providing all scores for 2018 can be found at the end of this section, as noted in the Introduction IREX has worked with **Keshif, LLC**, a firm specializing in data visualization and exploration, to develop the **Media Sustainability Explorer**. We encourage readers to delve into this dynamic data platform to analyze data from all 17 years of the Europe and Eurasia MSI, compare Europe and Eurasia MSI data trends across time, and examine specific countries and regions.

Journalism under Threat

In 2017, notable cases of violence against media professionals—journalist Jan Kusiak and his partner Martina Kusnirova were murdered in Slovakia and journalist Daphne Caruana Galizia was killed by a car bomb in Malta—highlighted on the international stage the real dangers journalists face in the course of their jobs. These high-profile incidents indicate that violence against journalists along with direct government pressure on the media are not limited to closed and closing societies, and MSI panelists throughout Europe and Eurasia echoed threats that journalists in their countries face.

Throughout the Balkans, increased threats against journalists seem to be the norm. Bulgarian MSI panelists noted a significant increase in crimes

against media professionals, with numerous cases of assaults and threats. The Association of BH Journalists in Bosnia logged five death threats against journalists, in addition to other types of threats and pressures. The Association of Kosovo Journalists and the Association of Journalists of Macedonia each recorded 20 cases of assaults against journalists in their respective countries. According to data from the Independent Journalists Association of Serbia (NUNS), in 2017 there were 83 incidents involving journalists reported, including: six physical assaults, two attacks on property; 54 instances of pressure, and 21 verbal threats. In 2016, the number of incidents was 69 and in 2013 no more than 23. In Croatia, a MSI panelist remarked, "The number of physical attacks on journalists in 2017 has doubled in comparison to 2016."

In Eurasia, the picture is not brighter. In one troubling case, in 2017 Azerbaijani investigative reporter Afgan Mukhtarli, who went into exile in Georgia after reporting on corruption in the Azerbaijani military, was grabbed off the street in Tbilisi and returned to Baku. After his return to Azerbaijan, Mukhtarli was charged with illegal border crossing and smuggling foreign currency, and he was sentenced to six years in jail.

In 2017, two Russian journalists covering corruption issues were murdered. According to the Glasnost Defense Foundation, during the year there were 54 cases where journalists and bloggers received threats and 55 cases where they were assaulted. In Moldova, media organizations made at least 25 public statements condemning abuses in the media sector, including: verbal and physical aggression toward journalists by representatives of political parties or civil servants; persecution and detention of journalists; and restrictions of media representatives' access to events of public interest.

Throughout 2017, direct government pressure

on media continued throughout Europe and Eurasia, with politicians and elected officials openly condemning journalists and media professionals. In October, Czech President Milos Zeman waved a mock assault rifle with the inscription "at journalists" at a press conference.¹ Although the Czech Republic is not one of the MSI's target countries, this type of open hostility was echoed throughout MSI panel discussions. From the Balkans—where Albanian Prime Minister Edi Rama is engaging in increasingly harsh rhetoric against media and journalists—to Central Asia, state institutions and government officials are involved in what is seen as politically motivated repression against media outlets and journalists critical of their actions.

As an extreme example, the Belarusian government sought to curb free speech by labeling more than 300 materials and publications extremist and blocking their distribution. While some of this content contained jihadist propaganda, Nazism, and other extreme views, some was blocked due to references to Belarusians supporting Ukrainians by participating in Ukraine's conflict with Russia in eastern Ukraine. In 2017, the state detained 167 journalists—in most cases their detentions were related to their coverage of anti-governmental protests at the beginning of the year. The last time more than 100 journalists were detained in a year was 2011.

In Kyrgyzstan, those in power routinely cite offenses to "dignity and honor" to muzzle critical voices. Use of the tactic reached new levels in 2017, as defamation cases were brought at the behest of the president, the prime minister, the presidential candidates, and the state registration service. Moreover, 2017 saw the first use of laws against

¹ <https://rsf.org/en/news/czech-republic-czech-president-threatens-journalists-mock-kalashnikov>



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inciting ethnic discord to prosecute social media users. Criminal cases were opened against users of Facebook and VKontakte as a result of the Kyrgyz State Committee for National Security monitoring posts and comments on the social networks. Previously such incidents brought only administrative punishments (civil fines) for the users.

In Bosnia and Herzegovina, the State Security Minister Dragan Mektić responded to a critical article on *dnevno.ba* by publicly posting the medical records of writer Josip Šimić, claiming that the reporter had “serious psychological disorders.” In Bulgaria, disturbing verbal attacks on journalists by members of the government or other high-ranking officials are also on the rise. The chapter’s author noted that “The most well-documented case of such a verbal attack happened on air during Nova TV’s morning show, when an MP from the ruling party openly threatened the anchor. Faced with massive protests, the MP in question, Anton Todorov, had to resign from Parliament.”

Financial Interests versus Ethical Standards

Against this backdrop of threats against journalists and media outlets, virtually all MSI panels discussed the lingering impacts of the 2008 global financial crisis. In less robust country economies, coupled with the migration of advertising income away from traditional print and broadcast media to the online world, the cumulative impact of these factors makes media vulnerable to political and business interests, which in turn impacts editorial independence and professionalism. Even in countries with a historically vibrant media sectors, such as Croatia, the impact cannot be underestimated. The author of the Croatia chapter noted: “Once a proud product of local journalistic, editorial, and management skills, the commercial media sector in Croatia has

been reduced to a handful of outlets that are barely surviving due to the global restructuring of media and the dire impact of the prolonged financial crisis. If it were not for a small number of foreign investors and the financial support from public sources, the media industry would be closing.”

All countries examined in the MSI chapters have felt the pressures of decreased advertising revenue available to media, generally making media’s survival dependent on owners (who may have political and financial interests) and limited numbers of major advertisers. Furthermore, many media outlets throughout the region depend on contracts from their governments, which invites more indirect government influence in editorial content. The author of the Macedonia summed up the situation by noting, “In Macedonia’s weak media market, owners use their broadcast media primarily to support their other businesses or as leverage in efforts to secure government contracts. As a result, they often meddle in editorial policies to prevent reporting that could jeopardize some of their other business ventures or chances to win a lucrative government tender.”

In several countries, MSI panels noted more direct political interference in the advertising market for media. In Bosnia and Herzegovina, the chapter notes that some of the country’s major advertisers are closely affiliated with political parties. In Kazakhstan, the government actively uses advertising as a means of applying pressure and incentives in the media sector: In managing bids to place public information materials (documents, decrees, etc.) authorities employ strategies developed over time to exclude the “undesirable.” In Kyrgyzstan, a state-owned national broadcaster has a 20% share of the television advertising market and unwritten rules direct advertising by government bodies to a handful of mostly state-owned outlets.

Similarly, in Russia the MSI panelists noted that: “State information contracts, through which the government pays media to cover its operations and this coverage is approved by press departments prior to publication, heavily distort the media market. This has increased impact in the regions where the amount of state media expenditure is comparable to advertising revenue. There are few regions (for example, Chelyabinsk and Voronezh) where authorities distribute state subsidies to media fairly and transparently. But in a majority of regions, state money goes to loyal media.”

Throughout the region, financial pressure has led to increased use of advertorial content, native advertising, and other forms of paid content—leading to a negative impact on editorial policy. The Armenia chapter author noted that discerning actual news from advertorial content is increasingly challenging, and the media itself rarely makes this distinction. In Macedonia, the author noted that commercial and political advertorial content is necessary to generate revenue. In countries, such as Romania, where clearly marking paid content is mandated under advertising laws, news and advertorials are run on the same page, are visually similar, and goes unlabeled.

The impact of the twin factors of decreased revenue and alternative sources of revenue is keenly observed with respect to journalism ethics. As the Albania chapter notes, this strain on financing for media outlets’ operations has fostered self-censorship. Moreover, political and business interests’ financial support of media outlets further undermines editorial independence and adherence to ethical standards. As the Armenia chapter observed, “Because a vast array of media outlets has political strings attached—many exist for the sole purpose of supporting a specific political force or figure—it would be naïve to expect that they would

EXECUTIVE SUMMARY

even try to achieve objectivity and impartiality by providing different viewpoints.”

The Montenegro chapter expanded on this by noting, “Some journalists and media outlets publish unprofessional articles often backed by interest groups, individuals, or parties that are just using them to attack their opponents. With online media, there is quite a lot of plagiarism; entire articles are simply copy-pasted from one portal to the next without mentioning the source, or even trying to edit the article to reflect the publisher’s geographic location. Cases of superficial reporting, without checking published information, is evident.” Similarly, in Croatia, the chapter noted that the news cycle, which demands almost instant reaction, pushes underpaid journalists and understaffed newsrooms to disregard fact-checking their information and that there is a growing trend of presenting information taken from a secondary source without checking the reliability of that source. The author of the Bosnia and Herzegovina chapter echoed this sentiment by observing that while ethical norms are in place, they are not routinely followed: “The majority of media adhere to the political, ideological, ethno-national, and even private agenda of political parties, and/or the commercial interests of their owners and main funders.”

Financial instability that pressures media into unsound journalistic practices and the threats that journalists face are among major trends that emerged in the following country chapters of the MSI. However, panels across the region also delved into other critical issues facing media throughout Europe and Eurasia, such as: inadequate journalism education at the student and professional levels, the deliberate proliferation of fake news and propaganda, the politicization of state funding to public service broadcasters, and weak enforcement of media laws that meet international standards for

free speech and media freedom.

Recommendations

In a recent tradition, we asked panelists and chapter authors to provide specific recommendations on ways to improve the performance of their media sectors. In the past, some recommendations were included in the text; however, since there was not a logical space in each chapter, these recommendations were not included consistently when they came up naturally in panelist discussions.

Below are some of this year’s recommendations based on a few of the recurring themes, with a designation of the country of origin. Many of these have more universal application, however.

Improving journalists’ safety and protection:

Bulgaria: The Bulgarian authorities should investigate rigorously the cases of physical attacks and threats against journalists and bring their perpetrators to justice.

Georgia: Establishing a media law center is crucial in order to support journalists and media organizations with legal and court cases.

Kosovo: Crimes against journalists should be prosecuted more vigorously. Both the prosecutor’s office and the police department should not treat crimes against journalists as just ordinary crimes.

Russia: Continue legal training for independent media outlets to help them navigate increasingly restrictive laws and regulations.

Strengthening access to information:

Bosnia and Herzegovina: Develop better and more consistent complaint procedures when government institutions fail to provide requested public information in accordance with the Freedom of Information Act. Timely delivery of information in general should be assured, in particular after it is ordered by the court. Penalization of institutions and officials that delay delivering such information

should be assured.

Bulgaria: Access to information needs to be reinforced by the creation of a specialized government body to oversee and coordinate provision of information from the different branches of the executive. Sanctions for non-compliance should be increased and effectively enforced.

Moldova: Media organizations should monitor how public institutions react to requests for access to information and should regularly produce an index of the most open state institutions.

Improving journalism education at universities and for working journalists:

Albania: The public university should invest in improving its technological infrastructure (computer lab, equipment for media production, etc.) that would benefit the program more, as well as create greater opportunities for students to learn and practice their skills.

Armenia and Montenegro: A quality, modern journalism school for both undergraduate and graduate level study that would be equipped with modern equipment, along more short-term training opportunities for practicing journalists.

Bulgaria: Professional training programs able to address the challenges media face with declining professional standards, the fake news phenomenon and the digital transition of media should be supported and made available to media organizations across the country, including for the regional media.

Romania: Reform the curricula of journalism schools, based on the latest advances in the field and on forward-looking approaches.

Russia and Ukraine: Continue building the capacity of independent media to generate revenue online and ensure that media managers have proper training geared towards financial sustainability during economic crises.

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Encouraging editorial independence in public and private media through transparent media funding and ownership:

Bosnia and Herzegovina: Increasing transparency of media funding and developing norms that would ensure that government funding for media contributes to the public interest. The criteria should be made more specific, the independence of bodies that make decisions should be increased and there should be transparency about the amounts allocated. Funding by the government, as well as by international donors, should be made dependent on adopting and implementing certain norms (for example, independent and credential-based appointment of editors and better protection of editors from unlawful dismissal) in the internal codes and practices of media.

Bulgaria: Public funds, including communication funds for EU-funded actions in Bulgaria, should not be used to influence the editorial independence of the media and should be disbursed on a fair basis

applying transparent criteria agreed upon with the media industry.

Moldova: Media outlets should make their funding sources public.

Ukraine: Legislation on transparency of media ownership has to be improved to enable regulatory bodies to monitor media with non-transparent ownership. It is also necessary to introduce legal provisions to ensure transparency of media funding sources.

Strengthening adherence to journalism ethics:

Belarus: Review and better implement codes of ethics, including provisions that cover web-based journalism.

Moldova: Professional associations and media NGOs should strengthen media that work on democratic principles and should discourage the use of journalism for disinformation and public opinion manipulation.

Romania: Renew professional discussions on journalism standards and explore new way to have these standards known and respected by the

journalism community.

Ukraine: Journalism education and training in professional and ethical standards must be delivered on a regular basis to novices in the profession, as those who were trained earlier have been either promoted or left the profession.

Increasing advocacy for media freedoms:

Bosnia and Herzegovina: Civil society, including journalist associations, should closely monitor and react to proposed legislative changes, as well as propose changes of their own, in efforts to promote media freedom. Trade unions and professional associations should support working conditions and rights of journalists.

Romania: NGOs should maintain vigilant monitoring and advocacy regarding freedom of expression (including access to information), media freedom and pluralism, and a free and fair Internet.

Tajikistan: Media associations must create mechanisms to counter pressures placed on media.

PERCENT CHANGE IN MSI 2001–2018: EUROPE AND EURASIA



* Data for Turkmenistan is since 2008

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Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

MEDIA SUSTAINABILITY INDEX 2018: OVERALL AVERAGE SCORES

▲ Turkmenistan 0.39	▲ Uzbekistan 1.00	□ Belarus 1.61 ▼ Bosnia & Herzegovina 1.67 □ Bulgaria 1.81 ▼ Kyrgyzstan 1.97 □ Azerbaijan 1.02 ▼ Kazakhstan 1.41 ▼ Serbia 1.46	▲ Macedonia 1.91 ▲ Russia 1.72 ▲ Tajikistan 1.73	□ Albania 2.42 □ Armenia 2.28 ▼ Croatia 2.15 □ Georgia 2.31 □ Moldova 2.38 ▲ Montenegro 2.40 □ Romania 2.37 □ Ukraine 2.08	▲ Kosovo 2.56		
0-0.50	0.51-1.00	1.01-1.50	1.51-2.00	2.01-2.50	2.51-3.00	3.01-3.50	3.51-4.00
UNSUSTAINABLE ANTI-FREE PRESS		UNSUSTAINABLE MIXED SYSTEM		NEAR SUSTAINABILITY		SUSTAINABLE	

CHANGE SINCE 2017

▲ (increase greater than .10) □ (little or no change) ▼ (decrease greater than .10)

MEDIA SUSTAINABILITY INDEX 2018: FREE SPEECH

▲ Turkmenistan 0.34	▲ Uzbekistan 0.88	□ Azerbaijan 1.05 ▼ Belarus 1.19 □ Kazakhstan 1.46	▲ Macedonia 1.94 ▲ Russia 1.63 ▲ Tajikistan 1.63 ▼ Serbia 1.59	□ Bosnia & Herzegovina 2.18 ▼ Bulgaria 2.19 ▼ Croatia 2.46 ▼ Kyrgyzstan 2.14 ▲ Montenegro 2.46 □ Ukraine 2.48	▲ Albania 2.76 □ Armenia 2.52 ▼ Georgia 2.54 ▲ Kosovo 2.65 □ Moldova 2.63 □ Romania 2.73		
0-0.50	0.51-1.00	1.01-1.50	1.51-2.00	2.01-2.50	2.51-3.00	3.01-3.50	3.51-4.00
UNSUSTAINABLE ANTI-FREE PRESS		UNSUSTAINABLE MIXED SYSTEM		NEAR SUSTAINABILITY		SUSTAINABLE	

CHANGE SINCE 2017

▲ (increase greater than .10) □ (little or no change) ▼ (decrease greater than .10)

MEDIA SUSTAINABILITY INDEX 2018: PROFESSIONAL JOURNALISM

▲ Turkmenistan 0.70		▼ Azerbaijan 1.28 □ Bosnia & Herzegovina 1.46 □ Kazakhstan 1.37 ▲ Russia 1.43 ▼ Serbia 1.09 ▲ Uzbekistan 1.23	□ Belarus 1.76 □ Bulgaria 1.53 □ Croatia 1.63 ▼ Kyrgyzstan 1.88 ▲ Macedonia 1.74 □ Romania 2.00 ▲ Tajikistan 1.66 □ Ukraine 1.87	▼ Albania 2.11 □ Armenia 2.17 □ Georgia 2.36 ▲ Montenegro 2.19 ▲ Moldova 2.39	▲ Kosovo 2.52		
0-0.50	0.51-1.00	1.01-1.50	1.51-2.00	2.01-2.50	2.51-3.00	3.01-3.50	3.51-4.00
UNSUSTAINABLE ANTI-FREE PRESS		UNSUSTAINABLE MIXED SYSTEM		NEAR SUSTAINABILITY		SUSTAINABLE	

CHANGE SINCE 2017

▲ (increase greater than .10) □ (little or no change) ▼ (decrease greater than .10)

EXECUTIVE SUMMARY

MEDIA SUSTAINABILITY INDEX 2018: PLURALITY OF NEWS SOURCES

▲ Turkmenistan 0.38	<ul style="list-style-type: none"> □ Azerbaijan 1.08 ▼ Serbia 1.47 ▲ Uzbekistan 1.09 	<ul style="list-style-type: none"> □ Belarus 1.85 ▼ Bosnia & Herzegovina 1.86 ▼ Kazakhstan 1.61 ▲ Russia 1.74 ▲ Tajikistan 1.95 	<ul style="list-style-type: none"> ▲ Armenia 2.43 □ Bulgaria 2.06 □ Croatia 2.34 ▼ Kyrgyzstan 2.10 ▲ Macedonia 2.04 □ Ukraine 2.27 	<ul style="list-style-type: none"> □ Albania 2.58 □ Georgia 2.53 ▲ Kosovo 2.64 □ Moldova 2.63 ▲ Montenegro 2.81 ▲ Romania 2.62 			
0–0.50	0.51–1.00	1.01–1.50	1.51–2.00	2.01–2.50	2.51–3.00	3.01–3.50	3.51–4.00
UNSUSTAINABLE ANTI-FREE PRESS		UNSUSTAINABLE MIXED SYSTEM		NEAR SUSTAINABILITY		SUSTAINABLE	

CHANGE SINCE 2017

▲ (increase greater than .10) □ (little or no change) ▼ (decrease greater than .10)

MEDIA SUSTAINABILITY INDEX 2018: BUSINESS MANAGEMENT

□ Turkmenistan 0.26	<ul style="list-style-type: none"> □ Azerbaijan 0.76 ▲ Uzbekistan 0.97 	<ul style="list-style-type: none"> □ Belarus 1.29 □ Bosnia & Herzegovina 1.05 ▼ Bulgaria 1.33 ▼ Kazakhstan 1.02 ▼ Serbia 1.05 ▲ Tajikistan 1.48 ▼ Ukraine 1.43 	<ul style="list-style-type: none"> ▼ Albania 1.93 □ Armenia 1.85 ▼ Croatia 1.95 □ Georgia 1.60 ▲ Kyrgyzstan 1.77 ▲ Macedonia 1.54 □ Moldova 1.86 ▲ Russia 1.76 	<ul style="list-style-type: none"> ▲ Kosovo 2.36 ▲ Montenegro 2.13 □ Romania 2.07 			
0–0.50	0.51–1.00	1.01–1.50	1.51–2.00	2.01–2.50	2.51–3.00	3.01–3.50	3.51–4.00
UNSUSTAINABLE ANTI-FREE PRESS		UNSUSTAINABLE MIXED SYSTEM		NEAR SUSTAINABILITY		SUSTAINABLE	

CHANGE SINCE 2017

▲ (increase greater than .10) □ (little or no change) ▼ (decrease greater than .10)

MEDIA SUSTAINABILITY INDEX 2018: SUPPORTING INSTITUTIONS

▲ Turkmenistan 0.26	<ul style="list-style-type: none"> □ Azerbaijan 0.91 □ Uzbekistan 0.81 	<ul style="list-style-type: none"> ▲ Belarus 1.98 □ Bosnia & Herzegovina 1.80 □ Bulgaria 1.91 ▼ Kazakhstan 1.57 ▼ Kyrgyzstan 1.96 ▲ Tajikistan 1.95 	<ul style="list-style-type: none"> □ Armenia 2.42 ▼ Croatia 2.38 ▲ Macedonia 2.32 ▼ Moldova 2.40 ▲ Montenegro 2.41 ▼ Romania 2.43 ▲ Russia 2.02 ▼ Serbia 2.10 □ Ukraine 2.35 	<ul style="list-style-type: none"> ▲ Albania 2.71 □ Georgia 2.51 □ Kosovo 2.63 			
0–0.50	0.51–1.00	1.01–1.50	1.51–2.00	2.01–2.50	2.51–3.00	3.01–3.50	3.51–4.00
UNSUSTAINABLE ANTI-FREE PRESS		UNSUSTAINABLE MIXED SYSTEM		NEAR SUSTAINABILITY		SUSTAINABLE	

CHANGE SINCE 2017

▲ (increase greater than .10) □ (little or no change) ▼ (decrease greater than .10)

METHODOLOGY



IREX prepared the MSI in cooperation with USAID as a tool to assess the development of media systems over time and across countries. IREX staff, USAID, and other media-development professionals contributed to the development of this assessment tool.

The MSI assesses five “objectives” in shaping a successful media system:

1. Legal and social norms protect and promote free speech and access to public information.
2. Journalism meets professional standards of quality.
3. Multiple news sources provide citizens with reliable, objective news.
4. Media are well-managed enterprises, allowing editorial independence.
5. Supporting institutions function in the professional interests of independent media.

These objectives were judged to be the most important aspects of a sustainable and professional independent media system, and serve as the criteria against which countries are rated. A score is attained for each objective by rating between seven and nine indicators, which determine how well a country meets that objective. The objectives, indicators, and scoring system are presented below.

Scoring: A Local Perspective

The primary source of information is a panel of local experts that IREX assembles in each country to serve as panelists. These experts are drawn from the country’s media outlets, NGOs, professional associations, and academic institutions. Panelists

may be editors, reporters, media managers or owners, advertising and marketing specialists, lawyers, professors or teachers, or human rights observers. Additionally, panels comprise the various types of media represented in a country. The panels also include representatives from the capital city and other geographic regions, and they reflect gender, ethnic, and religious diversity as appropriate. For consistency from year to year, at least half of the previous year’s participants are included on the following year’s panel. IREX identifies and works with a local or regional organization or individual to oversee the process.

The scoring is completed in two parts. First, panel participants are provided with a questionnaire and explanations of the indicators and scoring system. Descriptions of each indicator clarify their meanings and help organize the panelist’s thoughts. For example, the questionnaire asks the panelist to consider not only the letter of the legal framework, but its practical implementation, too. A country without a formal freedom-of-information law that enjoys customary government openness may well outperform a country that has a strong law on the books that is frequently ignored. Furthermore, the questionnaire does not single out any one type of media as more important than another; rather it directs the panelist to consider the salient types of media and to determine if an underrepresentation, if applicable, of one media type impacts the sustainability of the media sector as a whole. In this way, we capture the influence of public, private, national, local, community, and new media. Each panelist reviews the questionnaire individually and scores each indicator.

The panelists then assemble to analyze and discuss the objectives and indicators. While panelists may choose to change their scores based upon discussions, IREX does not promote consensus on scores among panelists. The panel moderator (in most cases a representative of the host-country institutional partner or a local individual) prepares a written analysis of the discussion, which IREX staff members edit subsequently. Names of the individual panelists and the partner organization or individual appear at the end of each country chapter.

IREX editorial staff members review the panelists’ scores, and then provide a set of scores for the country, independently of the panel. This score carries the same weight as an individual panelist. The average of all individual indicator scores within the objective determines the objective score. The overall country score is an average of all five objectives.

In some cases where conditions on the ground are such that panelists might suffer legal retribution or physical threats as a result of their participation, IREX will opt to allow some or all of the panelists and the moderator/author to remain anonymous. In severe situations, IREX does not engage panelists as such; rather the study is conducted through research and interviews with those knowledgeable of the media situation in that country. Such cases are appropriately noted in relevant chapters.

M E T H O D O L O G Y

I. Objectives and Indicators

Objective #1: Legal and social norms protect and promote free speech and access to public information.

Legal and social norms protect and promote free speech and access to public information.

FREE-SPEECH INDICATORS

- ▶ Legal and social protections of free speech exist and are enforced.
- ▶ Licensing of broadcast media is fair, competitive, and apolitical.
- ▶ Market entry and tax structure for media are fair and comparable to other industries.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- ▶ Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- ▶ Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Objective #2: Journalism meets professional standards of quality.

Journalism meets professional standards of quality.

PROFESSIONAL JOURNALISM INDICATORS

- ▶ Reporting is fair, objective, and well sourced.
- ▶ Journalists follow recognized and accepted ethical standards.
- ▶ Journalists and editors do not practice self-censorship.
- ▶ Journalists cover key events and issues.
- ▶ Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- ▶ Entertainment programming does not eclipse news and information programming.
- ▶ Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- ▶ Quality niche reporting and programming exists (investigative, economics/business, local, political).

Objective #3: Multiple news sources provide citizens with reliable, objective news.

Multiple news sources provide citizens with reliable and objective news.

PLURALITY OF NEWS SOURCES INDICATORS

- ▶ A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- ▶ Citizens' access to domestic or international media is not restricted.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.
- ▶ Independent broadcast media produce their own news programs.
- ▶ Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

M E T H O D O L O G Y

Objective #4: Media are well-managed enterprises, allowing editorial independence.

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS

- ▶ Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- ▶ Media receive revenue from a multitude of sources.
- ▶ Advertising agencies and related industries support an advertising market.
- ▶ Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- ▶ Independent media do not receive government subsidies.
- ▶ Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- ▶ Broadcast ratings and circulation figures are reliably and independently produced.

Objective #5: Supporting institutions function in the professional interests of independent media.

Supporting institutions function in the professional interests of independent media.

SUPPORTING INSTITUTIONS INDICATORS:

- ▶ Trade associations represent the interests of private media owners and provide member services.
- ▶ Professional associations work to protect journalists' rights.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

II. Scoring System

A. Indicator Scoring

Panelists are directed to score each indicator from 0 to 4, using whole or half points. Guidance on how to score each indicator is as follows:

- 0 = Country does not meet the indicator; government or social forces may actively oppose its implementation.
- 1 = Country minimally meets aspects of the indicator; forces may not actively oppose its implementation, but business environment may not support it and government or profession do not fully and actively support change.
- 2 = Country has begun to meet many aspects of the indicator, but progress may be too recent to judge or still dependent on current government or political forces.
- 3 = Country meets most aspects of the indicator; implementation of the indicator has occurred over several years and/or through changes in government, indicating likely sustainability.
- 4 = Country meets the aspects of the indicator; implementation has remained intact over multiple changes in government, economic fluctuations, changes in public opinion, and/or changing social conventions.

B. Objective and Overall Scoring

The average scores of all the indicators are averaged to obtain a single, overall score for each objective. Objective scores are averaged to provide an overall score for the country. IREX interprets the overall scores as follows:

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media

M E T H O D O L O G Y

development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.





**SOUTHEAST
EUROPE**

ALBANIA



MEDIA SUSTAINABILITY INDEX 2018

Tracking Development
of Sustainable
Independent Media
Around the World



ALBANIA

AT A GLANCE

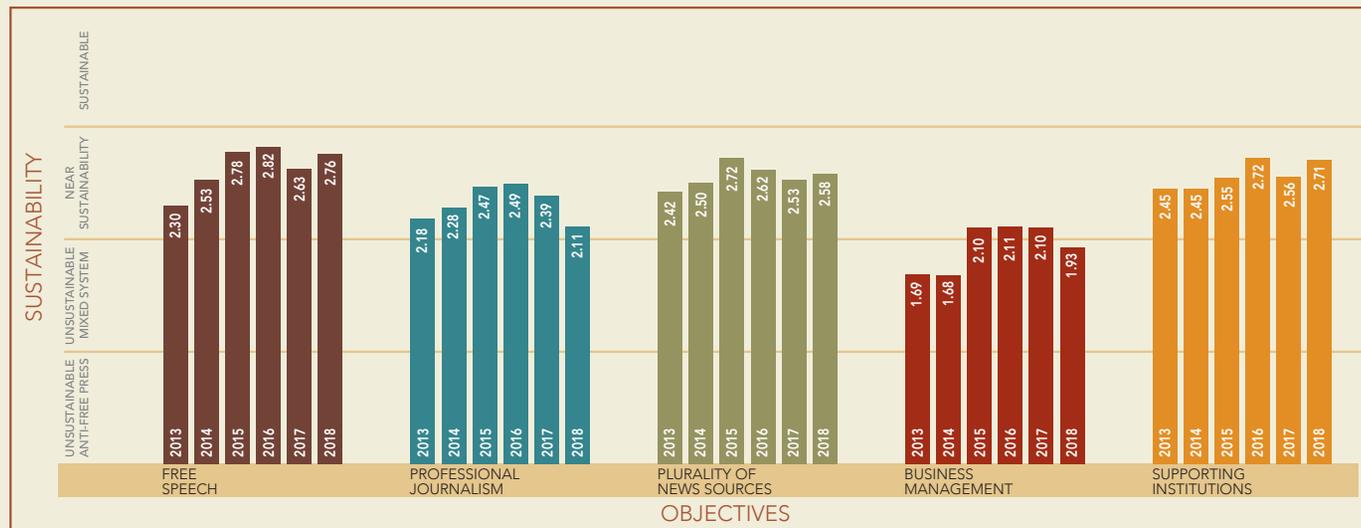
GENERAL

- **Population:** 3,047,987 (2017 est. *CIA World Factbook*)
- **Capital city:** Tirana
- **Ethnic groups (% of population):** Albanian 82.6%, Greek 0.9%, other 1% (including Vlach, Roma, Macedonian, Montenegrin, and Egyptian), unspecified 15.5% (2011 est. *CIA World Factbook*)
- **Religions (% of population):** Muslim 56.7%, Roman Catholic 10%, Orthodox 6.8%, atheist 2.5%, Bektashi (a Sufi order) 2.1%, other 5.7%, unspecified 16.2% (2011 est., *CIA World Factbook*)
- **Languages:** Albanian 98.8% (official), Greek 0.5%, other 0.6% (including Macedonian, Roma, Vlach, Turkish, Italian, and Serbo-Croatian), unspecified 0.1% (2011 est. *CIA World Factbook*)
- **GNI (2016-Atlas):** \$12 billion (*World Bank Development Indicators*, 2017)
- **GNI per capita (2016-PPP):** \$11,350 (*World Bank Development Indicators*, 2017)
- **Literacy rate:** 97.6% (2015 est., *CIA World Factbook*)
- **President or top authority:** President Ilir Meta (since July 24, 2017)

MEDIA-SPECIFIC

- **Number of active print outlets, radio stations, television stations, Internet news portals:** Print: 19 dailies (2017, Albanian Media Institute); Radio Stations: 1 national, 51 local, 4 community (2018, Audiovisual Media Authority), 1 public (in five channels), plus four local programs; TV Stations: 1 public (with 8 national channels), 5 national digital platforms and TV stations, 56 local TV stations, 2 satellite, 100 cable (2018, Audiovisual Media Authority); Internet News Portals: N/A
- **News agencies:** Albanian Telegraphic Agency (state-run)
- **Annual advertising revenue in media sector:** €39 million (2017 est., *Monitor* magazine)
- **Internet users:** 2,016,516 (2016 est., *CIA World Factbook*)
- **Newspaper circulation statistics:** N/A
- **Broadcast ratings:** N/A

MEDIA SUSTAINABILITY INDEX: ALBANIA



SCORE KEY

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

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Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.



Compared to last year, the objectives related to free speech, plurality of news sources, and supporting institutions experienced a slight increase, while the opposite was true for the objectives of professional journalism and business management. Overall score continues to drop, albeit slightly, going from 2.44 in 2017, to 2.42 in 2018. Economic crisis and management practices in Albanian media have had a heavy toll on finances and quality of reporting in media outlets.

With general elections scheduled for June 2017, political crisis wracked Albania during the first half of last year. In February, lawmakers from the opposition Democratic Party walked out of the parliament and announced that they would boycott the election unless a technocratic administration replaced the Socialist Party government in the run-up to the vote. The Democrats, later joined by other opposition parties, claimed that the government has ties to organized crime and to a boom in illegal cannabis cultivation, and was incapable of overseeing free and fair elections. The government called the protests a pretext for stalling judicial reforms demanded by the European Union as part of Albania's candidacy for membership.

After a three-month stalemate, in May the parties reached an internationally mediated agreement that cleared the way for the vote to take place. The balloting was postponed by a week, from June 18 to June 25, and the Democrats were given several ministerial posts, pending the election outcome. Opposition members returned to the parliament and legislative work resumed on creating vetting bodies for judges and other court staff. These steps were a key component of the reform process that has been a byword in Albanian politics since the country was granted EU candidate status in 2014. Lawmakers voted in members of the vetting institutions shortly before the election, in a move that EU leaders welcomed. The European

Commission said that it was prepared to recommend that the union formally open accession talks with Albania. A decision is expected in June 2018.

The June 25 vote returned the Socialists and Prime Minister Edi Rama to power. With that overall majority, the party mandate has been extended from the 2013 election. Judicial reform remains a priority for Rama's second term, but political feuding quickly resumed after the election, and the opposition has announced a new wave of protests.

Amid the political turmoil, the media situation in Albania remained relatively stable. The overall MSI score inched down from 2.44 to 2.42, but the panel found slight improvement in the areas of free speech, plurality of news sources, and supporting institutions. The lowered ratings for professional journalism and business management reflect an economic crisis in the industry, as major advertisers have steadily reduced media buys in recent years. The resulting strain on media finances has led to cutbacks in newsrooms and has fostered self-censorship. Outlets have become more dependent on owners with distinct political and economic interests. Those owners' hands were strengthened in 2017 with the implementation of court-mandated changes to media law that allow for greater concentration in the Albanian market.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

2.76

Albania's constitution and legislation guarantee freedom of speech and freedom of expression. The panel agreed that, in general, Albania has a favorable legal environment for media freedom. They noted, however, shortcomings in implementation of the laws, mainly from the judiciary. The legal framework of press protection has persistent gaps — particularly in the area of defamation. Civil cases around defamation, which is not fully decriminalized, often result in punishing sanctions. "Civil sanctions are rather high, and while defamation cases have mainly been between politicians, rather than involving media, this creates problematic jurisprudence," said Darian Pavli, an attorney specializing in media and human-rights law.

The highest-profile case of the past year was filed by appeals court judge Gjin Gjoni and his wife. They sued news websites Shqiptarja.com and Reporter.al (part of the regional network of the Balkan Investigative Reporting Network, or BIRN) and two journalists from each outlet. The cases, still ongoing at the time of this writing, involve articles about Gjoni's personal wealth and investigations of his finances. The couple claims that the reporting has caused them "moral anguish," and they seek damages totaling €81,600 (\$101,000).¹ "A number of journalists and media in the country are facing civil

1 Erebara, Gjergj, "Albania Court Hears Judge's Lawsuit Against BIRN," Balkan Insight, July 5, 2017, <http://www.balkaninsight.com/en/article/hearing-starts-in-tirana-court-on-albanian-judge-claim-for-defamation-against-birn-albania-07-05-2017>.

lawsuits on defamation or damage of reputation, being pressured with high and non-proportional fines," said Aleksandra Bogdani of Reporter.al, who is a defendant in the Gjoni case, "Such lawsuits in Albania tend to establish a climate of pressure over media and journalists, due mainly to the fact that the arbiter, the judiciary system, suffers from corruption and politicization."

Some panelists said that judges tend to have little knowledge of how media work and of relevant case law from the European Court of Human Rights, stacking the deck against journalists facing defamation lawsuits. Still, rulings for plaintiffs are not automatic. Artan Rama, director of the now-defunct TV news program "Publicus," won a favorable ruling in a case brought by construction company Edil Al-It. Rama had written a Facebook post questioning the firm's winning tender to renovate the National Theater of Opera and Ballet in Tirana.² The verdict was significant in that it affirmed free-press protection for commentary on social media.

Albania's switchover to digital broadcasting picked up speed after a long period of stagnation. In January 2017, the national regulator Audiovisual Media Authority (AMA) granted the last of five national multiplex licenses for private operators. The process was slowed considerably by AMA's decision making and by court challenges to its digitization moves, panelists said. A few praised AMA for breaking through the dysfunction to finalize licensing, and for the late introduction of public broadcaster Radio Televizioni Shqiptar (RTSH) into the process. Aleksander Çipa, head of the Union of Albanian Journalists, said that including RTSH

2 "Victory for Freedom of Expression in Case against Artan Rama," Exit, December 1, 2017, <https://exit.al/en/2017/12/01/victory-for-freedom-of-expression-in-case-against-artan-rama/>.

will provide opportunities for local and regional stations on two public digital networks. According to the panelists, some skeptics said that the process cemented the dominance of established commercial operators in the digital era. But even they said they did not see regulators deny any licenses unfairly.

Panelists agreed that Albania has a relatively friendly legal framework for media businesses. The law sets no industry-specific tax or regulatory burdens on media. In fact, media receive some targeted tax breaks, such as an exemption from value-added tax on media equipment and newspaper sales. Access to the market is

Legal and social norms protect and promote free speech and access to public information.
FREE-SPEECH INDICATORS

- ▶ Legal and social protections of free speech exist and are enforced.
- ▶ Licensing of broadcast media is fair, competitive, and apolitical.
- ▶ Market entry and tax structure for media are fair and comparable to other industries.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
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- ▶ Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

ALBANIA

free and media companies have no additional registration hurdles relative to other sectors, save for requirements for broadcast licenses. Zylyftar Bregu, a journalism lecturer at the University of Tirana and a member of AMA, said that in 2015 his department conducted a survey of 37 owners and managers at major outlets. The survey showed that the respondents are satisfied with the business environment and do not suggest any legal changes.

“A number of journalists and media in the country are facing civil lawsuits on defamation or damage of reputation, being pressured with high and non-proportional fines,” said Aleksandra Bogdani of Reporter.al, who is a defendant in the Gjoni case, “Such lawsuits in Albania tend to establish a climate of pressure over media and journalists, due mainly to the fact that the arbiter, the judiciary system, suffers from corruption and politicization.”

Some panelists said that, while media in general receive favorable legislative treatment, selective implementation can tilt the competitive balance. “The rules of the game once you are in are not the same for everyone,” said Alfred Lela, director of the Politiko news website, “This favoritism ruins free and fair competition between media.” Ornella Liperi, editor in chief of business and economics magazine *Monitor*, said that tax authorities do not always pressure outlets that fail to fully pay their taxes.

Crimes against journalists are rare, but so are arrests of perpetrators. Elvi Fundo, who heads online outlet Citynews.al and Radio Best, was

physically assaulted by two people in March 2017. Police identified and caught one of the assailants, but it remains unknown who ordered the beating. Panelists said that the climate for media freedom has not been helped by prime minister Rama’s increasingly harsh rhetoric against media and journalists. Çipa drew attention to the vulnerable situation of reporters for local media in small towns. These journalists are under more immediate and direct pressure than their peers at bigger outlets or in the capital.

Legislation fails to fully guarantee the independence of regulatory bodies, such as AMA and the RTSH steering council. Their members are appointed by the parliament and subject to partisan pressures, panelists said. Lutfi Dervishi, a prominent freelance journalist, said that the 2016 election of RTSH’s general director is illustrative. To overcome a deadlocked steering council, the ruling Socialists pushed through legal amendments that cleared the way for the former editor of the official party newspaper to head RTSH. “This was the classic case where [council] members did not judge as professionals, but followed decisions that were made outside the institution,” Dervishi said.

Valbona Sulce, a former journalist who sits on the RTSH council, challenged this view. She said that members are nominated by civil-society groups before being elected by parliamentary parties, and make their own decisions. However, she commented that the council should be more transparent about its decision-making process.

Several panelists cited the drafting and approval of RTSH editorial guidelines as a step forward. They also said that the 2017 election was the first in which media monitors gave RTSH positive marks for its coverage. Formerly clearly pro-government, RTSH “is now an open network, judging from its news programs,” said Remzi Lani,

executive director of the Albanian Media Institute. Çipa agreed regarding the national network, but said that local public stations have issues with editorial independence, including firings of journalists for political reasons and unfair hiring practices.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

2.11

Very few outlets in Albania maintain a high standard of professional reporting, and most exhibit serious shortcomings, according to the panel. “I really miss reading and seeing news that has two sources,” Dervishi said, “With a few exceptions, like BIRN or *Monitor*, they mostly only have one source.” Panelists laid the blame not on journalists’ professionalism per se but on the conditions in which they work, including staff shortages, heavy workloads, competitive and fiscal burdens, and poor labor relations.

The boom in online media has further lowered quality, according to the panelists. “Being under financial pressure, with very few and often unqualified reporters, online media have almost undone any professional level of reporting that traditional media have achieved,” Bogdani said. “They often publish news without any sources and copy news from one another, often publishing unverifiable, fake news in addition to violating copyright.”

Ethical standards are on the decline, panelists said. The problem is exacerbated by the development of online media as well as the pervasiveness of public relations material that politicians, parties, and commercial firms produce. Reporters are growing more reliant on these sources, Bregu said. “Journalists are increasingly

Journalism meets professional standards of quality.

PROFESSIONAL JOURNALISM INDICATORS

- ▶ Reporting is fair, objective, and well sourced.
- ▶ Journalists follow recognized and accepted ethical standards.
- ▶ Journalists and editors do not practice self-censorship.
- ▶ Journalists cover key events and issues.
- ▶ Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
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- ▶ Quality niche reporting and programming exists (investigative, economics/business, local, political).

conveying the information as they get it from press offices, rather than further researching or even just verifying it.”

Self-regulatory mechanisms have not improved the ethical picture. The Albanian Media Institute developed a code of ethics more than a decade ago, but it is up to individual journalists to decide whether and how to follow the code. The Albanian Media Council, a self-regulation initiative launched in late 2015 by a group of journalists, is off to a slow start. However, it did open an office and begin holding meetings in late 2017 thanks to support from the international donor support, including UNESCO.³

³ “With UNESCO’s support, the Albanian Media Council becomes operational,” UNESCO, January 30, 2016, <https://en.unesco.org/news/unesco-s-support-albanian-media-council-becomes-operational>.

“It seems a paradox that at a time when the need to respect ethics is stronger than ever due to weakening of professional standards in online media, the implementation of ethical standards remains as problematic as always,” Dervishi said.

The Council of Complaints, a part of AMA, is the only body formally established to address public grievances against media, specifically broadcasters. The council has imposed a few fines but also has experienced considerable pushback. “The reaction of media to the fines has been fierce, degenerating into personal attacks against the chairwoman of the council, which indicates the tolerance media have in this regard,” Pavli said.

Self-censorship among journalists is widespread and becoming normalized, panelists said, with ownership routinely influencing reporters’ work. “In my experience interviewing media directors and reporters, none ever say they have not self-censored,” Bogdani observed. “Self-censorship has worsened, and it is one of the main problems we have at the moment.”

However, panel members debated on whether self-censorship prevents media from exposing the truth. “Self-censorship lies in the fact that you, as a media outlet, publish truths that are only in your own interest,” Lela said, “What goes against you is published by the other media, who have interests different from yours. So, if we are judging the overall information published, it is good. But if we judge media professionalism, we are not doing that well.”

Pay in the media sector is generally lower than the national norm, especially at the local and regional levels. The best paid journalists are principally editors and analysts at big national outlets. According to data from the Union of Albanian Journalists, these workers earn \$550 to \$600 a month — comparable to the \$580 average for public sector workers. More typically, salaries

average \$300 at larger outlets and \$150 to \$200 in local media. “Local reporters are in great [financial] difficulty because their salaries are very low, and most newsrooms do not cover the expenses they incur during the reporting process,” Çipa said.

Worsening the problem, about 60 percent of media companies in Albania delay payment of salaries —sometimes for as long as six months, according to the union. Sometimes outlets shut down without paying the arrears, costing journalists several months of compensation. Numerous outlets do not declare compensation for journalists in financial and tax filings, which can undercut media employees’ social security and health insurance benefits. These labor and pay issues significantly affect journalists’ motivation and the quality of their work, panelists said.

“Being under financial pressure, with very few and often unqualified reporters, online media have almost undone any professional level of reporting that traditional media have achieved,” Bogdani said. “They often publish news without any sources and copy news from one another, often publishing unverifiable, fake news in addition to violating copyright.”

Panel members said news and political shows outnumber entertainment programs. The imbalance is due to the broadcast of several all-news channels, as well as the prevalence of current affairs programs and talk shows, which air nightly across Albanian television. “There is no other country in the world where television broadcasts political shows in prime

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time from Monday to Friday. We can even say that politics has become the main entertainment now," said Dervishi.

Media endeavor to cover a full range of topics, with social issues, crime, the economy, and health garnering significant attention, the panel said. Investigative reporting is gaining traction, particularly with BIRN and other online outlets and with TV programs such as "Boom" on Ora News. "Fiks Fare" on Top Channel and TV Klan's "Stop" mix investigation with satire. The panel also noted the launch of the first-ever investigative program on RTSH.

By and large, media outlets possess satisfactory equipment and journalists have sufficient technical means to do their work. A gap exists between national and local media in this regard, the panel said, but the transition to digital transmission is expected to improve the situation.

OBJECTIVE 3: PLURALITY OF NEWS

2.58

News and information sources are plentiful in Albania, with 19 daily newspapers, more than 100 national and local television and radio channels, and a booming online news presence. In fact, the prevailing view on the panel is that the media sector has too many outlets relative to the country's size and population. "While it is true that not all reports are reliable and unbiased, the pluralism of sources of information is such that the truth gets to the public after all," said Valbona Kurti, editor of "Stop."

However, some panelists said that quantity does not produce a pluralism of viewpoints. Dervishi said that much of the news output reflects sources

and information repeated across different media. "The information provided often is not qualitative and is useless to most of the population," Liperi commented, "There is a high concentration on politicians, with journalists often distancing themselves from the real news, which leads to weaker coverage of reality in the country, in spite of serious attempts by television stations to cover social problems."

Albanian citizens have no obstacles in accessing domestic or foreign sources of information. Panelists said they know of no instances of the government blocking access to any online or traditional outlet. A significant increase in Internet penetration in recent years⁴ has further expanded the public's access to media and led to an increase in the number of online news outlets. The general population, politicians, and media outlets widely use social media, especially Facebook.

The law places no market restrictions on Internet-service providers. Online media are not required to register; they operate with absolute freedom, and with an accompanying lack of accountability. The only practical limitations to Internet access are cost, illiteracy, or lack of electricity — all marginal factors, panelists agreed.

The public broadcaster, RTSH, lacks credibility with Albanians, despite attempts by a succession of management teams to improve its image. Longstanding questions about its independence and relevancy have taken a heavy toll. The controversial 2016 election of a general director viewed as close to the prime minister solidified perceptions that the public broadcaster serves the government and the party in power. However, panelists said that this

⁴ "Albania—Internet penetration," Index Mundi, accessed March 13, 2018, <https://www.indexmundi.com/facts/albania/internet-penetration>.

view is not borne out based on RTSH's coverage over the past year. They said they have discerned no bias in its political reporting and noted its efforts to improve news programming quality. "I have changed [my] opinion on the news produced by RTSH, as I no longer see any partisan element," said Lani, "The problem now with RTSH ... is not that the politicians want to use it, but rather that it is generally ignored."

The only news agency in the traditional sense is the state-run Albanian Telegraphic Agency, which is used little by private media. With the popularization of news websites, the distinction has become blurred between news services and other media. Numerous online portals refer to themselves as news agencies and all media freely use external

Multiple news sources provide citizens with reliable and objective news.

PLURALITY OF NEWS SOURCES INDICATORS

- ▶ A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- ▶ Independent broadcast media produce their own news programs.
- ▶ Citizens' access to domestic or international media is not restricted.
- ▶ Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

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news providers. All media have access to and widely use international agencies, albeit usually by violating intellectual property rights.

Most media in the country create their own content, but panelists said that it is often difficult to tell whether material was genuinely produced in the newsroom or served up by actors with agendas. “Today it is political parties, political leaders, and state institutions that produce news rather than the media, which often becomes a mere conveyor belt for this readily produced news,” said Dervishi. It has become so common for news sites to copy and paste material from other outlets that even a report legitimately written by a journalist might never be

“Today it is political parties, political leaders, and state institutions that produce news rather than the media, which often becomes a mere conveyor belt for this readily produced news,” said Dervishi.

credited to the original writer. Kurti countered that while this is true for political coverage, it would be unfair to say the same of reporting on crime, social issues, and cultural topics.

Transparency of ownership for traditional media is no longer a problem. All print and broadcasting companies are registered with the National Business Center and the database is free, accessible, and easily searchable online. “Media owners are generally identified for the public and it is generally easy for the public to also assess their political affiliation,” Liperi said. However, many other aspects of the market remain opaque, including sources of financing, audience data (e.g. ratings or circulation), and advertising revenue. “The problem is that we now know who owns what, but we still do not know who pays whom,” Lani said.

Online news outlets are almost completely non-transparent. They are not obliged to register with authorities, and few sites provide information on staff, physical addresses, or other identifiers. Ascertaining their ownership is virtually impossible for the public or the media community itself.

Panelists expect consolidation in the broadcasting market with the Constitutional Court’s nullification of Article 62/3 of the law on audiovisual media. This law had prohibited any single owner from holding more than 40 percent of shares in an outlet. Of the five national digital-TV licenses that AMA granted, four went to the country’s two main broadcasting companies. “With the abolition of Article 62, we have paved the way for the consolidation of media conglomerates and have legalized media-market concentration,” Lani said.

Panel members said that official bodies and special-interest groups do not attempt to hinder reporting on issues related to minorities, ethnicity, or gender and sexual orientation. Coverage of such topics is typically superficial. But panelists noted that RTSH has launched thematic channels focused on music, sports, documentaries, and other interests. They said they view this programming as steps toward greater diversity.

The government does not provide subsidies for minority-language media, but in this respect, such outlets are in the same boat as other private media, none of which receive public support. Çipa said that his union has identified some three dozen online outlets “run by minorities in their own language, which is a significant achievement.” He added that RTSH has expanded its minority-language offerings, which until recently only included programs in Greek and Macedonian. Programs in Montenegrin and Aromanian are now available.

Media in Albania cover local, national, and foreign news, but politics and developments in the

capital predominate. “There is very little information on what happens outside Tirana,” Liperi said. “There is not much field reporting, and the focus is mostly on politics.” The local outlet problems with money and professionalism are significant obstacles to improving community-level reporting, according to Bogdani. Local journalism “is the weakest link in the chain of information production in Albania,” he said.

OBJECTIVE 4: BUSINESS MANAGEMENT

1.93

Media financing has been a mystery in Albania for many years. The media sector has numerous outlets across all platforms, and this is hailed as an indicator of media pluralism and information access. How to operate and survive in such a small market, however, remains elusive.

Several panelists remarked on the complications related to ownership. “The large number of newspapers, televisions, or portals in a small country like Albania can also be interpreted as a flaw of the media market in general, which does not survive thanks to readership or audience, but as a result of the direct or indirect interests of the media owners,” Bogdani said. While business and editorial operations are formally divided, Kurti said, “even the media that are considered serious are guided by their interest of the moment. In other words, editorial policy follows the interest of the owner.” Liperi agreed, adding, “Keeping in mind that television remains the most influential medium, it can easily be used by owners to pressure advertisers or obtain specific favors, at the expense of independent and professional news reporting.”

Panelists listed several sources of revenue

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available to media: commercial and public advertising, subscriptions, pay-per-view programs, and support from owners' other businesses. "I believe that the financial resources are there, but I also believe that each one of them has an impact on editorial policy," Bogdani said, "Advertisers come to an outlet depending on the editorial policy applied, so there is influence in this regard."

No official data have been gathered on the advertising market, but unofficial estimates put ad revenue in 2017 at about €39 million (\$48.4 million). "Albania has the lowest advertising revenue per capita in the region, and the trend has been a decrease in such funding," Liperi said.

Print media have been hit hardest, with advertisers increasingly shifting their spending to online media. Television receives the lion's share of advertising, an estimated 70 percent, but fierce

competition and high operational costs make TV stations highly vulnerable to market shifts.

Advertising revenue makes up 40-60 percent of turnover for print media, and the figure is higher for television, Liperi said, citing her magazine's coverage of the industry. Banks, hospitals, telecommunications companies, and insurance firms are among the biggest advertisers. In a small market, their money is essential to media survival, and their sway — whether to encourage favorable coverage or forestall criticism — has been well documented. Last year, a Tirana hospital sued an online newspaper after it reported on complaints by dialysis patients about their care. Court proceedings revealed that the hospital offered the site financial support in the form of positive paid content, which the outlet refused. "Big advertisers, including banks, mobile companies, or private hospitals, are untouchable, and negatively affect media's editorial policy," Bogdani said.

Dervishi said that the problem is not merely behind-the-scenes quid pro quos. "There is massive product placement in TV shows related to new products or services, and these are constantly served as journalistic reports, rather than being marked as advertising. This is supposed to be hidden advertising, but it has become screaming advertising," he said.

The state does not subsidize media, and government advertising has decreased sharply in recent years. "In Albania, the government is not the first, second, or even the fifth-biggest advertiser," Lani said. Still, it uses those dwindling means for clientelist ends, panel members said, rewarding media for favorable coverage or even a lack of criticism. A few panelists said that they have been told of instances of officials suggesting to advertisers that they steer spending to outlets that support the government.

In addition, some companies that have secured

government money earmarked for events and publicity campaigns are channeling the funds to favored outlets. As private entities, these companies are under no obligation to be transparent.

Several advertising agencies are operating in Albania. A few have grown very strong and become regional agencies, expanding into Macedonia and Kosovo, Çipa said. Some have entered the media competition themselves, establishing their own newspapers and news websites.

While business and editorial operations are formally divided, Kurti said, "even the media that are considered serious are guided by their interest of the moment. In other words, editorial policy follows the interest of the owner."

Information on media consumption is sparse. Major companies, primarily those in television, conduct market studies and audience research, as do big advertisers such as banks and telecoms. Companies use the data to better target their ads, but the findings are not available to the public. Two companies measure TV ratings, but their data is considered unreliable, as they use small audience samples and different methodologies that produce widely varying results. Newspapers do not reveal circulation numbers, and websites do not publish data on their traffic.

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS

- ▶ Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- ▶ Media receive revenue from a multitude of sources.
- ▶ Advertising agencies and related industries support an advertising market.
- ▶ Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- ▶ Independent media do not receive government subsidies.
- ▶ Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- ▶ Broadcast ratings and circulation figures are reliably and independently produced.

**OBJECTIVE 5:
SUPPORTING
INSTITUTIONS**

2.71

Albania has no legal obstacles to establishing trade associations that represent media interests. The Association of Albanian Electronic Media is the only such group operating currently. Its activity is sporadic and usually in reaction to political and legal developments that affect media owners. The latest such instance was before the June 2017 elections, while the governing party and opposition party were in the process of amending the law on political parties. The association had lobbied unsuccessfully against a provision that required broadcasters to air political advertisements for free. The organization acts to defend owners' economic interests, but its work is "very negligible" on matters of media freedom and quality, Liperi said.

Numerous professional journalist associations are registered in Albania, but most are dormant. The most active group is the Union of Albanian Journalists, which "has established a good tradition of responding to violations of media freedom and labor rights," Sulce said. The union has about 800 members and branches across the country but is financially constrained. It levies minimal dues and only a small percentage of members pay them.

Panelists mentioned the Association of Professional Journalists of Albania (APJA), a group that was founded in the early 1990s but had long been inactive. With help from the European Federation of Journalists, which it joined in 2015, APJA has been revived. Its members aim to play a more active role in protecting media freedom in the country.

According to the panel, professional groups

and NGOs are responsive to violations of media independence and free expression but have limited sway. "Associations of publishers and journalists are not highly influential when it comes to fundamental problems media face in Albania," Bogdani said. They are more successful when acting to change or properly enforce media legislation. For example, NGOs had a major hand in the amendment of laws on defamation and freedom of information in 2012 and 2014, respectively, and have actively monitored its implementation.

Journalism education is mostly limited to public universities in Tirana and major regional centers

"Associations of publishers and journalists are not highly influential when it comes to fundamental problems media face in Albania," Bogdani said.

such as Shkodra and Elbasan. Their programs tend to favor theory over practical newsroom skills, panelists said. Private universities offer primarily communications degrees with a focus on public relations. Bregu said that internal research from the University of Tirana shows that 70-75 percent of practicing journalists in Albania have a journalism degree. Sulce commented that the media community expects working journalists to be so credentialed, but "the curriculum does not entirely respond to this need."

The Albanian Media Institute and other NGOs offer short-term training programs for journalists and journalism students. Declining donor interest has made such opportunities rarer in recent years. Few media offer in-house training for their reporters. "There is a paradox in Albanian media," Bogdani said. "Investment in technology, especially in television, has been very advanced, while investment

in professional journalists, in in-depth reporting or investigative reporting, has decreased."

Panelists agreed that what training is available can only have so much impact on newsrooms characterized by limited human resources, heavy workloads, and considerable self-censorship. In Albanian media, some panel members said, merit is not seen as key to career advancement, so most journalists are indifferent to professional development.

The printing market is liberalized and apolitical, if tending toward concentration. The relative dearth of printing houses can drive up prices, but newspaper and magazine companies are free to choose where to print. The law places no

Supporting institutions function in the professional interests of independent media.
SUPPORTING INSTITUTIONS INDICATORS:

- ▶ Trade associations represent the interests of private media owners and provide member services.
- ▶ Professional associations work to protect journalists' rights.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

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restrictions on the purchase or import of materials for publication.

Print media distribution is effectively a monopoly. The company that owns Top Channel, one of the biggest TV stations, controls the kiosk network. However, panelists said that the lack of a competitive kiosk market does not affect newspaper and magazine sales, as the monopoly network does not deny access to any publications. Newspaper distribution is weaker in rural areas, but this presents little practical problem for readers, as most content is available online.

The infrastructure of information and communication technology is advanced, and Internet penetration has increased rapidly. Problems with the quality of media content persist, the panelists agreed, but citizens have no technological obstacles to access.

List of Panel Participants

Aleksandra Bogdani, journalist, *Reporter.al*, Tirana

Zylyftar Bregu, member, Audiovisual Media Authority; lecturer, University of Tirana, Tirana

Aleksander Çipa, chair, Union of Albanian Journalists, Tirana

Genc Demiraj, owner, One TV, Vlora

Lutfi Dervishi, freelance journalist, Tirana

Valbona Kurti, editor-in-chief, "Stop," Tirana

Remzi Lani, executive director, Albanian Media Institute, Tirana

Alfred Lela, director, *Politiko.al*, Tirana

Ornela Liperi, editor-in-chief, *Monitor*, Tirana

Darian Pavli, media-law expert, Tirana

Valbona Sulce, member, Radio Televizioni Shqiptar steering council, Tirana

Luftim Vani, owner, Mati TV, Mat

Moderator & Author

Ilda Londo, research coordinator, Albanian Media Institute, Tirana

The panel discussion was convened on December 20, 2017.

BOSNIA & HERZEGOVINA



MEDIA SUSTAINABILITY INDEX 2018

Tracking Development
of Sustainable
Independent Media
Around the World



BOSNIA & HERZEGOVINA

AT A GLANCE

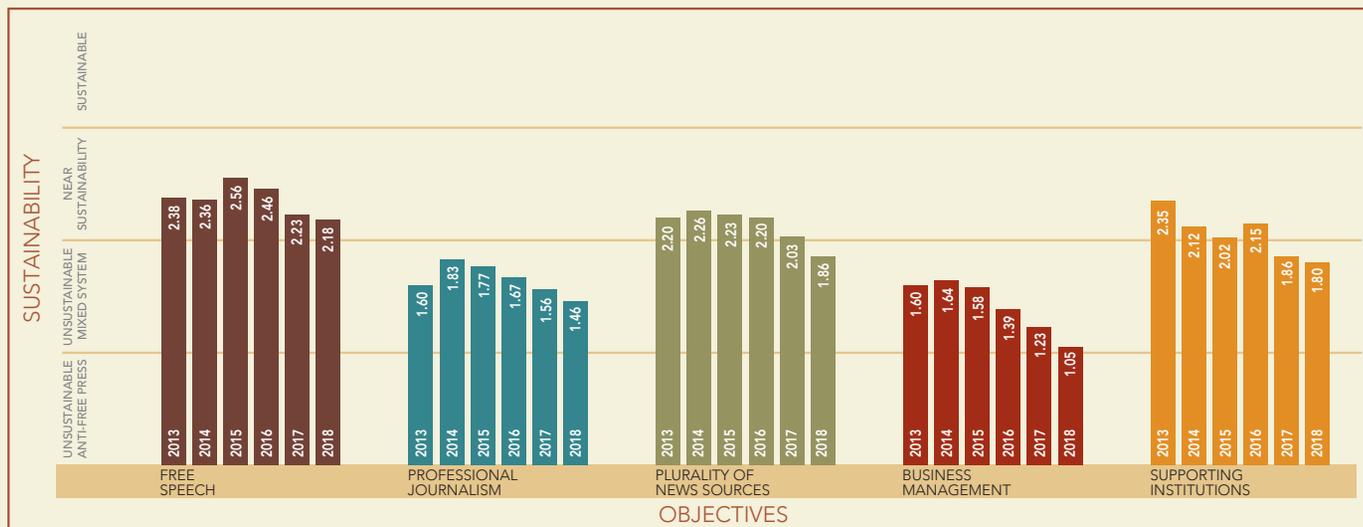
GENERAL

- **Population:** 3,531,159 (Population Census 2013)
- **Capital city:** Sarajevo
- **Ethnic groups:** Bosniaks 50.11%, Serbs 30.78%, Croats 15.43%, Others 3.68% (Population Census 2013)
- **Religions:** Muslim 50.7%, Orthodox 30.75%, Roman Catholic 15.19%, other 3.36% (Population Census 2013)
- **Languages:** Bosnian (official), Croatian (official), Serbian (official) and others (Population Census 2013)
- **GDP \$16.56 billion (World Bank Development Indicators, 2016)**
- **GNI per capita (Atlas Method):** \$4,880 (World Bank Development Indicators, 2016)
- **Literacy rate:** 97.18%; Male 99.21%, Female 95.24% (Population Census 2013)
- **President or top authority:** Members of B&H Presidency: Bakir Izetbegović (since November 10, 2010), Milorad Dodik (since November 17, 2014), Dragan Čović (since November 17, 2014)

MEDIA-SPECIFIC

- **Number of active print outlets, radio stations, television stations:** 9 daily newspapers, 189 periodicals (magazines, publications of diverse content) (Press Council of B&H, 2016), Radio stations: 141; Television stations: 41 (in terrestrial network), plus 51 broadcasters in other networks (Communications Regulatory Agency of B&H, 2017)
- **News agencies:** FENA (state-owned), SRNA (state-owned), ONASA (private), NINA (private), MINA (Islamic Community in B&H), KTA BK B&H (Conference of Bishops of B&H), Anadolu Agency (owned by Turkish government), Patria (private) (Press Council of B&H 2017)
- **Annual advertising revenue in media sector:** \$23.23 million in 2017; television: 60%, print 9%, out-of-home 14%, radio 7%, online 11% (est., Agency Fabrika)
- **Internet usage:** 2,909,236 or 82.36% of population (Communications Regulatory Agency of B&H, 2016)
- **Newspaper circulation statistics:** N/A; reach of dailies between 1.4 and 8.4 %, one media outlet reached 20.5 % (IPSOS, September 2016)
- **Broadcast ratings:** Top three television stations: FTV (9.3 %), OBN (9.1%), RTRS (6.5%) (Audience share 2017, Agency Fabrika)

MEDIA SUSTAINABILITY INDEX: BOSNIA & HERZEGOVINA



SCORE KEY

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.



Each 2018 MSI objective scored slightly lower than in the previous year, and the overall score of 1.67 indicates serious impediments to media freedom. Business operations of media in B&H again ranked the lowest, with major concerns being the decreased revenue sources, controversial television-audience measurement, problematic advertising practices, and the devastated state of public service broadcasting. A few highly publicized cases and increased attention on state institutions all point to the need for better responses to threats and attacks on journalists. Civil society organizations are advocating for the development of policies that would increase transparency in media ownership and funding.

As in 2017, the politics of Bosnia and Herzegovina (B&H)¹ continued to be marked by lack of consensus. At the end of 2016, B&H received the Questionnaire of the European Commission, which will serve as a basis to determine whether or not it will be granted the status of a European Union candidate country. In 2017, the immense B&H administration struggled to collect and harmonize responses among the members of this still deeply divided country. While some officials claimed that the questionnaire would be finalized by the end of 2017, Republika Srpska (RS) President Milorad Dodik indicated that it would not happen any time soon. Furthering the delay, the RS government has not provided consent regarding answers on several major issues the questionnaire entails, such as NATO membership and use of census data.

Government officials lack agreement on major issues, and progress is limited on all administrative levels. The RS government continues to follow a secessionist policy and challenges the authority of state-level institutions. In 2017, a proposed increase in excise taxes caused the biggest disagreement in the state Parliament—some members of parliament (MPs) claimed it was necessary for economic growth, while others claimed it put an unacceptable financial burden on citizens. The changes were adopted in mid-December 2017,

¹ Bosnia and Herzegovina consists of two entities, Federation of B&H and Republika Srpska; as well as Brčko District, an administrative unit.

despite accusations from opposition parties on procedural irregularities. The tax passed under considerable pressure from the international community, which conditioned release of the country's IMF and EU funds on the adoption of the law. Moreover, the town of Mostar has remained under a political blockade since 2016, when the ruling parties failed to reform the electoral statute necessary to enable democratic local elections that year.

The end of 2017 was marked by two rulings by the International Criminal Tribunal for the former Yugoslavia (ICTY), a United Nations humanitarian court of law in operation from 1993 to 2017. The cases brought long-awaited judicial closure but accentuated the ethnic tensions.

In a first-degree ruling, Ratko Mladić was found guilty of genocide, war crimes, and crimes against humanity, and sentenced to life in prison. The ruling was accepted with partial satisfaction by some of the public, including the families of victims. However, Serbian politicians denounced the sentence, with Dodik praising Mladić as a hero and promising that the RS will support Mladić's appeal. The other case, announced on November 29, is a second-degree ruling against six Croat leaders, including Jadranko Prlić. All were found guilty of international armed conflict, occupation, and organized crime. Media coverage of these events demonstrated once again the strong ethno-political divide.

With the ICTY closure, the International Residual Mechanism for Criminal Tribunals is finalizing the second-degree war crimes trials, including those of Radovan Karadžić and Ratko Mladić.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

2.18

Constitutional guarantees and laws supporting freedom of speech are in place in B&H; however, implementation of them remains limited, and lawmakers are not introducing legislative improvements.

Existing media laws and regulations are in line with international standards, but B&H still has no legislative solutions for priority issues such as transparency of media ownership and funding. The Ministry of Communication and Transport of B&H is currently drafting an electronic media law, which should address some of the most pressing issues. However, according to Helena Mandić, the head of the broadcasting sector of the Communications Regulatory Agency (CRA), the agency has strong concerns about the new legislation. It might limit or eliminate the existing functional regulation and restrict CRA authority.

In 2016, after eight years of stalling, CRA appointed its council and director general. Despite the agency's politicized process, media experts still consider the licensing procedures for radio and television broadcasters to be legitimate and non-discriminatory. Terrestrial broadcast licenses are issued based on public demand, while permits for broadcasting via other electronic communication networks (cable, satellite, Internet protocol television (IPTV), and Internet) are issued to every company that meets the prescribed requirements. No licensing is required for print or online media; they all operate under a self-regulatory system monitored by the Press Council of B&H.

The government provides no tax relief for media. While some panelists expressed the belief

that a reduced value-added tax would help preserve print media, they questioned whether it would also promote good journalism. "B&H is perhaps among the lowest-ranked countries in Europe by the quality of print media... in every technical, editorial and journalistic [regard]," said Senad Zaimović, director of the advertising agency Fabrika.

Crimes against media members continue to affect the B&H sector. As of November 2017, the Association of BH Journalists registered five death threats to journalists, 26 other pressures and threats, two libel charges, and 16 other cases of possible violations of labor rights and problematic treatment of journalists. According to Borka Rudić, the secretary general of the Association of BH Journalists, statistics on judicial proceedings are not promising. "Out of the 91 criminal cases that we registered from 2006 to date, 24 were resolved in favor of journalists, 37 have not been resolved, nor have there been good investigations, and 14 cases are still active," she said.

However, the issue of journalist safety and protection received more attention in 2017, as shown in the Special Report on the Status and Cases of Threats to Journalists in Bosnia and Herzegovina, published by the Institution of the Ombudsman. The Council of Ministers concluded that the Ministry of Justice should consider the possibility of amending criminal law or public order law. With such amendments, attacks on journalists would be treated as attacks on officials and likely penalized more strictly. Suggestions along these lines were not accepted as part of draft amendments to the Criminal Code of Republika Srpska at the end of 2016. However, the mood seems to be shifting, according to Rudić. "The Ministry of Justice has started working on creating changes to the Criminal Code in order to better protect journalists," she noted.

Panelists pointed to several incidents in 2017

that illustrate the intolerance for opinions contrary to dominant ethno-national ideologies. In one case, buka.com journalist Dragan Bursać received death threats in response to two articles he wrote. The first was titled "Is Banja Luka Celebrating the Srebrenica Genocide?" and criticized demonstrations of support for accused war criminal Ratko Mladić. The second, "I was Silent While Bihać was Shelled," criticized those who still do not acknowledge the war crimes committed in the name of their nation. In an interview, Bursać said that police gave him the necessary protection and that the person that threatened him was soon arrested.

Legal and social norms protect and promote free speech and access to public information.

FREE-SPEECH INDICATORS

- ▶ Legal and social protections of free speech exist and are enforced.
- ▶ Licensing of broadcast media is fair, competitive, and apolitical.
- ▶ Market entry and tax structure for media are fair and comparable to other industries.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- ▶ Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- ▶ Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Journalists from N1, a 24-hour news channel, also faced death threats following a report on an event for iftar, an evening meal during Ramadan. The story showed an iftar for 7,100 people in Konjević Polje, in east Bosnia, included a photo of boy who was asking for food, and claimed he was denied access to the iftar. Many viewers said that it was offensive to some ethno-national sentiments.

Amir Purić, a freelance journalist and editor of *Karike* magazine, named other targeted media members and placed the attacks in context. “Society’s witch hunts on journalists, from the cases of Vuk Bačanović and Lejla Čolak to the latest one of Dragan Bursać, demonstrate that this society actually subordinates freedom of speech to certain religious or ethnic ‘values,’” he said. Panelists also said that journalists and media experts from both B&H and Croatia have received threats for reporting on the latest ICTY ruling against former Croat officials.

State authorities have demonstrated some problematic behavior vis-à-vis the media. For example, State Security Minister Dragan Mektić responded to a critical article on *dnevno.ba* by publicly posting the medical records of writer Josip Šimić. Mektić claimed the reporter had “serious psychological disorders” and accused him of tendentiously constructing the critique “in cooperation with the Prosecutor’s Office of B&H.” In another case, police prevented journalists from Radio Slobodna Evropa from recording a war veterans’ protest in front of the B&H Parliament building in September 2017. Later that month, an employee of B&H railroad authority Željeznice RS took microphones from Radio Televizija Republike Srpske (RTRS) journalists.

With regard to three public broadcasters (Radio-Televizija Bosne i Hercegovine, Radio-Televizija Republike Srpske, and Radio-Televizija Federacije Bosne i Hercegovine) freedom from government interference is not

ensured. Managerial position appointments are highly politicized. Moreover, license fees are a problematic main source of financing for the three broadcasters, as the collection process is inefficient, and the state broadcaster, Radio-Television of Bosnia and Herzegovina (RTVFBiH), in particular does not receive its entire share.

BHRT continued broadcasting in 2017, despite earlier announcements of a possible shutdown and even though its employees have long reported that their salaries and contributions are not paid regularly.² The B&H Parliament has still neglected to appoint a steering board and a new director general for RTVFBiH, after several years.

Existing media laws and regulations are in line with international standards, but B&H still has no legislative solutions for priority issues such as transparency of media ownership and funding.

While RTRS does not have such procedural difficulties, it is under political control, like most public service broadcasters (PSBs). In addition, 12 television stations, 62 radio stations in terrestrial broadcasting, and seven broadcasters in other distribution networks were founded and are financially completely dependent on local and cantonal governments. In one example, regular funding from the town budget for local station RTV Zenica was denied for three months because the mayor did not agree with the re-election of the station’s director. After that, the budget was reduced; ultimately, RTRS appointed a new director.

2 *Klix.ba*, 22 September 2017. <https://www.klix.ba/vijesti/bih/sindikalna-organizacija-bhrt-radnici-su-na-ivici-egzistencije-ne-mogu-ovjeriti-knjizice-ni-na-dan/170922044>.

SRNA and FENA, two public news agencies that are financed from the entity budgets, are in a similar position. In 2017, the appointed editor-in-chief of FENA was a member of FENA’s steering board, prompting accusations of a conflict of interest.

Defamation was decriminalized more than a decade ago, and panelists said that B&H has examples of good and bad civil claims outcomes. The fact remains that lawsuits are burdening media to the extent that they discourage journalistic critique. Journalists face frequent defamation lawsuits — as many as 300 per year, according to a report from the Ombudsman³ — that are worsened by lengthy court proceedings. In mid-2017, 173 defamation cases were active.

FENA editor Dejan Jazvić said that mediation before going to court is possible, but in practice it is bypassed. Nataša Tešanović, director of ATV, added that often media outlets are not given the opportunity to retract pieces before court cases are initiated. The Proposal of the Law on Changes and Amendments to the Criminal Law of B&H from mid-2017 envisages an increased sentence of a minimum of one year in jail for the criminal offense of incitement to hatred. It also proposes penalties against the denial of war crimes and genocide, including a sentence of one to 10 years in jail. However, due to the highly politicized nature of this proposal, lawmakers have never reached a consensus.

Media observers consider B&H’s Law on Freedom of Access to Information (LFAI) to be well developed and one of the best in the region. Nonetheless, in the panelists’ experience government bodies often fail to act in line with the

3 *Special Report on the Status and Cases of Threats to Journalists in Bosnia and Herzegovina*. Ombudsman of B&H 2017, p. 43, http://ombudsmen.gov.ba/documents/obudsmen_doc2017082415202346bos.pdf.

law. "I myself have never received a complete and timely response to a request," said Purić.

Burdensome and unreliable complaint procedures discourage media and journalists from persistently pursuing information. Merima Hrnjica from the Center for Investigative Journalism (CIN) reported that the Administrative Inspection of the Ministry of Justice, which should respond when an institution fails to provide public information, in practice denies its authority over institutions in the Republika Srpska. Hrnjica said she has seen how courts generally rule in favor of delivering information, but that delivery is easily postponed for years. "What's devastating when this happens is that we had to pay for the costs of the proceeding even though we won the case," she added.

However, the public does have some influence on policy, according to Mehmed Halilović, a media law expert. He said that certain changes to LFAI proposed in 2016 were retracted in 2017 after negative comments from civil society. Halilović said that he considers this positive. "This is the second attempt in the last three years and both were unsuccessful," he explained.

The government imposes no restrictions on media or citizen access to or use of news sources, whether domestic or foreign. However, copyrights are violated regularly — particularly in the online sector. Laws are in place, but they are not enforced uniformly.

B&H has no official requirements or licensing procedures for journalists, but access to events at the Presidential Palace of the RS is still restricted for some. In one example from 2017, journalists from N1 were initially denied access to a Milorad Dodik press conference on 18 January, but by the end of the month they were issued accreditations. Other journalists, including BN television reporters and writer Ljiljana Kovačević of Beta news agency, have

been denied accreditation to palace events for years. Panelists said that this practice clearly can be used against media critical of the RS president's work.

**OBJECTIVE 2:
PROFESSIONAL
JOURNALISM**

1.46

Professional journalism has been slowly but steadily decreasing, dropping to 1.46 this year — the lowest since 2006. Reporting in Bosnia and Herzegovina is generally superficial, often biased, and divided along political and ethno-national lines; moreover, the sector has seen a growing trend of fake news. Causes include a worsening economic environment combined with the media's excessive political and monetary dependence on few major centers of power such as political parties and a few major advertisers (some of which are closely affiliated with political parties, as well as journalists' deteriorating financial positions.

Media reports in general are imbalanced and lack relevant sources. "Sensationalism, incomplete information, one-sidedness — these are all characteristics of the news profession in B&H," Purić said. The media were largely subjective when covering this year's rulings of the ICTY against former Bosnian-Serb General Ratko Mladić and six Croat leaders. Some media did not criticize the glorification of war criminals by the public and politicians. Many aired sensationalist coverage of Bosnian-Croat war criminal Slobodan Praljak's suicide, giving no in-depth analysis or reports on the war crimes he committed.

The spread of fake news on Internet portals and social networks gained more attention this

year. In particular, media ran stories on the alleged harms of vaccination and disinformation on politicians and war criminals. The country's first Internet fact-checking platform, raskrinkavanje, was established in December 2017 and provides lists of fake news portals and exposes their false content.

Ethical norms are in place, but panelists noted that they are not followed regularly in practice. The majority of media adhere to the political, ideological, ethno-national, and even private agenda of political parties, and/or the commercial interests of their owners and main funders. Panelists mentioned examples of political influence between the daily Dnevni avaz and the political party SBB; the private newspaper Večernji list and the Croat party HDZ; the private journals Stav and Faktor and the Bosniak party SDA; BN television and the opposition coalition Savez za promjene; and particularly between the public broadcaster RTRS and the ruling party SNSD.

The Complaints Commission of the Press Council in B&H is a self-regulatory body that receives citizens' complaints over possible breaches of the press code. The commission discussed 62 complaints in May 2017 alone. While important for the promotion of ethical norms, the reach of the commission is limited, given that the press council does not have the authority to impose sanctions on media or journalists that fail to follow its decisions. For example, many complaints concern Internet users' comments, which often are spreading hate speech — but numerous online portals still have not joined the press council.

Television and radio broadcasters are mandated to follow CRA standards on hate speech, fairness, impartiality, violence and privacy. Even though it can impose sanctions, CRA responds only to complaints and has no regular monitoring procedures. In 2016, CRA issued 41 fines, 20 written warnings, nine verbal warnings, and eight suspensions. In July 2017, CRA

Journalism meets professional standards of quality.

PROFESSIONAL JOURNALISM INDICATORS

- ▶ Reporting is fair, objective, and well sourced.
- ▶ Journalists follow recognized and accepted ethical standards.
- ▶ Journalists and editors do not practice self-censorship.
- ▶ Journalists cover key events and issues.
- ▶ Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- ▶ Entertainment programming does not eclipse news and information programming.
- ▶ Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- ▶ Quality niche reporting and programming exists (investigative, economics/business, local, political).

fined RTRS for violation of Article 5 on Fairness and Impartiality of the Code on Audiovisual Media Services and Radio Media Services. CRA’s statement on the case charged that many central news programs had focused on the opinions or activities of RS President Dodik, or his political party SNSD, without any critical distance. CRA specified that RTRS was minimizing the opposition coalition Savez za promjene by referring to it as “so-called.”

Rudić noted that recent research conducted by the BH Journalists Association shows that 79.6 percent of journalists in Bosnia and Herzegovina self-censor. Purić echoed this claim. “As a local journalist, I have often encountered pressure from editors and owners to practice self-censorship, as well as well-meaning warnings from family, friends, and acquaintances, that [say] it’s not wise to write or report on certain problems or people,” he said.

The case of Sunčića Šehić, a journalist from the Sarajevo Canton⁴ television station TVSA, illustrates the more direct pressures. Her Internet connection was disabled to prevent her from working, after she refused to delete details in an online article about water-supply shortages in Sarajevo. Some media outlets have reported that the director of TVSA is closely connected to the SDA party and the cantonal prime minister.

Panelists said that reporting in general is selective and one-sided, lacking background information or in-depth analysis. Zaimović said that consumers need to consult several news sources to obtain the full picture. Journalists do mostly cover key events and issues in the country; however, Rudić noted that the 2016 elections had dramatically less coverage than the elections in 2010.

The average salary of journalists in Bosnia and Herzegovina is EUR 340 (\$420) per month – among the lowest pay rates in the country. Monthly salaries at local public media range from EUR 200 to EUR 500 (\$247 to \$620), while at public service broadcasters they reach up to EUR 700 (\$867). At larger, private media outlets, pay rates can be higher. “Most colleagues I know either work for such a meager salary or they work for several media organizations in order to raise that average,” Purić said. Seventy-four percent of journalists claim their economic positions have deteriorated, and around 35 to 40 percent work without signed contracts and do not have health insurance.⁵ The worsening financial situation with PSBs resulted in unpaid salaries and contributions, in particular at BHRT. In

July 2017, BHRT’s debt amounted to 7 million Bosnian marks (BAM, or approximately \$4.2 million) for unpaid taxes and contributions for retirement and health insurance; while RTRS owed BAM 5.8 million (approximately \$3.5 million) in June 2017 for unpaid taxes and contributions. Similar problems appear at many local public media. For example, employees from the radio station RTV Bihać protested for almost two months over the non-payment of five months’ worth of salaries.

Ilma Islambegović, the director of the community radio station Active Zenica, said low compensation causes young journalists to leave the field or to limit their personal investment. “It stops being a profession and becomes more of a part-time job,” she said. Unemployment among journalism professionals is also high; in 2017 B&H employment bureaus registered 1,128 unemployed journalists. In many cantons, journalism is among the professions with the highest number of unemployed workers.

“Sensationalism, incomplete information, one-sidedness – these are all characteristics of the news profession in B&H,” Purić said.

News and entertainment content is generally well balanced. “News programming is not eclipsed by entertainment programming in the slightest. However, neither the entertainment nor the news is good,” according to Boro Kontić, director of the non-governmental organization Mediacentar Sarajevo. Other panelists pointed out unclear boundaries between news and entertainment.

The quality of news production facilities and equipment differs between public and private media. While bigger, private media outlets such as OBN and Hayat have relatively good equipment,

4 There are ten cantons in the Federation of B&H.

5 Adilagić, R. *Udruženje/udruga BH Novinari*. 2016. “Indikatori nivoa medijskih sloboda i sigurnosti novinara (Bosna i Hercegovina)”, p. 17-18. <http://safejournalists.net/wp-content/uploads/2016/12/Full-BiH-BiH-Digital.pdf>.

public broadcasters-- particularly local public media--do not.

Media that foster specialized reporting exist, but are funded mostly by international donors. CIN, Žurnal, and BIRN have been the leading outlets for investigative journalism. Other web portals specialize in certain fields, such as capital.ba in the field of economics or media.ba and analiziraj.ba in the field of media. In general, panelists noted that many outlets are not interested in or cannot afford to invest in specialized reporting.

**OBJECTIVE 3:
PLURALITY
OF NEWS**

1.86

The abundance of media sources and increasing distribution of information through social networks do not ensure a pluralism of information and viewpoints in B&H. The majority of media fail to present independent sources or varied opinions, either because of political influence, increasing commercialization, or simply limited resources.

The total number of media outlets enables some diversity overall, with three public broadcast stations, three non-profit radio stations, 41 television stations and 138 radio stations in terrestrial broadcasting, 51 broadcasters in other distribution networks, nine daily newspapers, 189 periodicals, and hundreds of online media available. However, variety is rarely encouraged in individual outlets.

A multitude of media sources, both private and public, are available to citizens, but it is difficult to obtain pluralistic and balanced views. Media companies increasingly use mobile resources for news distribution, and information is distributed

regularly through social networks, mainly Facebook. The reach of bloggers has also been increasing, but B&H still has only a few blogs (Frontal.ba, news.net, etc.) that substantially address political issues.

B&H has no government-imposed limitations for access to local and international news; limitations are mainly economic in nature. "In B&H, around 600,000 people live in poverty, on BAM 3 to 5 (approximately \$1.80-\$3.05) a day. It's logical to assume that most of them can't afford to buy dailies, magazines, Internet access, and cable TV," Purić explained. Some rural areas still lag behind in access to media and "sources of information are often just local media. Residents rarely have an opportunity to get diverse information," Mandić said.

Despite the low socio-economic status of some citizens, Internet penetration has been growing continuously. According to CRA, in 2016 an estimated 82 percent of citizens were Internet users. The use of online sources continues to trend upwards, and Internet World Stats reports that in 2017, roughly 39.5 percent of the country used Facebook.

While consumption of print media has declined, B&H citizens still look to TV broadcasters as their primary sources of information. Klix.ba and Dnevni Avaz news websites remain among the most visited in the country, and Dnevni avaz has one of the largest Facebook audiences among media outlets.

Political interference in public service broadcasting continues to plague B&H. After longstanding critiques concerning the political bias of RTRS, recent monitoring by the CRA confirmed favoritism towards the ruling party SNSD and the president of the Republika Srpska. Public broadcasters generally fulfill the minimum programming requirements — 40 percent informational and educational; however, according to the panelists, the quality of this programming is often questionable.

Panelists said the financial crunch made

BHRT, previously the most balanced of the three public broadcasters, more susceptible to political interference in 2017. In one such case, a recorded interview with the director of the Clinical Center of Sarajevo, Sebića Zetbegović (also the wife of the Bosniak member of the tripartite presidency of B&H), was suddenly canceled by BHRT without explanation. It was finally broadcast nine days later with additional recorded segments, but the delay raised questions about BHRT's lack of transparency. The director of BHRT later explained that the delay was due to technical difficulties, while other sources claimed it was simply because Zetbegović did not authorize the edited interview to be broadcasted. The incident brought accusations that BHRT had succumbed to censorship and political pressure, which undoubtedly damaged its public image.

Additionally, local public media — 12 TV stations and 62 radio stations which still broadcast terrestrially, and seven broadcasters in other networks — are directly funded by local governments, putting critical journalists in a vulnerable position.

B&H has eight news agencies. Two are financed by entity-level governments, two are affiliated with religious communities, one is owned by the Turkish government, and three are private. One of the privately owned agencies is viewed as closely affiliated with a leading political party. Major media subscribe to local news agencies, but subscriptions to foreign agencies are rare.

Jazvić noted that FENA, the news agency where he serves as editor-in-chief, reduced its price to BAM 200 (\$120) per month for written content, which is affordable for most outlets. He said it has a significant pool of users; he added, however, that an even higher number of media carry its content but do not subscribe or even cite FENA as the source.

Smaller media, in particular online media outlets, rarely produce original content. Often

Multiple news sources provide citizens with reliable and objective news.

PLURALITY OF NEWS SOURCES INDICATORS

- ▶ A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- ▶ Independent broadcast media produce their own news programs.
- ▶ Citizens' access to domestic or international media is not restricted.
- ▶ Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

they opt not to subscribe to a news agency but rather to publish news carried by other outlets. Private broadcasters, including more locally based outlets, mostly produce their own news and other programming. With limited resources and a general trend of commercialization, these programs can be of low quality. A few bloggers offer alternative views of socio-political events, but B&H's blogging culture is still underdeveloped.

Court-registry information on media owners is not readily available and pertains to nominal owners only. Information on indirect owners is hard to obtain. The transparency and accountability of online media can be particularly problematic; many online outlets are not even registered as businesses and

often do not publish contact information.

CRA regulates broadcast content and imposes penalties (including fines and suspension of licenses) for violations of CRA ethics and rules. However, it conducts no regular monitoring of radio and TV programs, and mainly just responds to the complaints it receives. Recent monitoring has focused on the three PSBs, and Mandić said that CRA will continue to work as its capacities allow. "We don't have enough people to do it constantly and to really devote ourselves to that," she said. "What we are planning for the upcoming period is to carry out monitoring of TVSA."

The general Law on Competition of B&H prohibits a concentration of media that overly distorts competition or that creates or strengthens the dominant position of a company or individuals. However, it contains no particular regulation of the transparency of media ownership. Currently, B&H has no obvious cases of media ownership concentration, but possible hidden influences on media content, through ownership and funding, remain a major concern.

Civil society organizations advocate for improvements in transparency, but media practices and the legislative and regulatory framework all remain unchanged. In November 2016, the state Parliament required the Council of Ministers of B&H to submit, within 120 days, a proposal for a law on transparency and concentration of media ownership. This has yet to occur. Moreover, in 2017, the Agency for Personal Data Protection prevented CRA from publishing information on direct and indirect ownership of broadcasters in B&H, claiming it would be contrary to the Personal Data Protection Law.

Public broadcasters are obligated to dedicate 10 percent of their informational and educational programs to minorities and vulnerable groups, and to provide content in the languages of

national minorities. Panelists noted, however, that PSBs currently offer no programs on or for minority groups. Once a week, BHT1 broadcasts *Govor tišine*, a compilation of weekly news with gestural interpretation into sign language for persons with hearing and speaking difficulties. Media dedicated to minority groups--including the websites *Diskriminacija.ba*, *LGBTI.ba*, *manjine.ba*, and others--are funded by foreign donors, and their sustainability is uncertain. Media coverage of issues relevant for these groups has improved somewhat, but media are not strategically oriented toward a pluralism of voices in their everyday reporting or toward special-interest programming.

Some rural areas still lag behind in access to media and "sources of information are often just local media. Residents rarely have an opportunity to get diverse information," Mandić said.

State PSBs cover local communities with a few programs, such as *Federacija Danas* and *Srpska Danas* on RTVFB&H and RTRS. Local public and private media offer more coverage; however, often the reporting lacks context. "There is a shortage of in-depth information, background, and analysis," said Halilović. "We have commentaries here and there, but there is no analysis. What's missing is why things are the way they are." As an example, Kontić cited the local media's lack of analysis during the coverage of Sarajevo's water supply problem and in reporting on the country's new pension law. Important issues, in particular those concerning the integrity of local governments, remain underreported or not covered at all. "In an environment in which a convicted war criminal in the position of municipality head is currently perpetrating crime ... this is left

to local media, which lack capacities to investigate such issues,” Purić said. “...Similar things are happening in Cazin, Milići, Rudo. We don’t actually know what’s going on there and what level of crime is happening in the local government.”

Panelists said that national-level issues are considered better covered, and said that information on international issues is taken mainly from international media outlets.

**OBJECTIVE 4:
BUSINESS
MANAGEMENT**

1.05

As in previous years, media business management in Bosnia and Herzegovina scored the lowest among all objectives, with the slight decrease demonstrating that financial sustainability and market conditions continue to decline. This year, the value of the advertising market also dropped, further increasing the media’s reliance on public funds and, thus, exposure to political influence. The financial breakdown of Agrokor, the biggest Croatian private company whose core businesses include food production and distribution along with retail, had additional negative consequences on the B&H advertising market.

The country has only a few sustainable media enterprises, among them international broadcasters and some larger private media outlets. These entities all develop and follow elaborate business plans. Only a few web portals (klix.ba, avaz.ba, nezavisne.com, radiosarajevo.ba, and bljesak.info) operate as self-sustainable businesses.

Print media have either completely moved into the online space or have additional online versions to sustain their businesses. This year, Dani, one of

the few remaining political magazines, transitioned from a weekly publication to monthly.

Government funding sustains public broadcasters and news agencies, but many of them operate at a financial loss and have accumulated considerable debts. Politically motivated hiring practices at some publicly financed outlets has resulted in overstaffing, which has negatively impacted their financial sustainability. Alternatively, other public media are cutting costs by curtailing staff numbers, resulting in overburdened newsrooms.

Many private outlets are also in very difficult positions. Rudić said that, for example, the agency ONASA is currently in dire financial straits. Many online media, as well as the few existing community radio stations, function as non-governmental organizations and rely mostly on donor support. Panelists said that they believe that basic accounting standards are followed in the media sector, but only a few outlets invest in highly qualified managers in finance, marketing, or human resources.

Hana Kazazović, an independent blogger, said that bloggers sustain themselves either through projects funded by international donors or commercial activities, but in general only fashion and lifestyle blogs attract commercial revenues.

Under CRA regulations, community radio stations cannot earn advertising revenues – even under non-profit terms. This further hinders the development of the community media sector. In commenting on the experience of Radio Active, a community radio station in Zenica, Islambegović said, “I’m afraid that when international organizations leave, when they pull out, what then? We tried to deal with this by funding ourselves through fundraising campaigns, but for now we don’t really have a lot of success with that.”

The possible revenue sources for media in B&H are limited, due to the majority of media being

primarily dependent on only a few sources. For example, public media rely mainly on state funding and are not protected from possible budget cuts or political whims, limiting editorial independence and preventing strategic business planning. Some media managers are trying to find other sources of funding. For example, a local public station, RTV Jablanica, receives funds from the municipality for employing people with disabilities.

In 2017, the government determined that license fees would be collected through electricity bills, as opposed to landline phone bills, but this plan will be insufficient to solve the financial problems of the three PSBs. In Republika Srpska, fees are still collected through landline telephone bills; in mostly Croat-populated areas, where Elektroprivreda HZHB and HT Eronet provide coverage, license fees are not collected at all.

The Bosnian and Herzegovinian advertising market is dominated by international agencies, such as McCann and Direct Media, whose headquarters are in neighboring countries. Advertising agency Fabrika estimated that the overall revenues of the advertising market amounted to BAM 38 million (\$23.1 million) in 2017. TV stations still lead the way in advertising, but the online sector has been strengthening over the past few years.

Fabrika director Zaimović said the financial breakdown of Agrokor led the market value to drop in 2017 and will have lasting effects. “The Agrokor case has had a terrible impact on our media market. As far back as two months ago [late 2017], big international clients drastically reduced and ceased advertising in B&H. They are cutting advertising budgets, and I think this will continue next year.” Aside from international advertisers, the major advertisers in B&H are companies largely owned by the government. They include the telecommunication companies BH Telecom and HT Eronet.

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS

- ▶ Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- ▶ Media receive revenue from a multitude of sources.
- ▶ Advertising agencies and related industries support an advertising market.
- ▶ Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- ▶ Independent media do not receive government subsidies.
- ▶ Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- ▶ Broadcast ratings and circulation figures are reliably and independently produced.

Governmental bodies and public companies have questionably transparent advertising practices. Some audit reports have found irregularities in the media services' procurement procedures. While previous instances did not lead to court rulings, they pointed to possible misuse of these funds for political and financial interests.

The recent case of BH Telecom illustrates the pressure possible when the public company's advertising practices are not in line with the interests of the ruling parties. The company has been accused of supporting media that campaign against the government. The allegations were made in a December 2016 report on BH Telecom's business management, allegedly prepared by the Office of the Prime Minister of the Federation of B&H, although the Prime Minister has denied responsibility. In particular, the report accuses the

company of spending BAM 11 million (\$6.6 million) on the production or co-production of political shows that ridicule and insult members of the government, and of spending BAM 100 million (\$59 million) on non-transparent public procurement without any negotiation procedures. This report gave rise to speculation about the possible privatization of BH Telecom.

The government invests considerable funds in public media — ongoing research suggests more than 30 million BAM (\$18 million) per year. Public funds are allocated to the media through different procedures, including the regular funding of public media, grants, and advertising contracts. In many cases, the criteria are imprecise, the procedures lack transparency, and arbitrary decisions are possible.⁶ Even the state's budget reserves, intended normally for emergencies, sometimes are allocated to the media.⁷ One of the largest grants in 2017 was 2 million BAM (\$1.2 million), allocated by the government of the Republika Srpska to the public broadcaster RTRS. Public institutions also have commercial contracts with the media, which include holiday greetings, coverage of local governments' activities, and public service campaigns. Some experts question the need or public interest for many of these promotion campaigns.

Media market research data is not used consistently for business planning or content development. Larger media outlets mainly invest in market research and use it for their development and

pursuit of advertisers. Audience data goes primarily in favor of entertainment programming. Although news programming is not eclipsed, the quality may be neglected in part due to increasing commercialization. Many media, in particular smaller and local outlets, do not commission audience research, but instead use available data on website page visits (Alexa and Google analytics) and their internal audience measurements or estimates.

Public media rely mainly on state funding and are not protected from possible budget cuts or political whims, limiting editorial independence and preventing strategic business planning.

Professional audience research exists, but not all media wish to support it or have the resources to buy it. For example, print media have never jointly started such audience research. However, over the years, some agencies, such as French market research firm Ipsos and German companies GfK and ABC, have conducted audience studies. Ipsos currently provides data on print media consumers. Data from September 2016, for example, shows the most-read newspaper was Dnevni avaz, followed by EuroBlic and Glas Srpske. The most-watched TV stations in 2017 were FTV and Hayat, followed by Pink BH television.

Radio audience measurements are not universally commissioned by radio stations either and are limited to participants keeping diaries or logs about which stations they listen to, how often they listen, when they listen, etc.

Trust in TV audience measurement is particularly shaky, with suspicions of hidden ownership over the data providers and previous reports of false data on advertisements broadcast by TV

6 See, for example, Jurič, B. "Javni novac privatnim medijima." 16 November 2017. Mediacentar Online. <http://www.media.ba/bs/magazin-novinarstvo/hnz-javni-novac-u-privatnim-medijima>

7 Omerović, A. Žurnal. 30 May 2017. <http://www.zurnal.info/novost/20465/milion-maraka-podijeljeno-medijima-odanim-vlastima>

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mreža, led by TV1. Nothing has changed since a 2016 Competition Council ruling, which fined the data provider Audience Measurement for providing the same services to outlets for different prices. Zaimović suggested that marketing agencies conduct additional research, from focus groups to computer-assisted telephone interviewing (CATI), in order to obtain reliable statistics for their clients.

Despite the market research methods available and used in B&H, panelists still expressed their belief that advertising revenues are allocated mainly based on political preferences or other advertiser interests, regardless of audience data. “A process that is gaining momentum is linking advertising investments with editorial policy,” said Zaimović. “I’m afraid we are coming to a time when advertisers will say, ‘Well, I don’t think this host is good in the news program — replace him.’”

OBJECTIVE 5: SUPPORTING INSTITUTIONS

1.80

The score for supporting institutions has practically remained static (1.80 compared to 1.86 last year), indicating B&H has not seen any significant progress or change. Most media associations are inactive, except for the Association of BH Journalists, which has been vocal about journalists’ rights. Formal education programs still lack practice-oriented courses, and the number of informal education programs is insufficient. The digitalization process is ongoing.

The government imposes no legal restrictions that prevent the registration or existence of media associations. However, in recent years, associations have been largely non-operational or fragmented

along different interest lines. One of the reasons is a lack of donor support. “The stations come to us with demands, one by one, but they would be much stronger if they came united,” Mandić said.

Associations of electronic media—including the Association of Private Electronic Media, the Association of Electronic Media, and the Association of Radio Stations of RS—do not have active websites, and their representatives rarely appear in the media. The Association of the Media Industry (UMI), which previously had unified the main broadcasters and advertising companies, has remained mostly inactive. However, in 2017, UMI issued a statement demanding that authorities react to the disastrous situation regarding viewership measurement.⁸ Publishers’ and online media associations still do not exist, although panelists reported that the members of the Press Council of B&H have decided to establish such an association.

Currently B&H has three journalist associations: The Association of BH Journalists; the Journalists’ Association of B&H; and an association established at the University of Mostar. Panelists, however, said that the activities of the Association of BH Journalists are of most relevance. The Association of BH Journalists has 740 journalists and chapters in different cities in B&H and offers free legal and professional assistance to its members; organizes training programs and workshops; and issues statements over breaches of rights, attacks, or threats to media workers. In 2017, the association decided to establish a legal fund for the defense of journalists and media professionals and is currently collecting donations.

Trade union membership is somewhat popular.

⁸ The statement is available at: <https://www.bljesak.info/kultura/film-tv/katastrofalno-stanje-vezano-za-mjerenje-gledanosti-u-bih/217041>

Within the trade union of the RS there is a branch for media workers (Trade Union of Media and Graphic Workers of RS). The Union of Graphic Workers, Publishers, and Media Workers of B&H was excluded from the Trade Union of B&H, reportedly due to its complaints about financial misuse within the Union. The Union of Employees of the Radio and Television Service of Bosnia and Herzegovina, meanwhile, has been issuing statements about the disastrous financial situation of the public service broadcaster and its employees.

Many other public broadcasters also have trade unions, including the Independent Trade Union of RTRS and the various unions of local media outlets, which are sometimes vocal in demanding salary and other media workers’ rights. In 2016, a memorandum on the joint actions of media trade unions was put forward, but so far it has prompted no major initiatives. Journalists are often not acquainted with the work of media trade unions, and membership is discouraged by the perceived weakness and/or lack of credibility of trade union leaders and their affiliations with particular political factions.

B&H has numerous non-governmental organizations, but only a few actively support free speech and independent media.

B&H has numerous non-governmental organizations, but only a few actively support free speech and independent media. Those include Transparency International, Women’s Network BiH, the Initiative for Monitoring the European Integration of B&H, and the Network for Building Peace. Some NGOs conduct media research and advocate for better media policies. Foundation Mediacentar Sarajevo is conducting policy research on media ownership and funding, in cooperation

with JaBiHEU news portal, the Association of BH Journalists, and the Press Council of B&H. Their work will be the basis for drafting legislative solutions. The Center for Media Development and Analysis and Foundation Mediacentar Sarajevo, in cooperation with the Agency for the Prevention of Corruption and Coordination of the Fight Against Corruption, are implementing a project to introduce efficient non-legislative mechanisms for media finance transparency. Still, Purić said that NGOs are generally based in the main cities of B&H, “while in small and rural communities, there are virtually no CSOs that actively work on promoting and protecting freedom of the press and speech.”

Ten higher education institutions offer journalism courses. The schools include public universities in Sarajevo, Banja Luka, Tuzla, Istočno Sarajevo and Mostar and at private schools in Travnik, Banja Luka, Međugorje and Brčko. In the last five years, more than 2,500 journalists enrolled in one of these courses – a number that significantly exceeds the needs of the labor market.

The quality of most of these courses is considered poor, according to the panelists. “They lack everything,” Jazvić said. “There is a shortage of professional staff, programs and practical work.” Panelists indicated that students do not have sufficient opportunities to acquire practical experience within media outlets. “We are contacted by people who are studying journalism and don’t have an opportunity to do practical work at any other media outlet,” Islambegović explained. The Faculty of Political Science in Banja Luka has tried to correct this at its institution. It offers an introduction to investigative journalism as a two-semester course, with the possibility to complete a one-year internship after graduation at the Research Institute at the same facility.

Some short-term workshops and training

Supporting institutions function in the professional interests of independent media.

SUPPORTING INSTITUTIONS INDICATORS:

- ▶ Trade associations represent the interests of private media owners and provide member services.
- ▶ Professional associations work to protect journalists’ rights.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

opportunities are provided by NGOs and funded by international donors. In 2017, Mediacentar held a training and organized internships at CIN, Žurnal, and BIRN, all leading investigative journalism outlets. The offerings were held under the program “Free Voices” and supported by the Civil Rights Defenders. Mediacentar also organized a training called “Reporting Crisis” for journalists from Southeast Europe, supported by the South East European Network for Professionalization of the Media; and a training for junior researchers at local public outlets in B&H, funded by the US Embassy. “I completed a media ethics course and Mediacentar’s program of education and practical work for final-year journalism students, as well as BIRN’s summer

school of investigative reporting,” Purić said. “In these two months overall, I learned much more than in four years of university.”

Other organizations, including the Association of BH Journalists and the Center for Media Development and Analysis, offer courses and workshops. Still, a decline in donor support in recent years has led to a decrease in the number of available training opportunities. “Today, from what I can see, such programs are rare,” Hrnjica said. Due to low salaries, long working hours, and lack of interest from directors to support the education of their employees, journalists cannot afford training abroad. According to Habul, “At big organizations, like the public broadcasting services and the three print groups, there are no employee training departments.”

Panelists noted no recorded cases of restrictions on importing and purchasing materials needed for media production. “I don’t see that as a big obstacle in terms of operation and opportunities. I didn’t notice anyone being discriminated [against],” Tešanović said. Media companies can choose different printing houses and their choices are primarily financially driven. Panelists questioned the quality of print used by media in B&H. Larger print newspapers--such as Avaz, Nezavisne novine and Glas Srpske, Oslobođenje, and Start--have their own printing facilities and can provide services to others as well.

Panelists said, however, that discriminatory practices exist within the distribution system, based largely on commercial considerations. In a decision from December 2015, the Competition Council of B&H ruled that the United Media Company did not respect a decision reached in 2013 and continued to misuse its dominant position by applying different conditions in the distribution of sports channels. Tešanović said that nothing has changed

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since. United Media claims that prices are the same for all operators.

Seven mobile operators offer services: BH Telecom, Telekomunikacije Srpske, Hrvatske Telekomunikacije, Logosoft, Blicnets, Telrad NetChannels and Elta-Kabel. An eighth, Izi mobil, stopped providing mobile telecommunications services in November 2016 due to, as they reported, "a complex state of the market to which distributors contribute with their actions that prevent new bidders from entering."

Purić said that NGOs are generally based in the main cities of B&H, "while in small and rural communities, there are virtually no CSOs that actively work on promoting and protecting freedom of the press and speech."

In 2016, CRA abolished national roaming as part of its efforts to lower mobile telephony prices and strengthen competition in the market. Mobile penetration in B&H at the end of 2016 reached 96.4 percent. The number of Internet providers is constantly increasing, with 71 providers in 2016, and Internet penetration reaches 82 percent of the population.⁹

Mandić said that providers are partially reducing the differences in ICT availability between urban and rural communities. She added that "on-demand audiovisual media services have started appearing, as well as audiovisual media services provided via the Internet. More and more distributors are offering service packages combining telephony, Internet, and television."

The process of digital switchover has still not

been completed and, according to Mandić, "has been blocked for years," despite a strategy for the transition being adopted in 2009. Digital signals were tested in October 2016, but only in Sarajevo, Banja Luka, and Mostar, while six other areas were left for the second phase. Officials announced that digitalization will be finalized by the end of 2017, but it has again been postponed. Panelists said that the three PSBs still have not established a body to coordinate the use and management of the multiplex, and authorities have nothing to prevent further delays.

List of Panel Participants

Helena Mandić, head of the Broadcasting Sector, Communications Regulatory Agency (CRA) of B&H, Sarajevo

Senad Zaimović, general manager of Marketing Agency Fabrika, Sarajevo

Borka Rudić, secretary general of "BH Journalists" Association, Sarajevo

Emir Habul, journalist and editor, BHRT, Sarajevo

Gordana Šarović, director of Technical Information Center of RTRS

Mehmed Halilović, independent media law expert, Sarajevo

Boro Kontić, director of Mediacentar Sarajevo

Hana Kazazović, blogger, Zenica

Nataša Tešanović, director of ATV station, Banja Luka

Merima Hrnjica, journalist, Center for Investigative Reporting (CIN), Sarajevo

Amir Purić, freelance journalist and editor of magazine Karike, Velika Kladuša

Ilma Islambegović, editor-in-chief of community Radio Active, Zenica

Dejan Jazvić, editor-in-chief of FENA, Sarajevo.

The following participant submitted a questionnaire, but did not attend the panel discussion:

Mirna Stanković-Luković, journalist, online magazine Žurnal, Sarajevo

Moderator

Sanela Hodžić, researcher of Mediacentar Sarajevo

Authors

Sanela Hodžić and Anida Sokol, researchers of Mediacentar Sarajevo

The panel discussion was convened on November 23, 2017.

⁹ Data taken from *CRA Annual Report 2016*. <http://rak.ba/bos/index.php?uid=1272548129>.

BULGARIA



MEDIA SUSTAINABILITY INDEX 2018

Tracking Development
of Sustainable
Independent Media
Around the World



BULGARIA

AT A GLANCE

GENERAL

- **Population:** 7,101,510 (July 2017 est. CIA World Factbook)
- **Capital city:** Sofia
- **Ethnic groups (% of population):** Bulgarian 76.9%, Turkish 8%, Romani 4.4%, other 0.7% (including Russian, Armenian, and Vlach), other (unknown) 10% (CIA World Factbook, 2011 est.)
- **Religions (% of population):** Eastern Orthodox 59.4%, Muslim 7.8%, other (including Catholic, Protestant, Armenian Apostolic Orthodox, and Jewish) 1.7%, none 3.7%, unspecified 27.4% (CIA World Factbook, 2011 est.)
- **Languages (% of population):** Bulgarian (official) 76.8%, Turkish 8.2%, Romani 3.8%, other 0.7%, unspecified 10.5% (CIA World Factbook, 2011 est.)
- **GNI (2016 - Atlas):** \$53.238 billion (World Bank Development Indicators, 2017)
- **GNI per capita (2016 - PPP):** \$7,580 (World Bank Development Indicators, 2017)
- **Literacy rate:** 98.4% (male 98.7%, female 98.1%) (CIA World Factbook, 2015 est.)
- **President or top authority:** President Rumen Radev (since January 22, 2017)

MEDIA-SPECIFIC

- **Number of active print outlets, radio stations, television stations:** Print—283 newspapers, 54 regular dailies, 124 regular weeklies (2015 National Statistics Institute); Radio Stations—84 (2015, National Statistics Institute); Television Stations—116 (2015, National Statistics Institute)
- **Newspaper circulation statistics:** 267,346,000 total (2015, National Statistics Institute); certified individual newspaper circulations not available
- **News agencies:** Bulgarian News Agency (state), Focus News (private), BGNes (private)
- **Broadcast ratings:** bTV: 23,23% share, Nova TV: 21,78% share, BNT Channel 1: 4,33% share source: Nielsen Admosphere Bulgaria, September 2016
- **Internet usage:** 4,274,328 (July 2016 est., CIA World Factbook)
- **Annual advertising revenue in media sector:** Radio—BNR State Subsidy: 42.9 million BGN (2015, National Statistics Institute); Commercial revenues—25 million BGN (2015, National Statistics Institute); Television—BNT State Subsidy: 71 million BGN (2015, National Statistics Institute); Commercial revenues—348 million BGN (2015, National Statistics Institute); Print—147 million BGN (2015, Agency Pierrot'97); Internet—42.5 million BGN (2015, Agency Pierrot'97)

MEDIA SUSTAINABILITY INDEX: BULGARIA



SCORE KEY

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.



Only one objective score increased this year for Bulgaria. With growing online users and diverse media sources the plurality of news objective increased, but only by .02 points from 2.04 to 2.06. All other objectives either stayed the same or decreased this year due to a harsher political environment for journalists. The professional journalism and business management objectives continue to pull down the score, keeping the overall score under the near sustainable level at 1.81.

Unlike many of its neighbors and partners in the region and in the EU, Bulgaria is going through a period of stability and steady economic growth. Living standards, although still the EU's lowest, are slowly improving. Unemployment is low, and the country is preparing to take over the presidency of the Council of the EU in the first half of 2018.

Citizens for European Development of Bulgaria (known by the acronym GERB), the center-right party that has been in power since 2009 (aside from one short interruption), won Bulgaria's early elections in March 2017. The party did not gain sufficient support to form its own government, so it formed a coalition with the United Patriots, itself a coalition of three right-wing nationalist parties. Former GERB coalition partner, the pro-Western Reformists' Block, did not pass the elections threshold of four percent and therefore remained shut out of Parliament.

With steadily escalating political pressure on the media, 2017 was a tough year for Bulgarian journalists. They endured a growing number of physical and verbal attacks, often at the hands of high-ranking officials. The change in the coalition partner also introduced a shift in the media discourse—with a more combative tone, intolerance, and anti-Western language

moving beyond the fringe and into the mainstream media.

Harassment and pressure against journalists and media owners who are not aligned with the government's policies are becoming an everyday reality.

Bulgaria's media scene remains deeply divided between warring camps of print media. While the three dominant television stations—one public and two owned by international conglomerates—supply the news for the majority of Bulgarian citizens, fake news and aggressive propaganda are on the rise. A media conglomerate formed around outlets owned by the controversial Delyan Peevski, a businessman and member of parliament (MP) from the Turkish minority party Movement for Rights and Freedoms, is aggressively targeting journalists and media that express critical views of the government or challenge officials with hard questions. In one of the most visible cases, mass protests by affected journalists, backed by a negative international reaction, led to the resignation of a GERB MP who threatened a talk show host—who asked a question he did not like—live, on the air.

As a whole, the media situation is deteriorating, as low scores for the 2018 MSI study reflect.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

2.19

Bulgaria's constitution and supporting legislation protect free speech and access to public information in line with internationally accepted norms. As Nelly Ognyanova, a professor at Sofia University St. Kliment Ohridski said, "The Bulgarian Constitution guarantees freedom of speech, sufficiently matched to the European Court of Human Rights. EU and the Council of Europe standards, including access to information and protection of sources, have been introduced into the legislation." Bulgarian society widely accepts, if not actively supports, these norms, but media often abuse principles of free speech for political and corporate gain. The spread of fake news over social networks further undermines public support.

Laws protecting free speech and access to information exist, but they are not hard to circumvent and implementation is selective. According to Yassen Boyadjiev, editor of Mediapool, "Bypassing the law is easy thanks to the lack of public protest over free speech violations and the judiciary's lack of independence." Ognyanova added, "The media law is often bypassed and even changed ad hoc to favor those in power. In practice, a recent amendment of the law abolished the fixed mandates of the directors of BNT and BNR (the public service broadcasters), and the mandates can now be extended indefinitely, until a new leadership is appointed." The panelists also noted that, while at times journalists feel that the prosecutor's office files politically motivated cases against them, journalists are more confident that the courts will maintain an independent stance in their reviews.

Under Bulgarian legislation, the Council for Electronic Media (CEM) oversees broadcast media licensing. As Ognyanova explained, "The administrative regimes in the media are in line with international standards. Licensing is in place only for media that use a limited resource—the over-the-air broadcast channels. Cable and satellite programs are only registered, and nonlinear services are in the notification regime. Blogs are not subject to administrative oversight. Since all allotted digital television licenses have been issued, licensing is currently inactive. However, an ongoing issue related to the licensing of the three digital networks continues. The European Court of Justice ruled that these licenses were issued in a nontransparent and discriminatory way, but still these licenses have not been revoked. Members of the licensing authorities are political appointees, and their decisions are quite predictably in accordance with the government's will. The December 2017 appointment of a new Committee for Regulation of Communications chair—an administrator with proven loyalty to the government—provides the latest evidence."

Kapital reporter Vessislava Antonova expressed dismay over the negative trend in the choice of new CEM members, noting, "There has never been such a low degree of professional representation."

The conditions for market entry and the tax structure for the media do not differ from other industries. The value-added tax (VAT) is 20 percent, and the revenue tax is a 10 percent flat rate, both equally applied across all sectors of the economy. Attempts in previous years by newspaper publishers to abolish the VAT on newsprint have failed.

Crimes against media professionals increased significantly in 2017, with numerous cases of physical attacks and threats, as well as public verbal attacks, against the media. Moreover, state institutions are involved in what is seen as politically motivated

repression against media owners and reporters expressing opposition views. Some of the most prominent cases include threats against the owner and the editor of the Vratza regional newspaper *Zov News*, a physical attack against BNT morning show host Ivo Nikodimov, and the attack on a bTV camera operator covering anti-Roma protests.

Disturbing verbal attacks on journalists by members of the government or other high-ranking officials are also on the rise. Irina Nedeva, chair of the Association of European Journalists in Bulgaria, described one incident: "An 'untouchable' figure—such as the former long-serving director of Bulgaria's National History Museum Bojidar Dimitrov—used extremely harsh language against the *Dnevnik* reporter Anna Blagova, cursing and labeling her a 'Sorosoid'¹ as part of a campaign against civil society organizations."

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The most well-documented case of such a verbal attack happened on air during Nova TV's morning show, when an MP from the ruling party openly threatened the anchor. Faced with massive protests, the MP in question, Anton Todorov, had to resign from Parliament. "If there is a light of hope, it is my impression that the journalism community

¹ "Sorosoid," a derogatory term used by Russian propaganda in the former Soviet Union to mark anyone related to the US philanthropist George Soros, is making its way into Bulgaria via politicians such as Mr. Dimitrov and the pro-Russian right wing "Ataka" party.

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is starting to understand that we're working in a high-risk environment. The protest that we organized surrounding the threats against Nova TV, to our surprise, was attended by many well-known faces from other television stations and many other media representatives, which we did not expect," Nedeva added.

However, crimes against journalists are not always investigated rigorously. Yordanov described the situation with *Zov News* after the regional publication published an investigation into a drug-smuggling organized crime group. After threats on his life, the owner had to flee the country, and the

Legal and social norms protect and promote free speech and access to public information.

FREE-SPEECH INDICATORS

- ▶ Legal and social protections of free speech exist and are enforced.
- ▶ Licensing of broadcast media is fair, competitive, and apolitical.
- ▶ Market entry and tax structure for media are fair and comparable to other industries.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- ▶ Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- ▶ Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

editor in chief received daily threats via text, which the police did not investigate. Unknown attackers badly beat the witness for the investigation outside his home in broad daylight.

Bulgarian law protects the editorial independence of public media, but implementation often falls short. After a prolonged delay, CEM finally elected a new director general of BNT, the public television channel, but his media board member appointees and choice of a controversial political figure as the program director raised concerns. As Antonova pointed out, the new director general has recommended that BNT journalists not join the protest in defense of the verbal attack on the Nova TV anchor on the grounds that it could influence how the news is covered. At the last minute, BNT also apparently abandoned plans to air a current affairs program, *Referendum*, about the government's decision to allow the construction of a new ski lift in Bansko over the protests of ecologists. As Nedeva put it, "Until now, BNR and BNT had a reputation for creating more professional and independent journalism; that will probably be the last fortress to fall."

Libel and defamation are treated under both criminal and civil law. Since 2000, the penal code has detailed fines, not prison terms, for libel, but Ognyanova reminded the panelists that there is no prospect of decriminalization. "On the contrary, politicians periodically insist on raising the sanctions. The courts generally apply the Council of Europe's modern standards when reviewing such cases." There are no known cases of providers of Internet or hosting services being sued for content carried on the networks they support.

Legislation on access to public information is in place and working well. In fact, according to Yordanov, this is the only functioning part of the free speech legislation. "Bivol has been successful in court against refusals to provide access to

information, including a case against the customs and against the president's office, which was forced to publish a protocol from a consultative council discussing the bankruptcy of a bank, KTB, which two successive presidents had refused to make public."

Problems, however, persist. According to media researcher Nicoletta Daskalova of the Media Democracy Foundation, "Access to information is rendered deliberately more difficult. Some institutions publish the information they are required to make public by law, but they do so in a format that is difficult to read and understand."

According to media researcher Nicoletta Daskalova of the Media Democracy Foundation, "Access to information is rendered deliberately more difficult. Some institutions publish the information they are required to make public by law, but they do so in a format that is difficult to read and understand."

Bulgaria scores highly on the media outlets' access to and use of local and international news and news sources, which is not restricted by law or in any other technical way. However, availability does not mean use. Outside of the large television stations, media outlets do not pay for agencies and use only the news sources available free of charge.

Entry into the journalism profession is free, and the government imposes no licensing or restrictions on journalists. However, access to some official events is restricted to accredited journalists only; bloggers do not typically receive accreditation.

**OBJECTIVE 2:
PROFESSIONAL
JOURNALISM**

1.53

While the score for this objective improved slightly over the prior year, adherence to professional journalism standards remains one of the most problematic areas of Bulgaria's media environment. Assessing the overall level of professionalism is challenging, in part because there are several distinct media groups—with very different standards of professionalism—that would score very differently against this objective, making the average score relative.

Boyadjiev said that many so-called media in Bulgaria do not really operate as media, but rather as businesses trading in content. He then listed some of the different groups, starting with the Peevski group, which belongs to a “political, business, judiciary, and mafia circle that controls a big swath of the state...and whose main function is disinformation and manipulation.” Then there is a group of large television channels, including the public BNT and BNR, and another group of media that includes the likes of *Economedia* and *Sega* newspapers, which are financially supported by their owners or by international donors, he explained.

Across the board, reporting is not seen as fair, objective, and well sourced, especially in the Peevski media. While the major national television channels have a better professional record in news reporting and try to keep a balance in presenting the main political views, the majority of print media tend to serve the interests of their owners and make no attempt to present alternative views. According to Boyadjiev, the journalism environment is tainted by ever-growing pressure, fear, and self-censorship, in addition to the absence of professionalism

formed under the influence of the state, political, and business circles, as well as criminal groups and clans. Stoyana Georgieva, editor in chief of Mediapool, added, “The main center of political, business, and media pressure in Bulgaria is the oligarch Peevski, who uses the prosecutor general, the State Agency for National Security, the National Revenue Agency, the prime minister, the regulatory bodies, and, of course, his own media as his instruments.”

Regional media typically pass off releases from official press centers of institutions or public relations agencies as information sources, said Dimitar Lipovanski, director of Arena Media, which, ultimately, “lowers the quality of the media and narrows the circle of the topics covered.”

As Ognyanova puts it, “The media are not free; they reflect events selectively. There are taboo topics and public figures who are off limits.”

Media self-regulatory mechanisms reflect this deep division of the media as well. There are two codes of ethics and two self-regulatory bodies, one for each of the industry's opposing sides, but only one exists on paper. In Ognyanova's words, “There is one working code of ethics and one operational ethics committee that makes decisions on complaints. Formally, there are two self-regulation alliances and committees, but with the bankruptcy of KTB bank², the second media union has practically disintegrated, and the related code of ethics has not been applied since its inception.”

² KTB provided financial backing to the Peevski media group, which created its own alternative publishers union and passed their own code of ethics.

The decisions by the operational ethics committee have not made a discernable impact on improving the implementation of ethical standards; there are still many violations. There is a difference between the regulated world of radio and television, where standards are better respected, and the rest of the media. While no cases of direct corruption—such as reporters accepting bribes or gifts to skew coverage of an event—have been recorded, corruption is rampant at the highest editorial level. Entire media exist with the sole purpose of publishing content distorted in favor of political and business interests. “Advertorials’ are clearly marked only in the few media that abide by internationally accepted professional standards; for others, mixing paid content with manipulative news is a matter of routine,” said Petko Georgiev, director of BTC ProMedia.

Self-censorship is widespread, even in media operating under a more independent and professional editorial ethos. Investigative reporter Maria Cheresheva of the Balkan Investigative Reporters’ Network quotes a recent report of the Association of European Journalists showing rising self-censorship, especially in the regional media. According to Ivan Atanasov, the editor of *Sakar News*, a regional newspaper and web portal, self-censorship is rampant. “There is a sort of feudalism in the regional media. We are so dependent on local advertisers. We consider them almost like shareholders and that results in self-censorship. I have selected a core of more honorable companies, and I work with them.”

However, big national media are not free from self-censorship, either. Georgieva confirmed that self-censorship shades the editorial policy of the major television stations: “On the one hand, this is seen in the marginalization of the analytical programs and on the other in the limitation of journalism investigation to low- to medium-level officials.”

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The media in Bulgaria generally cover key events, although sometimes coverage of controversial issues is intentionally superficial and does not explore the deeper causes of problems. While this can partly be attributed to self-censorship, it sometimes results from the direct interference of the authorities under pretexts ranging from national security to Bulgaria's upcoming EU Council presidency. For example, to prevent media coverage of the Bulgarian-Turkish border fence, the government declared it a strategic national security interest. Showing it on television, officials warned, would constitute a breach of national security and might result in a prison sentence. This approach is being applied to more and more military installations, such as armament factories. Demonstrations and protests are also often difficult to cover; even the major national television stations tend to downplay them until they become too visible to ignore.

Journalism meets professional standards of quality.

PROFESSIONAL JOURNALISM INDICATORS

- ▶ Reporting is fair, objective, and well sourced.
- ▶ Journalists follow recognized and accepted ethical standards.
- ▶ Journalists and editors do not practice self-censorship.
- ▶ Journalists cover key events and issues.
- ▶ Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- ▶ Entertainment programming does not eclipse news and information programming.
- ▶ Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- ▶ Quality niche reporting and programming exists (investigative, economics/business, local, political).

Regarding the Council of the EU presidency, the government has appealed to the media to avoid negative coverage of events in Bulgaria to save face in the eyes of its EU partners. As Ognyanova puts it, "The media are not free; they reflect events selectively. There are taboo topics and public figures who are off limits."

Media industry salaries are in keeping with the national average, although there are significant differences between regional and national media, and within media organizations themselves. According to Nedeva, "Pay is not adequate. In the regional media, people get paid BGN 500–1,000 per month (\$315–630) against a national average of BGN 1,000, and in Sofia, it is about BGN 1,500 (\$945). All social insurance is paid on the basis of the minimum wage; the rest is received as honoraria." According to Lipovanski, the low pay is pushing local media staff out of the industry. "Even national media correspondents are leaving because of low pay or because demand from the headquarters for local news is low," he added. Boyadjiev noted that there are some journalist and producers who earn excellent salaries, "but their income depends on their moral adaptability and eagerness to do what they are being told."

The trend of entertainment programming overshadowing news and current affairs is not new, and continues to marginalize serious journalism. As Antonova said, "Entertainment programs dominate the media, and serious journalism is less and less present in the broadcast media. There are fewer and fewer journalism investigations, and those remaining have negligible effect."

Ognyanova also observed, "The so-called lightening of programs is a clear trend. Media such as BIT, which began with ambitious news coverage, are now saturated with tabloid and entertainment items in pursuit of higher ratings, following a change

in leadership and a turnover in staff. The morning shows of the national television stations, long devoted to politicians and political issues, are turning to criminal and lifestyle news—a change especially visible at Nova TV. Specialized journalism practically does not exist for the vast majority of the media. This affects the quality of information."

In keeping with the MSI tradition in Bulgaria over the past years, the technical level of facilities and equipment for gathering, producing, and distributing news remains the highest indicator under the objective measuring professional journalism.

The quality of niche reporting and programming in the Bulgarian media is fading away, largely for financial reasons. Few of the larger national media have sufficient staff and resources to support many specialized beats, and the situation with regional media is far worse. Daskalova said that sustaining specialized beats has become a luxury. Lipovanski added, "Except in individual cases, there is a lack of quality beat reporting due to the reduced journalistic staff. The same reporters cover both criminal news and cultural events, for example. This reflects negatively on the level of competence and hence the media's overall quality."

Investigative reporting exists, but supporting it is a constant struggle. National media tend to limit investigations to lower-level officials, and those who aim higher do so at great personal cost. Yordanov said, "We at Bivol have been targeted for a long time. All my property has been put under forfeiture; we have been investigated secretly by the Agency for National Security, and these secret reports—consisting of lies—are being leaked to the Peevski media and used to write defamatory articles against us. This is complete infiltration of organized crime in state institutions. The media is being controlled by organized crime. I've been targeted because of my work as a journalist, and I can support this claim with specific facts and

evidence. Nothing will stop the ruling clique from trying to silence free voices in Bulgaria.”

**OBJECTIVE 3:
PLURALITY
OF NEWS**

2.06

Bulgaria has a large variety of public and private news sources, and diverse media, including print, broadcast, online, and social and mobile media platforms. However, the richness in platforms does not always translate into a variety of viewpoints. As Georgieva said, “The plurality of news sources is misleading, because most of them are either directly owned or controlled by Peevski. The ‘information’ they provide is openly customized to serve specific interests, manipulative and false. These are not media in the literal sense of the word, but ‘media baseball bats.’” Boyadjiev added, “The diversity of sources is extremely illusory. The public, as far as it is at all eager to compare and evaluate the different sources, is subject to systematic disinformation and manipulation.”

Ognyanova concluded, “There are a variety of print newspapers, magazines, radio stations, and online news sources, blogs, free access to social networks, and over two million Bulgarians on Facebook. But diversity does not equal pluralism. Only a small number of media comply with journalistic standards, while too many are little more than sensationalist tabloids.”

Citizens’ unrestricted access to domestic or international media remains one of the highest rated indicators in Bulgaria’s MSI study. Access to media outlets is largely unrestricted by law, cost, or other means, except for print media, where the Peevski

group’s near monopoly on the Lafka distribution network results in the domination of his newspapers on newsstands across the country. Free terrestrial television and radio is widely available across the country; just a few, low-populated mountainous areas continue to have poor coverage. Internet and cable television are affordable and available not only in the large cities but also increasingly across the country. Nearly 60 percent of the population has broadband access, and no limitations are imposed to access broadcasts, online, or social media.

Bulgarian public media, Bulgarian National Television (BNT) and Bulgarian National Radio (BNR), enjoy a high level of trust and are generally seen as fulfilling their commitments to inform the public in a professional and unbiased manner, even though they often endure criticism by politicians complaining about their coverage. BNT and BNR produce programming on socially important issues rarely covered by commercial channels and deliver specialized programs covering culture, health, and education, as well as the economy. However, both channels suffer from political and financial pressure. As Ognyanova explained, “Political and possibly economic factors influence the choice of management. Editorial independence is enshrined in the law, but BNT’s agenda and program priorities do not always align with its audience’s interests. Political influence also showed in the appointment of Emil Koshlukov—a politician and journalist with a background in media such as the KTB-sponsored TV 7 and Ataka’s, the right-wing nationalist party, television channel—as program director of BNT. Impartiality is at a higher level in the Bulgarian National Radio, as the journalism college has traditionally defended its professional freedom.” Financing of public service media, she concluded, falls short of their purpose to serve the public and amounts to a tool of pressure.

The state-owned Bulgarian News Agency (BTA) has a long-standing tradition of creating and disseminating news in a professional manner. However, it depends entirely on its state budget subsidy; the number of media outlets that subscribe to its services is limited. The major national television channels have access to international news exchanges and agencies, but the smaller television stations and the majority of print and online media—especially in the regions—depend entirely on free online sources. Private news agencies exist and their free newsfeeds are widely used by the smaller media, which have limited resources to produce their own news.

Boyadjiev added, “The diversity of sources is extremely illusory. The public, as far as it is at all eager to compare and evaluate the different sources, is subject to systematic disinformation and manipulation.”

The private broadcast media produce their own news and current affairs programs in-house, as required by the law. News programs of the three largest national television channels share similar formats and usually cover the same top news items of the day, quite often in the same order, as they apply similar professional criteria in their news priorities. Partially because of the pressures and limitations on newscasts and current affairs programs, external producers from the entertainment sector create much of the political and current affairs content. The two largest private television channels have highly popular talk shows that address current political development and often host politicians and organize political debates. For example, the bTV Slavi Show, a daily comedy and music show, has traditionally been deeply involved

Multiple news sources provide citizens with reliable and objective news.

PLURALITY OF NEWS SOURCES INDICATORS

- ▶ A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- ▶ Independent broadcast media produce their own news programs.
- ▶ Citizens' access to domestic or international media is not restricted.
- ▶ Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

in political debate. On Nova TV, the *Lords of the Air* program, also an external production, features investigative journalism and is known for its witty critiques of public figures.

Despite the existing legislation governing media ownership, it is not entirely transparent. That is especially true of the print and online media. The panelists acknowledged that some of the media outlets considered to be a part of the Peevski group bear no visible link of ownership to the MP; their assumed link is determined by their editorial policy rather than by formal ownership.

Ownership of online media, which is unregulated by law, lacks any transparency. A vast network of anonymous sites, which quote each

other, exploit this hole to distribute fake news and propaganda. Bringing such outlets to legal responsibility over their content is practically impossible. This is not the case with the broadcast media, for which transparency is a licensing requirement.

The number of media outlets and the variety of platforms and formats does not mean that a wide spectrum of social interests and political views are covered. Minority media practically do not exist. Members of Bulgaria's large Turkish minority population do not have their own news media; instead, they watch cable and satellite television from Turkey. Mainstream media rarely discuss gender, sexual minorities, interethnic relations, or social stereotypes, and with the advance of nationalist right-wing parties as part of the ruling coalition, tolerance against minorities is not a news priority.

Coverage of events outside Sofia is very limited and superficial. As Lipovanski said, "In 2017, circulation of local newspapers in the Russe region continued to decline. Regional private television channels are clipping the duration of their own newscasts. Content quality is low; the lack of professionalism is a deepening crisis. Correspondents for private national media are now moving to the regional center of state television for better job security. The same private technical team of cameramen, editors, and other crew members serves all the national television channels with the same reporting, leading to uniform coverage. Central media send fewer and fewer correspondents to cover the regions, and much of what is shown on national channels is not truly national; rather, it is Sofia-centric. Small regional media do not have adequate funding. In Russe, almost all local media have signed so-called information service contracts with the municipality. This strongly affects their editorial policy and increases self-censorship. The information flow is dominated by topics related to

the local authorities, all cast in a positive light. Local television programs run by cable operators draw support from subscription fees, not from advertising revenue, which is very limited. The local media programs clearly lack journalistic investigations or in-depth analysis on any topic."

**OBJECTIVE 4:
BUSINESS
MANAGEMENT**

1.33

Bulgarian media have very different business models depending on their type and owner. International media conglomerates own the two largest national television channels: the Swedish media group MTG owns Nova TV, and Central European Media Enterprises—and, ultimately, Time Warner—owns bTV. Both companies own a vast number of other media outlets in Bulgaria, including cable channels, radio stations, online media, and magazines, diversifying their platforms to optimize market reach. According to the media agency Pierrot'97, in 2016, the Nova TV group of channels held 46.9 percent of the market share, compared to bTV's 40.2 percent, leaving public television BNT's Channel 1 far behind with 1.4 percent. The two groups are run as effective businesses and are virtually the only media organizations in the country capable of turning a profit. The public media, BNT and BNR, have a different business model, depending to a large extent on budget subsidies. Despite earlier attempts to create alternative models for their funding based on television fees and dedicated radio and television funds, the two media still exist thanks to the annual state budget allocations, which barely cover their operational expenses.

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A number of media organizations depend on international donors for survival. Financial support from the America for Bulgaria Foundation has helped the Economedia group, which publishes the respected weekly Kapital and online media outlets such as Mediapool, to continue supporting high-quality professional journalism.

The large remaining group of broadcast and print media depends heavily on the other businesses of their owners.

These different media organizations face different problems. For years, there have been rumors that the international investors are planning to sell their assets in Bulgaria. "If that happens, we'll see a rapid 'balkanization' of the television market," said Georgiev, recalling what happened to Bulgarian newspapers when the German investors WAZ withdrew from the country years ago. "As

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS

- ▶ Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- ▶ Media receive revenue from a multitude of sources.
- ▶ Advertising agencies and related industries support an advertising market.
- ▶ Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- ▶ Independent media do not receive government subsidies.
- ▶ Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- ▶ Broadcast ratings and circulation figures are reliably and independently produced.

things stand today, there is little doubt who would like to buy them—and who would be allowed to buy them—probably hidden in an offshore company to avoid too much EU exposure," he added.

According to Ognyanova, "Public media have been experiencing funding problems for years; the problem is that public funding for them is insufficient to perform their public missions. Every now and then, the government allocates additional amounts outside the limits set by the state budget, most often to pay for the transmission of programs. The state subsidy and additional funds are used as a means of influence, especially for BNT."

Antonova said, "It is an illusion that any newspaper in Bulgaria can support itself only from sales; that's just not the case. We all have a mix of different revenues, including advertising, subscriptions, and events; up to 30 percent of Kapital's income comes from organizing events [such as business conferences and investor forums]."

The investigative site Bivol.bg has yet another funding model, as Yordanov explained: "Bivol has no advertisers; should anyone advertise with us, they would be in trouble. We accept donations on the site, and this is our main revenue, together with subscriptions for databases. The main donations—about 80 percent—come from Bulgarians living abroad. They are not enough to pay even for the servers, which is a lot because we are under constant attack. We don't pay salaries; we pay for access to public registers (company registration records, property records, legal databases, etc.)—about BGN 35,000 (\$22,040) for all of them, but we need that. We also cover some business trips. All of us rely on other jobs to support ourselves. I do not know how long our nerves are going to hold and how much longer we'll be able to continue to bet our lives on that."

Bulgaria's advertising market is well established

and slowly growing, but with the vast portion going to the two largest television-based groups, and up to 60 percent of online advertising going to Facebook and Google, surviving on advertising is hard. According to GARB, a media measuring agency, Bulgaria's largest television advertisers for 2016 were pharmaceutical companies (at 16 percent of the market), followed by foods, cosmetics, drinks, retail outlets, telecommunications, and financial services. The online advertising market saw 18 percent growth in 2016, but prices are so low that no online media could survive on ad sales alone.

The advertising market operates entirely differently for the various segments of the media market. The large television groups operate in a professional manner, with media shops and agencies, and apply advanced marketing and sales techniques. The regional media, on the other hand, do not work with media agencies at all and depend on local advertisers and contracts with the municipalities for their ad revenue. BNR and BNT are not big players on the advertising market, as public television maintains a restrictive limit on the amount of ads it can air. According to Georgieva, "The advertising market lacks transparency and is, to a large extent, manipulated by the major players." Antonova pointed to another problem: the actual price of advertising is very low, even for the big national channels, leaving very few opportunities for smaller media outlets to secure ads at sustainable prices.

The government plays a significant role in funding the private media via the distribution of EU money intended to promote the implementation of the Cohesion Funds. Under pressure from the media, the Bulgarian government adopted rules to distribute these funds linked to audience size; however, these criteria are not being implemented. According to data obtained by Antonova, the three largest television channels (Nova, bTV, and BNT)

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have received virtually identical amounts of the EU funds. Disproportions are even more visible on the radio market. Sofia-based Radio K2, known for the aggressive pro-government policy of its owner and editor, has received EU funds far overreaching its relatively small audience. In addition, EU funds are being used by the government to “buy peace.” Media outlets receive funding for “visibility and communication” (promotion) of projects funded by the EU Cohesion Funds and implemented by Bulgarian ministries and agencies. In return, and off-the-record, the beneficiary media are expected to provide positive coverage of all government activities, or lose the funding.

According to Georgieva, “The advertising market lacks transparency and is, to a large extent, manipulated by the major players.”

According to Cheresheva, “Many media are increasingly dependent on government and EU funds for communication projects, yet there is no clear, objective criteria on how this money is being distributed among the outlets. The disbursement of public money for the media is not decided based on media’s quality and adherence to professional standards. The Association of European Journalists has suggested to consecutive governments that they introduce such criteria, but this still has not happened.”

As Ognyanova said, “The funds from European programs are directed to media with a pro-government orientation, and public resources are allocated in a way that restricts freedom of expression. A prominent example is state support for tabloid media, even those with anti-European publications.”

While the EU Cohesion Funds are the source

of the money and are intended to help poorer countries such as Bulgaria catch up in their economic development with the rest of the EU, the money is given to and controlled by the Bulgarian government, and the EU has no means of, and has not expressed an interest in, overseeing how the communication money for these funds is being used.

Regional media access to this money is slim to none. According to Lipovanski, “In 2017, there was a reduction in the flow of funds from European publicity and visualization projects into local media, making their financial situation even more unstable. The audience receives mainly propaganda leaflets instead of high-quality, objective information about the EU support to Bulgaria.”

Market research on the Bulgarian media market remains problematic. Bulgaria is one of very few countries with two competing people-meter organizations, each working with one of the two large television channels. The two agencies sometimes show drastic differences in the ratings of the same programs, leaving the door wide open to speculation over the integrity of the results. “The problem with the people meters is acute and unresolved,” Ognyanova said. “There is no independent reporting of ratings yet. There is no data on print circulation; that is one of the best kept secrets. Even in the decisions of the Commission for the Protection of Competition, we read that the commission does not have relevant data on print publications and their dissemination.”

Antonova pointed out that the solution should be in the hands of the advertisers: “If they lead such a discussion, there might be positive change, but nothing has happened so far. On the print market, circulation is unclear. The advertisers prefer to spend on the online editions of the print media, where all is measurable and leads to impressions.”

On the regional level, the situation is even worse. “For years, no sociological, marketing, or rating survey

has been made in Russe about the positioning and audience of local media,” Lipovanski said.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

1.91

The significant divisions among Bulgaria’s segmented media have weakened the trade and professional associations representing media owners and journalists. On the print side, two opposing publishing associations represent the Peevski media group and the remaining mainstream national dailies. On the broadcast side, the Association of Bulgarian Broadcasters, which will turn 20 years old in 2018, encompasses the majority of radio and television stations in Bulgaria, and offers a platform for joint representation of the broadcast owners’ interests. The Association of Bulgarian Broadcasters is involved in contacts with the government and the regulatory bodies on legislative issues. On occasion, it also issues public statements and declarations in support of its members and journalists under pressure, but its range of support services to members is relatively limited. An association of cable and telecommunication operators exists as well; it represents the major telecom companies and a number of small local operators. The regional media also have an association to protect and promote their interests, but like everything else for this overlooked segment of the media market, it can only offer limited member services.

Overall, journalism unions and associations in Bulgaria are quite weak. Outside of the public media, the official Bulgarian trade union has a very limited

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number of members. Daskalova said, "There is no professional and legal protection within the media; effective trade unions exist only in the public media and especially BNR, Bulgarian public radio."

Alternative journalism associations with wider representation do not exist. Georgieva commented, "In Bulgaria, the journalists are easy victims of pressure and control by the media owners. There is no universal, trustworthy, and reliable trade union that they can join and be protected." While there are no restrictions on union membership, the majority of working journalists do not see the point of joining a union, do not participate in professional associations, and cannot benefit from union protection or joint representation.

Supporting institutions function in the professional interests of independent media.

SUPPORTING INSTITUTIONS INDICATORS:

- ▶ Trade associations represent the interests of private media owners and provide member services.
- ▶ Professional associations work to protect journalists' rights.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

Several NGOs actively protect free speech and support the development of independent media. The Association of European Journalists-Bulgaria, a member of the pan-European network of the Association of European Journalists, carries out research, organizes campaigns in support of journalists under pressure, implements training programs, and provides information services to its members and to all journalists in the country. The Media Democracy Foundation is also engaged in research and monitoring of the media environment. The Access to Information Program (AIP), a Bulgarian NGO, is highly acclaimed both for its work in the legislative development of access to information and because of its significant support of investigative journalists and media in their search for information.

AIP's legal team is working with reporters on a permanent basis and provides legal advice and representation to journalists seeking to obtain information from public institutions. In general, the NGO sector supporting free speech is very unstable and totally dependent on project and donor funding.

Academic programs for journalists are available at Bulgarian universities, but according to Ognyanova, journalism training programs (both private and public) need to be seriously updated. "Cross-border academic training for journalists is limited, mainly under the Erasmus program. Students do not prefer a professional career in their country, and journalists often turn to other professions in the field of communications. Student media exist such as Radio Reaction at Sofia University and a radio station at the American University. At Radio Reaction, students control content (both journalistic and editorial)," she said.

There is no strong link between the journalism faculties and the media industry. In many cases, journalism graduates prefer to start a career in public relations, which pays better. The majority of

young people starting work in the media do not have a formal journalism education, increasing the need for on-the-job training and short-term training programs for working journalists. These, however, are in very short supply. After the withdrawal of international donors, the number of training programs for working journalists has decreased significantly. The main three television channels have limited internal training programs, mainly aimed at acquainting new staff with the technical side of newsroom work, but quality reporting programs are not being provided. The other media have even less access to professional training. Despite the low professional quality and the obvious need to work on professional skills, the interest in professional training is limited.

Georgieva commented, "In Bulgaria, the journalists are easy victims of pressure and control by the media owners. There is no universal, trustworthy, and reliable trade union that they can join and be protected."

According to Nedeva, "The media's interest in professional training is minimal. After international donors stopped funding journalism training, this became a blind spot." At the same time, journalists have a great need for this sort of training.

"Funding for professional training of journalists is extremely low," Atanasov said. "The NGOs and other institutions should realize that the level of professional journalism, especially in the local media, is declining drastically."

Not everyone is convinced, though, that professional training may have a beneficial effect on media quality. According to Georgieva, "Journalism training programs are of dubious benefit, as trained journalists working in a media outlet under political

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control cannot apply professional standards, or worse, their newly acquired skills are being used to serve manipulation and propaganda.”

The media distribution infrastructure poses another significant obstacle to the development of independent media. As Ognyanova explained, “The channels for distribution are politicized and monopolized—particularly for print media and the digital distribution networks. The business monopoly on distribution creates difficulties for independent publishers and civic journalism, as demonstrated by the problems with Komarnicki’s *Prass-Press*. Hristo Komarnitzki, a cartoonist with a very critical series of cartoons targeting the prime minister, the general prosecutor, and MP Peevski, started a weekly newspaper in March 2017. The much-anticipated first edition of the newspaper did not reach its audience. According to Komarnitzki, more than 9,000 copies of the total circulation of 10,000 vanished on their way to the press booths, which the Peevski group controls. Since then, *Prass-Press* has only sold at designated places in several of Bulgaria’s biggest cities.”

For the electronic media, such restrictions do not exist, and there have not been any cases of refused access to online distribution platforms, although online media have been the subject of hacking attempts and distributed denial of service (DDoS) attacks.

Bulgaria’s telecommunications infrastructure is generally sufficient to meet the needs of the media and to ensure that its citizens receive unhindered access to the media, although compared to other EU member states, there is a need to improve both quality and penetration. According to Ognyanova, “Bulgaria ranks last in the EU on important indicators related to Internet access. There is a significant gap in infrastructure and technological provision between cities and rural areas.” There are

also huge disparities in the access to the Internet by occupation: white collar workers, school-age children, and university students account for 65 percent of the usage of the Internet in the country.

The panel discussion was convened on December 17, 2017.

List of Panel Participants

Yassen Boyadjiev, editor, Mediapool, Sofia

Assen Yordanov, investigative reporter, Bivol.bg, Bourgas

Ivan Atanasov, editor, *Sakar News*, Harmanli

Stoyana Georgieva, editor in chief, Mediapool, Sofia

Irina Nedeva, chair, Association of European Journalists, Sofia

Vessislava Antonova, reporter, *Kapital*, Sofia

Maria Cheresheva, journalist, Balkan Investigative Reporters’ Network, Belgrade

Nicoletta Daskalova, researcher, Media Democracy Foundation, Sofia

Petko Georgiev, director, BTC ProMedia, Sofia

The following participants submitted a questionnaire but did not attend the panel discussion.

Dimiter Lipovanski, director, Arena Media, Russe

Nelly Ognyanova, professor, Sofia University St. Kliment Ohridski, Sofia

Moderator

Bistra Ivanova, project coordinator, BTC ProMedia, Sofia

Author

Petko Georgiev, director, BTC ProMedia, Sofia

CROATIA



MEDIA SUSTAINABILITY INDEX 2018

Tracking Development
of Sustainable
Independent Media
Around the World



CROATIA

AT A GLANCE

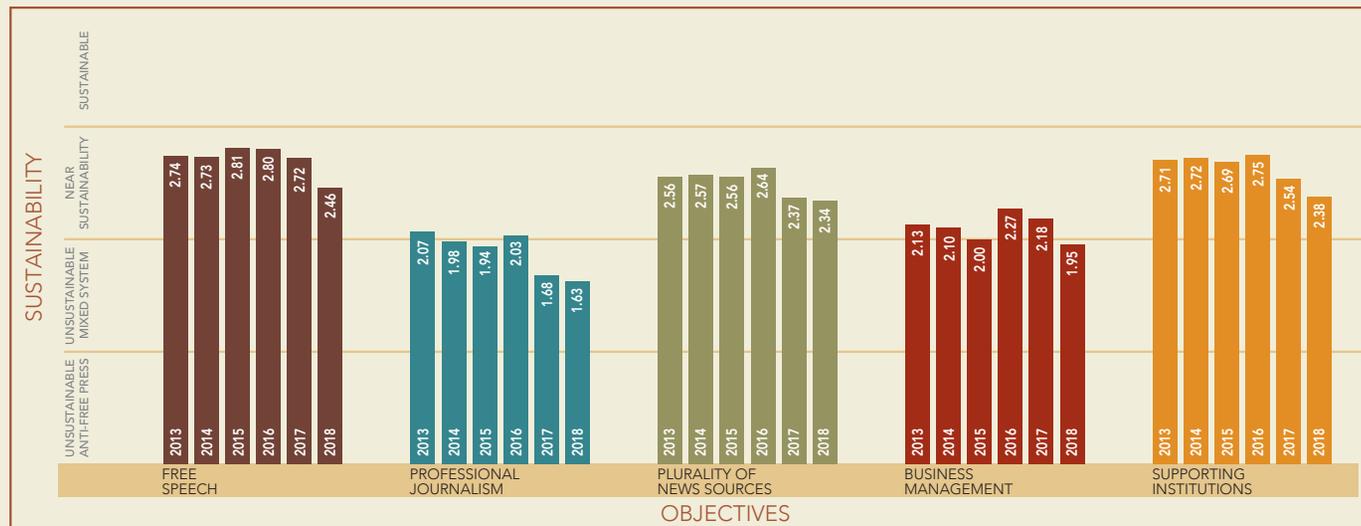
GENERAL

- **Population:** 4,154,213 (December 2016 est., Croatian Bureau of Statistics)
- **Capital city:** Zagreb
- **Ethnic groups (% of population):** Croat 90.4%, Serb 4.4%, other 4.4% (including Bosniak, Hungarian, Slovene, Italian, Czech, Roma, etc.), unspecified 0.8% (2011 census, Croatian Bureau of Statistics)
- **Religion (% of population):** Roman Catholic 86.3%, Orthodox 4.4%, Muslim 1.5%, other 1.5%, unspecified 2.5%, not religious or atheist 3.8% (2011 census, Croatian Bureau of Statistics)
- **Languages:** Croatian (official) 95.6%, Serbian 1.2%, other and undesignated 3.2% (including Italian, Hungarian, Czech, Slovak, Roma, German, etc.) (2011 census, Croatian Bureau of Statistics)
- **GDP (2016, Atlas):** \$50.71 billion (World Bank Development Indicators, 2016)
- **GDP (2016, PPP):** \$95.65 billion (2016 est., CIA World Factbook)
- **GDP per capita (2016, PPP):** \$22,930 (World Bank Development Indicators, 2016)
- **Literacy rate:** 99.3%; male 99.7%, female 98.9% (2015 est., CIA World Factbook)
- **President or top authority:** President Kolinda Grabar-Kitarović (since February 19, 2015)

MEDIA-SPECIFIC

- **Number of print outlets, radio stations, television stations:** 11 major daily newspapers; 5 major political weeklies; 152 radio stations, 6 of which are national; 31 television channels (free-to-air), 12 of which are national; 297 "electronic publications" (websites; as of December 2017)
- **Newspaper circulation statistics (total circulation and largest paper):** The total circulation of daily papers is estimated at 300,000 copies a day, the top three being the tabloid *24sata* (circulation 55,000), *Večernji List* (circulation 40,000), and *Jutarnji list* (circulation 30,000); the highest circulated political weekly is *Globus* (9,000 copies).
- **Broadcast ratings:** Top three television stations: Nova TV (private/commercial), RTL Croatia (private/commercial), HRT 1 (public)
- **Annual advertising revenue in media sector:** Approximately \$320 million
- **News agencies:** HINA (public), Media Servis (private), IKA/Croatian Catholic News Service
- **Internet usage:** 3.12 million; 74.3% of population (July 2015 est., CIA World Factbook)

MEDIA SUSTAINABILITY INDEX: CROATIA



SCORE KEY

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.



All of the objective scores for Croatia dropped this year, pulling the overall score down from 2.30 to 2.15, continuing the gradual decline that began a few year ago. Self-censorship, lack of fact checking, and low salaries keeps the professional journalism objective the lowest of the five at 1.63. Additionally, the business management objective fell back into the unsustainable mixed system category due to instability in the advertising market with a drop of 0.23 points from 2.18 to 1.95.

In spring 2017, the Agrokor Group—the largest privately-owned company in Croatia and its biggest advertiser—collapsed into a \$8 billion debt hole (10 percent of Croatia’s GDP), threatening to push thousands of small producers and suppliers into bankruptcy. When the country’s biggest advertiser suddenly disappeared, the media, which depended on advertising revenue from Agrokor, abruptly found their annual advertising contracts with the company void and their outstanding invoices unpayable. The print media had a reason for additional concern: Agrokor has a complex monopoly on the country’s print distribution network. Many in the mainstream media only then discovered their appetite for investigative journalism, publishing stories on the massive financial fraud within The Agrokor Group; issues that have been known about for almost 20 years were kept secret from the public and sacrificed for lucrative advertising contracts.

While the term “fake news” has taken on global significance, another buzzword has emerged in Croatian public discourse recently: “hybrid warfare.” “Croatia is in hybrid warfare,” claimed President Kolinda Grabar-Kitarović, when asked about the stalemate in relations with neighboring countries. “This is a hybrid warfare against me,” responded Minister of Defense Damir Krstičević, when faced with plagiarism

accusations regarding his master’s thesis from the U.S. Army War College. Finally, when asked about international reactions to his statement after The Hague Tribunal found six Croatian generals guilty of war crimes committed during the war in Bosnia-Herzegovina, Prime Minister Andrej Plenković replied, “Are you waging hybrid warfare against Croatia?”

“We were labeled ‘traitors’ and ‘red, yellow, black, and green devils’ in the 1990s, only to become ‘hybrid warriors’ in the recent days. The vocabulary and vigor have changed, but I don’t see much progress in that,” commented a panelist whose experience encompasses three decades of active journalism work. The panel warned about a further decline in almost all the relevant media indicators, along with a continued erosion of professional journalistic standards. One such example is the open call for “young and ambitious” journalists to join the team of one of the country’s leading media companies. The company specifically asked for young graduates in “economics, mathematics, physics, and philosophy,” but not for students of journalism or political science. An omission of the copywriter? Not likely. “Most media owners want obedient—not educated—journalists,” a panelist said.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

2.46

Aligning constitutional and other legal provisions of freedom of speech with higher international standards has not been a key issue in Croatia for the past five to six years. When Croatia joined the EU as its newest member state in July 2013 and as a requirement for EU accession, the country had to upgrade its legal framework, including media and media-related legislation, to bring it in-line with the EU's *Acquis Communautaire* (the body of law accumulated by the EU). The homework has been done, but the practice is lagging both in the letter and spirit of the law. "The EU membership has raised expectations, including those for the media. However, the overall feeling so far is more dystopian than optimistic," a panelist said.

"The constitutional provisions and media legislation are in line with the democratic legal standards in terms of protecting free speech. After all, the European Convention on Human Rights is 'older' and superordinate to our national legislation," said Vesna Alaburić, a lawyer and media legislation expert. She continued, "I do think that, in a case of a serious violation of free speech, the public would react, although the predominant 'left' and 'right' divisions in the public discourse are too often obscuring this debate." Nada Zgrabljic-Rotar, a professor of journalism, commented, "The normative framework is good, but this society lacks the culture of dialogue." Nataša Božić, editor at N1 news channel, added, "Social protection . . . well, I don't see it. Media are more often [treated as] targets of attacks than a profession which enjoys the public support."

Any unilateral decision by the executive

branch to set aside freedom of speech would be unthinkable. Source confidentiality is recognized and respected at the normative level, although it is not always practiced in the newsroom. Regarding the difference between the basic constitutional provision on free speech and specific acts of media legislation, freelance journalist Helena Puljiz observed, "We have to say that the constitution might be good in terms of free speech, but that the subordinate media legislation urgently needs to be revised."

Licensing applies only to the media that use the limited public good of terrestrial broadcasting (for example, radio and television). Print media and websites are required only to register themselves with the responsible authority (e.g., the Chamber of Commerce, the Agency for Electronic Media [AEM]) and disclose their ownership structure. The AEM, which is the licensing authority, has built its reputation painstakingly. It was widely considered as a tool in promoting the interests of the ruling party in the 1990s, but in the past two to three years it has become a respected independent regulatory body. However, recently the Agency's reputation and integrity have been under the magnifying glass again. "The key issue here is: Could an institution, which is not independently appointed, be independent in its work and decisions?" said Sanja Despot, a freelance journalist. Toni Gabrić, the founder of the nonprofit website H-Alter and a civil society activist, thinks that the Agency's previous composition had "more competency and expertise" than the current one. "This is a deliberate effort . . . to undermine the Agency's independence and promote the government's agenda," he said. The responsible authority for the AEM—the Ministry of Culture—received more than 60 applications to replace three AEM members whose mandate had expired. The names of the new AEM members were published, of course, but the selection process was not transparent. The

applicants' names, for example, are still not available. "This is disturbing, indeed, but even more disturbing is the fact that all three new members are from the ruling coalition list," said Zgrabljic-Rotar.

There are no specific legal restrictions or capital requirements in the media sector that would differentiate it from other non-media businesses. On the contrary, Croatia has adopted a super-reduced VAT rate (five percent, while the standard VAT rate is 25 percent) on print media (daily papers)—a substantial tax break worth millions of dollars annually. "This is in line with higher international standards, which is good. But I don't see any positive effect of this on

Legal and social norms protect and promote free speech and access to public information.
FREE-SPEECH INDICATORS

- ▶ Legal and social protections of free speech exist and are enforced.
- ▶ Licensing of broadcast media is fair, competitive, and apolitical.
- ▶ Market entry and tax structure for media are fair and comparable to other industries.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- ▶ Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- ▶ Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

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editorial independence,” said Gabrić.

Crimes against journalists and media professionals are on the rise. “The number of physical attacks on journalists in 2017 has doubled in comparison to 2016,” warned Saša Leković, president of the Croatian Journalists’ Association (CJA). MSI panelist Božić was recently the target of a death threat over social media. The police reacted very quickly and efficiently—and the perpetrator was arrested—but the reason for serious concern remains. “This person used his real Facebook profile when sending me a death threat,” Božić said. “Does he understand that a death threat is a death threat, regardless of how it’s being delivered?” Indeed, how

Nataša Božić, editor at N1 news channel, added, “Social protection . . . well, I don’t see it. Media are more often [treated as] targets of attacks than a profession which enjoys the public support.”

is it that such rhetoric exists at all? Some panelists would say that it started in 2015, when a former head of the ruling party said that “one can think whatever he or she wants within his/her own four walls, but in the general public, only the patriotic approach would be tolerated.” Puljiz said, “It was like opening a hunting season on journalists.” Senior investigative reporter Drago Hedl noted, “The public is not always aware that a threat over social media should be treated seriously. Even some of my friends are asking me why I am reporting threats received over social media to the police. They think that it goes with the territory, like we should accept threats as an inseparable part of our profession.” On the positive side, some of the leading politicians (including the prime minister) have clearly supported zero tolerance for crimes and threats against

journalists. “This is a positive development, by all means. But for now, this should be treated as a ‘too little, too late’ approach,” said Leković.

Does the law protect the editorial independence of the public media? In practice, not at all; everyone on the panel agreed on that. Public service broadcasting is sinking to its lowest audience ratings ever, primarily due to the heavily politicized and biased programming as a direct result of politically driven editorial interference. “We’ll sweep you out as soon as we get into power,” a senior member of the then-parliament’s opposition party said during a 2015 debate on public television. Indeed, once the new ruling coalition came to power in 2015, they made an unprecedented purge of editors and journalists on public service media (PSM). “The gloves are off. It would be enough to say that the representatives of the major coalition parties have been arguing fiercely for months about whose candidate will be appointed the PSM general manager,” said Božić. “We should not forget that it was the former ruling coalition that adopted the laws and bylaws that allow such political control,” reminded Alaburić. “They are now surprised by the fact that someone else has decided to take all measures stipulated in the law to control the public service. They should not be; it’s their own fault,” Božić added.

“We have not yet managed to decriminalize libel, although one could be reasonably sure of a positive outcome in court proceedings, unless it is about a really brutal intrusion into one’s privacy,” said Alaburić. Other panelists have found that the law on criminalizing libel (or so-called vilification, defined as a “smear and intentional campaign against individuals or legal persons”) has already had a deeply detrimental impact on free speech. “It is up to the judge to decide whether or not a certain, published fact is in the public’s interest, or if

it is considered ‘vilification,’ which is an elusive but threatening category,” said Slavica Lukić, a reporter at Hanza Media.

The right to information access is nominally guaranteed, but in reality it depends on many ad hoc elements. “The government is not organizing regular press conferences,” said Božić. “They would rather use friendly media, giving them the opportunity to ask previously agreed upon questions,” she added, pointing out just one of the media’s many objections to this type of government communication.

There are no restrictions on the access and use of local and international news and news sources. Intellectual property and copyright standards have improved somewhat, but the “copy-and-paste” approach is still widely used.

No license is needed for entry into journalism. The government does not interfere or restrict any area of work. “Media owners and editors are much more efficient in imposing restrictions than the government,” a panelist commented.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

1.63

Objective 2 has been Croatia’s lowest-scoring component for many years; if it were not for the indicator regarding technical media facilities and equipment, the overall score would be even lower. “It’s almost like having islands of good journalism surrounded by an ocean of trivial, editorially controlled content,” remarked one panelist. Indeed, any panelist would be able to mention a number of highly professional and responsible journalists, but the overall impression is that they are becoming more the exception than the rule.

“Journalists are exposed to multiple pressures—from their editors, owners, and the powerful political and business lobbies. The media landscape is changing and requires a reaction almost instantly, with no time to verify the facts. [Journalists] are underpaid and under a constant threat of losing [their] jobs,” said Leković. “The media are usually understaffed. The pressure of the news cycle is such that journalists are disregarding fact-checking their information more and more,” commented Božić. There is a growing trend of presenting “secondary information” (information taken from another source) without checking the reliability of the source and without verifying the facts. Technical experts consulted or interviewed are often not selected by merit, but rather to give “legitimacy” to the predetermined views of the journalist or editor.

The CJA is well known for adopting its detailed

code of ethics almost two decades ago. In many cases, the code has been used by international organizations as a reference point in discussing ethical reporting issues with other partners in transitional democracies. What has happened in the meantime? “Some 15 years ago, when I was new to the profession, the code of ethics was an often used phrase in newsrooms; this is no longer the case, I’m afraid,” remarked Božić. “We used to have an exemplary internal code of ethics. Recently, our management replaced it with what they call ‘information standards,’ which, among other things, say that a journalist must observe the ‘professional standards and interests of the owner’ in reporting. These mandatory ‘standards’ oblige journalists to actively contribute to native advertising if asked to do so,” said Lukić. The panelists working in the media have confirmed that advertising managers do not consult with editors on advertorial placements but instead are going directly to journalists to order them. “Of course, you may say ‘no.’ But that would put you on the ‘B’ list in the newsroom, instead of the ‘A’ list. The ‘A’ list consists of those who are ‘loyal’ to the company; if you’re not on the ‘A’ list, you’ll get [fewer] assignments, you’ll get less paid, and you’ll be made redundant at the first instance,” one panelist said. Adherence to higher ethical principles is not an industry standard anymore and is more of a personal choice. “It isn’t that younger generations of journalists aren’t aware of the ethical standards; it’s more that their immediate climate does not encourage them to adhere to standards at all,” said Ante Gavranović, a veteran media expert and the former president of the CJA.

Although the word “censorship” itself is considered a relic of the past, a subtler form of censorship—self-censorship—has become deeply embedded. “Journalists at the public service media simply do not have the appetite to open any

politically sensitive or controversial stories. Taking the path of least resistance is their answer to avoiding conflicts with their editors and [thus ending up getting marginalized within the newsroom by being assigned less important stories],” said Tena Perišin, a journalism professor and former editor at the public service media. Lukić elaborated on another form of self-censorship: “My publisher usually goes for an extrajudicial settlement of a libel case, in order to reduce costs. This type of settlement means we publish a public apology to the offended party, regardless of the article’s substance and facts. More often, the plaintiff sues a journalist in penal code proceedings for the same offense. My publisher has decided it is not responsible for providing any legal or financial support if the verdict comes out against a journalist. Since my publisher has already published an apology to the plaintiff for the same case, they are practically pronouncing the journalist (or myself) ‘guilty.’ So, if I have to pay a financial penalty to the plaintiff, and my publisher not only does not help me—but, on the contrary, makes my position more vulnerable—who would dare to open a sensitive issue, a high-profile corruption case for example?”

Journalists do cover key events and issues, but the real question is whether they do it in a systematic and quality manner. It has been said many times on the MSI panels that no issue could be swept under the carpet; but when it comes to the concept of “well-informed citizens,” it is definitely not the same as whether an important topic is covered on public service media, on the mainstream media with a higher reach, or on critical websites with a reduced reach of a specific audience profile. In April 2017, the parliament adopted one of the most intriguing pieces of legislation in Croatia’s national history—the so-called Lex Agrokor, which gives the government the authority and discretion to

Journalism meets professional standards of quality.

PROFESSIONAL JOURNALISM INDICATORS

- ▶ Reporting is fair, objective, and well sourced.
- ▶ Journalists follow recognized and accepted ethical standards.
- ▶ Journalists and editors do not practice self-censorship.
- ▶ Journalists cover key events and issues.
- ▶ Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- ▶ Entertainment programming does not eclipse news and information programming.
- ▶ Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- ▶ Quality niche reporting and programming exists (investigative, economics/business, local, political).

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confiscate and dispose of the property and assets of the biggest privately-owned company in Croatia. “It is a public secret that the government-installed manager [at Agrokor] is one of this legislation’s authors. This manager, who is privy to privileged information, is negotiating with a foreign investment fund of his own selection. We’re talking about billions of dollars here. Yet, government officials are simply not answering the question of who the drafters of this legislation are,” said Jelena Berković, a civil society activist and the executive director of GONG, a NGO.

The media are usually understaffed. The pressure of the news cycle is such that journalists are disregarding fact-checking their information more and more,” commented Božić.

“This is a real problem, but it goes beyond that,” said Hedl. “The [freedom of information] law says that any public official or institution must respond within 15 days from the official request. Usually, I’m receiving the requested answer on the fifteenth day. In many cases, this is simply too late to communicate this information to the audience.” Another panelist commented, “Nothing would happen to, say, journalists who investigate the purchase of aircraft fighters for almost \$500 million. But, the government sources don’t offer this information, as if it were not in the public interest.”

Pay levels usually provoke bitter comments from the panelists, especially regarding the correlation between pay levels and the corruption of journalists. Recently, however, the comments have been going in another direction. “The salaries of journalists are below the national average. No further comments are needed,” said Puljiz. “Not so

[long] ago, journalists were among the top-paid and most-respected professions. The fact that the average salary in journalism is now below the national average speaks for itself. And it speaks volumes about where we are as a profession in the social status,” said Gavranović.

News production is mandatory for broadcasters. One can hardly complain about entertainment programming eclipsing the news when Croatia has one political tabloid, one public service 24-hour news channel, one private (CNN-affiliated) cable news channel, along with national, commercial television stations substantially investing in news production. Of course, the quantity of news does not address the quality and bias of news production.

The facilities and equipment for gathering, producing, and distributing news are mostly modern and efficient. “You can literally make a TV report with your mobile phone,” said Perišin. The software solutions are relatively inexpensive, so even local media outlets can afford them. Access to the Internet is more expensive—and slower—than in other European countries, but this does not have a negative impact on the media.

“Who can afford an investigative team?” asked Božić, in response to quality niche reporting and programming options. Specialized and niche reporting exists more as an exception than as a standard feature in the media. “The public service media has been known for its foreign policy expertise for decades. Now, the Washington, DC public service media correspondent was used to create an immediate ‘cover’ for the president,” said one panelist. This refers to a well-known “interview” showing the Croatian president outside of the White House fence, giving the impression that the president—who was apparently using public funds for a private visit to the United States—a chance to

say that she was having “a number of meetings with top US politicians” but that she could not disclose their names “for security reasons.”

OBJECTIVE 3: PLURALITY OF NEWS

2.34

“A media consumer of all political and social affiliations would find information on a topic of his/her interest, for sure, but that would require consulting two, three, or maybe even more sources. Who has the luxury, time, or money for that?” said Alaburić, regarding plurality of public and private news sources. There are a number of dissenting media ready to expose any wrongdoings (including those that the mainstream media do not consider relevant), but one will not find them the most often consulted sources of information.

Multiple news sources definitely exist. The population of some four million is served by 152 radio stations (146 local and six national radio stations), 31 television channels (including 12 national television channels), more than 750 registered print publications (including nine national daily papers), and 297 registered websites (as of December 2017; however, since registration is not mandatory the number is likely much higher). In addition, there are more than 1.4 cell phones (predominantly smartphones) per person, and almost 70 percent of the population uses social media. The numbers would suggest that the plurality of news is guaranteed.

“By all means, pluralism of news sources exists. But this is not a guarantee per se of the plurality of opinions presented. Take the Agrokor case, for

Multiple news sources provide citizens with reliable and objective news.

PLURALITY OF NEWS SOURCES INDICATORS

- ▶ A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- ▶ Independent broadcast media produce their own news programs.
- ▶ Citizens' access to domestic or international media is not restricted.
- ▶ Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

example. It was a public secret for many years that this balloon would eventually explode, with dramatic, national consequences. All that was reported from most media until Agrokor actually collapsed was that the situation was normal," said Puljiz.

Access to domestic and international media is completely unrestricted. International press has been available through kiosks since the 1970s, primarily serving the needs of millions of foreign tourists. Foreign broadcasters (such as BBC World Service, Voice of America, Deutsche Welle, and Radio France Internationale) have never been jammed, even when presenting substantially different views on the Croatian political and economic situation. Since the 1960s, hundreds of thousands of households

have had unlimited access to terrestrial television stations from what were then considered "Western" or "capitalist" neighboring countries (e.g., Italy, Austria). The Internet has been considered open from the very beginning, in all of its features (voice over Internet protocol, social networks). The only restrictive and/or prohibitive element is the relatively high cost of Internet services: A standard monthly package (flat Internet, Internet protoo) rarely costs under \$40, which is a solid day's wages. The cost—rather than actual access—is the main reason for the lower Internet penetration in rural and less-developed areas.

"Political control of the content of public service media is open and direct, almost like in the 1990s," said Berković. Heavily biased reporting brought the news productions on public service broadcasting to the lowest ratings ever: Four or five years ago, the central television news on public service media was the most watched news production in the country; now, it has been pushed to the very margins of the public interest. "They (public service media journalists) don't dare ask questions other than what has been agreed to. We dare to ask, but rarely have a chance to do it," said Božić.

The imperative to be "politically correct" (which quite often means a bias in favor of extreme right positions) is omnipresent. "After The Hague Tribunal verdict (against six Croatian generals), public service media almost unanimously reported on the 'injustice,' presenting the convicted as 'heroes.' Not a single word was said about their victims," commented Berković. The productions cover the activities of civil society and the NGO sector are largely marginalized or moved to a public service channel which has a negligible audience. This has its ridiculous side as well: A documentary coproduction on Italian Trieste as the shopping promised land for Yugoslav citizens in the 1970s and 1980s has been renamed

(irrespective of any copyright standards) from "Trieste, Yugoslavia" to "Blue and Black Jeans," to avoid mentioning the name of the former state.

Even aside from a heavy political (or religious) bias, reflecting different views on public service media turns into a travesty ever more often. "What public interest does it serve when you challenge an internationally recognized expert with a populist conspiracy theorist when discussing the vaccination issue, for example?" asked one panelist. "Does that mean that we should host the supporters of the flat Earth theory on public service media, to show that 'different views' and 'all sides' are respected?"

Independent news agencies gather and distribute news in a nondiscriminatory way. The national news agency HINA—which is nearly the definition of a public service media—offers financially affordable services and is often used and regularly quoted by local and national media. International news agencies are used only by a small number of the mainstream media, due primarily to prohibitively high subscriptions.

Private media produce their own news without exception. There are two main reasons for that. First, the news as content still has a relatively high monetization: It attracts advertisers in the blocks before and after the news, and gives higher relevance to content aired in neighboring time slots. Commercial national television stations have recognized this potential and invest in news production substantially. The strong political bias on public service media (and the resulting consequences in terms of a dramatic drop in the audience ratings) makes news on commercial television stations significantly different in content and presentation, even disregarding the editorial "touch." Local commercial broadcasters (radio and television) are obliged by the law to produce their own news. "Don't ask about quality, but the news is there," said one panelist.

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"Do we know who the real owners of the media are? I don't think so," said Lukić, regarding transparency of media ownership. "We've been discussing this problem for almost 25 years now, but we haven't found an appropriate answer yet," commented Zgrabljic-Rotar. As of 2010, the law says that the media owners' public register should contain both the legal entities and the physical persons as the final owners of media companies. "But, what does it mean in reality? The owner of my cable channel is a large public investment fund. How can we know the owners of this fund?" said Božić. Still, the presumed ownership structure, at least for mainstream media, allows the consumers to judge the news objectivity. It is a different case whether there exists an alternative to mainstream media, even when consumers know the content is biased.

"Do we know who the real owners of the media are? I don't think so," said Lukić, regarding transparency of media ownership.

A broad spectrum of social interests can be found in the media, but they are usually out of focus of the mass audience and mainstream media. Even media that are considered liberal hesitate to cover minority issues—for example, gender issues or sexual orientation—in order to avoid an attack by the well-organized promoters of the "conservative revolution." The minority-language media are well developed and supported by dedicated public sources, but some of them are becoming more exposed to forms of harassment. That would not happen, say, to media in the Italian, Slovak, or Hungarian languages. However, the Serbian-language Croatian weekly *Novosti*—itself considered by many, including some panelists, as generally the best weekly paper in Croatia—has been subject to

brutal forms of pressure, ranging from accusations that they are enemies of the state to a literal "open fire" approach. Leković explained, "Burning copies of papers in front of the newsroom is not an act that should be treated as the freedom to disagree. This is a clear and unambiguous attack on this paper and on free speech as such." The police have reacted relatively efficiently in these cases, but the message has already been sent.

The media do provide news coverage on local, national, and international news but not in a systematic or editorially consistent way. Aside from needing to consult more sources to get relevant information on a chosen subject, the main problem is a lack of quality coverage of international news. Long gone are the days when the leading media publisher had 11 correspondent offices around the world. "Even taking into consideration the revolution in news distribution and the openness of a myriad of news sources, the public remains uninformed on some key international issues," the MSI panel moderator commented. Of course, discussion on this issue has its "light" side (such as the aforementioned "interview" with the Croatian president "at" the White House), but the core problem remains the same: The general public does not know enough and does not receive information to help them understand global issues.

OBJECTIVE 4: BUSINESS MANAGEMENT

1.95

Once a proud product of local journalistic, editorial, and management skills, the commercial media sector in Croatia has been reduced to a handful of outlets that are barely surviving due to the global restructuring of media and the dire impact of the prolonged financial crisis. If it were

not for a small number of foreign investors and the financial support from public sources, the media industry would be closing.

"Most of Croatia's media are surviving in some kind of a life-support mode," said Božić. Indeed, the Fund for Pluralization of Media, sustained by reallocating three percent of Croatia's public service media fee, has become an indispensable financial source for local radio and television stations. Many—if not most—of the local broadcasters would not have survived the economic crisis and dramatic drop in the advertising revenue without this project-based support. "Most of our media and media owners have not benefited from the profitable years in the early 2000s. They invested their profits in other businesses, which then failed during the financial crisis. These investors lost their financial ability to comply with the dramatic changes in the production, distribution, and consumption of media content," said Gavranović. Even given this environment, the U.S. investment fund KKR & Co. has made a substantial investment by buying the national commercial television broadcaster, Nova TV.

The major media companies operate on the basis of short- and long-term strategic business plans, while the majority of small, local media outlets rely on their survival instincts. "It is impossible to create a strategic plan with so many uncertainties and variables," noted one panelist. "You can survive the next nine months with the support of public funds, but there are no guarantees that you'd be eligible or selected to get the same support next year." The panelists were especially critical of the use of the public money on public service media. "We have a very good example of the irresponsible use of the taxpayers' funds in 2017. What happened when the Public Service Media Supervisory Board reported on the suspicious—if not criminal—fund use by the

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management? They were sacked— ‘they’ being the board, not ‘management,’ of course,” said Despot.

The media in Croatia receive revenues from multiple clients and sources: the print media, from the sales and advertising revenue; public service media, from the tax on television sets and advertising; national commercial television stations, from advertising; and local broadcasters, from the (public) Fund for Pluralization of Media, advertising, and dedicated funds allotted by local governments. The most vulnerable and exposed media sector is the nonprofit media. A relatively good, functional model of public subsidies for this vital media sector was dismantled in a furious, ideological purge in early 2016. “Literally overnight, the whole nonprofit media sector was left without sources of finance,” said Gabrić. “Now, almost two years afterward, the problem is still open. To make it worse, the Ministry

of Culture has not secured the almost €5 million [\$6 million] from EU funds which support the community media.” This, along with the 2016 purge, has brought the nonprofit sector to the very brink of extinction. “Some of our colleagues are relatively successful in crowd funding, but one can’t consider that [resource as] a systematic and stable solution for the whole sector,” continued Gabrić. “In my view, dismantling of the public subsidies was deliberately aimed to remove the nonprofit sector, or deliberately planned to ‘commercialize’ it by allowing for-profit entities to apply for the EU funds.”

Public service media have a stable source of income—tax on television and radio sets—and, in terms of financing, do not depend on the government or any other political influence (which, unfortunately, is not the case when it comes to their editorial and management integrity). The Fund for Pluralization of Media offers largely influence-free financial support, being politically neutral for almost 15 years; this, however, does not mean that financial aid has gone to the best applicants, or that there was follow-through regarding how the financial support was used. The biggest advertisers have undue influence on editorial policies, although rarely in the form of direct interventions. Local media are the most vulnerable, as they are exposed to this type of influence. “Imagine the situation as follows: The mayor gives you a financial support to ‘inform the citizens on the local government’s activities.’ Are you going to use this money to produce content critical of the local authorities? If so, this would be your last allotment from city hall. If you can’t do that—criticize the local authorities when they deserve to be criticized—then you are not doing your job as one of the local media,” noted Goran Gazdek, editor of a local news website in Virovitica.

In the 1960s, Croatia—as part of the former Yugoslavia—was the first to adopt Western-style

advertising practices. McCann Erickson opened its office in Croatia in the mid-1980s and was followed by all the major advertising agencies and advertisement buyers. Many local advertising agencies are successfully working or have already been sold to global advertising agencies. “There is a level of sophistication in the advertising market, for sure,” said Krešimir Dominić, who works for the agency Komunikacijski Laboratorij. “But then, most of the media are so desperate for the advertising income that they are ready to cross the line between advertising and advertorials, even without being asked to do so.”

“It is impossible to create a strategic plan with so many uncertainties and variables,” noted one panelist. “You can survive the next nine months with the support of public funds, but there are no guarantees that you’d be eligible or selected to get the same support next year.”

The collapse of Agrokor had significant impact on Croatia’s media advertising market. “It was total confusion for the first two to three months after the government took over the company,” said Dominić. “But then, the advertising continues, since it is of vital importance for this type of company. Competitors have intensified their advertising spending to increase their share of the market that was temporarily left void by Agrokor. So, what has happened? Agrokor is not strong enough anymore to blackmail the media and advertisement buyers with absurdly long delays or heavy discounts in payment. This gap in advertisement spending was filled by Agrokor competitors. The situation has helped the market to consolidate,” continued

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS

- ▶ Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- ▶ Media receive revenue from a multitude of sources.
- ▶ Advertising agencies and related industries support an advertising market.
- ▶ Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- ▶ Independent media do not receive government subsidies.
- ▶ Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- ▶ Broadcast ratings and circulation figures are reliably and independently produced.

Dominić. “It introduced the government as the biggest advertiser in the country,” said Puljiz. It is still too early to predict the ultimate impact of this major collapse on the advertising market, not to mention the country’s economic performance. One new content producer is on the scene: still fighting extradition to Croatia in the United Kingdom, Ivica Todorić, the former owner of Agrokor, is regularly writing his blog from the luxury of his London apartment, a victim of an apparent “conspiracy.”

“For the first time in many years, the print media’s advertising revenue was lower than the income from sales in 2016,” said Gavranović. “This shows a negative trend in the advertising income, rather than an increase due to sales or a change in cover prices. Croatia is following these trends, both in the print media segment and in the percentages of the advertisement market allocated to the broadcast, outdoor, and online media,” he added.

The fact that the government, as manager of Agrokor, now controls a substantial percentage of the advertising market is a new situation in Croatia. The government has never had such an advertising budget (aside from relatively small advertising campaigns for safety in traffic, placement of legal notices, or announcements of EU funds) at its disposal. This also means that it has not been in a position to use advertising as leverage to “discipline” critical media.

Market research is conducted regularly and uses all available tools and methods. These surveys are usually done for the needs of advertising companies; they are too expensive for the market, especially for local media. This gap is hard to bridge—it shows sophistication from the advertisers and advertising agencies; however, a number of media are deprived of this important information.

AGB Nielsen Media Research, as the leading global company in measurement surveys, has been

active in Croatia for years. The broadcast ratings for the leading national broadcasters are, in general terms, precise and reliable. The key problem remains the same as market research: Their sophistication makes them unaffordable for most of the broadcast media.

Since the Audit Bureau of Circulation in Croatia has been created, circulation figures have been reliable and accurate. “The publishers know almost exactly the circulation numbers of their competitors. It would be too risky for [the publishers] to present false or inflated figures to advertisers,” said Gavranović.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

2.38

Many MSI 2018 panelists were active journalists, media analysts, or civil society activists in the turbulent 1990s. The open political pressure and censorship, criminal privatization of media outlets and distribution networks, brutally open promotion of the ruling party’s agenda, and other features of authoritarianism have since been replaced with subtler, but no less effective, editorial interferences. “In the 1990s, who would have imagined that we would now have to invite international media watchdog organizations to evaluate the state of media freedoms—and join them in expressing our deep concern over it?” a panelist said. Indeed, full media freedom remains one of the most expected, yet most unfilled, promises in the past 25 years. “One could say: Well, it is not anymore about political pressures; it’s about market restrictions and business lobbies, but does it really matter?” noted Despot.

Of course, this environment imposes a different agenda on the media and professional representative

organizations. The CJA underwent a mission change as of the early 2000s, in terms of transforming itself from an activist organization representing the media sector and defending media freedoms and human rights in general into a membership-based professional organization. Thus, it has had to reclaim a part of its former mandate. As of 2015, the CJA has introduced the Freedom of Expression Center, which monitors free speech issues in Croatia and offers free legal consultations to its members and pro bono legal representation in cases against independent journalists. A team of 25 experienced lawyers, university professors, and volunteers are available around-the-clock to journalists who have been threatened or whose legal rights have been obstructed. “This was a necessity,” Leković said. “The number and persistence of attacks on journalists and the freedom of expression are such that the Freedom of Expression Center is essential.”

Generally speaking, professional associations and other supporting institutions in the media sector have been recognized as efficient in advocating, promoting, and lobbying for the interests of their members; however, these interests may differ across the media spectrum. Along with the CJA and the Trade Union of Croatian Journalists, a variety of other professional and trade associations are shaping the media sector. Local media (including print, but mostly local radio and television stations) are organized in the Croatian Association of Radio Stations and Newspapers (HURIN). Local television stations are organized in National Association of Television Stations (NUT). Publishers have their own association, which proved its strength in 2014 by lowering the VAT for daily papers to the super-reduced rate of five percent. The publishers of nonprofit and web-based media are organized, too. No sector has been left without a voice. All of these associations are independent of the government,

although they are not necessarily immune to political interest. “They are active in promoting their agenda, but that does not mean that [the agenda] is in the public interest,” Puljiz said.

The government imposes no legal restrictions to prevent the registration or operation of any professional association. Associations cover their operational costs, on an ad hoc basis, by establishing an annual membership fee or by using their eligibility to apply for financial support from public sources (on the national or local level).

Although there are no precise data available, it would be safe to say that there are more than 50,000 registered NGOs in Croatia. This is far more than in the 1990s, when a much smaller number

of networked NGOs managed to keep human rights and media freedom issues on the radar of the national public and international organizations. “Those days are gone,” said Berković. “What we are witnessing [now] is a surge of ultraconservative and war veterans’ organizations aggressively imposing their views. [They are] disguised as NGOs, but with clear and direct support from the church and the extreme right,” she added. Indeed, a number of vocal veterans and “concerned citizens” organizations have managed to reduce public discussion, especially regarding issues relating to the very broadly defined “dignity of the Homeland War,” going so far as to demand censorship in the media and/or in art production. “The NGO sector is flooded with organizations that formally meet the NGO criteria but have been created with a clear intention to destroy the very concept of the NGO—which is to control the authorities at all levels of governance. This is more like a paragovernmental NGO sector, [which is] a contradiction in terms,” noted Lukić. “The fact is also that the NGO sector that used to work closely with the independent media to support free speech has lost its vigor,” said Zgrabljic-Rotar. One reason could be the loss of interest by international watchdog organizations in Croatia after it joined the EU; these include the closing of all free-speech-supporting budget lines for the media and NGOs. “International organizations consider Croatia a ‘mature democracy’ and a ‘problem solved’ by the very fact of its EU membership. In reality, Croatia is sliding into a conservative partitocracy,” Puljiz said.

When it comes to quality journalism degrees, the situation is not getting any better. Some of the journalism studies offer a degree of practical experience (one of them has its own television studio and radio station and regularly produces its own news and video features), but on the average, studies offer only theoretical knowledge. “Even

this theoretical knowledge disregards the whole technological revolution behind the media reality,” said Gavranović. “I’ve seen graduated students of journalism who are not familiar with the ‘five Ws’ concept, let alone the basic ethical standards in producing news,” Božić said.

Even quality graduates have limited options on Croatia’s media market. The number of professional journalists is about 40 percent lower than a decade ago, while the number of students enrolling in journalism studies is on the rise. Problematically, media outlet managers seem ever less inclined to hire educated journalists, as those with lower skill levels are more susceptible to manipulation. “My own publisher does not want to consider employing students of journalism. Where are they going to work?” said Lukić, with regard to getting hands-on skills and training. “When I enrolled in the MBA course, I didn’t tell that to my company. The management would probably have seen it as a potential ‘problem’ rather than encourage me to go for such an opportunity,” she added.

Only a few short-term trainings for young and mid-career journalists are left, from the multitude that had been available as of the late 1990s (which were mostly financed by international organizations); media management has a negative attitude when it comes to their journalists’ participation in them. “A friend of mine—a photo reporter in a news agency—took unpaid leave, as it was the only way for him to join the Reuters organized training course to which he had been invited, with all costs covered,” said Dominić.

Ever since the late 1990s, printing facilities, newsprint acquisition, transmission equipment, software solutions, and similar media services have been market-driven businesses, available to all financially eligible entities. Printing resources have a saturated market, which contributes to a favorable

Supporting institutions function in the professional interests of independent media.

SUPPORTING INSTITUTIONS INDICATORS:

- ▶ Trade associations represent the interests of private media owners and provide member services.
- ▶ Professional associations work to protect journalists’ rights.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

CROATIA

position for clients and excludes any possibility of providing services to media outlets based on any form of political affiliation or interest.

The channels of media distribution (kiosks, transmitters, cable, Internet, mobile) function as privately owned, business-oriented entities. There are no political agendas behind these businesses that would financially restrict any viable client's access to their services. No suspicious equipment failures, network outages, or selectively low Internet bandwidth cases have been recorded since the late 1990s. However, as of spring 2017, concerns have

"In the 1990s, who would have imagined that we would now have to invite international media watchdog organizations to evaluate the state of media freedoms—and join them in expressing our deep concern over it?" a panelist said.

been raised about the possible consequences on print distribution after the collapse of the Agrokor company (itself the monopoly print distributor). "Croatia already has had the highest margin of the distribution fee against the cover price of print media," said the moderator, "Any increase in that fee would be highly detrimental to the print sector, but there are no guarantees that this will not happen."

Croatia's information and communications technology infrastructure meets the needs of the media industry and citizens. Indeed, citizens are able to access media in the ways they wish, through mobile phones or cable networks. Mobile phones and other devices and services available on the market are sufficient to meet the citizens' news and information needs. There are still some "digital islands," areas with no access, but they represent a

very small percentage of the national territory.

So, where is the problem? It is hidden, as it usually is when it comes to leading corporate interests. Croatia is among the European countries with the slowest but the most expensive Internet. Still, mobile and Internet providers have managed to present their service quality as if they were aligned with the highest international standards. Perception is obviously stronger than reality, especially when the perception is supported by a lot of corporate money in the form of advertising and public relations.

List of Panel Participants

Vesna Alaburić, lawyer, media legislation specialist, Zagreb

Jelena Berković, civil society activist; executive director, GONG, Zagreb

Nataša Božić Šarić, editor, N1 TV (CNN affiliate), Zagreb

Sanja Despot, freelance journalist, Zagreb

Krešimir Dominić, planning and development director, Komunikacijski Laboratorij, Zagreb

Toni Gabrić, founder, independent news website H-Alter, Zagreb

Ante Gavranović, media analyst; former president, Croatian Journalists' Association; founder and former president, Croatian Association of Publishers, Zagreb

Goran Gazdek, chief editor, Virovitica.net, Virovitica

Drago Hedl, journalist, investigative reporter, and publicist, Osijek

Saša Leković, investigative reporter; president, Croatian Journalists' Association, Zagreb

Slavica Lukić, journalist, Hanza Media, Zagreb

Tena Perišin, editor, Croatian Public Radio TV Service; professor of journalism, University of Zagreb, Zagreb

Helena Puljiz, freelance journalist, Zagreb

Boris Rašeta, journalist and columnist, *24sata*, Zagreb

Nada Zgrabljčić-Rotar, chair, journalism and communications department, Center for Croatian Studies, University of Zagreb, Zagreb

Moderator & Author

Davor Glavaš, independent media consultant, Zagreb

The panel discussion was convened on December 18, 2017.

KOSOVO



MEDIA SUSTAINABILITY INDEX

2018

Tracking Development
of Sustainable
Independent Media
Around the World



KOSOVO

AT A GLANCE

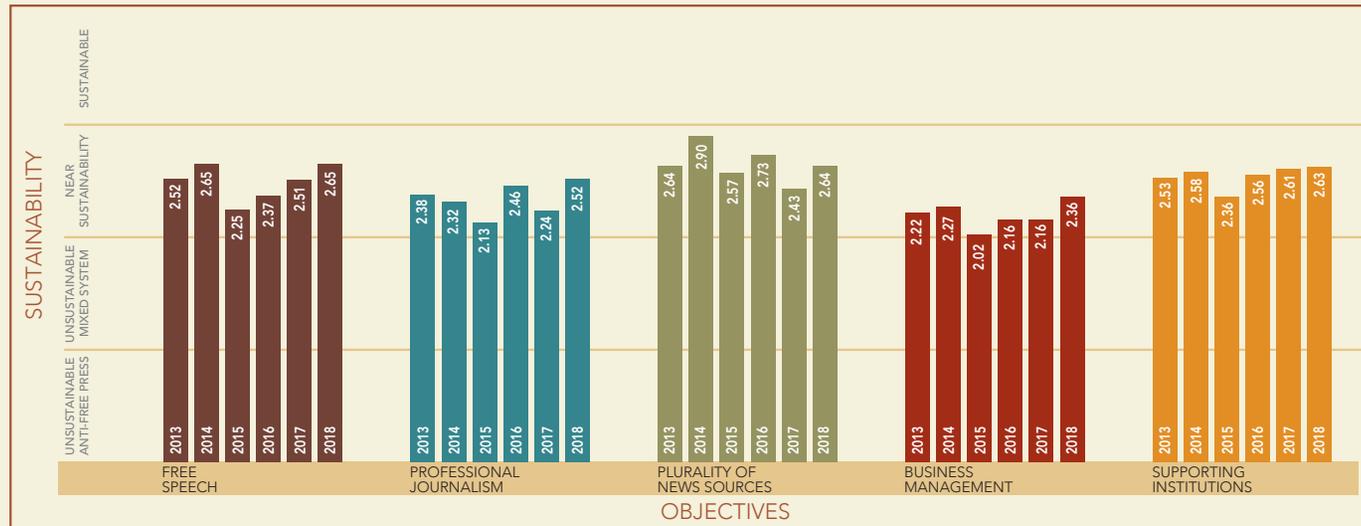
GENERAL

- ▶ **Population:** 1,895,250 (July 2017 est. CIA World Factbook)
- ▶ **Capital city:** Pristina
- ▶ **Ethnic groups (% of population):** Albanians 92.9%, Bosniaks 1.6%, Serbs 1.5%, Turk 1.1%, Ashkali 0.9%, Egyptian 0.7%, Gorani 0.6%, Romani 0.5%, other/unspecified 0.2% (CIA World Factbook, 2011 est.)
- ▶ **Religions (% of population):** Muslim 95.6%, Roman Catholic 2.2%, Orthodox 1.5%, other 0.07%, none 0.07%, unspecified 0.6% (CIA World Factbook, 2011 est.)
- ▶ **Languages (% of population):** Albanian (official) 94.5%, Bosnian 1.7%, Serbian (official) 1.6%, Turkish 1.1%, other 0.9% (includes Romani), unspecified 0.1% (CIA World Factbook, 2002 est.)
- ▶ **GNI (2016–Atlas):** \$6.65 billion (World Bank Development Indicators, 2016)
- ▶ **GNI per capita (2016–PPP):** \$3,850 (World Bank Development Indicators, 2016)
- ▶ **Literacy rate:** N/A
- ▶ **President or top authority:** President Hashim Thaci (since April 7, 2016)

MEDIA-SPECIFIC

- ▶ **Number of print outlets, radio stations, television stations:** Print—5 daily newspapers; Radio Stations—82; Television Stations—20 (IMC, 2015)
- ▶ **Newspaper circulation statistics:** Koha Ditore is the leading newspaper, followed by Kosova Sot (Index Kosova, December 2015)
- ▶ **News agencies:** Kosovo Live, Kosovo Press, Economy Online
- ▶ **Broadcast Ratings:** RTK (40%), KTV (37%), RTV21 (36%), Klan Kosova (18%); Radio Dukagjini (4.2%), Radio Blue Sky (2.1%), Radio Kosova (2%), Radio 21 (1.9%) (Index Kosova, December 2015)
- ▶ **Internet usage:** 80.5% of households have Internet access (Regulatory Authority of Electronic and Postal Communications, December 2015)

MEDIA SUSTAINABILITY INDEX: KOSOVO



SCORE KEY

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.



Every objective for Kosovo increased this year and it remains in the middle of the near sustainable category at score of 2.56. The most significant increase was in the professional journalism objective with increasing production quality of programming and 24 hour news channels. Business management remains the lowest category, although the score increased by .20 this year as many media outlets rely on advertising or international donors for revenue. Market research is lacking, but tools like Google analytics can provide some data for the media to promote themselves to advertisers and donors.

In the evening hours of December 22, 2017, after the Christmas holiday had already begun, 43 members of Parliament from the ruling coalition signed a request to call for an extraordinary session to repeal the law on the Specialist Chamber and Specialist Prosecutor’s Office. The law was adopted in 2015 to establish a Hague-based war crimes court and to prosecute suspected Kosovo Albanians for crimes against civilians during and after the 1999 war. High-level politicians, mostly from the ruling parties, feared their names could be on the list of suspects. Eventually, this government-backed initiative failed after two main opposition parties boycotted it, leaving it without the necessary quorum. The United States and European Union representatives warned Kosovo leaders that reneging on its agreement with Western allies to hand over suspected war criminals could globally isolate Kosovo. Ruairí O’Connell, the United Kingdom’s ambassador to Kosovo, called it “the most dangerous night” since the end of the war.

Although the attempt to dissolve the Special Court took both the international community and the local public by surprise, given the history of the members of the new government formed after the June elections, it could have been anticipated. Prime Minister Ramush Haradinaj voted against the law in 2015 when he was a member of the opposition. Haradinaj’s election was preceded by a vote of no confidence initiated by opposition parties earlier in May. That motion triggered extraordinary parliamentary elections a month later, which brought

tremendous changes in the composition of Parliament. The opposition party Vetevendosje, which has received extensive coverage in previous MSI reports for organizing massive and often violent street protests, doubled its number of seats in the Parliament. However, the party remained in opposition, since a larger pre-election coalition, composed of 12 political parties, won the right to form the government. Eventually, in September 2017, Parliament elected Haradinaj as the new prime minister.

A month later, in October, regular local elections were organized in 38 municipalities in Kosovo, which also brought certain changes to the political map of Kosovo. For example, the Democratic Party of Kosovo (PDK), which had dominated many municipalities, held on to power in only five of them; meanwhile, the Alliance for Kosovo Future (AAK), which used to rule in just a few municipalities, won in eight. Although no physical incidents were reported during campaign season, a brutal “anticampaign” was organized in the media, especially on social media. Fake news originated from all camps. The number of new portals disseminating false information through social media intensified, confusing many Internet users who were unable to distinguish between established online outlets and the fake ones. The Press Council of Kosovo has processed a record 63 complaints for false reporting and found ethics violations in 50 of them. Most were serious violations of reporting standards and were intentionally committed by the media during the election season.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

2.65

Although Kosovo is far from becoming a full member of the EU, its EU orientation has resulted in the adoption of a legal framework in line with EU and international standards. Legislation in Kosovo regarding media freedoms, freedom of expression and information, and human rights is aligned with global standards. However, there are regular attempts to introduce new legislation or to amend existing laws to reverse this progress. For example, this year, there was an attempt to criminalize libel again, which is currently a civil issue. A large public outcry followed, and the proposal failed. Still, despite a solid legal framework, obstacles emerge when it comes to fair and equal implementation of such legislation. This has become particularly evident with regard to the legal treatment in the cases of attacks against journalists. In 2017, two well-known investigative journalists were subjected to physical attacks; many others received threats or were subjected to public humiliation. Police investigations and judiciary procedures do not always treat such cases with urgency. However, when high-profile politicians are threatened, state authorities are quick to react.

The Association of Kosovo Journalists recorded more than 20 cases of assaults against journalists in 2017. The inflammatory language used by politicians toward journalists is also on the rise. In one of his first press conferences, Prime Minister Haradinaj, unsatisfied with comments and questions raised by journalists, told them to “go to school and read more.” A few days later, he apologized for the inappropriate language, saying that he was

under “enormous stress.” Milaim Zeka, a member of Parliament from the ruling coalition, used even stronger language against journalists. In one of his speeches in Parliament, he criticized journalists for labeling people as “criminals” on TV shows, referencing both Vehbi Kajtazi from the investigative online newspaper Insajderi and the television show host Adriatik Kelmendi. Kajtazi authored an investigative story that names Zeka as the mastermind of a fraud scheme. The story alleges that Zeka and his business partner received money from more than 900 Kosovans for employment visas for seasonal work in Germany and led to Zeka’s arrest. The Kosovo special prosecutor is investigating him for possible participation in organized crime.

Days after Kajtazi ran his article, he was physically attacked; the perpetrators were never identified. Earlier in the year, the director of Insajderi and a colleague of Kajtazi, Parim Olluri, was also beaten by unknown assailants while he was accompanied by his wife. Again, the police never found the attackers. In some cases, journalists receive indirect threats. For example, a public official working in the General Auditor’s Office blackmailed Saranda Ramaj, an investigative journalist from the daily newspaper Koha Ditore. The official pressured Ramaj’s parents to stop her reporting. Ramaj had found serious violations in a public tender that is linked to the General Auditor’s Office. Despite the threats and violence, all three journalists have received awards naming their work as some of the best anticorruption stories.

Access to information is a civil right that is guaranteed by law. However, several obstacles still remain. There is a general lack of institutional information easily accessible to journalists and the public. Financial reports in particular are hard to find and are not always available on the websites of public institutions. The majority of information has

to be sought directly from institutions, which are not always receptive to cooperating with journalists. In addition, not all outlets are treated the same. Generally, smaller and more niche media outlets face more challenges in securing interviews and accessing documents and information. Many of these institutions have press officers and public relations officials, but most public government institutions have either internal regulations that bar officials from speaking to the media without obtaining permission from the highest levels or no clear guidelines on how the communication should take place. Generally, only partial information is provided. Responses to

Legal and social norms protect and promote free speech and access to public information.**FREE-SPEECH INDICATORS**

- ▶ Legal and social protections of free speech exist and are enforced.
- ▶ Licensing of broadcast media is fair, competitive, and apolitical.
- ▶ Market entry and tax structure for media are fair and comparable to other industries.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- ▶ Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- ▶ Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

K O S O V O

follow-up questions are rare, and there are delays in providing access to documents.

One positive development is the Prime Minister's Office's initiative to revise the government's communication strategy. Called the "Concept Document on the Government Public Communication Service," the aim of this document is to address the current flaws and drawbacks in the communication between the government and the media. During 2017, several meetings were organized with civil society organizations and media representatives to help cultivate new strategies. One issue discussed is the persistent problem of press officers and officials not attending meetings where issues, policies, and programs are being discussed, which in turn prevents them from being able to communicate messages to the press properly. During one of the public consultations on the concept document, members of the media discussed two particular issues: a more open data approach to increase transparency and more consistent and systematic press conferences across all government ministries. The government approved the document in late December.

The Independent Media Commission (IMC), a public body overseen by Parliament, licenses television, radio, and cable providers. A steering board elected by Parliament selects IMC members; the election of board members is mostly based on party affiliations rather than on professional merit. The IMC is also responsible for managing the transition from analog to digital broadcasting, of which no concrete steps have been taken this year.

Print and online media are not required to go through any licensing procedures, although they are registered either as business enterprises operating under the auspices of Kosovo Business Registration Agency within the Ministry of Trade and Industry or as nongovernmental organizations (NGOs) under the

Ministry of Public Administration.

With regard to market entry, Kosovo has no legal restrictions greater than those of other non-media businesses, and media organizations are not burdened with taxes higher than those for other private businesses. Media outlets actually enjoy certain tax breaks, such as the value-added tax on technical equipment and materials. Entry into the journalism profession is free, and the government imposes no licensing restrictions. The government does restrict the number of journalists from one outlet who can report on government events, forcing the same reporter to attend all government events and prohibiting others from covering them if the registered reporter is unavailable. The law does not restrict access to international news and news sources.

Many of these institutions have press officers and public relations officials, but most public government institutions have either internal regulations that bar officials from speaking to the media without obtaining permission from the highest levels or no clear guidelines on how the communication should take place.

The Radio Television of Kosovo (RTK) is the only public medium and consists of four TV channels, two radio stations, and one online portal. RTK continues to receive state funding, although the law initially only planned for funding for a temporary period until a subscription fee was implemented. The temporary period has already ended, but there is not mechanism in sight to replace state funding. Panelists said state funding makes the public media more prone to direct government influence. Although

a steering board selected by Parliament oversees RTK, its appointees are mostly selected based on party preferences. Panelists mentioned dozens of cases in which high-level media professionals have somehow not made it past the interview phase. This year, Parliament dismissed a member of the board after evidence emerged that she had violated the law by keeping another position in a public office.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

2.52

Traditional media, like television and newspapers, tend to adhere more to professional standards, but this is not necessarily true for online media, particularly given the continuous shift of mainstream media to online platforms. This transition has been a contributor to a deterioration of professional standards and practices overall. Increasingly, media are publishing single-sourced articles and stories, and personal statements, mostly given through Twitter or Facebook, are being published as stand-alone articles. This is leading to stories and reports that lack context and comprehensive analysis, and they often lack fact-checking.

With the election year, fake news and fake media increased, leading to a high number of citizen complaints over false reporting. The Press Council of Kosovo, a self-regulatory body composed of representatives from print and online media, processed a total of 63 complaints of false reporting in 2017. The council found that in 50 cases, there were clear violations of ethical standards. Of the complaints, 29 were against the daily newspaper Kosova Sot, and 13 others were directed at the

Journalism meets professional standards of quality.

PROFESSIONAL JOURNALISM INDICATORS

- ▶ Reporting is fair, objective, and well sourced.
- ▶ Journalists follow recognized and accepted ethical standards.
- ▶ Journalists and editors do not practice self-censorship.
- ▶ Journalists cover key events and issues.
- ▶ Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- ▶ Entertainment programming does not eclipse news and information programming.
- ▶ Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- ▶ Quality niche reporting and programming exists (investigative, economics/business, local, political).

online newspaper Express. Panelists believe that if Kosovo had a better justice system, media organizations could not afford to publish false information intentionally.

Respect of copyrights has not improved from last year. Many outlets republish articles without prior request or approval for content sharing. This is particularly common among online media. One exception is Kallxo.com, an online media outlet that has become a member of the International Fact-Checking Network.

In general, there is a widespread perception that self-censorship is engrained in media professionals. Many media outlets have political affiliations, and journalists working for certain media end up self-censoring in order to abide by the political editorial positions of the media they choose to work for.

When it comes to financial security and

sustainability, many journalists continue to lack adequate implementation of their work contracts or lack contracts altogether. Throughout the private media sector, journalists' salaries are low, and for many reporters, salaries are not always paid on time. At some media outlets, journalists are also not allowed to freelance for other outlets, further diminishing the chance of a higher income. Such financial instability seems to have turned the profession into an launchpad for another career. The pay levels in public media are significantly higher compared to the private media, in part because the public media receives around €10 million (\$12.4 million) each year from the state budget, in addition to income secured through advertisements. Conversely, the budget of private media with national coverage is believed to be between €2 and 3 million (\$2.5 million and \$3.7 million).

In general, bigger mainstream media outlets might have around two to three journalists who cover a particular field (for example, health or the economy), but it is not a widespread practice across the media landscape.

In mainstream media, there is a lack of beat journalists who specialize in one subject. In general, bigger mainstream media outlets might have around two to three journalists who cover a particular field (for example, health or the economy), but it is not a widespread practice across the media landscape. In general, journalists usually cover key events and issues, and, because of technological advancements, most key events are broadcast live. During the election, for example, reporters provided live coverage from polling stations.

Entertainment programming does not eclipse news and informational programming in television. News programs contain sufficient information on daily local, national, and international news. Cable providers now have space for channels that provide news round-the-clock, like Arta TV. There have been improvements in the equipment and facilities for gathering, producing, and distributing news; as such, the number of stations offering programming in high definition has increased. At the local level, however, community media often lack proper financial investments and have lower-quality programming.

OBJECTIVE 3: PLURALITY OF NEWS

2.64

In general, the media environment across Kosovo is quite diverse, both in terms of channels and content. There are public and commercial radio stations and television channels, as well as private newspapers (although they are in decline), news agencies, cable providers, and online news sites. The variety of news sources allows people to check one against the other. There are also numerous cable providers that include a diverse array of channels, including ones from different countries. In terms of content, there are many perspectives and angles, but that does not necessarily ensure high-quality discussions and debate. In general, there is also a lack in the diversity of topics across mainstream media, which continue to overemphasize trivial issues, in particular focusing on individual political leaders and political parties and groups, rather than on policies, issues, and programs.

The law does not restrict citizens' access to

domestic and international media. There are no restrictions from the government in terms of accessing certain Internet features or social networks. In fact, cable and Internet penetration has increased rapidly. According to the Regulatory Authority of Electronic and Postal Communications, 80.5 percent of Kosovo households have Internet access. Panelists suggested that with audiences increasingly moving to online platforms and outlets to consume information, there is a greater need for more media literacy programs, activities, and initiatives. The phenomenon of fake news and online portals with the sole purpose of publishing misleading information about individuals or groups is particularly evident during election season, including

Multiple news sources provide citizens with reliable and objective news.

PLURALITY OF NEWS SOURCES INDICATORS

- ▶ A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- ▶ Citizens' access to domestic or international media is not restricted.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.
- ▶ Independent broadcast media produce their own news programs.
- ▶ Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

in 2017 during both parliamentary elections and local elections. The number of new portals disseminating false information through social media intensified, and many Internet users are unable to distinguish between an established online outlet and the fake ones. The need to educate the public on how to identify and verify which outlets are fake is of extreme importance, panelists said.

The public broadcaster continues to remain politically influenced, generally catering to the parties in power. While the public broadcaster's legislation, rules of conduct, and code of ethics all define its responsibility as serving in a bipartisan way on behalf of the public interest, it remains highly politicized, serving more as a mouthpiece for the government. Panelists said that as long as the public broadcaster is financed from the state budget, it would not enjoy full editorial and institutional independence.

Most private media produce their own news and programming. This also holds true for community media, whose main focus is on local news and developments. Some online news sites, however, tend to rely heavily on content from mainstream media and news agencies. KosovaPress and Ekonomia Online are the largest independent news agencies. While panelists believe they offer good services, their main focus is on daily news as well as coverage of officials' daily agenda, not investigative reporting. However, private media published several investigative pieces this year, including one on the chief prosecutor of Kosovo Aleksander Lumezi, who is accused of fraud. Reporters found archival documents suggesting Lumezi may have falsified his bar exam, although he has denied such allegations.

Transparency in private media ownership has not improved from last year. Most people find it hard to locate information on who owns various

outlets. Still, there are some mechanisms citizens can use to find out more about media ownership. For example, private television channels, radio stations, and cable providers are required to register their owners' data with the IMC, while print outlets and online news sites are required to register their owners' data with the Ministry of Trade and Industry. NGO media are also required to provide ownership

Because of the diversity in media outlets, citizens can find coverage of a broad spectrum of social issues, such as those concerning gender, religion, and sexual orientation. Although there is no resistance from the media to cover and debate these issues, they are often associated with negative comments on social media.

information to the Ministry of Public Administration, but ownership and editorial information are missing from the websites of online media. Ownership transparency is one of the few effective ways the public can verify the credibility of an outlet. As such, the Press Council has requested that all of its members publish an impressum, a document that would include information about ownership, newsroom editorial team, and contact information. This was presented as a condition of membership on the council, where more than 90 percent of the members are online media. However, a number of outlets have still yet to respond.

Because of the diversity in media outlets, citizens can find coverage of a broad spectrum of social issues, such as those concerning gender, religion, and sexual orientation. Although there is no resistance from the media to cover and debate these issues, they are often associated with negative

comments on social media. Religion in particular receives a lot of public attention, with the debate over whether a grand mosque should be built in Pristina receiving many comments.

Minority media are also available. RTK 2, for example, is a public channel that broadcasts only in Serbian. Other local outlets also broadcast in Serbian, including Radio Kim, which is located in a Serb-populated municipality. RTK1 also provides broadcasting time to other minority groups, such as the Turkish and Roma communities. Most mainstream media are based in Pristina, but they provide local news as well, with some even boasting local correspondents. International news is always included in the daily news, in national media as well as in local media.

**OBJECTIVE 4:
BUSINESS
MANAGEMENT**

2.36

Media sustainability remains a grave concern. The majority of media outlets do not necessarily have sound financial models that would allow them to sustain themselves and remain independent. Public media has guaranteed state funding, which gives it a financial advantage over private media, in addition to being able to sell advertising time. To avoid impeding the development of the commercial media sector, public media is allowed to sell six minutes of advertising airtime per hour, half of the allowance for commercial media. Despite its generous income, the public broadcaster possesses a high public debt and is often accused of mismanagement of its funds.

The government provides no subsidies for private

media. Private media primarily rely on advertising revenue, while NGO media have to apply regularly for funding from international donors. Cable providers and news agencies, meanwhile, rely on subscription fees. Print media depends on advertisements for its income. Online outlets'

Private media primarily rely on advertising revenue, while NGO media have to apply regularly for funding from international donors.

financial situations are varied; some are efficient and self-sustaining enterprises thanks to high page clicks. Community media survives because of project-based financing, with international donors and some local funders supplying the money.

Market research is underdeveloped and rarely used to enhance advertising revenues. This is also true for broadcast ratings and circulation figures, which, primarily, each individual media outlet compiles and largely for internal use. The majority of media outlets seek out advertisers on an individual basis, rather than through advertising companies. Smaller, more niche media have difficulties accessing such advertisers. The national and local governments are among the biggest advertisers in Kosovo, although panelists noted that government advertising is not distributed fairly. Other major advertisers include private banks, insurance companies, and real estate companies.

International companies operating in Kosovo, such as banks and insurance companies, tend to produce better ads in comparison to local companies. Nevertheless, all commercial spots must comply with the rules established by the IMC and related laws. As the public broadcaster, RTK creates business plans, while private media are not legally

obligated to do so. Marketing is also not transparent for private media, although public media is required by law to provide audit reports.

There is no systematic and credible independent market research, which prevents media outlets from using such data to better position themselves in the market. However, individual media outlets do conduct market research for internal use and to help attract advertising companies. Relevant Internet statistics can also be easily checked thanks to Google analytics and similar Internet services such as Alexa.

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS

- ▶ Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- ▶ Independent media do not receive government subsidies.
- ▶ Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- ▶ Media receive revenue from a multitude of sources.
- ▶ Advertising agencies and related industries support an advertising market.
- ▶ Broadcast ratings and circulation figures are reliably and independently produced.
- ▶ Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.

**OBJECTIVE 5:
SUPPORTING
INSTITUTIONS**

2.63

The Association of Kosovo Independent Electronic Media represents private media by protecting the interests of most broadcast outlets. There is nothing similar, however, for print or online media. Professional journalist associations exist and aim to protect journalists' rights and promote quality journalism, in both the Albanian and Serbian communities. The main group is the Association of Kosovo Journalists (AGK), which is particularly vocal in its efforts to monitor and condemn attacks against journalists. This year, AGK has also been more active in organizing street actions and protests, as well as conducting trainings for journalists and researching the media environment in Kosovo. However, AGK is not a typical trade union that would advocate for and safeguard the rights of journalists in the workplace.

Print and online outlets can raise their concerns to the Press Council of Kosovo. The council, however, is mostly focused on ensuring that its members uphold ethical standards. Around 90 percent of its members are online media, which is a significant change from its original intent to serve print media. The council needs to review its statute and rules of procedure, the panelists said. Its main working documents and guidelines need to be amended and expanded to include the specificities of dealing with complaints directed at online media. Emerging issues with online media include where to publish corrections, where to publish complaints, how to deal with photo copyrights, and what are the regulations regarding video content.

Overall, NGOs support freedom of speech and independent media. However, over the past couple

of years, there has been a decrease in research and publications produced by NGOs that examine different aspects of media freedoms. For example, in the past there were studies of media coverage and analysis, studies of whether government advertising is disseminated properly and fairly across all media, and studies on potential funding sources for the public broadcaster.

University journalism programs are offered in the public University of Prishtina and in private colleges, but only in Albanian. The public university offers degrees in journalism only at the bachelor level; postgraduate programs have been suspended because of the lack of academic staff. In addition, the University of Prishtina lacks the technological infrastructure (computer lab, equipment for media production, etc.) that would benefit the program and enable students to learn and practice their skills. The journalism department at the University of Prishtina

Emerging issues with online media include where to publish corrections, where to publish complaints, how to deal with photo copyrights, and what are the regulations regarding video content.

did host an international conference on May 3, 2017, coinciding with World Press Freedom Day, which brought a large number of academics and researchers from across the globe together for three days. This was a great learning opportunity for students.

There are also a number of independent trainings, programs, seminars, and conferences on journalism and media organized by public and private universities, as well as by local and international NGOs. A few of them have focused on the opportunities and challenges resulting from rapid technological changes. They predominantly attract

Supporting institutions function in the professional interests of independent media.
SUPPORTING INSTITUTIONS INDICATORS:

- ▶ Trade associations represent the interests of private media owners and provide member services.
- ▶ Professional associations work to protect journalists' rights.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

journalism students and working journalists. Working journalists, however, often do not attend trainings, either because of a lack of personal interest or a lack of support from employers.

There is no government pressure to control or monopolize media distribution, nor are there government restrictions on importing and purchasing materials the media need to do their work. Finances remain the major constraint. Despite relatively low budgets, most media organizations have embraced the digital revolution. Many outlets provide live coverage of events and live streaming on their YouTube channels. Overall, the information communications and technology infrastructure in the country meets the needs of the media industry.

List of Panel Participants

Kreshnik Gashi, editor, Balkan Investigative Research Network, Pristina

Shkelqim Hysenaj, president, Association of Kosovo Journalists, Pristina

Besa Luci, editor in chief, Kosovo 2.0 Blog, Pristina

Visar Hoti, program director, TV Tema, Ferizaj; representative of the Kosovo Association of Independent Electronic Media

Remzije Shahini, Hoxhaj, lecturer of journalism, University of Prishtina, Pristina

Flutura Kusari, media law expert, Pristina

Gazmend Sylja, news director, Klan Kosova TV, Pristina

Goran Avramovic, editor in chief, Radio Kim, Gracanica

Kushtrim Ahmeti, TV reporter, Koha Vision, Pristina

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The Kosovo chapter was coordinated and conducted in partnership with the Institute for Advanced Studies GAP.

The panel discussion was convened on December 19, 2017.

MACEDONIA



**MEDIA
SUSTAINABILITY
INDEX**

2018

Tracking Development
of Sustainable
Independent Media
Around the World



MACEDONIA

AT A GLANCE

GENERAL

- **Population:** 2,103,721 (July 2017 est. CIA World Factbook)
- **Capital city:** Skopje
- **Ethnic groups (% of population):** Macedonian 64.2%, Albanian 25.2%, Turkish 3.9%, Romani 2.7%, Serb 1.8%, other 2.2% (CIA World Factbook, 2002 est.)
- **Religions (% of population):** Macedonian Orthodox 64.8%, Muslim 33.3%, other Christian 0.4%, other and unspecified 1.5% (CIA World Factbook, 2002 est.)
- **Languages (% of population):** Macedonian (official) 66.5%, Albanian 25.1%, Turkish 3.5%, Romani 1.9%, Serbian 1.2%, other 1.8% (CIA World Factbook, 2002 est.)
- **GNI (2016 - Atlas):** \$10.9 billion (World Bank Development Indicators, 2016)
- **GNI per capita (2016 - PPP):** \$4,980 (World Bank Development Indicators, 2016)
- **Literacy rate:** 97.8% (male 98.8%, female 96.8%) (CIA World Factbook, 2014 est.)
- **President or top authority:** President Gjorge Ivanov (since May 12, 2009)

MEDIA-SPECIFIC

- **Number of active print outlets, radio stations, television stations, Internet news portals:** Print Outlets: Five daily newspapers, two weekly newsmagazines, 11 other periodicals; Broadcasting: One (radio and television) with five television channels and three radio channels; Television Stations: Five national DVB-T broadcasters, four national cable television broadcasters; five national satellite television broadcasters; 21 DVB-T regional television broadcasters; 22 local cable television broadcasters; Radio Stations: Four national radio stations; 17 regional radio stations; 48 local radio stations; one nonprofit (student) radio station; Internet News Portals: Between 80 and 100 news and opinion sites of some importance
- **Newspaper circulation statistics:** Sloboden pecat daily: 14,200; Vecer daily: 7,900; Nova Makedonija daily: 7,000; Koha daily: 5,000 (All figures are for print circulation; data on sold circulation are not available.)
- **Broadcast ratings:** SITEL: 24.24%; Kanal 5: 13.07%; Alsat M: 5.44%; TELMA: 3.57%; MRT1 (PBS): 2.80%; 24 VESTI: 2.73%; ALFA: 2.33%
- **News agencies:** Macedonian Information Agency (MIA), Makfax, META
- **Annual advertising revenue in media sector:** No media-specific data are available. Presented data are estimates of the total advertising spending by advertising industry insiders. Total advertising spending: 35.6 million EUR; Television: 66% (23.4 million EUR); Radio: 8% (2.8 million EUR); Print: 4% (1.4 million EUR); Digital: 10% (3.5 million EUR); Out of Home: 13% (4.5 million EUR)

MEDIA SUSTAINABILITY INDEX: MACEDONIA



SCORE KEY

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.



Improvement in all objectives this year for Macedonia's media sector can be attributed to political changes that prioritize media in democratic reforms. These factors have contributed to raising the overall score from 1.57 to 1.91. Although there is still distrust in the media, many citizens have access to a variety of news sources across platforms and mobile use is high, therefore, the plurality of news objective crossed over into the near sustainable category at 2.04 for the first time since 2008. Despite challenges that still exist such as the weak economy, 2017 was nevertheless one of renewed optimism about the future of media and journalism in the country.

Macedonia began 2017 with huge hopes. The year was expected to be one of new beginnings and a return to some semblance of normalcy after the prolonged authoritarian and kleptocratic rule of the previous government. Although the previous nationalist-populist government of the Internal Macedonian Revolutionary Organization - Democratic Party for Macedonian National Unity (VMRO-DPMNE) formally lost the elections in December 2016, the actual turning point came on April 27, 2017, after the failed coup d'état by the former ruling party. The mob stormed the parliament, which had just voted in a new speaker, and attacked several people, including a number of journalists. The new ruling coalition, led by the social-democrat party SDSM, rode the wave of change and won local elections in October 2017 in a landslide, leaving just a handful of smaller, rural municipalities to the opposition.

The new government was voted in on June 1 and immediately presented its plan for urgent reforms prescribed in the so-called Priebe Report, in which the European Commission's Expert Group addresses systemic rule of law issues, and the European Union (EU)'s Urgent Democratic Reforms documents, with media ranking high on the list of priorities. After several months of relatively inclusive public discussions and solicitations of comments and proposals from stakeholders, the Ministry of Information Society and Administration announced on December 26 that a final draft was prepared and would be sent to the EU for its expert opinion before being put into parliamentary procedure for adoption. The draft focuses on the composition of the council of the audiovisual regulatory body and the public service broadcaster; it hopes to relieve

them from the existing political influences and make them more independent.

The first concrete step was to abolish the broadcasting fee and fully finance Macedonian Radio and Television (MRT), the public broadcasting service (PBS), through the state budget. Some mechanisms are proposed to prevent the government from using its budgetary power to pressure and control PBS, but few people believe this will lead to a truly independent PBS. Of greater concern is that the MRT will remain underfinanced and unable to perform all its functions as prescribed by its remit, the law, and international standards.

The Macedonian economy is in a state of perennial recovery, with growth rates well below the five to six percent per year that is widely seen as necessary for progress. Despite this weak economy, it is still expected to somehow sustain the overcrowded media market. The new government decided to stop all media buying activities, putting a new strain on the media, many of which relied strongly on public funding redirected to them by the former government in the form of state advertising. Combined with the loss of local administrations' promotion budgets for public service campaigns, the lack of revenue forced a number of media to fold, including the leading print media publisher MPM, which boasted three daily newspapers, and several regional digital terrestrial broadcasters, which were established with the specific purpose of promoting former government policies.

Despite these challenges, 2017 was nevertheless one of renewed optimism about the future of media and journalism in the country, as evidenced by the scores that, after several years of plummeting, recovered by an unexpected margin over the past year.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

1.94

As in previous years, freedom of expression and media freedom remained hot topics, especially with the public discussions and debate on the necessary changes to practices and approaches, both regulatory and self-regulatory. Much of the discussion consists of efforts to balance the need to regulate some aspects of media, especially the business side, and keep at bay any attempts—in spite of an evident social need, considering past abuses—to introduce at least some regulations for professional reporting.

Panelists agreed that Macedonia has always had legislation in line with international standards for freedom of expression and media freedom. The legislation has also traditionally been very liberal in allowing, on paper at least, media outlets and journalists to set their editorial agendas and policies. However, it only pays lip-service to public service concerns and lacks proper mechanisms to ensure that media fulfill those public service obligations. Such legislation has not always been best suited to the political situation in Macedonia, and panelists were unanimous that implementation has always been sub-par and politically motivated, with abuses in both the media and regulatory bodies. “The system is there, and it is properly European. The practice and implementation have frequently depended on local or national policies, as defined by political parties,” said Marjan Nikolovski, a broadcast journalist with Sitel TV.

Licensing procedures are in place for broadcast media. Other media, including print and online, are not subject to licensing, but the Agency for Audio and Audiovisual Media Services keeps a register of

print media and has some supervision and oversight authority. A discussion about the need to include online media in a system of registration, similar to the one that applies to print, re-emerges periodically. The media community is divided into proponents, who cite the existing chaos and the need to put some order in the sector, and opponents, who adamantly believe online media should be left outside any regulatory framework.

Panelists agreed that the existing licensing and/or registration procedures have not been used to prevent anybody from setting up a print or broadcast outlet. They also noted that the liberal approach to licensing has created an overcrowded market that is the root of many existing problems, yet nobody seems to be prepared to use licensing to do anything about it. However, according to panelists, political interests do play a role in licensing policies. “We have had a case where, before the elections, a regional TV station from the allocation region D5 gets a regional license for region D8 because a political party needs it. You shouldn’t transfer a medium from one region to another based on which elections are being contested,” said Mevaip Abdiu, the owner and general manager of the regional station Koha TV.

Another issue panelists noted is the current composition of the regulatory body. Though it has acted more independently in the periods before and after the December 2016 elections, it remains politically dominated. In Macedonia’s media reform effort, proposed legislative changes include making the Council of the Agency for Audio and Audiovisual Media Services a professional and expert body, ensuring that it is formally detached from any political influence.

The law stipulates that market entry is free and fair for all media, and the only limitations are the somewhat strict provisions to prevent media

concentration and the aim to provide for greater pluralism in media ownership. The “one owner – one television channel” policy has prevented general-format broadcasters from branching into specialized channels (for example, film, sports, entertainment). Investors applying for terrestrial broadcasting licenses also need to provide bank guarantees with the application.

The advertising market is small and shrinking, yet still remains oversaturated by several degrees of magnitude, making the media vulnerable to economic pressure and influence. There was some movement in 2017, however. MPM, the largest

Legal and social norms protect and promote free speech and access to public information.

FREE-SPEECH INDICATORS

- ▶ Legal and social protections of free speech exist and are enforced.
- ▶ Licensing of broadcast media is fair, competitive, and apolitical.
- ▶ Market entry and tax structure for media are fair and comparable to other industries.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- ▶ Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- ▶ Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

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publishing company, filed for bankruptcy and shut down, resulting in the elimination of three daily newspapers. Several periodicals and regional newspapers also went out of business. Those shuttered outlets were primarily media close to the former ruling party and heavily dependent on the elaborate system of de facto public subsidies the government used to finance their operations. In the last quarter of 2017, one new daily emerged, but like the remaining daily and weekly newspapers, its long-term prospects for survival are weak.

Tax regulations are impartial and objective, and media companies are not treated differently from any other businesses, though talks began in 2017 about establishing some sort of assistance for the media. In general, the creation of a system of subsidies, or some form of tax relief or privileged taxation rates, is on the table. Another issue is the right to use music; media outlets must pay four percent of gross income for the small rights to broadcast songs.

The Association of Journalists of Macedonia (AJM) reported 20 attacks and attempts to prevent journalists and media professionals from performing their professional duties in 2017. These threats took the form of verbal and physical assault, arbitrary detainment, and destruction of professional equipment and personal property. One especially egregious incident occurred during the April 27 storming of parliament, when the mob also attacked a number of journalists. Panelists said seeming impunity for such attacks and a lack response from authorities remain a problem in Macedonia. Dragan Sekulovski, the executive director of AJM, said, "Out of the 54 cases of attacks on journalists we have registered over the past several years, just 10 were fully investigated. Five of those are not in criminal courts, and another five were processed by civil courts." Panelists did note, however, the readiness of

fellow journalists, human-rights defenders, and civil society activists to react strongly and immediately to such incidents. Other panelists added that the situation with local media is far more serious, but rarely gets sufficient publicity or support from professional associations.

"The government approaches FOIA [Freedom of Information Act] issues as if they were public-relations matters," said Klime Babunski, a media analyst and scholar. "All institutions should be instructed to post all information on their websites. The government could start with the actual agendas and information that will be reviewed in government sessions."

Like other facets of media, the legislation regulating the work and operations of public broadcaster MRT is subject to overhaul during the media reform process. The first major change was already made in 2017, with the removal of the broadcasting fee, which was charged on all households and business that own a television set. The PBS will now be financed from the state budget, as a fixed percentage of the realized budget from the previous year. In practice, this means the PBS, which has traditionally been underfinanced, will now receive even less money. This insufficient amount of funding will make it nearly impossible for the broadcaster to perform the many functions listed in its remit and on par with international standards. Also, there are legitimate concerns that the new financing model may further undermine its editorial independence; panelists fear that political concerns and favors may continue to play a decisive role in

the selection and appointment of top management and editorial staff. Legal changes are also planned for the composition of the PBS's Programming Council, which has so far been politically dominated, to make it a more professional, expert body. That move may come, however, at the expense of its representative nature. Panelists also observed that the PBS's staff is aging and increasingly conservative and that no real changes will be possible without a major overhaul of the PBS's human resources base.

The 2012 Law on Civil Liability for Defamation provides special treatment for journalists and media professionals and limits the compensation/ fine amounts they can be ordered to pay (\$210 for the journalist; \$10,600 for the editor; and \$16,000 for the publisher). Although such fines remain a deterrent for the impoverished media and journalists, defamation is now less of an issue in Macedonia, since powerful political and economic actors cannot use threats of defamation to pressure journalists. At the end of 2017, the Secretary General filed 10 lawsuits against journalists, primarily those from online media. The courts generally treat online media differently and do not recognize their journalistic status, because online media are not explicitly named in the general law on media.

Macedonian freedom of information legislation is widely considered good. Such laws have been abused in the past, usually by officials stalling or delaying responding to information requests, and there is a lack of procedures or instruments to force officials to respond to them. The situation at the local level is far worse, panelists said, with journalists from local media unable to secure information, particularly from national authorities. In general, the government is keen on controlling all information released to the public. The new government has been a vocal supporter of transparency, appointing a minister to lead transparency and accountability

M A C E D O N I A

efforts, although the long-term impact remains to be seen. Panelists said that in addition to declarations of intent and goodwill, the government should take a proactive role and start making all information available through its websites. "The government approaches FOIA [Freedom of Information Act] issues as if they were public-relations matters," said Klime Babunski, a media analyst and scholar. "All institutions should be instructed to post all information on their websites. The government could start with the actual agendas and information that will be reviewed in government sessions."

There are no legal or practical restrictions to the access of local and international news and news sources, and panelists have seen no efforts to filter online news sites. The law guarantees freedom of retransmission of foreign channels for cable and IPTV operators. Foreign channels may be blocked only if they offer programs that contain hate speech or call for violent overthrow of constitutional order. Smaller media rely on foreign Internet news sites as a major source of international news and infotainment, with little regard for intellectual property and copyrights. Many outlets apply the "fair use" doctrine, although that concept is not part of European legal tradition.

Entry into the journalism profession is completely open and without restriction. Periodically, however, there are renewed calls from people within the profession to create some sort of official journalistic license. Bloggers and citizen journalists are seen primarily as unwanted and unqualified competition by more formal and traditional journalists. The lines between professional and citizen journalists continue to be further blurred by the prevalence of social networks. Some ethnic communities, especially the Roma, remain seriously underrepresented in national mainstream media.

A regular press card issued by an editorial

office or by AJM is generally sufficient to secure access to events or press conferences; only a handful of institutions, including the parliament, issue their own special credentials. Panelists noted that local reporters face difficulties securing credentials from central institutions. Foreign correspondents and journalists are subject to special registration and receive credentials to work in Macedonia by the Ministry of Foreign Affairs.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

1.74

Political divisions remain as clear-cut as before; they are evident in some reporting, particularly in political talk shows and debate-style programs. With the change of government, the leading national television broadcasters quickly turned their editorial policies in favor of the new social-democratic government, after previously supporting the conservative party during its years in power. The media remained focused on the former government, intently following the judicial actions taken against former officials for their alleged abuses and corruption.

Panelists said that in 2017 journalists and media were expected to fulfill the requests of various political parties. "The media were used as part of the political machinery, especially in the period before and after elections," said Marina Tuneva, who sits on the self-regulatory Council for Media Ethics in Macedonia. "They were subject to strong pressure from political parties and were used in political fights."

The media and journalists make an effort to fact-check. However, the difficult financial situation

means newsrooms cannot invest in proper fact-checking departments. Shrinking newsrooms have led to an ever-growing reliance on repeating verbatim official statements and press releases. In Macedonia, balance is primarily seen as a matter of dedicating equal time to all stakeholders, not necessarily approaching every side of a story with equal and evenhanded treatment. However, unlike previous years, the media have made an effort to invite experts from all sides of the political spectrum for their panel- and debate-style political talk shows, an improvement from previous years. Online reporting is even more biased and partisan, with many news sites established for the specific purpose of serving as mouthpieces for party propaganda. Still, several online news sites, bolstered by foreign support, remain the last bastions of investigative journalism, which, as panelists note, has been largely exorcised from the pages and airwaves of traditional mainstream media.

Macedonian media, in general, lack internal self-regulatory practices, codes, style guides, or established editorial policies. A self-regulatory body at the industry level, the Media Ethics Council, was established in 2013; it deliberates and reviews complaints against media for violating the provisions of the International Federation of Journalists' (IFJ) principles and the AJM's Code of Ethics. The Code of Ethics was amended in 2017 to include new concepts and issues that have emerged with the advance of the digital age. The AJM's counterparts at the Macedonian Association of Journalists (MAN) have not declared any such set of principles. The Media Ethics Council makes an honest effort to increase its profile and standing in the media community and has made some advances in that area. However, some media organizations still distrust the council and question its capacity and credibility. There is also the general problem

Journalism meets professional standards of quality.

PROFESSIONAL JOURNALISM INDICATORS

- ▶ Reporting is fair, objective, and well sourced.
- ▶ Journalists follow recognized and accepted ethical standards.
- ▶ Journalists and editors do not practice self-censorship.
- ▶ Journalists cover key events and issues.
- ▶ Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- ▶ Entertainment programming does not eclipse news and information programming.
- ▶ Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- ▶ Quality niche reporting and programming exists (investigative, economics/business, local, political).

surrounding the effectiveness of self-regulation; many outlets simply choose to ignore the council's rulings and decisions or correct their actions and behavior. The general impression, however, is that accusations of unethical behavior are frequently unsubstantiated.

Journalists have no problems accepting gifts from major companies and corporations, usually as part of promotional campaigns for new products or services or offers to travel with government officials on visits abroad. Advertorial content, both commercial and political, has become requisite, to generate revenue and because shrinking newsrooms necessitate carrying entire press releases and statements from officials and institutions. The situation regarding plagiarism has improved, with the exception of international news. Still, it remains a substantial enough concern that the Trade

Union of Journalists spearheaded a legal program offering journalists and outlets legal assistance to defend intellectual property rights, including court representation for those who wish to seek justice and compensations in court. Because of a lack of resources, panelists admitted that many outlets see using foreign sources without consent or an agreement as necessary to provide international news. Outlets are unable to establish correspondents' networks, and few companies can afford to pay for proper newswire or agency services.

The Macedonian constitution bans censorship. Although freedom of media and expression has improved after the ouster of the previously authoritarian government, journalists still hesitate to cover the new government and its policies. Self-censorship remains a problem, in part because of the poor financial outlook. Media owners feel pressure to censor their own journalists, fearing critical reporting may undermine their other businesses, most of which depend on the lucrative government contracts. Low salaries, well below the national average, and job insecurity also contribute to the pervasive climate of self-censorship. "There is self-censorship, especially among journalists close to some political party, and it does cover whole media outlets, with censorship usually coming from the editors or owners," said Zarko Jordanovski, editor at the daily newspaper Sloboden pecat. The Law on Media allows journalists to resist requests to report in violation of professional standards or to refuse to sign articles that have been changed without his or her knowledge. So far, however, there were no sanctions against any editor for what panelists see as quite a common violation.

Key events and issues are covered, but the scope and depth of coverage depends largely on capacities of individual media, with a dominant focus on national politics. Smaller editorial offices

rely primarily on republishing and regurgitating reports published by outlets with the personnel and technical ability to provide more comprehensive coverage. Some media, including some legacy editorial offices, increasingly rely on social network and blogging sites to fill in their commentary and op-ed pages. Most citizens browse numerous news reports from different outlets to gain a better understanding of a story.

"The media were used as part of the political machinery, especially in the period before and after elections," said Marina Tuneva, who sits on the self-regulatory Council for Media Ethics in Macedonia. "They were subject to strong pressure from political parties and were used in political fights."

As stated above, journalists' salaries are below the national average and certainly well below other professionals or civil servants. The average salary in broadcast media is about \$300 a month and even lower for other mediums, meaning salaries are barely sufficient to cover the minimum standard of living. Panelists generally agreed that journalists' salaries are below any level of propriety and decency. However, media and journalists that have secured some foreign funding, primarily investigative operations, receive much better salaries. Similarly, reporters and photojournalists that work as correspondents or stringers for foreign media or news agencies have a much better income. Panelists said, however, that the correlation between low wages and susceptibility to corruption is not very straightforward. "The situation is horrible. The salaries are low, especially in the smaller, local media. There is also a great difference in salaries

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paid to journalists and those given to their editors. We can't really say that those who are well paid are immune to corruption," said Biljana Bejkova, a journalist and civil society activist with Info-centre.

The labor market for media is quite active and dynamic, with personnel moving frequently between outlets. Higher salaries are frequently, although not exclusively, the main motivation for such moves. A large number of experienced journalists have officially left the profession, usually for better-paid positions in public relations or advertising, including the public relations departments of the new government and individual ministries.

The great number of broadcast, print, and online news sources allows citizens to get the news at the time and place of their preference. As a general rule, people tend to watch regularly the main newscasts aired by at least two television stations. Television is the most popular news source, but the Internet is rapidly closing the gap, with print media and radio lagging far behind. Unofficial estimates indicate that less than one-fifth of total programs are dedicated to news and information; political panels, debate-style shows, and talk shows are included in that category. The political crisis and its aftermath resulted in the emergence of several relatively popular political talk shows, some of them in prime time slots. However, prime time in general is dominated by reality programs, soap operas, and Turkish telenovelas. Print and especially online media also use trivia, entertainment, and sensationalist news, along with various other "clickbait" tactics, in an effort to maximize advertising revenue. Ultimately, panelists feel there is enough news and informational content in Macedonian media.

The biggest national broadcast and print media have solid technical capacities for gathering, producing, and distributing news. The majority of television broadcasters still air standard-definition

television, with only a handful moving to high-definition. There are outlets, however, especially among local broadcasters, which depend on old equipment with upgrades or new equipment well beyond their financial means. Local correspondents have it the worst, according to panelist Suzana Nikolic, the owner and editor of the local news site Kumanovonews.com and a correspondent for several national outlets. "We have no working conditions whatsoever," she explained. "We work from home; we have to use our own equipment, pay our own bills, and yet we have the lowest salaries in the chain." Online media, while benefiting from the cheap technological platform and availability of new handheld video and audio recording devices, remain stuck in the old paradigm inherited from print media and do not leverage, for example, multimedia techniques for their reporting. The number of online news sites moving to more multimedia content is on the rise, with these sites usually first expanding to video; however, podcasts remain underused. Specialized investigative journalism websites, benefiting from foreign donors' funding, use new forms of reporting, such as data journalism, regularly and with actual effect and impact.

As a major part of its mandate, the PBS leads the way in providing diverse and specialized programs. However, the shrinking size of newsrooms in commercial broadcast and print media means there is little room for specialization, and journalists are expected to cover whatever comes their way. The best these outlets can usually manage is to specialize in politics or economics as general categories of interest. Sports and culture remain fields of greater specialization in traditional media, although such departments have been reduced to bare-bones staffs. Specialized reporting has largely moved to the Internet, with several news sites dedicated to specific topics like business,

economics, the judiciary, IT, sports, and more.

The lack of investment in proper training and education also impedes specialization. There are a number of local news sites in townships and municipalities outside of the capital city of Skopje that offer local news or cover the wider region. However, panelists observed that investigative journalism has largely been dropped from mainstream media, due to an inability to finance investigative departments. It has moved to the online realm, where several fine operations exist thanks to foreign assistance and funding. Panelists also said there is a tendency to declare most long-form reporting to be investigative journalism. "There is some investigative journalism in Macedonian media, but usually [less] than one percent of all coverage," said Bejkova. "The quality of the nominally investigative reports, I'd rather not go into that, because there are many defects, as we noted in our surveys."

OBJECTIVE 3: PLURALITY OF NEWS

2.04

Of the plethora of sources for information at their disposal, Macedonian citizens routinely check two or more different media, often across different platforms—primarily television and online—to get a better understanding of events and developments and to get multiple viewpoints on those events and stories. In this way, Macedonians are greatly helped by the oversaturated and congested media market. However, the need to survey multiple sources is largely because of low confidence and distrust in the media, which are perceived to be biased toward a political party or perspective. Younger audiences in particular are following the trend of

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their peers all over the world and are replacing traditional media with social networks, particularly Facebook. These platforms are rapidly becoming the main source of news for young people. According to a report by Macedonia's State Statistical Office in early 2017, mobile use is constantly growing, with mobile devices the main point of access to the Internet for 82 percent of regular users and in the 15-24 age group usage rises to well above 90 percent. In a poll commissioned by Foundation Metamorphosis in January 2017, 45 percent of respondents reported that they use the Internet daily for their news.

The numerical pluralism (according to the Registry of TV Broadcasters kept by the Agency for Audio and Audiovisual Media Services there are more than 70 television stations broadcasting in a market of about 560,000 households) has never translated into true media pluralism in terms of diversity of opinions and positions. Overall, the media represent a variety of political views and opinions in the country, but leading national broadcasters tend to be too close to and too supportive of the government, largely due to the lack of a sufficient advertising market to sustain them. "The media in general represent various views and positions, but you can't find pluralism in individual media," said Jordanovski. During its days in power, the current leading opposition party created and, panelists suspect, pumped a lot of public money into friendly media, which remain strongly supportive of its positions. Shrinking editorial offices also means that media increasingly rely on practices of so-called "churnalism," or copy-pasting press releases issued by political and economic entities without any critical or analytical approach.

All services—cable access, mobile telephony, and broadband Internet—come at prices adapted

to local purchasing power. Compared with similar services abroad, they are very inexpensive; for \$15, a person can get a cable access package of about 60 television channels, telephony, and fairly fast broadband Internet. Still, huge swaths of the population are impoverished and, even at low prices, cannot afford to access media.

There are no systemic or legal obstacles to access any type of media, although one panelist noted that Albanian and Kosovar newspapers are still not available on Macedonian newsstands. Newspapers from other neighboring countries are also challenging to get, except for print from the countries of the former Yugoslavia. Because international press is rather expensive for Macedonian citizens, the number of available titles is limited. Panelists have seen no cases of government filtering of foreign websites, with the exception of online betting sites.

The urban-rural divide remains, and citizens living in remote rural and mountainous areas can access only a limited number of television stations that air through the digital terrestrial multiplex, most of which are likely to have strong pro-government positions and biases. Community media in those regions is non-existent, with the exception of three student radio stations working under the auspices of three state universities. They hardly function in line with the standards applicable to nonprofit and community media. In 2017, a local Roma organization from Stip in eastern Macedonia filed an initiative for a "public call" for licensure for nonprofit radio station.¹ After a request for applications was published, the Roma organization chose not to apply.

¹ In Macedonia, entities interested in becoming a new broadcaster must respond to a public call; the regulatory body then selects an applicant to receive a permit for nine years.

The public service broadcaster, Macedonian Radio and Television, has traditionally been viewed by political parties as a perk that comes with winning elections and thus has been considered primarily part of the government's public-relations machine. Considering its remit, the PBS has always been underfinanced, with a large portion of its funding coming from the state budget. The new government has pledged to transform it into a true and independent PBS, but the decision to eliminate the nationally collected broadcasting fee (charged to all households and businesses that own a television set) and fully fund it by the state budget has raised serious doubts about the prospects of that plan.

"The media in general represent various views and positions, but you can't find pluralism in individual media," said Jordanovski.

Panelists said the issue of the PBS's technical and editorial staff also needs to be addressed. Employees have been thoroughly indoctrinated by the former government and seem to be subservient to political centers of power. Because of the lack of funding, the focus at the PBS is primarily on its information and news programming, at the expense of the other segments of its mandate—entertainment and educational programming. It also largely neglects its role as the main incubator for quality feature and documentary programming or its role in the Macedonian cultural industry in general.

There are three news agencies working in Macedonia, each with different capacities to collect and distribute news. With new management at the helm, the Macedonian Information Agency (MIA), the official news agency, is making efforts toward greater independence from the government.

Multiple news sources provide citizens with reliable and objective news.

PLURALITY OF NEWS SOURCES INDICATORS

- ▶ A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- ▶ Independent broadcast media produce their own news programs.
- ▶ Citizens' access to domestic or international media is not restricted.
- ▶ Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

Panelists noted it still lacks a number of services, including video services, which local media need. The two independent news agencies, Makfax and Meta, function more like regular news sites. Makfax changed ownership in 2017, and the new owners are reportedly interested in expanding into television. The media's capacity to afford the services of news agencies differs; national television networks are most able to use the services of news agencies, while smaller online outlets rarely have sufficient funds to purchase such services. One problem, panelists observed, is that existing news agencies focus on text and do not offer any video or photographic services. Panelists also said past governments have relied on practices that

undermine the work of the agencies. "At events organized by the government and its ministries, they will provide their own photographers and cameramen, and then post photos and footage for free use by the media," Sekulovski explained. "The problem is not only about finances and denying the agencies some income, but also that such materials may be very biased."

Private media all produce their own news and information, depending on their capacities and the size of their newsrooms. Most news content is similar, with any major differences in style or news content based primarily on the political affiliation of the editorial office. In that sense, the public broadcaster is no exception; it has traditionally been treated as a state apparatus and not a true public service broadcaster. Online media sites are also diverse. Those with substantial newsrooms, set up in a traditional newsroom structure, have their own production, while other online outlets rely on simply compiling materials published by other media. Panelists observed they do not even bother to correct spelling mistakes and typos, but rather copy entire articles, only sometimes giving attribution.

The ownership of broadcast media is strictly regulated, and there are legal provisions that prohibit media concentration. There is also a list of people who cannot own broadcast media because of political affiliations or other conflicts of interest. After the change in power, several outlets formally restored their true owners, transferring the titles from proxy owners who were used to protect them from liability under conflict-of-interest legislation. One outstanding issue with media ownership is that the majority of influential national television networks and cable television stations are owned by companies and businesspeople with diverse portfolios, and broadcasting is not their main business. In Macedonia's weak media market,

owners use their broadcast media primarily to support their other businesses or as leverage in efforts to secure important government contracts. As a result, they often meddle in editorial policies to prevent reporting that could jeopardize some of their other business ventures or chances to win a lucrative government tender.

Ownership of online media is not regulated, but, as noted earlier, there is discussion whether online media should be included in the regulations pertaining to print media, including the obligation of transparent ownership. According to panelists, the issue of some popular online news sites being owned by entities registered in known offshore tax havens has yet to be resolved. One daily has been sold to a Serbian publishing company, an industry leader with operations in almost every country in the former Yugoslavia.

Reporting remains focused on the national political scene, with a particular focus on judicial and other proceedings. Local issues and affairs are covered less extensively. Financial concerns have pushed most media to substantially downsize their networks of local correspondents. Nikolic said, "It is unacceptable that the public service broadcaster has not had a local correspondent from Kumanovo for more than 10 years." Minority-language media are present in areas with higher concentrations of speakers. As obligated by law, the public service broadcaster airs programs in nine languages, the highest number of in-country language services in Europe.

The coverage of important foreign events and international affairs relies almost exclusively on what is available from international newswires and agencies. Macedonian media and broadcasters rarely send journalists abroad, even to neighboring countries, to cover important events. An exception is made concerning official travel abroad by

government and state officials, who commonly take a group of Macedonian journalists with them. Panelists noted that often such selections are not made transparently or in line with publicly available criteria.

**OBJECTIVE 4:
BUSINESS
MANAGEMENT**

1.54

Management and decision-making practices largely depend on the type of media outlet. In general, most outlets operate in a small market with low purchasing power, a situation that forces them toward making compromises with their editorial policies.

Broadcast media, working in a highly regulated sector, must abide by both the general rules and regulations pertaining to all businesses in Macedonia as well as the specific regulations for the media. These media-specific rules include presenting reports on the ownership structure, financial reports with data on income generated from the performance of broadcasting activity, and information on ratings/share of audience to the regulatory body. Print media are required to publish their financial reports. Accounting and bookkeeping must be outsourced to an accredited accountant, as mandated by law.

Most broadcast media are part of larger corporate entities with diverse business interests. Decisions regarding operational planning, investments, and human resources are made at a higher corporate level, but decisions on editorial matters are also believed to be made by higher-ups. Owners have traditionally used their media outlets to support their other businesses, both in terms of dealing with competitors, often with harassment or

negative PR, and by using the media as leverage when applying for lucrative government contracts, which are particularly important in an economy dominated by public spending. Only the biggest mainstream media outlets have the capacity to hire marketing or advertising experts or set up marketing and advertising departments. Many online outlets were set up by journalists who have lost their jobs, either for economic or political reasons, and staffers usually multitask, serving as managers, editors, marketing and advertising specialists, and more. Several quality news sites operate as nonprofit entities, in order to secure funding available to civil society organizations from foreign donors. This funding is somewhat secure but, more importantly, it allows for editorial independence.

The Macedonian media market has not been spared the impacts of the digital revolution. The advertising market is shrinking and with the new government deciding to stop all forms of advertising, except on social media, is bound to dwindle even more. The government is also planning to rely solely on the PBS for its public service announcements. Estimates (there is no structured measurement of the advertising market) indicate the market has somewhat recovered compared with 2016, but the growth is almost exclusively in digital advertising. Global power players, particularly big tech companies like Google and Facebook, increasingly dominate the digital advertising segment and are currently estimated to account for 40–50 percent of all digital advertising spending. The hope that Macedonia just had to get rid of the former authoritarian government to restore order does not seem to be materializing.

The available advertising spending is not nearly enough for the overcrowded market. Although the market seems to have recovered slightly, thanks to growth of digital advertising spending, it is not robust

enough to support the hundreds of media outlets operating in a market of about 560,000 households. The pressure on management to secure as much advertising revenue as possible has some influence on the editorial policies. News programs are often the most-watched programs on television, resulting in broadcasters putting an emphasis on news and informational content as a means to attract a larger audience. However, the sale of advertising during newscasts is prohibited. According to an annual report on the state of the broadcasting market, prepared by the Agency for Audio and Audiovisual Services, most media report advertising income accounts for more than 90 percent of annual revenues. Nevertheless, the report also noted that the national market has reported a net loss across the board, with only a handful of media outlets reporting an actual profit. “If you look at the available analysis, 99 percent of their income comes from the sales of advertising space,” said the Media Development Centre’s Stojance Naumov. “There is no other income—nothing from sales of programs, branded merchandise, fees from cable operators. It all comes down to practically zero.” Naumov also hosts “Stadion,” a popular radio talk show.

Media have traditionally been forced to supplement their revenue from commercial advertising with other sources, including internal subsidies from the owners or government advertising. Some outlets are also part of corporations or companies with interests in advertising or marketing agencies. During the political crisis, the international donor community gave funds to help produce investigative and debate-/panel-style political programming, as well as some feature series and documentary programs. The elimination of government advertising has put considerable strain on the media, and a number of outlets have shut down, including the biggest

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publishing company in the country (which printed three dailies), a number of periodicals, and several regional broadcasters. Sekulovski pointed out that there is almost a total absence of crowd-funding operations, including solicitations for readers' donations or subscriptions to online media.

Outsourced manufacturing, semi-finished products and components for the automotive industry, and mining and mineral resources exploitation remain the major contributors to the national industrial and economic output. Because those products are not really intended for the domestic market and have a known buyer, they do not require advertising. Foreign-owned telecommu-

"If you look at the available analysis, 99 percent of their income comes from the sales of advertising space," said the Media Development Centre's Stojance Naumov. "There is no other income—nothing from sales of programs, branded merchandise, fees from cable operators. It all comes down to practically zero."

nications companies, car dealers, pharmaceutical companies, and domestic hygiene manufacturers are the leading advertisers overall. Among Macedonian companies, the food and dairy industry, along with travel and tourism services, are the leading advertisers. The advertising market is dominated by advertising agencies, most of which are local branches of major regional or international advertising agencies. "I don't think advertising agencies provide proper support to the advertising market. In the past, they were under strong political influence and distributed the media buying budgets of their clients accordingly. They have, for instance,

almost completely ignored local TV stations broadcasting in minority languages," said Abdiu.

The prices of advertising time and space are low and are dictated by the agencies, but the media have played a role in cutting down the prices. "One owner of a national radio station told me, 'The budgets for media buying in radio are dropping, and yet, the total time dedicated to advertising grows. I can't get a good price, so I have to increase the volume.' That is the general situation," Naumov said.

Broadcast media must adhere to strict limits on the amount of advertising time they can sell. Newspaper advertising is in constant decline, with less than five percent of pages dedicated to ads. The three nonprofit student radio stations sell advertising, to the chagrin of their colleagues from the commercial radio stations. Commercial advertising on the public service broadcaster is limited to two-thirds of the allowed advertising time per hour, with no commercial broadcast allowed during prime time slots. However, there are ongoing discussions to completely abolish commercial advertising on the public service broadcaster.

Local media find themselves in an especially difficult situation because most local companies do not feel the need to advertise, and these local outlets get only a fraction of national campaign budgets. Most advertisements are professionally produced, with those from international corporations particularly noteworthy. However, Macedonian advertising agencies have proven their competence, with many winning international awards for their campaigns and earning international contracts. In spite of the current moratorium on government advertising and media buying, panelists noted that the previous government managed to find ways to circumvent the ban and pump funds into friendly media.

The new government has stopped all programs of media subsidies, including budgets for public

enterprises, independent public institutions, and more. The program of public subsidies to produce feature and documentary content was largely abused by the prior government to direct funds to pro-government media and to dictate content, with priority given to "patriotic," family-oriented, and other generally conservative topics. The draft legislation proposes to eliminate the program altogether, but MPs are discussing the need for some types of media subsidies, especially for the struggling print industry. Additionally, the Association of Journalists is insisting on the creation of a fund for local and regional broadcasters. Panelists raised concerns about the available promotion budgets of local administrations, which are now distributed in a nontransparent manner.

The majority of media do conduct market research activities that serve as the basis for their

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS

- ▶ **Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.**
- ▶ **Media receive revenue from a multitude of sources.**
- ▶ **Advertising agencies and related industries support an advertising market.**
- ▶ **Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.**
- ▶ **Independent media do not receive government subsidies.**
- ▶ **Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.**
- ▶ **Broadcast ratings and circulation figures are reliably and independently produced.**

programming schedules and acquisitions. One panelist observed, however, that there is often a disconnect between what some civil society organizations believe people should watch on television and what viewers actually want to see. “The fact is that TV stations used market research in planning programming,” Nikolovski said. “Sadly, research shows that Turkish soaps and telenovelas are what the audience wants, and we will continue to provide them.”

The law requires print media to publish circulation figures in their mastheads; they must include both subscriptions and copies sold by news agents. However, without a self-regulatory body or other agency, no one collects data to confirm numbers. The international marketing and research firm IPSOS is also active in the Macedonian market and can prepare some data. In general, circulations continue to drop well below levels of sustainability, and online subscriptions or other revenue to replace both lost circulation and advertising have not yet emerged.

To measure broadcast data, the regulatory body, in accordance with law, created a joint industry committee (JIC). However, the JIC took more than 18 months to sign an official agreement with the ratings company AGB Nielsen, and efforts to acquire new people-meters has begun only recently. The audiovisual regulatory body publishes regular quarterly and annual reports on the reach and ratings of regional, local, cable, and satellite broadcasters, based on the polls of a representative sample of Macedonian citizens. Despite several attempts by private companies, no official measurement system for Internet ratings has been agreed on. The Interactive Advertising Bureau’s Macedonian branch also tried to create an online media joint industry committee, again to no avail. Advertising agencies rely on Google Analytics data.

Media members generally do not trust ratings measurements—in part, panelists said, because of an absence of a common methodology. According to panelists, regular opinion polls that measure trust and confidence in information and news programs are also missing in Macedonia

**OBJECTIVE 5:
SUPPORTING
INSTITUTIONS**

2.32

There are several media trade associations in Macedonia. The most powerful and influential is the Macedonian Media Association (MMA), an organization of the national digital terrestrial broadcaster established under the auspices of the Macedonian Chamber of Commerce. The Association of Private Media of Macedonia (ZPMM) is composed of privately owned local and regional media. Pro-opposition news sites formed the Association of Macedonian Internet Portals (AMIP) in 2013 with the specific goal of endorsing the regulation of online media proposed by the government. The Association of Private Electronic Media of Macedonia (APEMM), dormant for more than a decade, was revived recently and is made up primarily of radio broadcasters who advocate for their interests in the process of audiovisual services legislative reform.

The AJM is the oldest and most active professional association of journalists in the country. AJM, together with the Independent Trade Union of Journalists of Macedonia (SSNM), fights for the advancement of professional and working standards and the social standing of journalists. The organizations also speak on efforts to improve the political situation in Macedonia. AJM and SSNM are partners

of the European Federation of Journalists and the International Federation of Journalists. AJM and SSNM collect membership fees, but their activities largely depend on the availability of foreign funding. The Macedonian Association of Journalists gathers journalists from pro-government media. Although it was formed in 2001 by journalists not satisfied with the work of AJM at the time, it was later taken over by pro-government journalists with the specific goal of counteracting the work of AJM. AJM and SSNM have been very active in the process of changes and amendments to the Law of Audio and Audiovisual Media Services; the current draft of this law is based largely on a draft prepared by AJM in 2016.

As panelists noted, the situation for media support organizations in Macedonia is much improved compared with several years ago. “Back in 2012, there was only AJM. Now, there are many more trade and professional organizations that are active and trying to promote and advocate for the interests of their constituencies or members,” said Sekulovski. “Also, AJM is constantly quoted in all relevant international reports on freedom of expression.”

A number of NGOs work in the media sector and in all different aspects of media. The Macedonian Institute for the Media works to advance the standards of professional journalism and training. The Media Development Center focuses on media legislation and media policy, monitors the implementation of media legislation, and, in cooperation with foreign partners, provides free legal assistance and in-court representation for journalists sued in defamation cases or prosecuted for their reporting. Several other organizations are active in areas of media consultancy and research, including: ProMedia; the Metamorphosis Foundation, which focuses on Internet freedom; the Centre for Civil Communications, which focuses on access to public information; and Info-centre and Helsinki

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Committee for Human Rights, both of which serve as watchdog and monitoring organizations. A number of organizations also work to prevent hate speech. Most NGOs working in media collaborated to draft and present recommendations in line with the Priebe Report and urgent reform priorities on necessary reforms and interventions in the media system and in media legislation. Panelists voiced concern, however, that most of these organizations, including professional associations, depend on foreign donors' funds and are one failed project away from closing operations.

“Macedonia has no students that would like to study journalism,” Bejkova explained. “On one hand is the quality and the lack of practical training, and on the other is the general standing of the profession and the lack of interest among the young people to study journalism.”

Several higher-education institutions offer degrees in journalism or related fields, such as communications studies. In general, the journalism programs at state universities in Skopje, Tetovo, and Štip have reputations for producing undertrained journalists with little practical and hands-on skills or knowledge of how newsrooms work; they focus on theory with little practical training. The Skopje-based School of Journalism and Public Relations and its affiliate, the Institute for Communication Studies, offer bachelors and graduate programs in journalism and media. Panelists said, however, that because the public standing of journalism is so low, there is little interest among young people to study or enter the profession. “Macedonia has no students that would like to study journalism,” Bejkova explained. “On one

hand is the quality and the lack of practical training, and on the other is the general standing of the profession and the lack of interest among the young people to study journalism.”

Short-term trainings are available only on an ad hoc basis, usually provided by NGOs that have managed to secure funding and incorporate training workshops or seminars for journalists in their projects. These programs do not always meet the needs of media in Macedonia, but rather the priorities and agenda of the organizations that prepare them. Panelists added that there seems to be a lack of interest in these types of training, judging from the quality of the personnel delegated to such training workshops. Several embassies offer programs for study visits and short education programs abroad, and most of those programs do not charge a participation fee. There are also limited funds available from some donor organizations to cover fees and expenses for journalists to participate in training programs abroad.

In-house or on-the-job training is almost non-existent, although some organizations, most notably the School of Journalism and Public Relations, offer custom training programs on demand, tailored to meet the needs of the outlet that commissions them. Panelists said media owners are not prepared to invest in training programs, citing high turnover of journalists from one outlet to another as the main deterrent. In general, journalists are left to fend for themselves and approach organizations that offer short-term trainings on their own. Also, the in-house training operations that existed at some mainstream media outlets that produced excellent practicing journalists are defunct.

There are no restrictions on the import of materials or equipment necessary for media production. Recording equipment and editing software are increasingly accessible and affordable,

Supporting institutions function in the professional interests of independent media.

SUPPORTING INSTITUTIONS INDICATORS:

- ▶ Trade associations represent the interests of private media owners and provide member services.
- ▶ Professional associations work to protect journalists' rights.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

thanks to the rapid progress and advancement of digital technology. There are enough printing companies to cover the needs of the market, and most dailies have learned that the best way to avoid possible print refusals is to invest in printing facilities of their own.

Distribution of print media is not centralized, and all publishers have their own fleets of vehicles. Interestingly, even the new, cost-free daily *Nezavisen vesnik* chose to distribute nationally, which does not seem to be a prudent business investment considering the costs of transport. In terms of broadcast media, the two commercial digital terrestrial broadcaster multiplexes are operated by a single telecommunications company. Holders of

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cable television broadcasting licenses note there is no must-carry provision in the Law on Audio and Audiovisual Media Services, leaving them at the mercy of cable operators that charge what respective local markets can bear to carry their programming services. Cable operators often refuse to carry individual broadcasters. Albanian-language television stations (that hold national licenses) in particular are often not carried by cable operators in eastern Macedonia, under the pretext that there are very few Albanian speakers in that part of the country. In the past, the local cable operators' decisions on which channels to carry was largely politically motivated.

Macedonia has a good broadband Internet infrastructure, and the latest surveys conducted by Macedonia's State Statistical Office show Internet penetration figures at more than 73.6 percent in the first quarter of 2017. Furthermore, the penetration of mobile telephony has advanced greatly, with more than 40 percent of citizens saying mobile devices are their primary way to access the Internet. Despite this existing infrastructure, media have not yet adapted to the increasing importance of mobile technology, both in terms of specialized content or as a source of advertising revenue. No attempts by the state to filter websites or meddle in registration of websites and news portals have been noted.

List of Panel Participants

Marjan Nikolovski, journalist, Sitel TV, Skopje

Mevaip Abdiu, owner, TV Koha, Tetovo

Zarko Jordanovski, editor, Sloboden pecat daily, Skopje

Klime Babunski, media analyst and communicationist, ProMedia/Institute for Sociological, Legal and Juridical Research, Skopje

Vedad Mehmedaliu, editor-in-chief, Koha daily, Skopje; member of the Programming Council of Macedonian Radio Television (public service broadcaster)

Biljana Bejkova, PR specialist and civic activist, NGO Info-centre, Skopje

Arta Latifi Tahiri, journalist, Alsat M TV, Skopje

Suzana Nikolic, owner/editor, Kumanovonews.com news site, Kumanovo; correspondent for several national media

Vesna Krsteva, editor-in-chief, Kanal 77 Radio, Stip

Marina Tuneva, executive director, Council for Media Ethics in Macedonia, Skopje

Ilija Stefanovski, owner/editor-in-chief, Radio Kocani, Kocani

Stole Naumov, program assistant, Media Development Centre, Skopje

Dragan Sekulovski, executive director, Association of Journalists of Macedonia, Skopje

Moderator and Author

Dejan Georgievski, president/executive director, Media Development Centre, Skopje

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Around the World



MONTENEGRO

AT A GLANCE

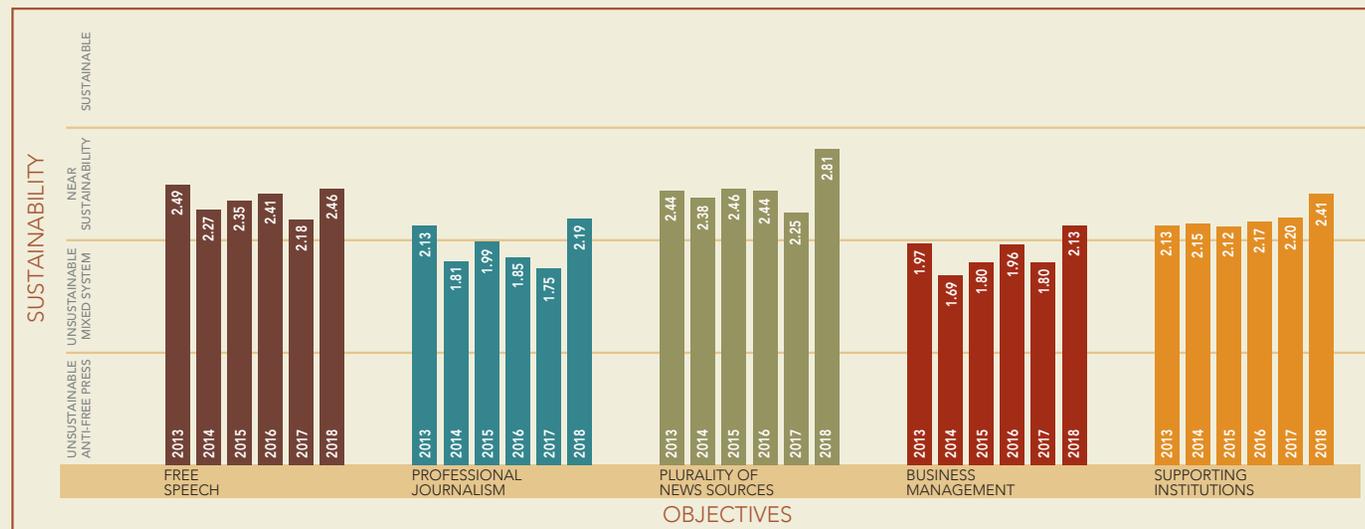
GENERAL

- ▶ **Population:** 620,029 (MONSTAT, 2011 - census)
- ▶ **Capital city:** Podgorica
- ▶ **Ethnic groups (% of population):** Montenegrin 45%, Serbian 29%, Bosniak 9%, Albanian 5%, other (Muslim, Croat, Roma [Gypsy]) 12% (MONSTAT, 2011 - census)
- ▶ **Religions (% of population):** Orthodox 72%, Muslim 19%, Catholic 3.5%, other 0.6%, unspecified 3%, atheist 1% (MONSTAT, 2011-census)
- ▶ **Languages (% of population):** Serbian 43%, Montenegrin (official) 37%, Bosnian 5%, Albanian 5%, unspecified 10% (MONSTAT, 2011 - census)
- ▶ **GNI (2016):** €3.954 million (MONSTAT, 2017)
- ▶ **GNI per capita (2016):** €6.354 (MONSTAT, 2017)
- ▶ **Literacy rate:** 98% (MONSTAT, 2011 - census)
- ▶ **President or top authority:** President Filip Vujanovic (since April 2013)

MEDIA-SPECIFIC

- ▶ **Number of active print outlets, radio stations, television stations, cable operators:**
- ▶ **Print Outlets:** 4 dailies, 3 weeklies, 30 monthlies; Radio Stations: 53; Television Stations: 17; Cable Operators: 5 (Agency for Electronic Media of Montenegro)
- ▶ **Newspaper circulation statistics:** Vijesti (private, circulation 3,500), Dan (private, circulation 6,500), Dnevne Novine (private, circulation 1,900), Pobjeda (private, circulation 2,400) (est. Direct Media Ltd.)
- ▶ **TV broadcast ratings:** (shares 1.1.17-12.27.17) PINK M 15.85%, TV VIJESTI 14.32%, PRVA TV 13.41%, RTVCG 11.83%, RTVCG 2 2.01%, other (satellite, local, regional) 42.59% (Direct Media Ltd.)
- ▶ **News agencies:** Mina News Agency (private)
- ▶ **Annual advertising revenue in media sector:** €10-11 million (est. Direct Media Ltd.)
- ▶ **Internet penetration:** 69.9% (Internet World Stats, 6.30.17)

MEDIA SUSTAINABILITY INDEX: MONTENEGRO



SCORE KEY

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.



With improvement in scores across all objectives, Montenegro shows promising progress. While its overall score puts it in the Near Sustainability ranking of the MSI, weaknesses in the country's media sector include low revenue generation, declining professional development opportunities, political biases, and low adherence to professional standards.

In June 2017, Montenegro became a full-fledged member of the NATO Alliance—a significant development for the country, marking the end of a long process. With Montenegro's accession, NATO allies now cover the entire Mediterranean coastline.

The accession also signals that pro-western liberal political forces are prevailing in Montenegro, thus accelerating the country's now well-underway negotiation process to join the European Union (EU). This geo-political momentum has also enabled Montenegro to weaken the adverse influence of official Russia, supported on the ground by local pro-Serbian ethno-nationalist and clerical forces. With this denouement, combined with convincing political victories for the ruling parties in the November elections in four Montenegrin municipalities (Cetinje, Mojkovac, Petnjica, Tuzi), Montenegrin foreign policy now points toward a Euro-Atlantic political, economic, and cultural orientation.

Political confrontations heated up over management of the national public service broadcasters (Montenegrin Radio and TV-RTV Montenegro). Parliament dismissed some members of the Council of the National Public Service (traditionally among the best-rated media in Montenegro, funded by the state and playing an enormous political and social role)—a move some nongovernmental organizations (NGOs) believe benefits the ruling coalition at the expense of neutrality. Furthermore, the EU Delegation to Podgorica and the U.S. Embassy warned publicly that the National Public Service's independent status must be protected from daily politics and party interests.

Time will soon tell whether changes in the Council will lead to political interference in the work of the key Montenegrin media, but the MSI panelists emphasized the importance of protecting the political neutrality and credibility of Montenegro's public media.

Politicized confrontations between leading private media companies persist, such as the confrontation between TV PINK, which many consider a propaganda tool in the hands of Montenegrin authorities, and private anti-government, pro-opposition media (Vijesti, TV Vijesti, Dan, Monitor). The politicization of media has, for years, obstructed the formation of a self-regulatory body, enabling frequent ethical violations. Still, there are media that are trying, regardless of their editorial policies or party preferences, to uphold standards.

On the business side, Montenegro's media has stagnated for years — in terms of revenue, number of employees, and average salaries in the media. Significantly, hands-on training of journalists has declined, compared with previous periods; educational programs are sporadic and insufficient. Most troubling, though, is the absence of strong, professional trade unions. In summary, professional standards are still being ignored, and despite obvious media pluralism, there is a huge discrepancy between the number of media outlets and the quality of their programs and editorial policies. Furthermore, the excess of political bias and lack of seriousness and accountability in enforcing professional standards and legally imposed obligations weaken democratic trends in the country.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

2.46

The panelists reported no changes to existing media regulations in Montenegro in the past year, nor adoption of new laws. The last relevant changes, related to the Law on Electronic Media and the Law on the National Public Broadcaster - Radio & TV (RTCG), happened last year. Under these changes, Montenegro has obliged itself to enable EU member states to rebroadcast content in its territory. In addition, legislative changes obligate public broadcasters (national and local public services) to produce and broadcast news, cultural, artistic, educational, scientific, children's, entertainment, sports, and other radio and/or television programs. At the same time, new regulations have imposed a ban on outlets that threaten constitutional order and national security; or that instigate hatred or discrimination on the grounds of race, ethnicity, gender, language, religion, political or other convictions, national or social status, financial status, membership in trade unions; or on the grounds of education, social status, marital or family status, age, health, disability, genetic heritage, gender identity, or sexual orientation. Within the context of these changes, RTCG implemented appropriate modifications to improve the financial sustainability of the national public service (the government is obliged to allocate 0.3 percent of the GDP to fund the National Public Broadcaster).

However, it is important to note that the fundamental Law on Media, adopted in 2002, has not changed significantly since 2011. This law is partially outdated now, given changes introduced by the digital age and expansion of online journalism. Nevertheless,

Montenegrin media legislation basically reflects internationally standardized journalism norms and essentially reflects freedom of speech and democratic public order. Media legislation enables and protects free speech, representing a solid legal framework for the media community.

In this respect, both professionals and the general public agree that the legislative framework enables free speech and does not pose a barrier for the development of professional journalism. Media law professor Aneta Spaic said, "The media legal environment in Montenegro relies, to a great extent, on international legal instruments, such as the European Convention on Human Rights and Fundamental Freedoms, while enforcement of media law relies on the European Court for Human Rights case law. National legal solutions regulating freedom of expression, freedom of media, and censorship bans, as well as access to information, are proclaimed at the level of international standards regulating human rights and freedoms." Slavko Mandić, director of Radio Skala in Kotor, agreed that laws protect free speech. He said, "Free speech is guaranteed, but numerous media abuse free speech and often publish uncorroborated information; we have slander and a lot of sensationalism." A Pobjeda journalist added, "Free speech is not questionable in Montenegro and so far has not been threatened. Legislation and case law are also undisputable. So far, not a single journalist has been prosecuted for protecting a source." Jadranka Vojvodić, deputy director of the Electronic Media Agency, added, "We have constitutional and legal guarantees protecting free speech, as well as legal protection mechanisms, but still insufficient awareness on the importance of free speech for the overall democratic development of our society. Public condemnation is not an efficient mechanism for improving free speech, and this is hindering development of self-regulation and

an accountable and professional media."

While the panelists consider Montenegro's legislation sound, aligned to a great degree with international legal standards in the area of free press, they agree that the key problem is in the enforcement of media legislation, meaning that in reality there are often discrepancies between rights guaranteed and protected by media regulation and everyday practice within the media community.

The Agency for Electronic Media oversees the licensing of electronic media, and the panelists reported no changes this past year in this domain. However, it is obvious that the licensing process

Legal and social norms protect and promote free speech and access to public information.

FREE-SPEECH INDICATORS

- ▶ Legal and social protections of free speech exist and are enforced.
- ▶ Licensing of broadcast media is fair, competitive, and apolitical.
- ▶ Market entry and tax structure for media are fair and comparable to other industries.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- ▶ Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- ▶ Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

failed to keep pace with technological progress in the media sector, and therefore appropriate legislative changes are needed. On the other hand, key objections coming from the media community relate to the regulator's tolerant treatment of certain media outlets with programs that often violate professional standards and legally prescribed media principles (harsh criticism is often directed at TV PINK, headquartered in Serbia). On that note, Vojvodić said, "We need to change the legislative framework in order to catch up with technological development and the way people access online platforms, but we also need to improve mechanisms for monitoring transparency of ownership and the funding of media companies." Sonja Drobac, editor-in-chief of TV PRVA, added, "The licensing process has remained unchanged despite the fact that the digitalization process has been completed in Montenegro, and this should bring the price of services down. In addition, the regulator is not reacting to the expansion of cable operators who enjoy a privileged position on the market, representing unfair competition to licensed electronic media."

Clearly, the panelists said, future legislative changes must take into account the specific position of cable operators operating under provisions of another law (the Law on Electronic Communications), as they are obtaining their licenses from another regulator—the Electronic Communications Agency. The panelist recommended that next steps should involve reviewing the legal and commercial consequences of the current status of cable operators, as they are broadcasting quite a diverse array of local and foreign television channels, thus putting huge competitive pressure on electronic media licensed to operate in Montenegro's media market.

Media companies, apart from specificities

related to electronic media, enjoy equal status with other types of businesses in Montenegro. Media companies are established in line with the Company Law, and all of its provisions apply to them just as any other company, including taxes. Print media companies (dailies and magazines) constitute the only exception, as they are taxed by a lower VAT (value-added tax) rate of seven percent (the higher VAT rate is 19 percent). Some media companies have used a governmental program to pay taxes in installments. In this respect, journalist Jadranka Rabrenović said, "There are no differences in treatment of media companies with respect

Slavko Mandić, director of Radio Skala in Kotor, agreed that laws protect free speech. He said, "Free speech is guaranteed, but numerous media abuse free speech and often publish uncorroborated information; we have slander and a lot of sensationalism."

to others. Recently, the owners of TV Vijesti and Vijesti were given an option to pay due taxes on 60 installments, and other companies received a similar option as well. In addition, electronic media were given an option to pay due fees to the Radio Broadcasting Centre, but later on, the government decided to support them by means of state aid, so the entire debt was covered by these funds."

This year the panelists reported no cases of violence against journalists. In this respect, the most important event happened when Montenegro's Constitutional Court decided in November 2017 to uphold the complaint related to an ineffective investigation regarding a murder attempt on journalist Tufik Softic. The Constitutional Court determined that police and prosecutorial

investigations were ineffective and awarded EUR 7,000 (\$8,600) in compensation to Softic. This decision marked an important milestone: the Constitutional Court's compensation of a journalist in Montenegro. This ruling confirms that the government has not done enough to protect the journalist in his work and therefore, due to its inaction, threatened media freedom. This ruling confirmed the public's general impression that the police and judiciary are still inefficient and lack the will to solve cases of violence against journalists. However, the court's verdict marks an encouraging step forward in terms of increased protection of journalists in Montenegro.

The laws impinge the editorial independence of national or local public media (national and local public services). The Law on the National Public Broadcaster - Radio & TV (RTCG) Montenegro has a special chapter dedicated to the national public service's independence and explicitly defines RTCG's independence in program editing. In addition, the law also stipulates that RTCG has independence in creating a program scheme, defining its production concept and program broadcasting, editing and broadcasting news on topical events, and organizing its operations. Furthermore, the law also says that RTCG journalists are independent in their work and that they are working in the public interest. The legal protection of journalists is additionally strengthened by a ban on firing journalists, reducing their salaries, or changing their status within editorial teams when they express an opinion or position in line with professional standards and program rules. However, political interference in the operations of public service broadcasters is evident in practice and is particularly reflected in the dominance of ruling parties' interests in management bodies of these services. Currently, the media community is witnessing changes in the RTCG Council triggered

MONTENEGRO

by the Anti-Corruption Agency, regarding the alleged conflict of interest of some (four out of nine) Council members. The opposition and the politically neutral general public view these changes as politically motivated, in keeping with the interests of the ruling parties. These cases are just another confirmation that proclamations of editorial independence often come into conflict with dominant political interests at the national and local level.

Libel has been decriminalized in Montenegro, and the criminal code does not list libel or slander as a criminal offense, thus protecting journalists from imprisonment for these types of charges. Therefore, libel and slander are processed as civil cases before the court, and the aggrieved party may seek compensation for non-material damages for defamation.

Montenegro is one a handful of countries in the region that has complied with Council of Europe recommendations to decriminalize libel. However, ever since the decriminalization of libel, media professionals and the general public have debated whether that was the right thing to do, questioning whether this move supports the freedom of expression or serves as an open invitation for anybody to libel citizens and institutions. Vojvodić observed, "Although libel is now the domain of civil law, the lack of commitment and dedication in enforcement of professional standards, as well as the media's tendency toward sensationalism, are leading to abuse of free speech." Spaic added, "Comparative analysis tells us that it was rather reckless to establish a legal framework that does not exist in any of the EU founding states, except for the UK, so it turns out that our politicians and civil society activists have ignored the level of our societal development and potentially harmful consequences stemming from decriminalization of libel."

Regarding access to official information, the

panelists said that problems with enforcement persist. In 2012, Montenegro adopted its Freedom of Information Act in line with Venice Commission recommendations. This law aligns with the Convention on Access to Official Documents and international standards in this area. Therefore, the regulatory framework in this area is well developed and tested. The problem is traditionally related to the law's enforcement, and the panelists agreed that collecting information from the government is a slow and inefficient process. Media have different experiences with different government or local administration services, as not all of them are organized and accessible in the same way.

When it comes to accessing international and local news and media sources, Montenegro is, almost traditionally now, an open society, and there are no legal or actual limitations in this respect. Information from international and local sources is not censored or banned and therefore is accessible to all media outlets. Similar to the global digital environment, Montenegro is witnessing an increasing number of different forms of online journalism (portals, sites, blogs, social journalism, etc.), and this is definitely pushing out traditional media. At this point in time, according to Internet World Stats some 70 percent of Montenegrin citizens have Internet access—a clear indicator of the level of penetration and accessibility of the ever-growing access to digital forms of expression. Therefore, Montenegro's media environment enables free access and usage of both local and international sources of information.

Montenegro's government has never required a license to work as a journalist. In this respect, media companies are free to set their own criteria and conditions for aspiring journalists, meaning that the authorities have no influence on recruitment of journalists and there are no limitations in this

respect. Therefore, the journalism profession is an open one, with no required licenses. However, media companies themselves have certain criteria: They generally seek to recruit college-educated staff with a certain level of professional experience.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

2.19

For years now, the media community has been critical of the professional achievements of Montenegrin journalists; the panelists were unanimous in their assessment that Montenegrin journalism does not meet very high professional standards. Reporting is often not objective, and journalists use selective and unverified sources of information. Mila Radulović, a Vijesti journalist, said, "Some journalists and media outlets publish unprofessional articles often backed by interest groups, individuals, or parties that are just using them to attack their opponents." Dan journalist Rajka Raičević added, "With online media we see quite a lot of plagiarism; entire articles are simply copy-pasted from one portal to the next without mentioning the source, or even trying to edit the article to reflect the publisher's geographic location." Additionally, said RTCG journalist Tatjana Perovic, "Cases of superficial reporting, without checking published information, is evident. Furthermore, depending on a media's affiliation to some interest groups, we can often see one-sided reports." It is obvious to the panelists that the general public believes that journalism is in a crisis, degraded as a profession for years now. Journalism is often subjected to political, corrupt, and commercial pressures, and journalists, due to their poor

financial status, are prone to succumb to these pressures, thus damaging their own status and professional credibility.

Last year, the media community adopted a new and improved Code of Ethics—a step forward in defining the rules for ethical and professional journalism, as it introduced the highest professional and ethical standards. It obligates journalists to undertake all reasonable steps to ensure they are publishing only correct information and fair comments. Under the code, journalists should never publish information known to be false or malicious or that put forward unfounded accusations that damage the subject of their story’s reputation. There is no doubt that even the previous version of the Code of Ethics, just as this improved one, is the example of a good regulatory

framework for the journalism profession. However, as always, the problems emerge when it comes to enforcement of the ethics code and compliance with its principles and guidelines. “The Code of Ethics has been accepted by all media outlets in Montenegro, but only a handful of journalists have it on their work desks and are actually aware of the code’s principles and rules,” noted Olivera Nikolić, director of the Montenegro Media Institute.

Raičević cautioned, “It is impossible to claim that we have colleagues violating journalists’ standards and the Code of Ethics by accepting improper gifts or writing ordered articles. These issues are in the domain of speculation and hearsay, but without solid proof.” However, it is clear that panelists, professionals, and the general public consider professional journalism standards insufficiently enforced in the country. Although the self-regulatory body and ombudspersons in certain media outlets monitor observance of the code, achievements in terms of holding professional journalists accountable for lapses are limited. A particular problem stems from the media community’s division on the issue of self-regulation, because for years now Montenegrin media have not all agreed to participate in the work of the Media Council for Self-Regulation, which reflects negatively on the quality and prospects to properly enforce the code.

The panelists generally agree that Montenegrin journalists self-censor, although people rarely talk about it. Even within the media community, there is no significant debate on self-censorship and its consequences. As Rabrenović said, “I think that self-censorship is present in the media, mainly because people are afraid of losing their jobs.” Furthermore, most of the panelists think that self-censorship is more ubiquitous in the public media under the influence of national or local authorities. Generally speaking, it is clear that

self-censorship directly correlates with ignoring professional standards, the weak economic status of journalists, the lack of strong trade unions in journalism, and business and professional discord within the media community.

Journalists do not face any practical obstacles in reporting about key events in Montenegrin society. Rabrenović added, “Media cover every important event, and we haven’t recorded a single case of anyone being banned from reporting on a certain event. However, the political orientation of media owners can be easily guessed, based on the length of the article or report, and also in terms of its placement in the newspapers or television bulletin.” Nikolić shared her position that there is no ban on reporting and added, “Journalists and media usually try to inform the public on important issues. However, it is noticeable that the same events are perceived from different angles. Furthermore, for journalists it is still sensitive, and even dangerous, reporting and bringing out in the open high-level corruption and organized crime cases. Media outlets that report regularly on dangerous issues can be exposed to pressures that hinder their work and operations in general.”

For those reasons, some key events, problems, or main social issues are not adequately covered. Generally speaking, though, media do report on all issues, and in this respect, there are no differences between print, broadcast media, online media, and social networks (YouTube, Facebook, Twitter, Instagram). In practice, events might be interpreted differently or given more prominence in the news stream depending on editorial policies and commercial interests.

Montenegrin journalists typically earn low wages, with Radulović noting, “With respect to the importance of their work and their level of accountability, journalists are poorly paid. Salaries differ,

Journalism meets professional standards of quality.

PROFESSIONAL JOURNALISM INDICATORS

- ▶ Reporting is fair, objective, and well sourced.
- ▶ Journalists follow recognized and accepted ethical standards.
- ▶ Journalists and editors do not practice self-censorship.
- ▶ Journalists cover key events and issues.
- ▶ Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- ▶ Entertainment programming does not eclipse news and information programming.
- ▶ Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- ▶ Quality niche reporting and programming exists (investigative, economics/business, local, political).

depending on the success level of a given media, but I have to say that salaries in independent media are better than in pro-government outlets. Generally speaking, low salaries and hard work push a lot of journalists to leave the profession." Mandić added, "Journalists' salaries are below the rank of their profession, and this has a huge impact on the quality of their reporting." Furthermore, said Predrag Zecevic, editor-in-chief of Analitika, "For the sake of illustration, this year media posted 227 jobs [through a government-supported employment initiative where the government covers salary], but only 47 people applied. This example is the best illustration of the weak interest young graduates display to work in the media industry."

The problem of low salaries in journalism has persisted for years, and this, in turn, discourages people from working in the industry. Only journalists holding top editorial positions and a handful of reputable journalists can count on net salaries exceeding EUR 1,000 (\$1230) per month, while the average salary in the media industry does not exceed €450 (\$540). On the other hand, the number of unemployed journalists is on the rise due to the economic crisis, and there are few alternative prospects, let alone hope for salary increases. It is clear that stagnating salaries, in the long run, will negatively impact retention in the field, at the same time leaving media companies with low-quality staff—further diminishing the profession's reputation. These factors force journalists to seek additional sources of income, to the detriment of the overall quality of work in the field.

Entertainment, commercial, musical, and sports programming—at the expense of news and cultural-educational programming—has dominated Montenegro's media industry in the past decade. Private media focus mainly on entertainment, although there are strong private media—both print

and broadcast—with top-rated news programs, in terms of audience numbers (for example, TV Vijesti and the dailies Vijesti and Dan). RTCG is one positive example in terms of its focus on news and cultural-educational programs, although that is its legally prescribed mandate. However, there are top-rated television channels that dominate the market primarily thanks to commercial entertainment and reality programs, which are frequently of dubious and questionable quality (the panelists pointed to TV PINK as an example). In terms of radio, the country has numerous stations

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that focus exclusively on music and entertainment programs. A positive exception to this rule is radio ANTENA M, which has survived for two decades now, broadcasting numerous news and political shows. All in all, public media present more educational and news programs, but frequently some private media base their programs on investigative journalism with a focus on public interest, professionalism, and news programs.

Media digitalization is now in its final stage in Montenegro, and all leading television media companies have made the switch. Furthermore, the influence of web portals is increasing, and online media consumers now far exceed print media readers. Just as in previous years, four portals dominate Montenegro's online market: Vijesti, CDM, Analitika, and Antena M, which also belong to the leading media

companies. By the numbers, visitors to these portals far surpass the readers of all dailies in Montenegro, including Vijesti, Dan, Pobjeda, and Dnevne Novine.

When it comes to technical capacity and production and the distribution of equipment, panelists indicated that Montenegrin media have clearly increased and modernized their capacities in recent years.

In terms of specialized reporting, though, the country is coming up short. Drobac said, "There are absolutely no possibilities within electronic media to carry out respectable and specialized reporting. The reason, very simple, is the lack of funds." Radulović added, "Some media outlets have journalists following certain issues, but they are few and far between. That is why the quality of articles is going down and reporting is superficial. Investigative journalism is poorly developed because editorial teams must appoint a journalist just for this purpose and give them sufficient funds to do their job; that is why most media opt to give up investigative journalism." Raičević added, "We do have investigative journalism in Montenegro, but that is still below the level we see in developed countries. Bearing in mind the fact that nepotism is deeply rooted in Montenegro, that corruption is omnipresent, and that editorial teams have few journalists to work with, it is logical that investigative journalism's impact is weak." According to the panelists, there are few examples of specialized or investigative journalism. Media do not have enough funds to support the development of specialized reporting. On the other hand, the panelists pointed to an encouraging trend: signs of this type of journalism emerging within RTCG.

The panelists call on media companies to set up funds for investigative and specialized journalism, which, in turn, would strengthen the reputation and credibility of journalism.

**OBJECTIVE 3:
PLURALITY
OF NEWS**

2.81

Many media outlets dot Montenegro (some 80 broadcast and print, national and local media outlets—on average, one media outlet per 7,800 residents), making the country one of Europe’s most media-saturated, according to the panelists. For more than five years now, four dailies have been printed in Montenegro (Vijesti, Dan, Pobjeda, and Dnevne Novine). Four national television stations (TVCG [public service], TV Vijesti, PRVA TV, and TV PINK), as well as two national radio stations (Radio Montenegro [public service] and private Antena M) cover the country’s broadcast sector, along with 50 broadcast media at the local and regional level. The rising number of web portals are pushing out printed media, recording more than 150,000 daily visitors, according to Zecevic. The dominant portals in Montenegro are Vijesti, CDM, Analitika, and Antena M.

Jadranka Rabrenovic, a journalist with Pobjeda, pointed out that although media outlets promote their own positions, “citizens are able to access information from numerous media and form their own realistic picture by comparison and based on their experience with given media. There are numerous media in Montenegro, and therefore media pluralism is strong.” She added, “There are a lot of media—pro-government and independent—portals, newspapers, and television stations ... there are also social networks, so there is no way to hide information, and by simple comparison one can determine what certain media overlook. Most of the media outlets have their own social network profiles where additional information is placed.”

Agreeing with previous speakers, Ivana Jabucanin, editor-in-chief of local Radio Cetinja, said, “Generally speaking, we do have a plurality of media sources in Montenegro, but sometimes media reports on a given event are strikingly one-sided. On the other hand, we also have situations when different media have totally opposite takes on the same event. Almost all media have their own smartphone applications or platforms adjusted to smartphone browsers, and social networks represent an abundant source of information as well.”

Therefore, Montenegro’s citizens have sufficient access to sources of information, and the ability to compare news and information. However, it is important to note that media interpret information through their own editorial lens, and not all report objectively. Citizens are faced on a daily basis with an abundance of information, and the ordinary viewer or reader sometimes has a hard time making sense out of it and coming to sound conclusions on a certain event.

In Montenegro, no legal or administrative obstacles prevent citizens from accessing local or international media. Antena M journalist Zarko Vujovic commented, “Citizens’ access to local and international media is not limited, and we can say that media space is completely open.” Rabrenović agreed, adding, “There are no limitations for citizens to access media, both local and foreign.” The global media environment is free, and in this respect, Montenegro is an example of an open media market and country that does not limit access to different sources of information. Of course, some people face financial barriers, but that is really the only obstacle to speak of in terms of access to local and international media. However, Internet and cable prices are increasingly competitive, and they’ve fallen compared to last year. Unlimited Internet access costs around EUR 20 (\$25) per month, while the monthly bill for

cable services is approximately EUR 15 (\$18).

Regarding public media and balance, Radulović said, “State-run media mainly promote the ruling party and government policies; last year they did not display a lot of openness toward different positions, especially those coming from the opposition or civil society. However, the appointment of a new RTCG manager is bringing change. Now, the national public television service airs different voices, although the same cannot be said for the national radio station.” In Jabucanin’s experience with Radio Cetinje, programs are balanced. “For example, we recently had local elections in Cetinje, and our reporting was balanced and politically

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neutral. Observing other public services, I can see certain progress in terms of objective and balanced reporting.” In general, though, most of the panelists feel that national and local public services still fall under strong political pressure or even direct control of the ruling parties.

Since the establishment of national and local public service broadcasters, editorial policies have failed to reflect all political views. The dominant editorial trend with public services is to give an advantage to the ruling parties, and marginalize opposition or critical voices. This norm applies to whichever party is in power in a given municipality.

Multiple news sources provide citizens with reliable and objective news.

PLURALITY OF NEWS SOURCES INDICATORS

- ▶ A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- ▶ Independent broadcast media produce their own news programs.
- ▶ Citizens' access to domestic or international media is not restricted.
- ▶ Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

The only exception is the National Public Service; in recent years, it has swung from strong support to the ruling parties to a more neutral political position in keeping with its public service mandate. When it comes to the programs of private broadcasters, TV Vijesti director Marijana Bojanic said, "Our media company has been trying since day one to design its news programs in the model of public service, and we always tried to produce our programs conceptually close to the broadcaster that reports and abides by the rules of a national public service."

Those media that can afford it regularly use news agency content, whether from local or foreign sources. The most powerful media rely on their correspondents' network and use little from

local agencies, turning to news agencies primarily for foreign affairs. Montenegro traditionally draws from regional news agencies (mainly from Serbia); there is still just one Montenegrin private news agency, MINA—and with limited resources, it does not have the capacity to meet information demands of local media.

All the private media try to produce their own news programs, although the results vary significantly in quality. When it comes to television stations, the undisputed leader is definitely TV Vijesti, and among radio stations Antena M. Nevertheless, most broadcast media put most of their limited staff and resources into entertainment and sports production, ahead of news. Apart from RTCG—which, especially recently, is very much engaged in producing news and political programs—private broadcasters, except TV Vijesti and TV PRVA, rarely ever organize political debate shows or cultural programs, documentaries, special investigative programs, etc. At the local level, production of news programs is sporadic and obviously limited. In addition, in recent years individual online journalism has developed, in which actors are using social networks and different online channels to place their own news or informal programs.

Transparency of ownership over media is ensured, according to Spaic, "as all data on media ownership structure, with details on percentage of shares, are published. The Agency for Electronic Media regularly updates the registry of electronic media, while information on print media owners can be found on the website of the Central Registry of Companies, where all media companies are registered." All public registries, covering both electronic and print media, are easily accessible, and data on formal, legal ownership, capital, and management in Montenegro's media sector can be checked rather easily online. Regarding the potential

reform of public registries, the panelists suggest setting up a unique registry to identify all the media in Montenegro (Central Media Registry), detailing all data important for transparency.

So far, no cases of illegal media monopolies have been detected in Montenegro, although there are two large media groups operating on the market. One is dominantly owned by local owners (TV Vijesti, daily Vijesti, online Vijesti, the weekly Monitor), while the other group is foreign-owned (Pobjeda, Dnevne Novine, and the online CDM).

Most of the panelists do not feel that the media sufficiently reflect the wide spectrum of different social interests and groups in society. They also believe that political and corporate centers of power control the editorial policies of Montenegro's private media. Of course, there are some media outlets that try to cover a broader array of social interests—such as national and local public services, which also deliver programs in minority languages. Ulcinj-based TV Teuta is one example, and different private media broadcast programs in the Roma language. Although media do publish some information on different social issues and events in Montenegro, not all of the social groups and concerns receive equal play, the panelists said.

Montenegrin media—including local media—clearly try to publish news of local, national, or international importance, regularly reporting on a range of issues. Thus, the public is not deprived of information on important local, national, or global events. The expansion of the media space, with online journalism and social channels, has also broadened access to different domestic and international information sources.

**OBJECTIVE 4:
BUSINESS
MANAGEMENT**

2.13

For many years now, the media industry's dire economic situation has been widely known. Although there are quite a lot of media companies, Montenegro's media industry cannot be called economically viable and profitable.

A great many media companies are unable to pay their dues to the Radio-Broadcasting Center (as electronic media are obligated to do, because they use transmitters) or even pay their taxes regularly. Even the leading media, such as TV Vijesti and Vijesti, were forced to reprogram their tax debt. On the other hand, print media face fierce competition from web portals, and their circulation is on the decline. Markešić estimated that newspaper circulation has fallen some 60 percent in the past 10 years (in terms of daily circulation). This is reflected in the shrinking media staff sizes, which have not exceeded 1.5 percent of Montenegro's overall numbers of employed people in recent years, according to Zecevic. At the same time, the average salary for media professionals has for years fallen below the national average. The harsh economic circumstances seem likely to force a number of media outlets, especially in the private sector, out of business in the coming years.

Radulović noted, "Private media companies are struggling to make ends meet, while advertising revenues are constantly falling due to the economic crisis. That is why many media are trying to build ties with civil society and foreign donors, to bring in more revenue. On the other hand, public media enjoy a much better position, with guaranteed funding from either state or local budgets." Dragan Markešić, manager of the marketing agency Direct

Media, added, "Media are trying to survive, just like every other company, paying due attention to all aspects of their businesses. Of course, some media are better at it than others. Now the main question is, can all those media companies survive on the market—because, regardless of their organizational and managerial capacities, the problem is that we are talking about an extremely small market."

Regarding the advertising market, Markešić noted, "Advertising is still not sufficiently developed, because not all the conditions are met yet—especially in terms of a broad spectrum of market surveys. On top of that, bearing in mind the size of the market, there are too many advertising agencies. Telecommunications companies are the biggest buyers on the advertising market, while media companies set the advertising prices. Aside from these big advertisers, a lot of money flows from small clients—small ads; administrative notifications from government, local, and public institutions; classified ads, such as congratulatory notes, obituaries, etc. Local media generally receive far less money from advertisers, and branch offices of big regional advertising agencies dominate the whole market. The segment of so-called direct advertisers dwindles by the year, and the majority of clients are advertising through ad agencies rather than through direct contracts with media companies."

This past year brought no dramatic changes in the advertising market and the share covered by the advertising agencies. Unlike last year, when due to the parliamentary elections the advertising market recorded 10–15 percent growth, this year the average value of the market (covering commercial advertisers) sat at roughly €11 million (\$13.2 million).

Clearly, advertising revenue cannot sustain the media companies in the long run. With so many media outlets on the advertising market, competition is stiff, and the biggest share of the advertising

cake, according to DIRECT MEDIA DOO roughly half, goes to television outlets. Around 10 percent of ad revenues goes to online ads (through social networks, for example), while some 25 percent goes to street advertisements. The little that remains goes to other media. Moreover, because of its comparatively small population size, Montenegro's advertising market gets just 1.5 percent of the regional ads—a market valued at €600–700 million (\$718.7 - \$838.5 million) according to DIRECT MEDIA DOO—slated for Southeast Europe. Just as in previous years, television—the three private outlets (TV PINK, TV VIJESTI, and PRVA TV), as well as the public service broadcaster TVCG—pulls in the most advertising revenue. Moreover, private media still face unfair competition from the public media, which sell advertising time and space and also benefit from a steady stream of funding from national or local budgets.

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS

- ▶ **Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.**
- ▶ **Media receive revenue from a multitude of sources.**
- ▶ **Advertising agencies and related industries support an advertising market.**
- ▶ **Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.**
- ▶ **Independent media do not receive government subsidies.**
- ▶ **Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.**
- ▶ **Broadcast ratings and circulation figures are reliably and independently produced.**

Aside from the commercial advertising market, ads purchased by the government, local administrative bodies, and public institutions constitute another revenue stream valued at about €2 million (\$2.4 million) annually, according to DIRECT MEDIA DOO. Currently, DIRECT MEDIA DOO approximates that 80 percent of revenue flows from the leading advertising agencies, while the remainder comes from clients directly contracting advertising services with media companies. As in previous years, key commercial advertisers focus on private media with national coverage, leaving local media vying for leftovers.

Radulović noted, “Private media companies are struggling to make ends meet, while advertising revenues are constantly falling due to the economic crisis. That is why many media are trying to build ties with civil society and foreign donors, to bring in more revenue. On the other hand, public media enjoy a much better position, with guaranteed funding from either state or local budgets.”

Most Montenegrin media companies are barely viable, as demonstrated by the media’s frequent requests for the government to provide benefits or subsidies to support media companies. In the meantime, media are figuring out how to stay afloat and secure funding; they are always seeking new donors to supplement funding from their owners and advertising revenue. Bearing in mind that Montenegro’s market is rather small, media companies are practically forced to seek these alternative models of funding or as a last resort, beg

the government or local authorities for some kind of financial or administrative assistance.

Radulović said, “Subsidies and advertising, for years now, have been government tools used to influence the editorial policies of media outlets. This past year, it hasn’t been too visible, but it is still present.” There are no reliable data on the total value of advertisements placed by state advertisers (administrative notifications published by national or local authorities), but estimates approach EUR 2 million (\$2.44 million) per year according to DIRECT MEDIA DOO. In addition, a majority of the panelists question the degree of transparency surrounding the use of public funds for advertising purposes, because they suspect that the bulk of these funds go to pro-government media. By doing so, the authorities are turning the advertising market into a political weapon used to promote pro-government media companies.

Some panelists feel that the media sector, as a business, must enjoy appropriate financial and tax incentives that would ensure its economic viability—but these incentives, they said, should apply only to programs that are in the public interest.

Just as in previous years, the Montenegrin market falls short on advertising surveys, especially publicly accessible, credible, and professional surveys. Business surveys, related to strategic planning and economic growth, are few and far between. The lack of funds prevents media from investing in surveys that could be a powerful tool when projecting their development and long-term stability.

Generally, the panelists believe that detailed and reliable data on the ratings of television shows or circulation of printed media are rarely published. However, in the past two years surveys have been conducted to monitor the number of television viewers based on a method of measurement similar to people-meter ratings. However, media

dissatisfied with the results often dispute the data, leaving the general public confused when it comes to understanding and interpreting the outcome. In addition, print media do not publish their circulation numbers, citing a need to protect their business interests, and ultimately leave just informal sources to draw from in estimating circulation. However, the panelists agreed that in recent years there has been a dramatic decrease in print media circulation, as print media are slowly but surely losing the race with web portals and other forms of online journalism.

**OBJECTIVE 5:
SUPPORTING
INSTITUTIONS**

2.41

Neither of Montenegro’s two electronic media associations, Association of Commercial Electronic Media (AKEM) and Association of Independent Electronic Media (UNEM), function properly, Mandić reported. “Less than 10 percent of all electronic media show any interest in the operations of these two associations, and nobody pays membership fees, so the associations are financially unsustainable and depend on sporadic assistance of external donors,” he said.

The problem is clearly perennial, with no serious professional association within the media industry. Despite the fact that formally there are several professional associations for electronic and print media, their activities are marginal, and their results, in terms of protecting the business interests of media companies, are minimal. In addition, the media industry’s continuing lack of cohesion and cooperation negatively affects the credibility, development, and social impact of these associations.

All stakeholders, the panelists emphasized, should be working to revive journalist and business media associations, in order to strengthen journalism and the media industry as a whole.

Radulović commented, “Yes, we do have two journalists’ associations, but most journalists are not members. In the past, associations were either controlled by the authorities, or they had a clear political orientation, and that is why journalists withdrew. At the moment, we do have the Media Trade Union, dealing with the economic and social rights of journalists, and the Association of Professional Journalists, which deals with professional standards. It is important to underline that

Radulović commented, “Yes, we do have two journalists’ associations, but most journalists are not members. In the past, associations were either controlled by the authorities, or they had a clear political orientation, and that is why journalists withdrew.

the Association of Professional Journalists is trying to regain journalists’ confidence by setting up mechanisms to provide legal aid to journalists. I would also underline the importance of the Montenegro Media Institute, which contributes to the development of professional standards and has been engaged recently to monitor implementation of the Journalists’ Code of Ethics.”

Still, journalists’ associations, unlike industry associations, show encouraging signs of progress. In the past two years, journalists have invested in setting up more effective, professional trade unions; however, deep divisions among media in Montenegro prevent some groups from participating,

handicapping these efforts. Right now, the Media Council for Self-Regulation has 19 members, while the most influential dailies, Vijesti and Dan, do not participate, relying at the moment on self-elected ombudspersons.

The panelists feel that NGO activities are of the utmost importance for the democratic development of society, protection of free press, and strength of civil community. Traditionally, Montenegro enjoys strong cooperation between media and NGOs, and thanks to their generally productive relationship, society has managed to protect itself from the pitfalls of partisan politics. Several thousand NGOs operate in Montenegro, in different segments of the society. It is clear that the NGO sector has managed, in the past two decades, to build a strong standing and reputation within society, reflected in support from citizens and relevant international organizations alike. Journalists often rely on NGOs as sources.

The panelists reported a decline in journalism training, noting that universities do not provide training in practical skills, and most media companies do not do enough to educate their journalists. However, Nikolić said, “At the state-run School of Political Sciences, they have a department for journalism, and students are being given opportunities to gain hands-on experience. Having said that, the teaching quality could be improved, and students should be given opportunities to gain additional skills. We also shouldn’t forget that reputable international organizations are supporting the media sector, investing in journalists’ training through various projects.” Spaić added, “The School of Political Sciences has offered a course in journalism for years now. The school’s guidelines suggest that 25 percent of the course must be in the form of hands-on training; the school is currently working on deals with influential media companies to provide this training for its students.

Supporting institutions function in the professional interests of independent media.

SUPPORTING INSTITUTIONS INDICATORS:

- ▶ Trade associations represent the interests of private media owners and provide member services.
- ▶ Professional associations work to protect journalists’ rights.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

It is important to note that the Montenegro Media Institute can serve as a center for the permanent training of journalists.”

Overall, however, the panelists see improvement in terms of training, pointing to encouraging signs in education and opportunities for hands-on, ongoing training for working journalists. In addition, the Montenegro Media Institute is on sounder financial footing now; money is being invested in developing the institute’s capacity, and this will definitely improve productivity and the overall benefits that the institute brings to Montenegro’s media community. Nikolić said, “Media [outlets] do implement some short-term trainings, mainly driven by international donations

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from the EU, USA, or OSCE. Those trainings, for the most part, do reflect real needs of local media." Unlike in recent years, this year the panelists reported significant improvements in hands-on training and professional skills in journalism. This progress is dominantly linked to the most influential media, usually those with national coverage.

There are no limitations or monopolies regarding procurement of equipment for printed media. Just as in previous years, technical capacity significantly exceeds Montenegrin market needs, and they are simply a reflection of irrational business policies.

Distribution channels are apolitical, free, and depend solely on commercial criteria and market conditions. The panelists have not detected any restrictions that would threaten the sale of press or free operations of telecommunications operators. They say there is competition on the market and a national regulator in the area of telecommunications and postal services (Agency for Electronic Communication and Postal Services).

Every year Montenegro's telecommunications infrastructure expands—a clear sign that in this respect, Montenegro follows European and international standards. The electronic media digitalization process is complete, now covering practically all households in Montenegro. The reach of ICT technology has attained a satisfactory level, and Internet penetration on the rise. The mobile phone industry is highly developed and very competitive (with four operators in the area of mobile and land lines); from a technical point of view, it covers practically the entire country. Almost all adults and many minors in Montenegro own a mobile phone. Increasingly, people use smartphones to access the Internet, place advertisements, download applications, and interact on social networks, such as Facebook, Twitter, and Instagram.

List of Panel Participants

Tatjana Perović, editor, National Public Service RTVCG, Podgorica

Marijana Bojanic, director, TV Vijesti, Podgorica

Sonja Drobac, editor-in-chief, TV PRVA, Podgorica

Žarko Vujović, journalist, Radio Antena M, Podgorica

Predrag Zecevic, journalist, Portal Analitika, Podgorica

Mila Radulović, journalist, daily newspaper Vijesti, Podgorica

Jadranka Rabrenović, journalist, daily newspaper Pobjeda, Podgorica

Rajka Raičević, journalist, daily newspaper Dan, Podgorica

Ilmira Lika, director, TV Teuta, Ulcinj

Ivana Jabucanin, editor-in-chief, Radio Cetinje, Cetinje

Slavko Mandić, director, Radio Skala, Kotor

Olivera Nikolić, director, Media Institute, Podgorica

Aneta Spaic, professor, University of Montenegro, Podgorica

Jadranka Vojvodić, deputy manager, Agency for Electronic Media, Podgorica

Dragan Markešić, general manager, media buying company Direct Media Ltd., Podgorica

Moderator and Author

Rade Bojović, MEDIA DOO director, Podgorica

The Montenegro study was coordinated by, and conducted in partnership with, MEDIA DOO, Podgorica.

The panel discussion was convened on December 8, 2017.

ROMANIA



MEDIA SUSTAINABILITY INDEX

2018

Tracking Development
of Sustainable
Independent Media
Around the World



ROMANIA

AT A GLANCE

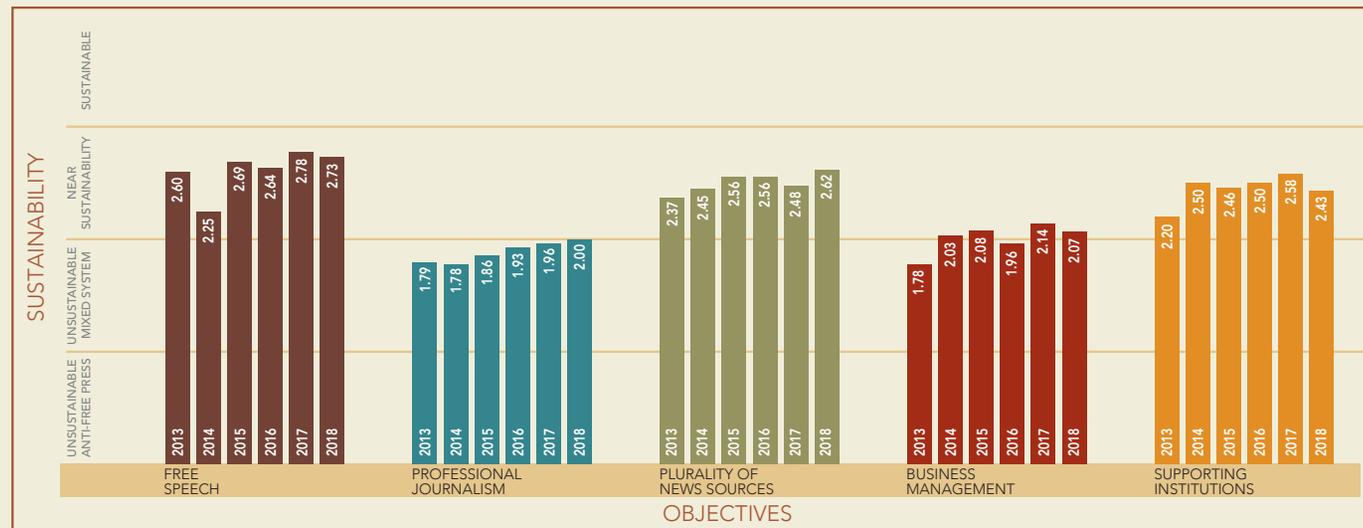
GENERAL

- **Population:** 19,310,216 (Jan 2017 est., Romanian National Statistics Institute)
- **Capital city:** Bucharest
- **Ethnic groups (% of population):** Romanian 88.9%, Hungarian 6.5%, Roma 3.3%, Ukrainian 0.25%, German 0.18%, other 0.87% (2011 Census, National Statistics Institute)
- **Religions (% of population):** Eastern Orthodox (including all sub-denominations) 86.5%, Protestant (various denominations including Reformed and Pentecostal) 5.1%, Roman Catholic 4.6%, other (includes Muslim) 3.6%, none or atheist 0.2%, (2011 Census, National Statistics Institute)
- **Languages (% of population):** Romanian (official) 90.9%, Hungarian 6.7%, Romany 1.3%, other 1.1%, (2011 Census, National Statistics Institute)
- **GNI (2015-Atlas):** \$188.4 billion (World Bank Development Indicators, 2017)
- **GNI per capita (2015-PPP):** \$21,610 (World Bank Development Indicators, 2017)
- **Literacy rate:** 98.78% (2011 Census, National Statistics Institute)
- **President or top authority:** President Klaus Iohannis (since December 21, 2014)

MEDIA-SPECIFIC

- Number of active media outlets: Print: number unknown, 85 publications audited by BRAT; Radio Stations: 528 licenses for terrestrial broadcasting, 23 satellite broadcasting; TV stations: 283 licenses for cable broadcasting and 96 for satellite, (CNA Report 2017); Internet news portals: number unknown (183 websites audited by SATI, 58 of which are news or current affairs sites)
- Newspaper circulation statistics: Top three by circulation (July - September 2017, according to BRAT): *Click* (circulation 71,996, daily private tabloid); *Sibiu* 100% (circulation 70,000, regional weekly private newspaper, free); *Libertatea* (circulation 39,971, daily private tabloid).
- Broadcast ratings: Top three television stations, in prime-time: PRO TV (8,4%, national); Kanal D (5,4%, national); Antena 1 (5,3%, national) (paginamedia.ro, January 2018)
- Main news website traffic: www.adevarul.ro (8,650,000 unique visitors/month); www.stirileprotv.ro (8,300,000 unique visitors/month); www.libertatea.ro (6,300,000 unique visitors/month); (paginamedia.ro, February 2018).
- News agencies: Agerpres (state-owned), Mediafax (private), News.ro (private).
- Annual advertising revenue in media sector estimated for 2017: €405,5 million (€13,5 million print market, €268 million TV market, €23 million radio market, €72 million Digital, €29 million OOH) (according to Initiative agency cited by Capital.ro)
- Internet Usage: 62.8% of the population (2017, Internet World Stats)

MEDIA SUSTAINABILITY INDEX: ROMANIA



SCORE KEY

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.



MSI scores for Romania saw declines in all objectives, except for professional journalism (Objective 2) and plurality of news (Objective 3). The 2018 MSI scores reflect the positive impact of professional journalists who keep fighting against an otherwise bleak and disheartening situation. Despite the largest drop in scores in the business management and supporting institution objectives, Romania overall compared favorably to some neighboring countries. As one panelist said, “Freedom of the press is a freedom that we still have.”

The year of 2017 began in Romania with massive street protests in late January, during which 500,000 people protested the government’s plan to change anti-corruption legislation. At stake was the freedom of Liviu Dragnea, head of the ruling Social Democrat Party (PSD) and chair of the Chamber of Deputies.

Dragnea has already been convicted of rigging votes and sentenced to a four-year suspended prison term. Currently, he faces new accusations of organizing a criminal group, abusing public office, and defrauding European Union funds. If convicted, he would be bound for prison.

Romania saw strong political party instability in 2017. Prime Minister Sorin Grindeanu and his cabinet were ousted in June by the same parliament that voted him in just six months earlier in January. Five months later, parliament approved Grindeanu as head of the telecom regulator National Authority for Regulation and Control in Communications (ANCOM). The administration of Mihai Tudose, Grindeanu’s successor, was equally short-lived. Inaugurated in June 2017, his cabinet resigned in January 2018 under pressure from his own party. No formal accusations were brought against Tudose, but it is widely believed that he confronted Dragnea. A new government led by Vasilica Viorica Dăncilă, a loyal collaborator of Dragnea, was appointed in January 2018. She is the first female prime minister of Romania.

Accusations reached new heights against parts of the judiciary, including the head of the Anti-Corruption National Directorate (DNA) Laura Codruta Kovesi. Dragnea accused DNA and intelligence services of launching a witch hunt against PSD politicians and creating a “parallel state.” Subsequently, the government issued more than 100 emergency ordinances in 2017. These acts become legally enforceable on the day of publication and without a

preliminary parliamentary debate. Some 261 articles of the fiscal code were amended last year — many overnight.

All this turmoil was reflected within the public. Romania citizens are deeply divided and each side fairly radicalized. The country has witnessed an increase in nationalistic and intolerant discourse. These groups have demonized NGOs, and activists have been publicly accused of having sold themselves to foreign interests.

For the media, 2017 was equally difficult. During the January street protests, the Ministry of Interior published a “blacklist” of people who, in her opinion, have initiated social unrest. This list included several vocal journalists that have expressed their views and criticized the government on their personal Facebook pages. Officials attacking journalists continued throughout the year. Journalists have been blamed for distorting the government’s agenda and misrepresenting its otherwise good performance. As such, the debates on the role of journalism in democratic societies and the distinction between journalism and activism became more relevant than ever.

Little progress has been made in cultivating professional solidarity. Several journalists left corporate media to join smaller operations or to freelance. Among the most frequent causes for these departures is newsrooms failing to follow ethical norms consistently. For example, the whole editorial staff of the newspaper *România Liberă* left when its long-standing policy of protecting editorial independence was abandoned in order to protect the interests of its owning family.

In keeping with the past two years, the best investigative reporting was done outside big, traditional newsrooms. Independent journalists sourced some of the best stories, such as the business operations of religious cults in Romania and the blatant instances of malpractice by highly revered doctors.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

2.73

The Romanian constitution guarantees freedom of expression, which is also protected by the civil code and other laws that apply to mass media. The few restrictions to freedom of speech are meant to protect institutions such as national security, the right to privacy, and anti-defamation laws. The constitution also explicitly prohibits incitement to war of aggression; hatred based on nationality, race, social class, or religion; incitement to discrimination; incitement to territorial secession; public violence; and obscene conduct.

Although it is addressed in the constitution, defamation of the country is not punished under any enforced law. In April 2016, a draft law criminalizing disrespect to the state insignia was adopted tacitly by the senate but not by the decisional chamber of deputies. Legislation that applies to pornography; illegal gambling; fascist or xenophobic propaganda; copyright infringement; or the protection of one's dignity, honor, or privacy may trigger court injunctions. Often these cases require the content writer or the Internet service provider (ISP) to remove illegal or harmful content.

Alexandru Giboi, director of the public news agency Agerpres, agreed that the current legal framework protects freedom of speech, but noted that it could change quickly. "What's stable now can be unstable tomorrow," he commented, "We have no legislative predictability, and this can happen regardless of which party is in power."

Panelists agreed that freedom of speech in Romania is eroding because citizens, while fully enjoying such freedom, no longer consider it an

important issue. Liana Ganea, from the NGO FreeEx ActiveWatch, said the situation is worsened by the public mood. The social, cultural, and political polarizations became even more acute in the last year, she noted. As ActiveWatch's Răzvan Martin described, "These tensions are visible in the streets during the protests, but also in all public communication channels: the mainstream media, websites that exist to publish inflammatory materials, [and] social media."

Journalist Luiza Vasiliu said that the collective interests of media companies and their investors often dilute freedom of expression. However, she added, "if the journalist is quite visible and already has a supportive audience, this violation of freedom can cause a public outcry, as in 2017 with Mihai Barbu." Barbu, a journalist from the daily newspaper *Adevărul*, conducted an exclusive interview with Roger Stone, a former campaign advisor for now-US President Donald Trump. The newspaper's editor asked him to cut out several answers during editing, apparently at Stone's request, but Barbu refused, publicized the story, and became the target of harassment. He subsequently had to resign. "There was a small scandal in social media, among journalists and Barbu's loyal readers, but that was it," said Vasiliu. After this scandal, journalists were asked to sign an annex to their work contracts, specifying that they agree to not discredit the employer, the persons in charge of the company, or the company's affiliates and partners.

Anca Spănu, editor in chief at *Viața Liberă* local daily newspaper in Galați (SE Romania), said that the worsening work environment for her newsroom is seen primarily in the pressure they are under from religious groups. "We had to drop the weekly page dedicated to religion and faith because we weren't able to do it objectively anymore," she commented, "The male journalist who was

writing this page left, and the county's head of the Orthodox Church does not speak with women — and we are all women in charge of the newspaper." In 20 years of documenting the Romanian media, this is the first time that the panelists have raised the topic of sexism.

Panelists also pointed to the problematic influence of the ruling party on media. "When PSD is in power, you know it," one participant said. "They act like landlords. We have laws, but they don't care about them. They buy journalists, use advertising from public money as a tool to pressure the media, and send the state institutions to control us."

Ioana Avădani from the Center for Independent Journalism (CIJ) described the specific laws under threat. "We can see how the public support for freedom of expression is eroding," she said, "And by this, I'm not just referring to the media or journalism, but also to the freedom of association and the freedom of public assembly. The intention to turn this into legislation is clear and consistent."

Other panelists confirmed that constitutional protections are being challenged. Răzvan Martin said that in 2017, lawmakers proposed several draft laws and administrative acts intended to limit or sanction the freedom of assembly. The measures include proposed changes to the penal code that increase the sanctions for public-order offenses. Cristian Godinac, president of the trade union Mediasind, said that he is convinced that the next step will be to enact a press law. "All the signals we have received so far are worrying," he commented.

Natalia Vasilendiuc, an associate professor in the journalism department at the University of Bucharest (FJSC), optimistically put Romanian media into regional perspective. "If we compare ourselves with our Hungarian neighbors, for example, they have two laws that prohibit the access of certain journalists to certain institutions or information or

access to information about the government or the presidency," she said. Vasile Hotea Fernezan, a journalist working for a local public television station, echoed these sentiments. "I really feel we have freedom of speech. If there are threats or violations, people do react."

The regulator for Romania's audio-visual sector, the National Audiovisual Council of Romania (CNA), is an autonomous body that controls broadcast licensing and enforces legal obligations. Members are selected by parliament. According to CNA officials, its role is to "ensure that Romania's TV and radio stations operate in an environment of free

speech, responsibility, and competitiveness." The 11 members are appointed in staggered terms so as not to coincide with the general elections.

Despite the legal guarantees of CNA autonomy, panelists agreed that the council was politicized heavily in 2017, diminishing its credibility with the media sector and the public. Some members vote according to the interests of the parties or entities that nominated them, rather than according to a consistent philosophy respectful of the public interest. "In 2016, we thought the council reached its lowest point in terms of not doing its job," said CIJ's Cristina Lupu. "They did not often react to legal violations, and when they did, it was too little or too late. This trend continued and was even amplified in 2017." She also said that she believes consumers ask for even more television regulations to compensate for CNA's lack of work.

Licensing is another crucial CNA task. The Romanian government has switched off analog terrestrial TV transmissions, and licenses are available for only satellite, cable, or digital broadcasts. There is virtually no demand for the latter, because media companies do not have the technology to broadcast digitally.

Costin Ionescu, a journalist with Hotnews.ro, expressed the belief that CNA is politically controlled, and some license requests have been approved or rejected for explicit political reasons. For example, in November 2017, CNA extended the license of România TV, a broadcaster that frequently uses persuasion and misinformation to deliver messages in line with the interest groups to which its owners belong. At hearings, some CNA members criticized the station for its approach to news and received promises from the program director that it would no longer fall into "the sin of manipulation." As of November 2017, România TV continued to be fined for violating the country's audiovisual law.

According to Avădani, one of CNA's most controversial decisions was its refusal to grant a license to a TV station due to its alleged connection to *Russia Today*. CNA officials argued that they saw a risk that the station would broadcast propaganda materials. "This decision was supported by a lot of members of the public, but I believe this is a dangerous precedent," Avădani said, "Allowing the CNA to not grant a license based on the idea that somebody might do something questionable is very troubling."

Panelists agreed that media companies can enter the market freely, with no special conditions. The value-added tax (VAT) for the media sector stayed at 19 percent — the level generally applied in Romania, though the VAT for print distribution is reduced to nine percent. While commercial companies can file claims for VAT refunds, public media institutions cannot, resulting in significantly higher operating costs.

Some media companies receive life support from the state, by being allowed to operate with huge fiscal debts for many years or during a prolonged insolvency process. Other media outlets do not have such assistance and are required to stay current in their financial accounts. "We would have our accounts blocked after one day for just a 10 lei (\$2.20) debt to the state budget," said Cătălin Moraru, the editor-in-chief of *Monitorul de Botoșani*.

This selective treatment is not reserved for local media. In Bucharest, media institutions that report critically on the government are under scrutiny. "The state, through its institutions, has instruments that can be activated if it feels threatened by the journalists' disclosures," said Vasiliu, "This year, after constantly writing about the affairs of the ruling Social Democratic Party's leader, Liviu Dragnea, RISE Project [journalism non-profit organization], and Hotnews were visited by the inspectors of the National Agency for Fiscal Administration (ANAF).

Legal and social norms protect and promote free speech and access to public information.

FREE-SPEECH INDICATORS

- ▶ Legal and social protections of free speech exist and are enforced.
- ▶ Licensing of broadcast media is fair, competitive, and apolitical.
- ▶ Market entry and tax structure for media are fair and comparable to other industries.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- ▶ Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- ▶ Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

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The journalists were then summoned to meetings with the inspectors, and they had to explain each receipt, each trip, each source of funding.”

In early 2018, a confidential ANAF report was leaked to some government-friendly websites. The websites then published materials about RISE Project’s donors, including the Embassy of The Netherlands. The posts accused them of interfering in “national business” by financing journalists to write critically about the Romanian state. Soon after, these websites launched a slanderous campaign against the Dutch ambassador.

Many journalists are officially employed with salaries in line with Romania’s minimum national wage that is mandated by law; taxes are paid on this amount. The rest of their negotiated salary is paid under separate so-called “copyright contracts” that offer lower social protection and can be ceased without prior notice, weakening job and payment security. Participants frequently mentioned this way of payment as a financial vulnerability for media.

Of the 501 articles in the fiscal code, 261 were changed in 2017, without any public consultations and most with immediate application. Some have been overturned since implementation. “Under these circumstances, long-term planning and budget projections becomes a sad joke,” said Avădani, who also noted a consistent anti-capitalistic streak in government discourse.

Direct state subsidies to media are rather small and infrequent, generally going to cultural media published by ethnic minorities.

Crimes against journalists are still rare, but when they do happen, they do not generate public outcry or reactions from state institutions. “We had repeated aggressions against journalists during the protests at the start of the year,” said Ganea. She added that police have no interest in investigating crimes against journalists when they occur. Panelists

also argued that violence is tolerated particularly if it is against journalists who work for unpopular media. Vasiliu explained that journalists, especially investigative reporters, are often threatened with lawsuits as a method of intimidation, although often these suits are not pursued. Still, politicians have increased the level of aggression in public discourse toward journalists. Spănu also noted the wave of online attacks and harassment that journalists endure every day in comments from the public.

“A number of journalists and media in the country are facing civil lawsuits on defamation or damage of reputation, being pressured with high and non-proportional fines,” said Aleksandra Bogdani of Reporter.al, who is a defendant in the Gjoni case, “Such lawsuits in Albania tend to establish a climate of pressure over media and journalists, due mainly to the fact that the arbiter, the judiciary system, suffers from corruption and politicization.”

Romanian law protects the editorial independence of public media. Control over these institutions is maintained via politically appointed board members, although effects on program content are not necessarily very visible. Parliament can dismiss the boards by rejecting their annual reports — an effective instrument of political control. In the case of the public television service TVR, over the past 27 years just one board has completed its four-year term.

In February 2017, the radio and TV fee was eliminated, so public media institutions now receive direct funding from the state budget. At that time,

TVR had huge debts to the state and private and institutional partners. Panelists are closely following the change to see its impact on media independence. “I am really worried,” said Vasile Hotea Frenzan, a journalist with TVR, “After they took away the public fee, the politicians feel they are giving us their money and that they are our owners, so we are not allowed to criticize them.”

Parliament did adopt a law that separates board presidents from the public media general managers, thus eliminating an inherent conflict of interest. NGOs have been requesting this change for more than 15 years. The law is pending presidential promulgation. Another draft law is more concerning; this one requires the director of the state news agency Agerpres be fired if parliament rejects its annual report. According to the panelists, firing directors is generally viewed as the main political tool over public media.

Libel is no longer a criminal offense in Romania. The civil code protects privacy, human dignity, and the right to one’s own image. Privacy is also protected under criminal law. In cases of defamation, the plaintiff is exempt from paying the taxes required for other types of reparations. In Moraru’s view, this can cause plaintiffs to ask for exorbitant amounts in claims, which can have a chilling effect on media. However, Ganea said the judicial situation towards the media is not of great concern at this point in Romania, with “a lot of cases won by journalists in court.”

Access to public information is governed by Law 544/2001, which grants access to information produced or held by public institutions. Journalists enjoy special treatment, as their questions must be answered on the spot or within 24 hours. The Ciolos government, which ruled from November 2015 to January 2017, made transparency and access to information one of its priorities. Panelists said that

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these conditions changed immediately after PSD returned to power.

Although access to information seems to be getting worse at the local level, access is more open at the central level, according to Matei Martin of *Dilema Veche*. He shared his experience with requesting information. “We made a dossier at *Dilema Veche* about the parking tickets and submitted 50 FOIA [Freedom of Information Act] requests. We received most of the answers in time,” he said. But he added that public institutions’ cooperation is directly related to the type of information being requested. More sensitive material is not offered immediately, if at all.

Journalists unable to access information often have to use the courts to exercise their rights under Romania’s freedom of information laws, adopted in 2001. From his experience, Fernezan says these freedom of information cases are now handled better, with judges asking institutions to release requested information. One example from December 2017 is the case of Atlatzo Erdely Egyesulet, who won a lawsuit against the Hungarian minority party UDMR. Party officials refused to tell journalists how they spent the 28 million euros received from Romania’s state budget over the last six years.

Panelists expressed some concern about possible erosion of freedom of information. In June 2017, the media revealed that the government consulted public institutions on how to improve the application of the freedom of information law and some employees suggested scrapping it altogether, saying it was useless.¹

Access to information from foreign sources is not restricted; the few limitations are mostly economic, as foreign news agency services are quite

expensive. Romanian law provides no protection for information or news, so copyright infringement is still the norm. Plagiarism continues and has not been a topic of civil or professional debate. Using his experience at Agerpres as an example, Giboi said, “If we close the public website, half of local media dies. They simply steal all our materials.” In copyright cases, judges do not distinguish between news events and journalistic productions.

Romania has no legislative or political restrictions related to access to the media market or to the journalism profession. Public institutions often ask journalists for credentials, and sometimes this can lead to abuse. Panelists gave the example of a Cluj blogger that was not allowed into a press conference. Additionally, independent journalists have a harder time obtaining information, as sometimes authorities and institutions do not recognize the status of freelance journalists.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

2.00

The general conditions around professional journalism continue to worsen. Public-interest journalism and mainstream media struggle to stay steady amidst economic problems and political involvement.

Romanian media have professional and ethical codes, created by professional organizations and NGOs or drafted and adopted independently by newsrooms. However, they are barely observed or enforced. Panelists described an example: In December 2017, all the TV stations broadcasted a video of a crime from the Bucharest metro, in which a woman was pushed under a train. The video aired

for days, despite the audiovisual law forbidding the broadcast of killings. Digi TV, considered a quality TV station, explained its editorial decision by claiming it was in the public interest.

The panelists underscored that good journalism does exist in the Romanian sector, with many journalists honestly trying to do their work. According to Ionescu, however, ethics are not prioritized by-and-large. “There are many journalistic pieces done correctly, with respect to the professional standards, but compared to the total number, there are far too few,” he said, “At many media institutions, professional standards are completely ignored — not just due to a total lack of professionalism, but also because that’s what the bosses and the non-journalistic interests of the media business ask for.”

Moraru described similar experiences: “I have young journalists coming into the newsroom — students, young graduates — and their first question is, ‘How it should look, boss?’ They come into the newsroom without even considering the standards. They are prepared to do whatever the boss asks.”

The Romanian media sector has a few examples of quality journalism that continue to grow and improve the industry. Moraru said that their influence is not felt strongly beyond Bucharest. “What you have here are drops in an ocean,” he observed. According to his brief analysis of local media, 25 of Romania’s 42 counties have no real journalism. “There are a lot of publications, but they produce what I call ‘an illusion of journalism.’ They publish press releases, accidents, and book launches. They don’t have any content directly obtained through journalism activities. This is very dangerous, because it gives the public the illusion that they are informed.”

Many articles are biased and one-sided, and some journalists continue to publish unverified or

¹ <https://pressone.ro/guvernul-se-pregateste-sa-modifice-legea-accesului-la-informatiile-publice/>

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even invented news. More websites are promoting fake news and propaganda, and disinformation appears on a regular basis.

Vasiliu said that whether reporters verify their information depends on the newsroom. But the practice of not verifying is increasingly frequent. He gave an example: "In December 2017, media reported a high-profile murder/suicide, claiming the husband murdered the wife before taking his own life and saying she had marks on her body. The next day, the Chief Prosecutor put out a statement: the two committed suicide several hours apart, and there were no marks on the woman's body. But to the public, the husband remained the criminal."

Journalists that cannot bear the political pressures or poor ethical standards in their newsrooms often leave to create their own alternative media. This trend continued in 2017, with several new independent newsrooms created and older outlets increasing their visibility and producing public-interest content.

Most print and online media do not separate editorial content from advertising. Clearly and unequivocally signaling ads and paid-for content is an obligation under the Romanian Advertising law, and strict advertising rules are set by the audiovisual law. However, news and advertorials are run on the same page and look the same, and advertising is not labeled as such. "We have to fight with companies and politicians and tell them it is illegal not to mark advertising accordingly. But they tell us that we are crazy, because everybody else is doing it," said Moraru. "For them, it is very cheap to buy unmarked advertising online."

Ispas, president of the Romanian Transmedia Auditing Bureau (BRAT), expressed the belief that ethical norms have been replaced with commercial norms. He added that the bureau itself is under pressure to bend rules. Recently, two

tabloid newspapers, known for yellow journalism, have asked to be registered as quality "general newspapers." One of the claims has been approved, while the other is still pending. "I am not that convinced these publications practice ethical journalism," said Ispas. Matei Martin also noted that many publications mix hard news with blog posts. "They sell opinions as news," he said.

Panelists expressed strong concern about plagiarism. Some media outlets simply rerun stories published by others without mentioning the source. Online publications plagiarize particularly frequently, as many believe that "if it is on the Internet, it is free to use," panelists said. In their view also, journalists are aware of the rules against plagiarism and simply do not respect them, because they will face no sanctions.

"Being under financial pressure, with very few and often unqualified reporters, online media have almost undone any professional level of reporting that traditional media have achieved," Bogdani said. "They often publish news without any sources and copy news from one another, often publishing unverifiable, fake news in addition to violating copyright."

Moraru recollected the story of a local newspaper in Suceava that went to court to fight against a website that was appropriating the paper's entire content. The judge ruled that this was not a copyright infringement because Romanian law does not protect news copyrights, and the judge extended this definition to all materials published by journalists. According to Ganea, "The judge

misinterpreted the copyright legislation."

Journalists largely practice self-censorship, and panelists agreed that the problem worsens every year. Vasiliu said, "Rather than losing their job or risking a scandal in the newsroom, those who work at media struggling with financial problems, or where the editorial freedom is limited, resort to self-censorship to survive." Only journalists from independent initiatives that work for little money or even as volunteers score high on editorial independence or professionalism, according to Vasiliu. "It is these people who save the honor of the profession," concluded Avădani.

The media cover all important stories, though outlets differ in how they report. Lupu gave an example: "There were moments when we were watching coverage of the same event on different TV stations, and it seemed they were talking about different events. There were 50,000 people marching peacefully in the streets, one TV station announced, and the other said 10,000. A third said there were violent street fights between police and the protesters. For the general public, it is hard to make sense of all this."

The media tend to avoid certain topics, such as those connected to national security. Giboi said that some subjects are not covered in traditional media, but noted that when issues begin to be published online, traditional media also start reporting on the topic. This practice is particularly true with investigative reporting. While everyday events cannot be hidden, newsworthy problems can. As Vasiliu said, "In Brăila, for example, a journalist investigated the county hospital but she could not publish the story because the owner of the newspaper is friends with the hospital director."

Salaries for journalists are not competitive and remain a problem. Except for some VIPs (mostly TV stars), most media personnel have seen salaries

Journalism meets professional standards of quality.

PROFESSIONAL JOURNALISM INDICATORS

- ▶ Reporting is fair, objective, and well sourced.
- ▶ Journalists follow recognized and accepted ethical standards.
- ▶ Journalists and editors do not practice self-censorship.
- ▶ Journalists cover key events and issues.
- ▶ Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- ▶ Entertainment programming does not eclipse news and information programming.
- ▶ Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- ▶ Quality niche reporting and programming exists (investigative, economics/business, local, political).

diminish from the economic crises. Sometimes they go unpaid for months. According to Vasiliu, “A lot of them left the profession, went to PR and advertising, or opened small businesses. The situation is even more disastrous outside Bucharest.”

Within Bucharest, pay rates differ between print/online outlets and TV. An experienced TV reporter can earn \$600 to \$1,500 per month, but the editors for television earn far less, approximately \$450 to \$500 per month. At local media, even the national minimum salary (roughly \$250 per month) is considered decent. In some cases salaries can go up to \$600 for print media and even more for national TV station correspondents. Some journalists complement their media revenues with side jobs, which can cause conflicts of interest.

Many experienced journalists have left the profession altogether, sometimes becoming

spokespersons for local authorities, which offers better and more regular salaries. With these departures comes another problem: “You don’t have anyone to replace them,” Moraru said. “Good people don’t enter the profession, especially in local media.”

Avădani added that, while salaries are small, they do not correlate with corruption. “There are people who are very well paid within the profession and their behavior is more than unethical,” she said.

News still represents a major part of the broadcasting market. Romania has several all-news TV stations, and each general TV station produces at least one main news program. However, many of the news programs are almost tabloid in nature, with serious ethical and professional violations. Panelists agreed that many broadcast news shows are entertainment programs, and according to Matei Martin, “infotainment has a very important place in print.”

Despite a plethora of channel options, the poor quality of programming risks an uninformed populace, some panelists argued. “The political and current affairs talk shows are entertainment. The moderators use manipulative tactics and choose guests according to their own agendas,” asserted Vasiliu. For Romanians, TV remains the top source of information, followed closely by online sources — primarily social networks.

In Romania, access to technology is easy but not cheap. There are major discrepancies in technology levels among media institutions. The differences are also magnified between national and local media. Many newsrooms cannot afford to invest in equipment, software, or skilled technical people. “We have not changed our computers for the last 15 years,” one panelist lamented. “We have licensed software, but we can’t install the latest versions because it is not compatible with the computer.” While some journalists do not have

money for gas and use their personal car or phone to do their jobs, other outlets provide journalists with laptops, cameras, and unlimited mobile phone and Internet access.

Romania has little specialized reporting, and investigative reporting is rare. Vasiliu noted that most of the specialized reporters (health writers, for example) are entangled in group interests and industry fights. Ionescu observed that the number of investigative productions is small, but their audience is high at times.

Moraru said that for a local newspaper like his, specialization is costly and not efficient. “All reporters should be able to conduct at least a minimal, mediocre investigation. The problem is that sometimes there is no public reaction to such articles, and the managers consider it money wasted. And here we come full round circle, back to infotainment,” he said. Spănu commented that *Viața Liberă* also has to limit its specialized content. “For us, a reporter can work on an investigative story no more than two weeks. And this is while doing also other work, because I can’t have a person blocked for only one piece.”

Hotea Fernezan emphasized that Romania has good investigative reporting, conducted bravely by independent projects. He mentioned the work of the RISE Project, “lone ranger” writers such as Ovidiu Vanghele and Emilia Șercan, and unlikely sources such as the Bucharest-based sports newspaper *Gazeta Sporturilor*, headed by Cătălin Tolontan. “Their articles may not make [it into] traditional media,” Ferzenan said. “But the public reaction to them on social media — likes and shares and comments— demonstrates that there is an interest in such topics; that they are needed in our society.”

Matei Martin said that two specialized fields are noticeably neglected: international news and culture reporting. “Journalists are free to cover such topics,

but they don't have the needed means because they are underfunded," he commented. The EU agenda, for example, remains painfully under-reported, despite the fact that Romania is poised to take over the Presidency of the Council of the EU in 2019.

Matei Martin also pointed out a silver lining in the economic crises that keep affecting the Romanian media. "The crises forced us to reflect on alternative funding," he explained. "The appearance of alternative publications, supported by communities of individual donors or by long-term sponsors, revitalized ailing sectors such as investigative or culture reporting." Panelists said they are cautiously optimistic, as such funding models are limited and insufficient to guarantee steady quality and sustained progression.

Vasilendiu added that funding shortages impede not only the development of specialized reporting, but also the investment in young reporters. "Students come to us poorly prepared," she explained. "We do teach them specialized reporting at university. But sometimes international news remains unreported because the young journalists do not know what the news is about."

**OBJECTIVE 3:
PLURALITY
OF NEWS**

2.62

The Romanian media market is composed of numerous outlets, but the total does not guarantee a plurality of news. Most outlets present the dominant point of view, while alternative positions are either ignored, criticized, or simply mocked. "It's a matter of editorial policy, decided by the higher-ups and over the head of journalists," said Ganea. In some cases, even the point of view of an accused person is

not presented. For Moraru, finding the truth by consuming media is possible, though difficult. "I have to follow multiple channels; keep an eye on the follow-ups," he said.

As such, many Romanians turn to social media for news — to their detriment, Vasiliu observed. "Social media is a space where information is circulated," she said, "They do not generate information. Many times, people are unaware of this distinction and completely trust opinions and unverified information."

Facebook is the most popular social network in Romania, with 10 million accounts.² By comparison, Twitter has only 377,800 Romanian subscribers, 53,500 of which are active users.³ Facebook users are quite active, however, some 77 percent accessing it daily.⁴ It has become customary for politicians and even public institutions to apply a "Facebook first" communication policy, using it as the primary way to reach citizens. Traditional media routinely cover news about what a public figure has posted on social media. For the younger generation, Instagram and Snapchat are the more appealing social networks, according to CIJ findings regarding teenagers' media use.⁵

Romania law places no limitations on access to any media, but some citizens are constrained financially. Access to media correlates with the means of living, Ganea explained. Hotea Fernezan agreed and noted that users have less access in rural areas as opposed to urban. The medium type

also determines access. For example, print media are restricted due to distribution problems.

Vasiliu said that access to national and international information should not be seen only in terms of technical access. "We have a worrying number of functional illiterates," she said. "Many citizens know how to read, but are not able to understand the meaning of a text or don't have the critical tools to evaluate the content." In 2015, OECD found that 42 percent of high school students in Romania are functionally illiterate.⁶

Public media outlets seem to be less polarized than commercial outlets, according to the panelists. Ionescu said that generally, public media cover all points of the political spectrum, but sometimes they apply editorial subterfuge to give more exposure to certain opinions. Hotea Fernezan had a similar view. He said that public media journalists try to maintain balanced coverage, but lean toward the political powers and underreport some topics that might be troublesome to the ruling coalition. As Vasiliu put it, "Public media work mostly in the service of the state, not in that of the citizen." Panelists said that legislative instability is a contributor to the imbalance, and cited the recent law that changes funding for public media. Critical shows are sometimes received poorly, and current affairs shows often feature guests that are advising the country but who have served prison sentences for corruption.

Some panelists did note positive aspects. Hotea Fernezan said that public television is filling a void and providing social interest shows and content for minorities. "The public media offer longer formats, [and] educational and cultural programs that the commercial media ignore or treat marginally."

Romania has two major private news agencies,

2 Facebook figures offered for advertising purposes

3 <https://www.zelist.ro/blog/social-media-ro-in-cifre-retrospectiva-anului-2017/>

4 <https://economie.hotnews.ro/stiri-it-22014046-romanii-facebook-cati-intra-zilnic-retea-cum-comparam-alte-tari-din-regiune.htm>

5 The study will be publicly released in May 2018

6 <https://www.oecd.org/pisa/pisa-2015-results-in-focus.pdf>

Multiple news sources provide citizens with reliable and objective news.

PLURALITY OF NEWS SOURCES INDICATORS

- ▶ A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- ▶ Citizens' access to domestic or international media is not restricted.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.
- ▶ Independent broadcast media produce their own news programs.
- ▶ Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

Mediafax and News.ro, that compete with the state-owned Agerpres. According to Ionescu, only Agerpres has the needed resources to cover the media market's need for news. Giboi said that his agency has correspondents in all 42 counties and dedicated regional news services. "The local media buy these services from us," he said. "The national media do as well because they can no longer afford to keep regional correspondents."

Panelists said that both private news agencies are struggling. "Mediafax, once number one in news production, is in an insolvency situation and functions with just a handful of staff," explained Petrișor Obae, a media analyst with Paginademedi.ro. "News.ro had a rough economic year in 2017

and is currently looking for an investor to develop the project." Spânu expressed the belief that her journalists at *Viața Liberă* can produce higher quality news than what Romanian agencies provide. "The price-quality ratio does not justify the expenses," she said. Moraru said that the media business model has changed and fewer publications are seeking news agency services. According to the panelists, possible successors to news agencies might be photo services, such as Inquam Photos, or firms providing data visuals and graphics.

Transparency of media ownership is not a significant problem in Romania, but only because it has no effect on audiences. Broadcast company ownership is known publicly, as CNA regularly publishes an updated list with stakeholders, down to individuals. Although some stations dedicate significant time to promoting their owners' interests, this editorial policy does not affect ratings. Obae gave an example: "Romania TV aired a series about the so-called unveilings of Sebastian Ghița (the former MP who fled Romania in December 2016 while under police investigation) without mentioning once that he controls the station. The audience stayed." He also mentioned Realitatea TV, a station that features owner Cosmin Gușă as a consultant, political analyst, or the president of the Romanian Judo Federation, depending on the context, but never in his actual capacity.

Romanian law has no requirements for print or online media to disclose ownership. Avădani said that politicians own most local and national media, either directly or through third parties. Ispas emphasized that publicizing the names of shareholders does not necessarily reveal the ultimate profiteers of an outlet. "Owning media via intermediaries is a way of life — a national sport," he commented.

Many print publications and local TV

broadcasts have disappeared and migrated to cable, following the digital switch, and what is left of the influential traditional media is in the hands of a couple of owners. Ionescu has observed that the little foreign investment in media is concentrated in television and glossy magazines. Also worrying is the increase in the dissemination of fake news, which has ballooned in the past two years, according to Vasiliu. "Readers do not know that what they're reading is from a site engaged in pro-Russian propaganda," she commented. She added that she thinks that journalists themselves do not sufficiently discuss ownership issues or how they influence editorial content. In Ionescu's view, the lack of interest in media ownership is a reflection of the low media literacy in the country.

"Today it is political parties, political leaders, and state institutions that produce news rather than the media, which often becomes a mere conveyor belt for this readily produced news," said Dervishi.

With local broadcasters almost irrelevant in terms of influence and audience, national outlets have a particular focus on the news from Bucharest. It mirrors the centralization of political power and allows for local party leaders to act with virtually no civil oversight. Moraru said that in other parts of the country, where "real media" survives, citizens are well informed about their areas. But he added that "the national media almost never talk about the real problems in the provinces. They only report on fires, crimes, and traffic accidents," he said.

In December 2017, the Craiova-based *Gazeta de Sud* director and editor in chief, who led the paper for 23 years, was fired by the owner. In order to justify a release through no professional fault, the

owner eliminated the position altogether. *Gazeta de Sud* is one of the oldest local newspapers, with a large circulation in several counties in southwest Romania. It was also critical toward the local authorities throughout the year.

Costin Juncu, the managing director for the Romanian Association for Audience Measurement, criticized Romanian reporters' international coverage. "To understand international news, you have to check with international sources," he explained. "What is provided here is faulty and unprofessional."

The dominance of the majority shows also in the marginalization of minorities in Romanian media. The situation is "catastrophic," Vasiliu said. "Set aside the public media — they are obligated under the law to reserve space for the national minorities. The rest of the media tell the stories of the majority population." She noted that channels such as Digi24 and Pro TV have aired campaigns against the beneficiaries of social assistance programs — many of whom are members of minority populations.

Panelists pointed out that independent media projects, sometimes funded by grants, help foster content about sexual minorities and those suffering from mental illness or drug addiction. Spânu shared her experience at *Viața Liberă*: "For me, as an editor, it was very difficult to introduce such topics in the newspaper. The pressure comes from the public. It seems like the simple fact that there are religious denominations other than Christian Orthodoxy is unacceptable to them."

The public radio and TV have to reserve air time for programs in the minority languages, and Agerpres has a news service in Hungarian. "A colleague of ours learned Hungarian in order to be able to manage the service," Giboi said.

OBJECTIVE 4: BUSINESS MANAGEMENT

2.07

The majority of Romanian media companies are not self-sustainable, and making a profit is the exception in the media business. The string of insolvencies continued in 2017. Regarding the management of media companies, all the panelists had the same conclusion as in previous years: media organizations are managed poorly. This, combined with the disruptive context in which the industry functions, has led to layoffs, shrinking newsrooms, a lack of investments, and drops in circulations.

"Are the media well managed?" Obae asked. "Let's take a look at the sheer reality: *Jurnalul Național*, bankrupt; *Adevărul*, insolvency; *România liberă*, insolvency; *Ziarul financiar*, insolvency; *Evenimentul zilei*, insolvency; Prima TV, insolvency; Realitatea TV, insolvency for more than six years⁷. What kind of management are we talking about?"

"Too few media companies are well managed and profitable," Ionescu agreed. "For the handful that are sustainable, there is no guarantee that this sustainability secures their editorial independence."

Ispas added to this picture of financial problems: "Privately-owned media have dramatically cut costs — so dramatically that they can barely support the product." He said that nobody in Romania can profit with their media businesses. Generally, owners make money from other businesses and inject it in the "media toys" that they run to maintain their clout. Vasiliu noted that journalists' low salaries are often paid late, and

newsrooms are dramatically understaffed.

The conditions are the same at public media, according to the panelists. They said that only way to pay the accumulated debts of public television was to scrape off the licensing fee and finance public media directly from the state budget. "This is not a good economic strategy — to cut costs until you endanger journalistic production, and then claim that you made a profit," Giboi said.

Hotea Fernezan criticized the lack of transparency that he has witnessed within the public media. As an example, he described how he and his journalist colleagues at TVR Cluj were left out of the appointment process for managerial positions. "Each manager is selected through a contest, based on a management project. We have asked to see the winning projects, so that we can knowingly contribute to their implementation. We were not lucky enough to get them. This kind of lack of accountability leads to arbitrary and illogical decisions that enable the siphoning of the public money."

The origins of media funding is another debatable issue. For most media companies, the sources are limited: either capital injections from their owners or, for public media, funding from the state budget. "In the early 2000s, the dream of any print company was to have 80 percent of revenues from advertising and 20 percent from copy sales," Ispas said. "Little by little, some reached that point. For local media, it was more difficult. It took us 10 years of joint efforts to have them attract significant amounts from national advertisers and not rely on the small, local ones. After the 2008-2009 global financial crisis and all this political turmoil, the situation tipped over."

This funding instability impacts editorial content, according to Vasiliu. "The money from the owner keeps media prisoner regarding editorial policy," she said. "The line between advertising,

⁷ All outlets cited by this panelist are national media, based in Bucharest.

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advertorial, and sponsored content becomes so thin that sometimes the public has no way to really know what they see, read, or hear.”

The Romanian media advertising market is served by small and large agencies based internationally and locally. Most agencies are staffed with professionals, but that does not preclude excessive kickbacks, predicated contracts on editorial content, or ignoring certain unfriendly media. Obae explained that another difficulty with ad agencies is cash flow disruption: “If in communications or other services, you have to pay your bill immediately, or you risk having your service cut off. Advertising agencies pay their media clients after months of delay. This results in a cash flow crisis for the publisher, who is too worried about ruining a contract to claim what is his.”

While business and editorial operations are formally divided, Kurti said, “even the media that are considered serious are guided by their interest of the moment. In other words, editorial policy follows the interest of the owner.”

Ispas commented on the same problem. “If you look at the figures, the advertising budgets seem to go up,” he observed, “But this money does not make it to the media bank accounts. The rebate — the money that a medium has to return to the agency as a ‘success bonus’— may be as high as 50 percent.”

For online advertising, money goes primarily to the big platforms, such as Google and Facebook. “Google redistributes some of it to the local publications. For Facebook, this is out of the question,” according to Obae.

Avădani discussed new trends in advertising that might further harm the media. In 2017, the

first influencer agency in Romania was launched. These enterprises promote bloggers of all ages identified as trend-setters in their respective circles.⁸ The agency essentially monetizes on the fact that Internet users are more inclined to believe what their peers say, as opposed to institutions or companies. “These new marketing tools — social media, influencers, bloggers — further deplete the traditional media of already shrinking revenues,” Avădani said. “The real problem, though, is that if some rules of transparency are not observed, people take these posts from influencers [as] genuine, without knowing they are actually paid for those posts. We noticed this while working with high school students. They have no idea that the VIPs they follow are actually exposing them to advertising.”

Panelists said that print advertising money is precious enough that newspapers will do whatever it takes to keep that revenue coming. They work to find more and more advertising, but get less and less return as the market changes. Commenting on the plight of *Monitorul de Botoșani*, Moraru said, “We have to face the truth: with cheap and highly targeted advertising online that is much more efficient, why would the advertisers give their money to us?”

Panelists also observed that online advertising is cheap and insufficient to sustain media operations. “On top of that, it is ugly,” said Matei Martin. “We have no control over the banners that are displayed on our website, and the pop-ups make the newspaper almost illegible.”

With no one in Romania producing reports on the media market, the state share in the advertising market remains unknown. In the last few years, the state budget has made up less of the market and local administrations more, in particular by their use of advertising money from EU-funded projects.

⁸ <http://www.makeoverburo.com/>

During 2017, the number of such projects diminished significantly, but the arbitrary allocation of public advertising money continued. State institutions still pull advertising when they are criticized in the media that they fund. The state also has the power of intimidation, which can make commercial advertising cease. “The practice of the authorities seeing who is advertising in your newspaper, and then sending all kind of controls over to them, is back,” said one editor.

Budgetary instability and the unreliable economy make market studies and financial planning futile, according to the panelists. “It is useless to build business plans,” Moraru said. He gave the example of *Monitorul de Botoșani*’s subscription prices for 2018. He was unable to set them as of December, as fiscal legislation is changing and he does not know what taxes the

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS

- ▶ Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- ▶ Independent media do not receive government subsidies.
- ▶ Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- ▶ Advertising agencies and related industries support an advertising market.
- ▶ Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- ▶ Broadcast ratings and circulation figures are reliably and independently produced.

company will owe. He also decried the media sector's lack of upper-level personnel — “people who know how to manage a media business.”

Some panelists expressed the view that marketing studies are conducted to better hook the public, not necessarily to cater to the media's informational needs. Giboi said that by law Agerpres is not allowed to conduct paid marketing studies, so it gets information from whatever sources are available — mostly from the Internet Audience and Traffic Study (SATI).

The SATI is conducted by the Romanian Transmedia Audit Bureau (BRAT),⁹ a long-established industry organization. The bureau performs circulation audits once a year, which results in publicly available data; the National Readership Survey (SNA), an in-depth study containing socio-demographic figures of readers per publication; and the Monitoring of Investments in Advertising Study (MIP), the results of which are available for purchase by members and third parties. In 2017 BRAT had 173 members and included publishing house staff, advertisers, and ad agency staff. It audited 85 titles and 183 websites of various content. Those numbers were down from 2016, when the bureau had 182 members and audited 95 titles and 219 websites.

Television viewership is measured by the Romanian Association of Audience Measurement (ARMA). Juncu said that audience figures for national outlets are measured independently, and the methodology is in line with international standards. The company performing the measurement is selected via public bid every four years by a commission composed of five representatives from TV stations, five representatives from advertising agencies, and five members of the National

Audiovisual Council. Foreign independent companies conduct an audit of the association's findings. “In 2017, the measurement service was verified by an external independent auditor, Ernst and Young, based in Tampa, USA,” Juncu said. “The conclusions of the analysis show that the service complies with the technical specifications decided by the Romanian market and also the international standards.” Ispas disagreed, arguing that the TV measurements are not objective and too politically flawed.

Most online media prefer using the less expensive traffic.ro measurement, rather than the professionally done but expensive SATI. Some also use internal measurements conducted with Google Analytics.

Audience measurement is another way in which local media are disadvantaged. BRAT audits only 18 local publications and one regional publication, while audience measurement for local TV and radio stations is generally cost-prohibitive. Local online outlets have some data available, but primarily use this information to secure advertising from GoogleAds.

**OBJECTIVE 5:
SUPPORTING
INSTITUTIONS**

2.43

If 2015 to 2016 was a period in which some professional associations of journalists were revived, in 2017 those gains were lost. Many of these groups were part of the Convention of Media Organizations, created by CIJ as a loose alliance. The convention includes approximately 30 professional media associations, owner associations, and trade unions. As soon as the project ended and the associations had to function without the resources CIJ offered, the convention ceased to be active.

Vanghele described the conditions as dire: “There no longer are associations of media professionals. We don't have entities in charge of lifelong learning. Print media is handicapped by the lack of distribution networks. The only thing we still have are some NGOs that, despite efforts to defend journalists against employers' abuses, don't manage to be visible or vocal enough for the general audience to learn about the problems from a particular newsroom.”

Vasiliu added that the disappearance of credible and effective professional associations has led to a “deprofessionalization” in the field. One of the few remaining organizations, the Union of Professional Journalists in Romania, suffered an internal crisis after two factions accused one another of an overthrow attempt.

Hotea Fernezan noted that the Association of Media Professionals from Cluj, in northwestern Romania, has a visible presence. The association has taken public positions on professional skirmishes or when journalists are threatened by local politicians. Additionally, some organizations of Hungarian media in Romania remain functional, if isolated due to language constraints.

Romania has some trade unions of media professionals, the largest and most active being MediaSind. The union is well connected to European and international platforms. In addition to voicing professional concerns, MediaSind assists journalists in legal situations and offers consultancies on work-related subjects.

Media owners essentially are in the same state of disconnection. Organizations exist mostly on paper, with limited or no activity. This sluggishness is partly because media owners are in the media business to gain political or economic influence, not to make a profit or to benefit from association.

The Romanian Press Club, one of the oldest

⁹ <https://www.brat.ro/>

and best established business associations, reduced its activity to zero in recent years. The club does not issue public reactions or positions, and even its website is no longer online. Smaller, local media owners were active in 2016 but grew silent in 2017, focusing more on individual survival. For them, dealing with systemic problems comes secondarily and only if they are mobilized with assistance from outside groups.

One of the large organizations that panelists identified as active in 2017 was the Romanian Association for Audiovisual Communication. Still, this group tends to represent the interests of the major broadcasting corporations, rather than those of local stations, panelists said.

NGOs that attempt to protect freedom of expression and the media also experienced a complicated year in 2017. CIJ and ActiveWatch – Media Monitoring Agency are the most relevant and among the only NGOs remaining. Ganea, a program coordinator with ActiveWatch, described the budgetary conditions: “We have funding problems. There aren’t any donors interested in supporting projects for journalists or human rights in general. Our main project, FreeEx, through which we react to all problems media related, hasn’t received any financing since 2015.”

With a lack of other support, the work by these NGOs is critical. “The professional associations are non-existent. And this gap, including advice when legal aid is needed, is filled by NGOs, such as CIJ and ActiveWatch,” said Vasiliu. While Ispas agreed that these organizations do important work, he said that their impact is limited because they do not have local branches.

State and private universities in Romania offer 20 journalism and communications programs, graduating around 2,000 students annually. “The number of students who want to attend a journalism

program is dropping every year,” said Vasilendiu. “We have more candidates for the public relations and advertising program than for journalism.” In Matei Martin’s view, this is the trend because a degree in journalism is no longer considered valuable in the job market.

The content of journalism programs is outdated and quality did not improve in 2017, according to the panelists. As Lupu commented, “If we want to change the belief that journalism school is one of the worst options for a future student, universities need to change. The students are prepared to write for newspapers, but they don’t learn about open data and data journalism, for example.”

Vasilendiu also noted that students enter university poorly prepared. “They don’t have any general knowledge,” she said, “They don’t know who the members government are or even basic things about neighboring countries, the region, or the EU. And we don’t have the time to teach them the basics. This is a specialization.”

Panelists also pointed out that different schools have different curricula, so each institution’s graduates have very different concepts of what journalism is. In addition, media institutions do not have a serious interest in hiring competent young journalists. “For a lot of mainstream media managers, students are only cheap or free labor. They don’t see the value in investing in them for the long run,” said Avădani. Ultimately, most students end up unready for journalism and with little understanding of what the job entails.

Avădani said that some Romanian groups are sponsoring initiatives aimed at improving the quality of journalism education. UNICEF Romania and CIJ remain invested in a program on developing university curricula. They offer journalism instructors more training and extra materials, to allow them to better integrate topics into their courses. Hotea

Supporting institutions function in the professional interests of independent media.

SUPPORTING INSTITUTIONS INDICATORS:

- ▶ Trade associations represent the interests of private media owners and provide member services.
- ▶ Professional associations work to protect journalists’ rights.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

Fernezan mentioned that the journalism department at the university in Cluj invites experienced journalists to be guest speakers. It also has close partnerships with local media, where students can work as interns.

Short-term courses or training programs for journalists are rare. “TVR Cluj is part of CIRCUM, a network that often organizes short-term courses for journalists,” said Hotea Fernezan, “But, despite being members, we don’t have many opportunities to attend trainings. Most of the time, the journalists who go are the ones selected by the management of the TV station, and they are sent even if the language in which the trainings are held is not very familiar to them. Often, when I went by myself to the

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trainings, I was forced to take some time off to be able to attend.”

A few years ago, NGOs such as CIJ were delivering these services on a larger scale. They have seen a significant decline, however, as private donors lack funding and media owners have little interest in paying for such programs. Panelists said that many owners and managers have no desire to train their staff, as they care more about trading in influence than good journalism.

According to Avădani, journalists themselves have a very limited appetite for professional advancement. The public does not necessarily appreciate the acquisition of additional skills, and it does not lead to increased salaries. Moraru said that he would love to have his employees learn specialized skills, but this would mean his newsroom would be understaffed during the training. Lupu agreed, adding, “Regional trainings are not an option for us anymore. It is so hard to find interested journalists, and the numbers are so low that the resources needed for those trainings are not justified.” She said that she does try to organize classes to address new developments in media, including hackathons and programs on data journalism.

Access to media equipment, newsprint, and printing facilities is apolitical, unrestricted, and not monopolized. However, distribution is a major problem for Romanian print media. In 2016, only 3,500 newspaper kiosks operated in the entire country — considerably fewer than 10 years prior, when the total was around 8,000.¹⁰ In 2017, the number shrank by another 1,000, with just about

2,500 left in September 2017, according to Tolontan.¹¹ Many groups have eliminated kiosks, either because it was too expensive to move them elsewhere or because it was more cost effective to sign a separate distribution contract. Panelists described an incident from September 2017, when kiosk owners confronted Daniel Băluță, the mayor of a Bucharest sector. They accused him of removing their stands during a construction project and throwing them in the dump, when the owners had paid to have them relocated. The conflict ended in violence and police arrested some of the kiosk owners.

“Associations of publishers and journalists are not highly influential when it comes to fundamental problems media face in Albania,” Bogdani said.

On September 25, all major newspapers published the text a “Dark day for the print media in Romania” on their front pages. The headline was in response to the Ministry of Education announcement that all schoolbooks will be printed by a state-owned company. With print houses already on the decline and dependent on producing materials such as textbooks to sustain their businesses, the decision was a huge blow, and will likely impact distribution.

Cable and satellite operators play equally important roles in securing access to media products. The market is dominated by three major players: RCS-RDS, with a 49 percent market share; Telecom, with a 20 percent share; and UPC, which has the lowest market share at 17.5 percent. The last report by ANCOM, published in November 2017, stated that the market in Romania is comprised

of 7.3 million subscriptions — 4.9 million cable, 2.4 million DTH satellite, and 106,000 IPTV.¹²

Cable companies can decide which local TV stations they carry and where in their grid to place their programs. Some local TV stations have complained that RCS-RDS refuses to carry their programs. RCS-RDS has its own local stations on Digi TV, and according to the panelists, it likely does not want to encourage competition. In turn, UPC prefers not to broadcast Digi stations — and if it does, it obscures them by placing them on high channels.

Internet infrastructure continues to develop rapidly, in part thanks to the wide penetration of mobile devices in Romania. The country has 4.5 million land Internet connections, accounting for 55 percent of households. More popular is mobile broadband Internet, with 16.6 million connections — a penetration rate of 85 percent of the population. Mobile Internet traffic doubled in the first half of 2017 compared to the same period in 2016, according to data provided by ANCOM.¹³ The growth is largely due to the competitive nature of the mobile communications market, leading operators to regularly present offers and incentives to attract new clients.

List of Panel Participants

Alexandru Giboi, director, Agerpres, Bucharest

Anca Spănu, deputy editor-in-chief, *Viața Liberă*, Galați

Cristi Godinac, president, Mediasind, Federation of Journalists’ Trade Unions, Bucharest

¹⁰ <http://www.paginademedi.ro/2016/10/distributia-presei-jumatate-din-chioscuri-au-disparut-in-ultimii-ani-jumatate-din-firme-in-faliment>

¹¹ <http://www.tolo.ro/2017/09/20/difuzorii-de-presa-din-bucuresti-vor-sa-faca-luni-greva/>

¹² <https://www.paginademedi.ro/2017/11/cifre-ancom-73-milioane-de-abonati-la-cablu-in-romania>

¹³ ANCOM cited by Capital, at <http://www.capital.ro/ancom-traficul-de-internet-mobil-s-a-dublat-in-prima-jumatate-a.html>

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Cătălin Moraru, editor-in-chief, *Monitorul de Botoșani*, Botoșani

Costin Ionescu, journalist, Hotnews.ro

Costin Juncu, managing director, Romanian Association for Audience Measurement, Bucharest

Cristian Pantazi, editor-in-chief, Hotnews.ro, Bucharest

Ioana Avădani, executive director, Center for Independent Journalism, Bucharest

Luiza Vasiliu, journalist, *Scena9 & Casa Jurnalistului*, Bucharest

Liana Ganea, program coordinator, FREEEX Active Watch, Bucharest

Ovidiu Vanghele, journalist, Center for Media Investigations, Bucharest

Maria Țoghină, vice-president, Clubul Român de Presă, Bucharest

Matei Martin, journalist, *Dilema Veche*

Natalia Vasilendiuc, lecturer, University of Bucharest, Faculty of Journalism and Communication Studies, Bucharest

Petrișor Obae, media analyst, Paginademedia.ro, Bucharest

Răzvan Martin, program coordinator, FREEEX Active Watch, Bucharest

Silviu Ispas, President, Romanian Transmedia Auditing Bureau, Bucharest

Teodor Tiță, journalist, Europa FM, Bucharest

Vasile Hotea Fernezan, journalist, TVR Cluj, Cluj-Napoca

Moderator

Ioana Avădani, executive director, Center for Independent Journalism, Bucharest

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The panel discussion was convened on December 11, 2017.

SERBIA



**MEDIA
SUSTAINABILITY
INDEX**

2018

Tracking Development
of Sustainable
Independent Media
Around the World



SERBIA

AT A GLANCE

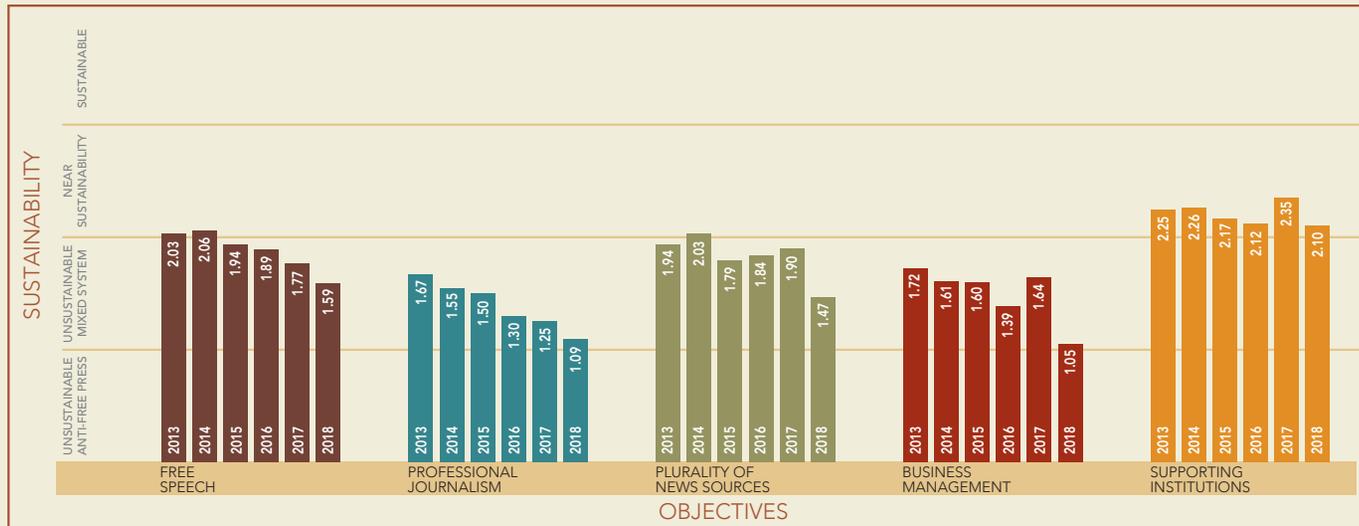
GENERAL

- **Population:** 7,111,024 (July 2017 est. CIA World Factbook)
- **Capital city:** Belgrade
- **Ethnic groups (% of population):** Serb 83.3%, Hungarian 3.5%, Romani 2.1%, Bosniak 2%, other 5.7%, undeclared or unknown 3.4% (CIA World Factbook, 2011 est.)
- **Religions (% of population):** Orthodox 84.6%, Catholic 5%, Muslim 3.1%, Protestant 1%, atheist 1.1%, other 0.8% (includes agnostics, other Christians, Eastern religionists, Jewish), undeclared or unknown 4.5% (CIA World Factbook, 2011 est.)
- **Languages (% of population):** Serbian (official) 88.1%, Hungarian 3.4%, Bosnian 1.9%, Romani 1.4%, other 3.4%, undeclared or unknown 1.8% (CIA World Factbook, 2011 est.)
- **GNI (2016 - Atlas):** \$38.3 billion (World Bank Development Indicators, 2016)
- **GNI per capita (2016 - PPP):** \$5,310 (World Bank Development Indicators, 2016)
- **Literacy rate:** 98.8% (male 99.5%, female 98.2%) (CIA World Factbook, 2016 est.)
- **President or top authority:** President Aleksandar Vučić (since May 31, 2017)

MEDIA-SPECIFIC

- **Number of active print outlets, radio stations, television stations, Internet news portals:** On December 22, 2017, Serbia had 2,072 registered media in the Business Registers Agency (BRA), which includes 216 TV stations, 321 radio stations, 894 print media, 616 online media, and 25 news agencies. (Source: BRA)
- **News agencies:** First three: Beta and FoNet (private), Tanjug (formally deleted from the register of economic companies but still active under government auspices and financing)
- **Annual advertising revenue in media sector:** EUR 174 million in 2016 (TV 95 million; print 30 million; Internet 23 million; OOH 18 million; radio 7 million; other 0.6)
- **Internet usage:** 70.5% of total population (Source: Statistical Office of the Republic of Serbia, 2017).
- **Number of active print outlets, radio stations, television stations, Internet news portals:** On December 22, 2017, Serbia had 2,072 registered media in the Business Registers Agency (BRA), which includes 216 TV stations, 321 radio stations, 894 print media, 616 online media, and 25 news agencies. (Source: BRA)
- **Newspaper circulation statistics:** N/A; Reach (12+) dailies 1,7 million; magazines 2.9 million - out of total population of 7.08 million (Source: Ipsos). Daily newspaper circulation statistics: officially not available; According to an unreliable source, the circulation at the end of the 2017 was: (1) *Informer* 151.487, (2) *Večernje Novosti* 101.356, and (3) *Srpski Telegraf* 91.714.
- **(Source DTS). Top political magazines readership:** *Nin* 9%, *Nedeljnik* 5%, *Vreme* 4%. (Source: Ipsos)

MEDIA SUSTAINABILITY INDEX: SERBIA



SCORE KEY

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.



Serbia's scores in all of the MSI objectives are indicative of a downward trend in the country's media space, with the country's overall score dropping to 1.46 from 1.78 in 2017. Among the factors feeding this spiral are: media content is more polarized now than at any time in almost 20 years; an increase in fake news; editorial pressure on media; and a poor overall economic operating environment.

The year of 2017 was the worst in recent memory for Serbia's media. The media sector's downward spiral resulted in independent journalists creating an informal coalition for media freedom for the first time in Serbian history. In 2017, the Ministry for Culture and Media established a working group to prepare a new media strategy. However, representatives from the seven largest media associations in the group ultimately left before year's end. Also, representatives from five of the seven media and journalists' associations resigned from the Journalist Security Group, established in collaboration with the Serbian Prosecutor Office and the Ministry of Police. Political analysts assessed that in 2017 Serbian authorities had "a tendency to make journalists a main political enemy."

The most important political event in 2017 was the April election of a new Serbian president, Aleksandar Vučić. During the pre-election period, the ruling majority suspended the parliament's work in an attempt to prevent discussion of the Serbian social and economic situation. Legal and political experts considered the action to be an abuse of Serbia's parliament. At the end of the year, the ruling party once again

brought parliament work to a halt during budget proposal discussions. Some other political processes were continued, including the rehabilitation for Nazi collaborators and war criminals by quashing past convictions. Serbia also adopted two more of the European Union's 35 *acquis communautaire* laws—legislation, legal acts, and court decisions which comprise European Union law—bringing Serbia's total to 12.

In 2017, the Serbian economy's official inflation rate was 3.0 percent, nearly double the 1.6 percent of 2016. The real GDP growth was 1.9 percent, with a 3.9 percent growth in industrial production and a 10 percent drop in agricultural production. The World Bank estimates that with a yearly GDP growth rate of 3 percent, Serbia will need 50 years to reach the European Union standard of living. The budget deficit did decrease, but it was largely due to a reduction in state investments and the disbursement of reduced pensions. At the end of 2017, approximately 400,000 Serbian pensioners sued the state for illegal reduction of their pensions, asking for US \$516 million to compensate for the three years of cutbacks since the implementation of the Law on the Provisional Regulation of the Payment of Pensions.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

1.59

The decline in Serbia's freedom of speech continued in 2017, as Objective 1's score dropped from last year's score of 1.77 to 1.59 this year. According to the panelists, changes to the legal framework made in 2014 have not advanced freedom of expression in the subsequent years, nor has media quality improved. "The society suffers from transplant disease," said Snježana Milivojević, a professor from the University of Belgrade, "We have copied European laws, transposed their instruments with copy/paste, but the results are absent."

Although legal regulations formally provide freedom of speech and access to public information, the laws are applied selectively, thus endangering freedom of expression. State information is available to the public by law, but in practice information goes only to journalists and individuals close to the authorities. Others can request information through the Commissioner for Information of Public Importance; however, their requests are not always answered.

Media laws were neither supplemented nor changed in 2017, except for the regular December extension of the provisional budget to fund the two public service broadcasters (PSBs). The financial shortfalls exist despite a 2014 law that calls for funding the PSBs from the targeted public service tax.

A new media strategy--designed to respond to media development challenges, define strategic goals, and create a basis for legal changes--was late in being drafted, with the old strategy expiring in September 2016. At the end of 2017, the Ministry of Culture and Media, which is the government's lead for articulating media policy, formed

a working group composed of six representatives from the state, four media experts, five media association representatives, and one staff member from the public broadcaster. The group struggled to cultivate a successful strategy, with some solutions contrary to the interests of the media and media freedom. Ministry officials insisted that all members of the working group sign off on all the solutions in the draft, even if they disagreed with them. This draft will be submitted to the Ministry of Culture and Media, which will prepare its own version for state-level approval. "The authorities' intention is not to determine the development goals of the media sector but to make a strategy that will serve as a basis for the revision of media laws," explained Zoran Sekulić, CEO and owner of FoNet News Agency.

In Serbia, freedom of speech is guaranteed by the constitution, and laws are aligned with international human rights standards. However, Serbian citizens do not value these freedoms highly and using them for legal protection is difficult. "Although there is formal freedom of speech protection, it is in practice not implemented," said Nedim Sejdinović, the president of the Independent Journalists' Association of Vojvodina, "There is serious media, political, judicial and cultural resistance to critical speech and thought."

Serbia's state-controlled tabloids and national television station attack independent media critical to the government. Those outlets are pressured with frequent tax and financial control visits. In 2017, the well-known local weekly magazine *Vranjske* was visited daily at its Vranjine office by tax and financial authorities and other municipality inspectors, hampering its normal work. Despite a hunger strike by the owner, ultimately the magazine ceased publication in September 2017 and their website was turned off in November 2017.

In first eight months of 2017, plaintiffs filed 352 lawsuits against journalists. Courts support the pursuit against journalists and media perceived as critical to the authorities. The judiciary responds promptly only in cases in which the media allegedly violates the rights of authorities and ruling parties. The state media threats against journalists and civil society activists that end up in court tend to go in favor of the media that made the threats, interpreting verbal attacks as freedom of speech. Sejdinović shared his experience: "In 2017, I received 18 death threats. All the threats were reported to the police, and the police dismissed 14 threats. I was told by

Legal and social norms protect and promote free speech and access to public information.

FREE-SPEECH INDICATORS

- ▶ Legal and social protections of free speech exist and are enforced.
- ▶ Licensing of broadcast media is fair, competitive, and apolitical.
- ▶ Market entry and tax structure for media are fair and comparable to other industries.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- ▶ Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- ▶ Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

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prosecutors they were my fault because of a joke I told on a religious holiday, which produced a 'justified revolt of citizens.'"

According to the panelists, this environment promotes an atmosphere of fear, censorship, and self-censorship and a further "tabloidization" of society. Warnings from the highest state officials, accusations of representing foreign interests, and judicial processes are used to silence investigative journalism. Journalists are often verbally attacked or ignored during interviews with state, municipal, and local authorities.

Regulatory agencies are not independent from political control nor from the influence of advertising agencies or other centers of power. In Serbia, electronic media are licensed by the Regulator Authority for Electronic Media (REM), and all media register with the Business Registers Agency (APR), like every legal economic entity in the country. APR essentially issues registration to everyone that signs and pays the budget obligation, creating a glut of media companies competing for funding from budgets. "There are a number of nonexistent media in the Register, and there are also media that have been active for years but are not recorded in the Register," explained Petar Jeremić, the executive board president of the Journalists' Association of Serbia.

According to the panelists, the process of national, regional, and local license renewal is carried out problematically. Virtually all permits were extended until 2024 without evaluating how the media executed the programs for which they were approved. "In many aspects of REM work, there is a lack of transparency and compliance with the licensing criteria, regulation, and monitoring of licensed electronic media, as well as in the election of board members," Milivojević said. "The Regulator should concentrate on efficient monitoring of

media content and programs. A passive Regulator claiming that it cannot react to the 17 hours per day of the reality television programming on one TV station does not need to exist because it is obviously failing to comply with law's defined obligations."

Even national-level broadcasters do not adhere to their licensing obligations, panelists said. They gave the example of TV Happy, which has a license that requires it to devote 50 percent of its programming to shows for children. Yet, TV Happy broadcasts reality television almost continuously.

Parliament elected members to the REM in an opaque manner this year, according to the panelists. Moreover, the REM council has only six members serving, despite the law requiring nine. It rarely acts publicly and is not proactive in its work. The REM's statute still does not comply with the laws passed in 2014, and the council has not reported on the actions of electronic media during the 2017 campaign period. According to reports from the independent Bureau for Social Research, then-presidential candidate Vučić was mentioned in Serbian electronic outlets 120 times more than the three most serious opponents.¹

Serbia has no specific legal constraints on the media, nor stricter rules than for other entrepreneurs. Some media companies enjoy tax relief, with their tax debts tolerated if they support the government. In contrast, media critical of local or state governments will find their accounts immediately blocked, leaving them unable to function. This negatively affects editorial independence, and outlets run the risk of being eradicated, as the *Vranjske* closure exemplifies.

As stated by Milorad Tadić, president of the

¹ <http://hr.n1info.com/a188639/Svijet/Regija/Vucic-120-puta-vice-u-medijima-od-tri-najjaca-protukandidata.html>

Association of Independent Electronic Media (ANEM) and the owner and CEO of Boom 93 Radio, "Outlets in the good graces of those in power receive favorable treatment from tax authorities, and independent and critical media are persecuted by tax authorities." Panelists said that the news agency Tanjug is another example of this policy. The agency is not registered with APR but still operates with the help of the state.

Serbia has no functional media market. In the business and financial sense, the Serbian media sector is strictly controlled. The government monitors the money flows of public companies, media buyers, and large corporations.

"The society suffers from transplant disease," said Snježana Milivojević, a professor from the University of Belgrade, "We have copied European laws, transposed their instruments with copy/paste, but the results are absent."

Journalist safety is a growing problem. According to data from the Independent Journalists Association of Serbia (NUNS), in 2017 (through December 5), there were 83 incidents with journalists, including six physical assaults, two attacks on property, 54 instances of pressure, and 21 verbal threats. In 2016, the number of incidents was 69 and in 2013 no more than 23. There were also five technical attacks against internet portals and online media, all of which remain unsolved.

As a consequence of various pressures, self-censorship is widely present in the media sector. Journalists engaged in investigative journalism are subject to threats. According to the panelists, six journalists in Serbia live under constant police escorts, and the murders of three journalists in 1994,

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1999, and 2001, along with two assaults from 2014 and 2015, remain unsolved.

At the beginning of the year, media members formed the Working Group for Journalists' Safety. However, the journalists' representative members of the group quit after the state prosecutor dropped charges against the president's security forces accused of assaulting journalists.

Most panelists expressed the belief that laws do not guarantee media independence. According to law, REM, which is under full governmental control, elects the managing boards of both PSBs. In turn, the managing boards elect the general director and program directors. This linear structure allows complete political control over public services and disallows media professionals from serving on the boards.

Another continuing problem is that authorities control private media through biased funding practices. Resources from state and municipal budgets, such as Serbia's media co-financing program, are not transparent, despite laws that in principle protect editorial independence. Government media funding is distributed in a way that subjects media to politicized state advertising and public procurement. "The media market does not exist, and media live almost exclusively from state money. This is particularly visible in local areas, where local media function largely as a parastatal institution," Sejdinović said.

Libel falls under civil law in Serbia. Journalists and media are often forced to pay fines when accused by private persons. However, journalists who are libeled by authority-controlled tabloids seldom pursue the issue; when they do, proceedings are usually not scheduled for a year or more.

The Law on the Free Access to Information states that public information should be easily accessible. According to the panelists, however,

the government continues to hide large-scale state contracts from the public, and state-owned companies such as Telecom have not extended information to media nor to the Commissioner for Information of Public Importance. Ministries either do not respond to requests or respond with delay to even the most banal issues.

A new method of limiting access to information has appeared recently: The state has begun producing media content. Each ministry has its own camera operators and journalists. Editors are given the address of a server where they can download video material, photos, and complete reports prepared by the ministries but not branded as such. In this way, the state producers compete with private press agencies. Mini-news agencies are also being formed in local municipalities and are publishing local politicians' PR materials. In addition, the unregistered state agency Tanjug has the exclusive right to follow the Ministry of Foreign Affairs abroad.

Media are able to access and use international news and are allowed to transfer or reprint foreign and local information or agency announcements. However, panelists noted some issues with access. Cable operators change channels' content or discontinue them without prior notice — most likely to avoid paying copyrights. International sporting events and series are sometimes scrambled. Access to cable TV is limited in Serbian territorial niches, especially in Vojvodina, so a large number of viewers cannot watch certain channels, but these issues are based more on economics than limited freedoms.

Entry into the journalism profession is free, and journalists are not licensed. However, state authorities and even some journalists are trying to define what constitutes a journalist, in order to exclude certain people from reporting. In some cases, journalists need authorities' permission to report on a particular event or on specific people.

The increase of fake news has also led to calls to license journalists.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

1.09

Objective 2's average score dropped marginally compared to the previous year, from 1.25 to 1.09. Journalists are paid inadequately in most media jobs, although some receive decent salaries. Media reporting in accordance with professional and ethical standards is in the minority. Generally, because journalists fear losing their jobs, they agree to abandon professional values. They engage in self-censorship and know which topics to cover in order to avoid conflict with authorities or editorial policies. A number of important topics are never on the agenda, while topics that serve the interests of various centers of power dominate. "Journalistic standards are compromised and media is a political instrument," Milivojević said, "Journalism is in the service of political and commercial interests."

Media content is more polarized than any time in the last 18 years. High-quality journalism is rare and entertainment productions overwhelm informational programming, with no intervention from the REM. The high-quality journalism that does exist is largely dependent on donor assistance. The importance of digital-born media is increasing but traditional media (print and broadcast) still dominate.

The quality of media content is constantly falling, the number of code violations is increasing, and professional skills are stagnating — all of which has led to the public losing confidence in the media. Authorities do not treat media as a part

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of a democratic system, but as a means to realize their own interests or penalize political opponents. Broadcast media, which has the greatest influence on public opinion, follows professional standards less and less. In one example, Radio Televizija Srbije's (RTS) interviews with presidential candidates were conducted by the wife of an influential member of the ruling party and a person employed in the REM. In another example, the owner of the TV station with the highest viewership has been writing open letters to political opponents of the ruling elite weekly, and these letters are read during prime time.

At most Serbian outlets, it is impossible for the opposing party to be heard. Journalists expressing unfavorable or critical news are stigmatized in pro-regime media, even if those views are expressed on their private social networks. "The mainstream media is undisguised in their permanent support

of every move from the authorities — something proven by research and monitoring reports from independent organizations," said Sejdinović, "The Press Council can't do much because self-regulating bodies in Serbia have no mechanisms to change the state of affairs."

Few professional journalists report on the basis of the facts, verify information by consulting more relevant sources, or explore the background of a story. The number and impact of such professional media are decreasing. Mainstream media commit numerous violations of the Serbia Journalists' Code of Ethics. Independent media outlets are much better but make up only a small part of the media scene. Tabloid staff do not adhere to the code or ethical standards in general.

In 2017, the Press Complaints Commission monitored reporting from the daily newspapers *Alo*, *Blic*, *Večernje Novosti*, *Danas*, *Informer*, *Kurir*, *Politika*, and *The Serbian Telegraph* to gauge how they respect the code of ethics. Between March 1 and November 30, 2017, the commission identified 5,292 stories in which one or more regulations in the code of ethics was violated. The growth of violations has been steady: from April to November 2015, 2,962 controversial texts were recorded; in 2016, 4,402. The most common transgression has been ignoring the presumption of innocence for those accused of a crime and failing to distinguish between assumptions and facts. Newspapers also are increasingly violating privacy rights, as the practice of courts and police leaking information is still very present.

Only the Press Complaints Commission responds to these violations, according to Tamara Skrozza, a member of the commission and a journalist with the magazine *Vreme*. "The journalists' associations are not backing the Press Council actively," she said. "The Press Complaints

Commission of the Press Council is becoming less visible in the public and is receiving fewer complaints." Jeremić agreed, adding, "The number of complaints has fallen because the council's decisions are no longer being published. The council is not presented enough to the public. The founders need to be more active."

Journalists and editors are forced to self-censor for fear of losing their jobs, clients, or the support of local authorities and marketing agencies. Editors pressure journalists and photographers to practice self-censorship. While self-censorship can be hard to prove, it is more and more clear that only a small number of outlets have serious critical content. "Self-censorship has become an integral part of the job, and journalists experience it as part of the profession," said Sejdinović.

Generally, journalists cover all key events and issues, but in some cases, editors prevent journalists from reporting on certain incidents. Serbia does not have enough freedoms to allow reporting on some topics, such as security, criminals, corruption, or dialogue on or with Kosovo. However, citizen journalists and networked social groups post online coverage of some events on which traditional media do not report.

The financial position of media professionals did not improve in 2017. Generally, journalism is among the lowest-paid professions in Serbia. One study done by NUNS found that 23 percent of journalists have a monthly salary between \$370 and \$490, and 14 percent have monthly salary between \$240 and \$370. These salaries are below a level that enables journalists to live decent lives and are not adequately tailored to actual working hours. "A journalist's life is indescribably difficult, and the journalist is forced to work between six and eight different journalism jobs to survive," said Skrozza. "For journalists in local areas, it is even worse," she

Journalism meets professional standards of quality.

PROFESSIONAL JOURNALISM INDICATORS

- ▶ Reporting is fair, objective, and well sourced.
- ▶ Journalists follow recognized and accepted ethical standards.
- ▶ Journalists and editors do not practice self-censorship.
- ▶ Journalists cover key events and issues.
- ▶ Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- ▶ Entertainment programming does not eclipse news and information programming.
- ▶ Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- ▶ Quality niche reporting and programming exists (investigative, economics/business, local, political).

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added. “The quality of journalism is in danger as journalists battle for survival.” A number of journalists also work second jobs that are often paid equally poorly. Many reporters leave the field completely for other low-income jobs, especially public relations.

A huge salary gap exists between state/public media workers and private media workers. Restrictions on hiring new employees for the PSBs and wage cuts have been in place for three years. For most RTS and Radio Televizija Vojvodina (RTV) employees, salaries have been unchanged for the past decade.

“Journalistic standards are compromised and media is a political instrument,” Milivojević said, “Journalism is in the service of political and commercial interests.”

News and entertainment content is not balanced, with broadcasters airing far more entertainment and reality programs than informational and educational programming and news. Recently, high-level politicians, including President Vučić, have begun acting in multi-hour entertainment programs in an attempt to attract the attention of voters.

RTS, the largest public broadcaster in the country, garners its highest level of viewership when showing sporting events and foreign or domestic serials. New feature content is produced in cooperation with independent producers. The public is not familiar with the procedures of editorial and production decisions nor how such projects are financed.

Equipment procurement is sporadic, as media outlets are limited by lack of money and access to the financial market. Serbia has yet to switch to HDTV and digital-audio broadcasting, in part due

to the media sector and government ministries having no incentive to change. Citizens who have the requisite home equipment often turn to foreign media, and the younger population consumes media offered on the Internet, including over-the-top media services and subscription video on-demand.

Some media outlets conduct investigative and specialized journalism, but overall, specialized reporting is slowly disappearing. In particular, economics is covered poorly in mainstream media and mainly consists of “fake news.” According to the panelists, many editors, media managers, and owners consider specialized reporting and investigative journalism too expensive or believe their audiences do not care about more complex topics.

However, some portals are producing professional and responsible investigative work. They include the national *Insajder*, Crime and Corruption Reporting Network (KRIK), Balkan Investigative Reporting Network (BIRN), and Serbian Center for Investigative Journalism (CINS); and locally focused Južne Vesti website, Boom 93 FM, and Radio 021 FM. Authorities invest in efforts to discourage serious investigative journalism, leaving the Internet as the primary way to disseminate investigative journalism stories. Very few traditional print media regularly publish investigative pieces. The outlets that work at the highest international standards have received a number of prestigious international awards but are demonized and pressured in Serbia. These threats often extend to the journalists’ families.

OBJECTIVE 3: PLURALITY OF NEWS

1.47

Objective 3’s average score dropped from 1.90 last year to 1.47 this year. Panelists attributed the

decline to several factors: increased dissemination of fake news; authorities, politicians, and businesspeople exerting control over public-interest information; and editorial pressure on media. Out of 80 total scores from panelists for the eight indicators of this objective, 75 percent were lower than 2. Indicator 3 (media reflect the views of the political spectrum) received the lowest score at .82. “There is a multitude of media and diverse ownership and editorial structure, but there’s no media diversity that provides citizens with access to reliable and objective information,” Milivojević said.

Media ownership is not transparent, and concentration is not monitored appropriately. Project co-financing, earmarked for increasing production of objective public-interest stories, is now incorporated in a clientele-based media system.²

Sources used in reporting do not provide reliable or objective information, and stories do not promote dialogue or discussion of different opinions. State-owned media do not reflect the views of the entire political spectrum. Independent news agencies work professionally, but the market is politically controlled and discriminatory, largely due to Tanjug. Private outlets produce their own news mainly through copying and pasting content or outright stealing from other outlets. Local-interest and state-interest stories, and politically diverse viewpoints, do not receive quality coverage. Stories on international issues generally coincide with the

² “Media clientelism” refers to media’s inability to: (1) provide accurate and reliable information to citizens without being dependent upon or serving particular/special private or governmental interests, and (2) ensure that citizens have access to and are able to express a wide range of views and opinions without being exposed to bias and propaganda.

Multiple news sources provide citizens with reliable and objective news.

PLURALITY OF NEWS SOURCES INDICATORS

- ▶ A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- ▶ Independent broadcast media produce their own news programs.
- ▶ Citizens' access to domestic or international media is not restricted.
- ▶ Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

foreign-policy goals of the state, which include unscrupulously insulting official foreign visitors or prasing certain others.

Aside from the PSBs, only a few outlets in Serbia produce their own news. Many members of the media sphere, particularly radio stations, only transmit short reports taken from portals that compile news from other media. While the increase in online media use is positive, most outlets use posts on social networks such as Twitter, YouTube, or Facebook as news sources.

Research from Nielsen Audience Measurement and Ipsos Mediapuls has shown that 70 percent of Serbian citizens regularly use the Internet, compared to the global average of 82 percent. Users access

the web with various devices: 63 percent use smart phones (up from 51 percent last year), 60 percent use laptops, and 40 percent use smart TVs. The cost for Internet services in Serbia is among the highest in Europe, according a report from the World Bank. Serbia is the largest user of social networks in the Balkans and the seventh largest in Europe.

The Serbian media environment does not have enough sources of information to provide viewpoint comparisons and fact verification. Editorial policies that allow the expression of multiple perspectives are rare because editors generally refuse to cover different political views. For citizens, the choice of media is free only in the type of outlet (private, local, or public), not in relation to content. According to Sejdinović. "The absence of political pluralism is so dramatic, there is no room for public dialogue or societal discussions," he said.

The availability of news sources is inconsistent across Serbia. Cable television is mainly developed in urban centers, while in villages and rural areas, cable TV is unavailable and the Internet is less accessible. Sometimes, politically critical newspapers are put on peripheral locations on kiosks, and some printed media do not reach all the cities in Serbia.

Foreign entertainment shows and news programs are legally available to citizens. However, as Isakov explained, "A low level of media and digital literacy, limited access to broadband internet, and discrimination in rural areas accessing cable television and Internet reduces citizens' access to domestic and foreign media."

In addition, the government's New Media Strategy is proposing to limit access to Internet media and foreign cable operators. Public awareness of the strategy is growing, and stakeholders are analyzing possible solutions, panelists said.

The highly professional N1 TV has limited access to cable networks except for one cable

operator. The biggest cable operator, SBB, is beginning to monopolize the market. "SBB has more than 50 percent of the cable distribution of media content," said Siniša Isakov, a professor at the University of Novi Sad and an RTV Public Service counselor. "During the year, distributors invested 70 million euro — not in the expansion of cable networks, but in improving the existing network."

Serbia's two PSBs try to perform the function and model of public service, but still avoid serious issues and state debates, do not broadcast parliament sessions when controversial issues are on the agenda, and are not open to alternative views, commentaries, or dialogues. According to Skrozza, changing these conditions will be difficult. "The REM has announced it will no longer monitor [balanced coverage]. The law guarantees equal representation in the media to all candidates in the pre-election period. But instead of the REM, non-governmental organizations carried out that function and registered drastic violations of the election provision."

"There is a multitude of media and diverse ownership and editorial structure, but there's no media diversity that provides citizens with access to reliable and objective information," Milivojević said.

The independent news agencies Beta and Fonet offer professional quality reports to media houses, but strapped media companies are usually unable to subscribe to their services. As a result, their influence is negligible. As Sejdinović pointed out, "There are independent functional news agencies, but they are discriminated against in favor

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of the state agency Tanjug in terms of accessing state resources and information.”

Across the media sector, production of original news content is limited and is often biased or copy-paste journalism. Very few national private outlets produce their own news programs, and they differ from the news on public media stations. However, a number of local media produce their own news and informational content, and are no longer restricted to news from the local community. The law allows media distributors to produce content in cooperation with affiliated entities. This precedent has negative consequences and can endanger media pluralism, according to the panelists.

Reporting on various social issues such as gender, ethnicity, religion, and sexual orientation is scarce. Only a few outlets cover a wide range of social interests at the local level. Serbia does have a relatively new system of municipal governments co-financing social interest media programming. The concept was primarily to ameliorate insufficient market funds. In practice, however, it has been largely transformed into a corrupt way to funnel money to certain media. Looking at the projects co-financed from municipal budgets gives an indication of types of topics covered. The largest number of reports have been on ecology, children's creativity, preservation of cultural heritage, population growth, minority cultural heritage, and a return to village life. Serious topics--such as crime, corruption, LGBTQ rights, human rights, the economy, and poverty--have been absent.

Minority media are still dominated by national councils, which are the political bodies of national minorities. This system limits pluralism, according to Isakov. “The impact of the national councils' policies on the quality of minority media is greater than in other media,” he said. “Minority media are closed,

lack inter-ethnic communication, and do not support multiculturalism.”

Enrollments in the government's media registry did not produce the expected transparency with regard to media ownership. While Serbia has legal solutions and regulations on public ownership of media, often they are not put into practice. Media privatization has given rise to several controversial entrepreneurs who own a number of media outlets in Serbia. The suspicion is that political party members have become media owners. Often these outlets receive more funding through the municipal co-financing system than their investments in the privatization process. Radio S, for example, has several radio stations and produces identical news for all of them, indicating growing media concentration. Additionally, more newly-formed news agencies are emerging without any information about their owners. “A solid register would solve many dilemmas about ownership transparency,” said Tanja Maksić, the program coordinator for the Balkan Investigative Reporting Network. “Even more important is the identification of the origin of capital investments in media.”

Citizens are able to receive news and information about their city, other regions of the country, national affairs, and international events. The PSBs dedicate little time to local issues, giving much more attention to global political events than the demonstrations of thousands of protesters in Belgrade. The panelists also lamented that the public broadcaster failed to report about the groundbreaking formation of the Media Freedom Group in 2017.

The media sector does have outlets such as N1 TV that cover the whole country/region and report significant news from regions outside the capital. However, some parts of the country have no good coverage of these issues. While Serbia has some local media (radio stations and online portals) and

independent productions that demonstrate media professionalism, their percentage of the total media share is small. “The internet is freer than classical media, but there are too many unreliable sources,” said Predrag Blagojević, Južne Vesti CEO and Online Media Association (AOM) board president.

Serbian citizens' confidence in media is low. According to the European Broadcasting Union's annual survey from 2017, Serbian citizens do not trust traditional media. After decreasing year after year, confidence in the Serbian media is lowest among all 33 polled countries (EU members and candidate countries). Survey results showed slightly more confidence in the Internet and social networks, but those values too continue to fall.

OBJECTIVE 4: BUSINESS MANAGEMENT

1.05

Objective 4 experienced the largest drop of the average scores from 1.64 last year to 1.05 this year – the lowest score ever for a Serbian MSI objective. The plunge is due to the dramatic deterioration in the economic position of most media outlets; inability to earn income in the saturated market; and state control of major financial flows to electronic and print media. Out of the 70 total scores from panelists for the seven indicators of this objective, 61 were lower than 2 and none were higher than 2. In the panelists' view, the overall economic situation in the country is not promising for the recovery of the media sector.

The Serbian media sphere does not function as an industry because it has no organized or efficient media market. Market conditions are not transparent,

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the advertising industry is highly concentrated and politically restricted, and the system of granting public money to media is also under government control. The editorial policies of almost all outlets are defined largely by attempting to stay self-sustainable in the dysfunctional Serbian media market. “The basic media revenues come from a variety of sources, but all of them influence editorial policy, including relations with advertising agencies,” Sekulić said, “State subsidies especially undermine editorial independence and spoil the market.”

Data on viewership, listenership, and print media circulations are limited, non-transparent, and often unreliable.

Private media and public media alike are unable to work as efficient or well-managed companies, and they do not make a profit. They use no business planning or international standards

in accounting or financial practices because the market is unregulated. More than 2,000 media are registered in the country, so often sustainability for the average outlet is not possible. Panelists commented that the state of local media is particularly disturbing; they survive only through municipal budget funding.

Advertising funds are under the control of the two largest advertising agencies, both of which have close ties to the authorities. Additionally, there is no transparent data on advertising done by the government or by private advertisers. Taken together, these factors indicate that, although the media sector is predominantly private, the state controls almost all financial flows (especially public funds), which is quickly eroding media independence. Lawmakers do not pursue a consistent policy of media market regulation.

The media industry is non-sustainable and must be funded from other non-media activities to survive. In Serbia today, standard sources of revenue for media (advertising, subscriptions, project financing, and foreign donations) are stagnating or shrinking rapidly. Advertising funds in local areas are marginal. According to a representative of the AOM, in 2017 advertising in local electronic media covered on average no more than 25 percent on average of operational costs.

Serbia has many advertising agencies, but two hold primacy. Agencies dictate prices and rules, cooperate selectively with media (press, radio, TV, internet, mobile telephony) and focus mainly on the capital and larger cities in Serbia. Most advertisers ignore local media because they cannot profit in lower-income areas. Advertising funds have been declining steadily since 2008; with the population’s purchasing power decreasing, there are fewer products and services to advertise.

The overall economic activity in the country

does not suggest an increase of advertising funds soon, as Blagojević explained. “The trends in local news [online] portals’ financing is somewhat specific: revenues from international funds have increased and revenues from local budgets have declined. Advertising revenues from local portals barely exist, and there is no access to media buying agencies. The solution for local portals is crowdfunding, but foreign exchange operations are prohibited in this country, and no one from abroad is technically able to transfer money to the account of any Serbian portal.”

“The basic media revenues come from a variety of sources, but all of them influence editorial policy, including relations with advertising agencies,” Sekulić said, “State subsidies especially undermine editorial independence and spoil the market.”

Media owners pressure managers to run as much advertising as possible, in order to increase revenues from the only direct commercial source. In some cases, the share of ads during broadcast time is up to 50 percent. Advertising revenue is significant for most media outlets that openly back the authorities. Public companies have a ban on advertising in critical media, so those outlets struggle to get ads.

According to Ipsos Strategic Marketing, the spending structure of advertising funds in media is as follows: TV, 55 percent; print media, 17 percent; internet, 13 percent; out-of-home advertising, 11percent; and radio, 4 percent. Advertising on online portals is growing, but is still far behind television, the most influential media source. “The only domestic portal with serious advertising revenue is

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS

- ▶ Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- ▶ Media receive revenue from a multitude of sources.
- ▶ Advertising agencies and related industries support an advertising market.
- ▶ Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- ▶ Independent media do not receive government subsidies.
- ▶ Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- ▶ Broadcast ratings and circulation figures are reliably and independently produced.

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the BLIC daily portal," said Tadić. "All other portals with good advertising revenue are foreign."

Authorities use public procurement advertising as a way to directly support particular outlets. The money the state allocates to selected media is classified in the budget as "funds allocated on behalf of state aid" and as "funds not awarded on the basis of state aid rules," enabling them to misuse money and direct it to preferred media units. Public procurement is abused most often in order to continue the practice of financing "media coverage of local authorities' activities," which was the usual practice before the privatization of local state-owned media. State subsidies in the forms of direct payments, tax relief, or credit guarantees also are not fairly distributed.

Funding data is entered into various registries that are publicly available but are unfriendly for the average user. Additionally, data on media subsidizing is rarely updated, and an effective monitoring mechanism does not exist.

Media market research has been an industry standard for almost two decades. In recent years, however, the results are less affordable to media and often considered biased or undependable. Due to the low sustainability and minimal revenues of most media companies, market research is rare, available only to advertising agencies and a few strong outlets. Few media companies use them in business planning. "Research results are used less than before because they are expensive, and unreliable data is spreading," Maksić said. Tadić added, "All research companies dealing with media rating and circulation are under pressure from authorities, individual media houses, states, or other interest groups ... research results data are not available to everyone and selectively applied."

TV audience measurements produce representative results only for the entire territory of Serbia.

These results are inappropriate for TV stations that do not have national coverage, especially those with broadcasting coverage in the Vojvodina province and other regions. Radio audience measurement is done through sample surveys and results are imprecise. TV people-meters and other research methods are not transparent, although they were years ago when foreign donors financed the research.

A chronic problem is that print media circulation has no official verification system. Print outlets conduct assessments of readership instead. According to unofficial estimates, three years ago, 12 daily newspapers had a circulation of 750,000; in 2017, it is estimated to be 450,000. All news magazines together have a circulation of only 30,000. The consequence of this data is diminishing advertising.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

2.10

Objective 5 has historically received the highest score in the Serbian MSI. It is the only objective with an average score higher than 2, though it has dropped from 2.35 last year to 2.10 this year.

Serbia has four media owners/media publishing organizations and several journalists' associations. Lately, however, a large number of new associations have emerged, serving the short-term goals of particular interest groups. These "phantom associations" have no representatives or influence and essentially exist solely to gain financing. "There are a number of associations founded just to participate in project co-financing, with the help of corrupt structures," according to Sejdinović. "A new association, KOMNET, is a specialist for parastatal media creation. The goal, in addition to corruption, is

to make independent associations meaningless."

Journalist groups such as the Journalists' Association of Serbia, NUNS, and the Independent Journalists' Association of Vojvodina also act on behalf of journalists. They provide training, legal support, counseling, lobbying, and protection and publicly promote journalism in a positive way. They survive on foreign donations. Serbia still lacks a serious trade union organization to represent the interests of journalists and media workers, so all three associations help journalists solve problems that would normally be under the trade union domain.

However, according to Skrozza, the relationships between the groups are often conflicting, and they sometimes struggle to harmonize, with minimal common interests. "Media associations are so preoccupied with mutual conflicts or efforts to survive that they deal unsatisfactorily with professional interests and topics that would interest their members," she said.

Some journalists and media associations are disregarding their differences and appear to be more and more active — which is why they are often proclaimed as the country's enemies, according to the panelists. Provoked by pressure from authorities, in 2017 media organizations and journalists showed new initiatives for defending media independence. One of the biggest developments this year was the formation of the Group for Media Freedom. The group has united NGOs, media outlets, and journalists to carry out a number of significant and publicly visible actions. The group arose from journalists and NGO staff responding to the governmental actions against the daily *Vranjske*.

Serbia has four media owner associations: ANEM, Local Press, Asocijacija Medija, and AOM. They provide multiple services to their members and truly support the interests of members, lobbying on their behalf and advocating for the independence and

Supporting institutions function in the professional interests of independent media.

SUPPORTING INSTITUTIONS INDICATORS:

- ▶ Trade associations represent the interests of private media owners and provide member services.
- ▶ Professional associations work to protect journalists' rights.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

professionalism of the media. They are not currently self-sustainable through membership fees or other revenue; as such, they cooperate with donors and international associations, and some have the support of the Ministry of Culture and Media.

Several Serbian NGOs support the media sector and advocate for freedom of speech and media independence. Some are good media partners and are effective in media affairs, but most are in large cities. In smaller, local areas, the cooperation between NGOs and the media is more modest. NGOs, just like media associations, are under the watchful eye of authorities. Because they are funded by international donors, state-supported media have declared prominent NGO representatives "foreign mercenaries."

According to the panelists, the main problem with journalism education is its focus on theoretical knowledge. Schools do not provide practical training to prepare young people to enter the profession, because they no longer publish print media or produce radio broadcasts. This absence slows down the promotion of journalism and media literacy across Serbia.

Journalists have short-term training opportunities available. Journalist groups and media associations organize training programs that are often useful. Media companies generally support employees who want to participate in vocational education. While weekend training programs are the most acceptable, fewer and fewer of them are offered.

There is also a huge deficit in supplemental education for editors. Most journalists' leadership roles are a logical continuation of their successful journalistic work, but they often lack knowledge on the business of media or the unique interests of publishers, media owners, advertisers, and the state. In years past, often media outlets would organize in-house training, but fewer outlets are doing so now. Employers have lost interest due to general troubles in the media market, according to the panelists.

Young journalists fund their training themselves or attend classes organized by foreign organizations in Serbia. "Additional journalism education is limited to trainings that are not too attractive to participants, such as trainings that are not innovative or are ineffective," Isakov said, "RTV, in spite of major investments in training and specializations, has no success in keeping the best young journalists in media. Often, young journalists, even those with an academic education, do not see journalism as a calling, but rather as an opportunity to acquire certain skills and contacts and migrate to a better paid and more prosperous job outside the media sector."

Serbian law imposes no unjustified restrictions

on the import and/or purchase of materials that media require, such as roto paper, software, video equipment, or transfer equipment. The country has enough printing houses equipped with modern technology, and no discrimination in their activities has been registered.

Distribution channels are monopolized and exposed to political interests. Authorities, political parties, and certain companies sometimes use methods of media content distribution to put pressure on media at national, provincial, regional, and local levels. For example, several local TV stations are excluded from cable distribution, and some print media are not found on kiosks run by the largest print media distributor, Štampa. These economic monopolies control several aspects of media content distribution (cable networks, transmitters, mobile networks, print media selling spots, etc.), creating problems for individual outlets and journalists. Local TV stations do not have equal access to cable networks and digital ETV.

"In Serbia, the 'digital divide' is not decreasing," Isakov said. "It can be said the 'media gap' is expanding, with new media that exist only on the Internet."

According to Tadić of Boom 93, authorities place obvious pressure on the business policies of cable providers, who in turn pressure media outlets. "There is still a monopoly with cable operators, who are blackmailing local media, both TV and radio stations, to pay to be included in the cable. The cable operators do not want to include my radio station, so it cannot be heard in the entire territory — for which the license was paid."

In addition to the abuse of distribution channels,

S E R B I A

citizens are offered only a limited infrastructure. Internet access does not reach all households, and media content on the Internet in Serbia is at 50 percent of the European Union average. "The available data suggests that the trend of watching foreign programs and foreign localized channels is still increasing, especially in Vojvodina, due to geographic advantages and the massive use of KDS, IPTV and satellite receivers," observed Isakov.

According to the Republic Agency for Electronic Communications and Postal Services, SBB is the single operator that dominates the market, with a market share of more than 50 percent.

Infrastructure and information and communication technologies (ICT) meet the needs of the media industry but are not available to everyone. Media can offer citizens products such as digital broadcasting, Internet streaming for audio or video, podcasts, and mobile network content (SMS and/or audio-video MMS). For example, RTV Pink introduced a virtual system for distributing its numerous channels and enabling access with SMS messages through three mobile phone operators. However, citizens in some areas—mostly in southern and eastern Serbia—do not have the ICT capacity (e.g. slow Internet connection, overloaded mobile telephony networks, etc.) to take advantage of such services. Significant differences also exist in the ICT capability between cities and rural areas.

Broadband Internet, the most important component of media infrastructure for the future, is available for only 62 percent of households in Serbia. "In Serbia, the 'digital divide' is not decreasing," Isakov said. "It can be said the 'media gap' is expanding, with new media that exist only on the Internet."

The biggest players in the communications market, which are Internet providers as well as media content distributors, invested nearly twice as much in the distribution of media content (70

million euros) than to the Internet (38 million euros). Moreover, the investment was primarily to enhance the performance of existing networks, not extend the geographic reach of broadband. More than a million households in Serbia are without KDS, IPTV, and broadband access.

List of Panel Participants

Tamara Skrozza, Press Complaints Commission member; Journalist at *Vreme Magazin*, Belgrade

Snježana Milivojević, Faculty for Political Science Media Department Professor, Belgrade

Tanja Maksić, Balkan Investigative Reporting Network Program Coordinator, Belgrade

Dragan Kremer, Program Coordinator, Open Society Foundation - Serbia, Belgrade

Petar Jeremić, Journalists' Association of Serbia Executive Board President, Belgrade

Predrag Blagojević, *Južne Vesti* on line daily, Editor in Chief; Online Media Association Board President, Niš

Siniša Isakov, Professor Academy of Arts, University of Novi Sad; RTV Public Service Counselor, Novi Sad

Zoran Sekulić, FoNet News Agency Owner/CEO; Media Association Board President, Belgrade

Nedim Sejdinović, Independent Journalist Association of Vojvodina President, Novi Sad

Milorad Tadić, BOOM 93 Radio Owner/CEO, Association of Independent Electronic Media President, Požarevac

Moderator and Author

Goran Cetinić, independent media analyst

The panel discussion was convened on December 5, 2017.

In Memoriam

Nebojša Spajić (1961–2017) passed away on March 18th at the age of 55. For five years, he was the moderator of MSI Serbia (2002–2006) and was a panelist in 2013. During his journalism career, he was Radio Beograd 202's editor-in-chief, Media Centre's director, NIN's weekly editor-in-chief, a columnist in several weeklies, and the owner and director of the advertising agency Kovačić & Spaić. He is also the author of several books. Nebojša never gave up the professional principles of journalism and his unique personality will be remembered by everyone who knew him.

Goran Vladković (1964–2017), the owner and editor-in-chief of OK radio from Vranje, died at the age of 53. He was an MSI Serbia panelist for four years (2005–2009). Since he took over OK Radio, a small, local station in 1999, his enthusiasm and high-quality work turned it into one of most respected local stations in Serbia. He graduated from the Faculty of Mechanical Engineering in Niš. Goran was one of the most prominent members of ANEM, NUNS, and other professional associations. He was a fanatical worker and an unmistakable fighter for the freedom and independence of media and media professionalism.



ARMENIA



MEDIA SUSTAINABILITY INDEX 2018

Tracking Development
of Sustainable
Independent Media
Around the World



ARMENIA

AT A GLANCE

GENERAL

- **Population:** 3,045,191 (CIA World Factbook, July 2017 est.)
- **Capital city:** Yerevan
- **Ethnic groups (% of population):** Armenian 98.1%, Yezidi (Kurd) 1.1%, Russian 0.5%, other 0.3% (CIA World Factbook, 2011 est.)
- **Religions (% of population):** Armenian Apostolic 92.6%, Evangelical 1%, other 2.4%, none 1.1%, unspecified 2.9% (CIA World Factbook, 2011 est.)
- **Languages (% of population):** Armenian (official) 97.9%, Kurdish (spoken by Yezidi minority) 1%, other 1% (CIA World Factbook, 2011 est.)
- **GNI (2016 - Atlas):** \$11.006 billion (World Bank Development Indicators, 2017)
- **GNI per capita (2016 - PPP):** \$9,000 (World Bank Development Indicators, 2017)
- **Literacy rate:** 99.7% (male 99.7%, female 99.6%) (CIA World Factbook, 2015 est.)
- **President or top authority:** President Serzh Sargsyan (since April 9, 2008)

MEDIA-SPECIFIC

- **Number of active print outlets, radio stations, television stations, Internet news portals:** Print: over 36; Radio Stations: 20; Television Stations: 17 (nine channels in Yerevan, capital, including two Russian relay channels and CNN, seven stations with nationwide coverage, including one public station and MIR, intergovernmental television of CIS); 22 television stations in regions (nine digital, 12 with analogue licenses extended until next license tenders, and one public station in Shirak region); Internet News Portals: over 200
- **Broadcast ratings:** Most popular television stations are Armenia TV (private), Shant TV (private), A TV (private), H1 (public) (assessed by the panelists)
- **News agencies:** ARKA, Armenpress, Arminfo, MediaMax, Photolur
- **Annual advertising revenue in media sector:** \$30–40 million (estimated by the panelists)
- **Internet users:** 1.78 million (CIA World Factbook, 2016 est.)
- **Newspaper circulation statistics:** Average reported circulation is between 1,000 and 3,000.

MEDIA SUSTAINABILITY INDEX: ARMENIA



SCORE KEY

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.



All 2018 objective scores for Armenia only fluctuated slightly from last year's scores. The business management objective score of 1.85 significantly pulls down the overall score due to the lack of media outlets that function as sustainable businesses with consistent funding. The objectives of free speech and plurality of news sources slightly improved this year with less violence against journalists and the ability of citizens to access many news sources. Although there are still challenges to overcome in all objectives, Armenia's media sector overall score of 2.28 puts the country in the near sustainable range.

Two historic political events shaped 2017 in Armenia. In April, the first parliamentary elections after the 2015 referendum on constitutional reforms ushered in the country's transition to a parliamentary system of government, making the prime minister the head of the country. As expected, the ruling Republican Party of President Serzh Sargsyan won the majority (54 percent) of seats in the parliament, followed by Tsarukyan Alliance (led by wealthy businessman Gagik Tsarukyan, leader of the former Prosperous Armenia Party), the opposition Yelk (Way Out) alliance, and the government-loyal Dashnaktsutyun Party (ARF). At the time the Media Sustainability Index (MSI) panelists met, the president had not officially declared intent to run for the prime minister's office, but most citizens expect he eventually will. In the unlikely scenario that he does not, he will surely remain in power in some capacity.

The signing of the new Comprehensive and Enhanced Partnership Agreement (CEPA) in late November, on the margins of the Eastern Partnership Summit between the European Union (EU) and the Republic of Armenia, marked the year's other major historic event. It made Armenia the only country with both an EU partnership agreement and Eurasian Economic Union (EEU) membership. Many were forecasting its failure, referring back to 2013 when a different, more comprehensive and binding Association Agreement was aborted

following Sargsyan's sudden announcement of Armenia's plans to join the Russia-initiated EEU. Many others were sure the new agreement would be signed, because they believed the agreement was unofficially "cleared" by the Kremlin. The signing was preceded and followed by accounts of hostile and unethical coverage of Armenia's step in Russian mainstream media outlets (which are believed to be under the tight control of the Russian government), using highly offensive, inappropriate language and hate speech. Officially, however, Moscow expressed respect for Armenia's decision. According to Edgar Vardanyan, a freelance journalist and political analyst, Russia was sending a message with the negative coverage, marking a line that the Armenian government should not cross.

The signing of the agreement is a significant step, but it will not resolve all issues with media freedom and human rights overnight.

Less violence against journalists in the past year, despite the fact that there were two major elections (city council elections in May, along with the April parliamentary elections), could be taken as a sign of progress, but it could also be due to a lack of protests that tend to invite such confrontation.

The panelists also voiced concerns regarding a proposed legislative change: a new Law on Freedom of Information, which has not been discussed with the representatives of civil-society and media organizations.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

2.52

Armenia's constitutional provisions guarantee free speech, but enforcement remains a major issue. Obstacles to enforcement of these laws, ironically, include the lack of independence of the courts in dealing with free-speech issues, crimes against journalists, and other violations. Avetik Ishkhanyan, founder and president of Helsinki Committee of Armenia, observed that journalists have no faith that any case will be ruled in their favor, and this often deters them from turning to law enforcement and filing cases. The violations stir public outrage, but this outrage remains almost exclusively confined to indignant Facebook comments.

No journalists went to prison this past year for refusing to reveal their sources. However, the panelists suggested that the mere possibility that sources might be targeted creates an atmosphere of fear. "Even if the journalists get away [with not disclosing their sources], the sources [themselves] might exercise caution and withhold information," assumed Ishkhanyan. "Another issue is, what is a state secret? Is it clearly defined? I think it's not," Vardanyan said.

Licensing, required only for broadcast outlets, has never been apolitical, the panelists agreed—and nothing has changed in this regard: To become or remain a broadcast outlet requires loyalty to the government and its (unofficial) approval. Even if dissenting views are given air, it is understood that there are lines they should not cross. Today, some online casts attract more viewers than certain traditional outlets, but older generations in particular still consider the traditional broadcast

media, television especially, most trustworthy. The picture is the opposite for younger people, who no longer view television outlets as a credible information source and favor online sources instead. "It's either government or pro-government circles that push their agendas through television, and the whole spectrum of society is not represented through television outlets," Vardanyan maintained. "I haven't seen any research on this, but I believe the majority of the population still turns to television for information, especially so in *marzes* [administrative divisions]," Ishkhanyan said.

Market entry and tax structure for media are comparable to other industries, as has been the case for many years. There greatest legal restrictions are those for non-media businesses (other than licensing for broadcast outlets). Setting up an online media outlet today is as easy as "a click away." Newspapers are exempt from value-added tax for distribution.

Compared with the previous two years, which were marked by violent crimes specifically targeting and injuring media professionals, this past year proved less violent. The panelists ascribed this comparative drop in the intensity of violence to the absence of serious protests threatening the regime, rather than an improvement in the media landscape. Still, panelists noted that incidents occurred during the 2017 parliamentary elections on April 2 and the city council elections in May. For example, on April 2, Sisak Gabrielyan (a correspondent for RFE/RL's Armenian service [Azatutyun.am]), Shoghik Galstyan (journalist with araratnews.am online outlet), and videographer Hayk Petrosyan were covering the parliamentary elections and filming outside one of the ruling Republican Party's (HHK) campaign offices. Gabrielyan noticed that before entering the polling station, voters first visited the HHK hub—and that some exited carrying cash in their hands. When

Gabrielyan entered the office to investigate, the HHK staff insisted that they were distributing salaries, not bribes for votes, to their local activists. Some people in the office attacked Gabrielyan and grabbed his mobile phone; a brawl ensued, and Gabrielyan suffered a minor injury.

In another incident at the same campaign office, people who were gathered in front of the office spotted Galstyan and Petrosyan and demanded that they stop filming and leave. When Galstyan persisted, a woman insulted and assaulted her, pulled her hair, pushed her, seized her device, and forced her to leave. Another person assaulted

Legal and social norms protect and promote free speech and access to public information.

FREE-SPEECH INDICATORS

- ▶ Legal and social protections of free speech exist and are enforced.
- ▶ Licensing of broadcast media is fair, competitive, and apolitical.
- ▶ Market entry and tax structure for media are fair and comparable to other industries.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- ▶ Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- ▶ Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Gabrielyan, who was also on the scene, attempting to film the incident.

Two cases were filed; however, the first one was later closed on the grounds that Gabrielyan was not supposed to enter the campaign headquarters, and because of HHK claims that it was paying salaries not bribes.

Gabrielyan experienced a similar incident while covering Yerevan's municipal elections in May. Government loyalists assaulted him after he witnessed alleged cash payouts to voters outside an HHK campaign office. Gabrielyan saw people receiving money upon confirming that they voted for Yerevan's incumbent HHK-affiliated mayor, Taron Margaryan. Gabrielyan entered the office to question HHK activists working there. Clearly taken aback, they immediately hid papers resembling lists of names. One claimed that they were sharing pastry recipes with local residents. Shortly after, some young men verbally abused and roughed up Gabrielyan, who was forced to stop filming with his mobile phone.

Citing an "absence of crime," the authorities closed down the case filed over the incident. The same day, a man assaulted another journalist, Tatev Khachatryan of armtimes.com, while she filmed the polling station with her mobile phone, which is not prohibited under law. When she refused to stop filming, the man covered the lens and tried to seize the phone. Two days earlier, Khachatryan and her colleague Tirayr Muradyan were assaulted trying to follow up on a tip they received about vote buying near a Margaryan campaign.

Article 26 of Armenia's Law on Television and Radio protects the editorial independence of public media. However, the president of Armenia appoints the five member council exclusively for a period of six years; these members then elect the head and the deputy from among themselves. These political

appointments undermine the public broadcasters' ability to be truly public, apolitical, or independent of the government. "The appointment mechanism nulls the theoretical independence [of public television] envisaged by the law," Ishkhanyan said.

Libel is a civil law issue; however, attempts to oppress freedom of speech through this tool have cropped up since the decriminalization of libel in 2010. In one case that occurred in April 2017, 30 school principals sued Daniel Ioannisyann, program coordinator of the Union of Informed Citizens nongovernmental organization (NGO), claiming that their reputations had been damaged through a story published in his periodical, sut.am. In addition to a

"It's either government or pro-government circles that push their agendas through television, and the whole spectrum of society is not represented through television outlets," Vardanyan maintained.

retraction, they demanded ADM 2 million (\$4,270) each as compensation for moral damages for the alleged defamation. This coverage stemmed from an investigation exposing abuses of administrative resources by the ruling Republican Party during the parliamentary election campaigns. According to the investigation, the principals of 84 public schools and 30 kindergartens unlawfully helped recruit potential voters, mainly parents of school-children. The investigation was based on a total of 114 undercover recordings of conversations with principals who (involuntarily) admitted to recruiting voters and putting together lists of their personal data. This occurred after the NGO representatives called the principals, acting as if they were from the Republican Party campaign headquarters and were checking on details of the lists. Later, the court ruled

to dismiss the cases on the grounds of the plaintiffs' withdrawal of the claims.

Access to information has improved overall, the panelists believe. However, as Gayane Abrahamyan, reporter for factor.am and eurasianet.org, noted, "This is not due to the fact that the government bodies have become more transparent, but rather that the journalists have become more active and persistent in obtaining the information. The journalists can force the officials to cooperate through being more proactive and perseverant."

Government representatives often refer requests for information to their official websites, which are "sometimes so chaotically organized that one needs a guide to find the required piece of information," observed Suren Deheryan, chair of Journalists for the Future NGO. "It is really a serious problem. I recently needed to retrieve some financial information on the state budget; you cannot claim it isn't there, but to retrieve it takes persistence and days [of work]," Abrahamyan agreed.

As anticipated during the previous year's MSI study, there was an amendment to the Law on State Procurement, which made representational expenses (travel, entertaining official guests and delegations, receptions/banquets, etc.) of Armenia's top three officials (president, prime minister, and National Assembly speaker) a state secret. According to the panelists, while logical in some way, it in fact exempts the three officials from public accountability for these types of expenditures.

The media community felt blindsided by the new draft Law on Freedom of Information bill, one of the few functioning laws embraced by the media community. They did not see a compelling need to change the law passed in 2003, beyond minor updates. However, there were several changes in the new law that raised concerns. First, it calls for the formation of a new freedom of information board

within the Human Rights Defender's office, which will handle freedom of information violations. The media community is concerned that this board, instead of resolving freedom of information violations, might in fact stifle cases previously won in courts of law. It is yet unclear whether claimants can turn to both the board and the court at the same time, or whether turning to the board will be the first and/or only option. The composition of the board—whether the members are going to be appointed or elected, and paid employees or volunteers—is also unclear.

Second, the unofficially circulated bill contained several prohibitive clauses; for example, if the state body has fewer than 50 employees on its staff, it can refuse to provide a piece of information, or if the information is deemed (by the official responding to the request) not of public interest, or if the information volume is excessive, the official can block release of the information. None of this, however, is contained in the official draft law officially published for familiarization, and the Ministry of Justice, the author of the bill, denied having anything to do with the variant of the unofficial bill. "Perhaps they were trying to 'test the waters' before coming up with the official bill," suggested Vardanyan. "Other times, they would call and say, 'The draft is up; take a look at it, come up with suggestions, objections,' but this time they didn't; they just uploaded it to the draft legislation website without notifying the media community," said Deheryan.

Armenian law does not restrict media outlets' access to and use of local and/or international news and news sources, as has been the case since Armenia won independence from the Soviet Union. Journalists and editors are able to use the Internet to access any news sources. As in previous years, the language barrier remains the only practical barrier, forcing a large array of Armenian journalists and

political analysts to use Russian-language sources over western-language alternatives. There are, of course, Russian-language services of western media, such as BBC, DW, and Reuters; however, these provide more local than international news.

Intellectual property violations persist, with media outlets often lifting content with no reference whatsoever to the original source.

Entry into the journalism profession is still free, and the government imposes no licensing or other restrictions for practicing journalism. Accreditation is required to cover parliamentary sessions.

**OBJECTIVE 2:
PROFESSIONAL
JOURNALISM**

2.17

There are journalists conscientious enough to do their best to adhere to high journalistic standards. They try to verify and fact-check all the information they present, consult a wide variety of relevant sources, and conduct the necessary background research. Nevertheless, the journalism profession also abounds with reporters who ignore such steps in pursuit of fast news, stories, and as many clicks, views, readers, comments, etc. as possible. Ishkhanyan said he once asked one journalist why, and got this response: "If I fact-check and verify the information, I will lag behind, and all the others will have posted it." This kind of race "is one of the most vulnerable spots [of Armenian journalism]," he said. "My own experience comes to prove that most of the time [during press conferences], they [reporters] are not particularly interested in the essence; they just need to write something quickly and post it," he added.

Rare interviews are conducted professionally and are rather, again, just to fill in the "air" or (more often now) the space (online), to just generate content that would bring in more views, hits, and readers. However, sometimes there is also a different, intentional bent, "where journalists try to distort your speech to serve their ends—often through headlines which sound as if taken from your interview, but are taken out of context, and sometimes say the opposite of what you've said," Vardanyan said. Ishkhanyan agreed, explaining, "I gave an interview on the topic of shutting down the [Organization for Security and Co-operation in Europe (OSCE)] office in Armenia, and the headline read: 'Ishkhanyan is for the shutdown,' whereas I said that I was for shutting down the OSCE office in Armenia if and when Armenia corresponds to international standards." The preoccupation with sensational news is most evident in online media. The broadcast media, in turn, have a different problem. "They don't present different viewpoints. In a recent example, public television, during its newscast discussing the signing of the Comprehensive and Enhanced Partnership Agreement with the EU, invited just one expert commenting in line with the same opinions voiced by the government many times before," Vardanyan said.

Many media outlets and media-related organizations have developed and try to adhere to their own (often unwritten) journalistic standards. For example, the Yerevan Press Club (YPC) developed the Code of Conduct of Media Representatives a decade ago. Around 48 outlets signed this code of ethics, but they are not the problem. Those who have not signed it are, Deheryan observed, concluding: "The problems most often arise with those outlets involved in internal political processes ... they do not task themselves with adhering to ethical standards; they have an agenda, and they have to follow it." Still, Abrahamyan maintained, "There are subtler issues,

those dealing with human rights, that are omitted even by many of those 48—for example, showing/posting photos of children, minors, convicts, etc. without consideration for their rights.”

It is increasingly difficult to distinguish between real news and paid advertorial placements; today’s media seldom highlight the distinction for their audiences. Advertorials increasingly feature the opening ceremonies of new branches of banks or telecommunications companies, presenting their new services and promotional offers in the form of news events. Less savvy viewers and readers might struggle to discern the real news.

Journalists show some growth in awareness of conventions against plagiarism. Largely self-regulating, media now generally reference original sources; however, it is not always immediately clear when content is copied from other sources. By the time readers realize they are reading an excerpt, they have already drawn the main idea and are unlikely to bother to find the original.

“Self-censorship is systematic in Armenia; it is institutionalized,” Vardanyan said. Fear of offending certain political circles or officials and the need to conform to certain business interests are the main drivers of self-censorship. “I will find a way to air this or that [potentially troublesome] interview/vox pop, whereas another reporter might self-censor it to be on the safer side,” said Armine Gevorgyan, a journalist for Armenian Public Radio, emphasizing the fact that reporters have come to self-censor even more zealously than their editors. “They [the journalists] are not censored from above [the government]; they are not censored by the editors, because everyone knows the allowed boundaries, the respective roles, the rules of the game, and this stagnation is way more dangerous. They no longer think about resisting, protesting; they no longer think it’s not good, it’s not normal,” Abrahamyan observed.

Ishkhanyan shared that as a guest on a television show, he criticized different political forces, including the one affiliated with the station. “The aired version, however, left that out, thus putting me in an awkward situation, because it appears as though I criticized everyone except their owners.”

At times, editors, too, exercise their censorship “rights.” Pap Hayrapetyan, editor-in-chief of Sevan, gave an example: “We had a growing scandal in a Sevan school about unlawful collection of money [by school teachers from parents], and a reporter from Yerevan arrived to cover the story. He wrote up the article—a good one; I read it. Then we waited for it to be published, but it never came out. I called the reporter, and he said that the editor blocked it.”

“If I fact-check and verify the information, I will lag behind, and all the others will have posted it.” This kind of race “is one of the most vulnerable spots [of Armenian journalism],” Ishkhanyan said.

Although journalists cover most key events and issues in the country, the angles vary depending on the ownership/affiliation of different outlets. “Even before watching/reading the news, based on the ownership/affiliation of the outlet, I already know the angle, the modality with which the piece of news is going to be covered and presented,” Ishkhanyan said.

“When you watch the television outlets and the online media, the feeling that we live in different ‘Armenias’ persists,” Vardanyan said. On the other hand, this year, unlike the previous two years, has not brought many severe protests that make the discrepancies painfully clear. “For example, Azatutyun [RFL/RE Armenian service, azatutyun.am] might be streaming live [the protests], but if you

turn on the traditional television [stations], they are unflappable,” Gevorgyan observed.

Online media provide more varied viewpoints than the television outlets. “They have come to understand that not covering [certain events] doesn’t make sense, and they will lose out to their competition if they ignore stories. There is another problem here: The news feed, and the flow of fake news is so abundant that a public with quite low media literacy levels becomes ripe for manipulation,” Abrahamyan said. “The approach of the government has changed. If previously they were saying ‘don’t print this, don’t print that,’ now they have come to realize that to outweigh this, they can flood the information feed with different pieces of distracting news and information,” she added.

Pay levels of journalists are low, but on the whole, they are comparable to most other professionals in Armenia. This forces journalists to work for multiple outlets to be able to stay afloat in the profession.

“I think it’s a matter of principles, and low or high pay levels will not discourage or encourage corruption for journalists with integrity,” Gevorgyan asserted. Ishkhanyan disagreed: “While high pay levels will not eradicate corruption, they will certainly serve as a preventive measure to a great extent. It is an axiom.” Abrahamyan suggested that this might just raise the amounts of bribes. Gevorgyan offered an example from her practice: “The phenomenon [of accepting pay for favorable coverage] exists, and unfortunately journalists with a high degree of integrity are adversely affected, because people think all journalists are corrupt. I go to the regions to cover stories, and the head of the village administration approaches me and asks, ‘How much should we pay?’ ... when I protest, they say, ‘Why are you offended? The other day this person from this outlet came and wanted money.’ The journalists

Journalism meets professional standards of quality.

PROFESSIONAL JOURNALISM INDICATORS

- ▶ Reporting is fair, objective, and well sourced.
- ▶ Journalists follow recognized and accepted ethical standards.
- ▶ Journalists and editors do not practice self-censorship.
- ▶ Journalists cover key events and issues.
- ▶ Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- ▶ Entertainment programming does not eclipse news and information programming.
- ▶ Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- ▶ Quality niche reporting and programming exists (investigative, economics/business, local, political).

themselves know who accepts bribes, and then how much these same journalists speak about justice.”

Vardanyan emphasized that higher pay levels would also elevate the professional quality of journalists, because the field would attract and retain more professional people who currently leave for other, more lucrative fields.

Many outlets struggle or are unable to retain higher-paid, experienced journalists. “Instead of one experienced journalist, the outlets would rather hire and keep several low-paid workers who are more compliant than the seasoned journalists who require higher salaries,” Gevorgyan said. Gayane Mkrtychyan, a reporter for iwpr.net, affirmed the reality: “After the shutdown of Armenianow.com, I tried to seek employment in different outlets, but after hearing the salary amounts and the scope of work I had to accomplish, I realized that it is not feasible for me

and decided to stay a freelance journalist.”

As for balance, “[it] would be safe to say that entertainment has swallowed information programming. The television has been turned into a total entertainment source, with news and information programming a tiny accompaniment—and I believe this is intentional,” Vardanyan observed. Soap operas, sitcoms, and game shows flood the air, particularly during prime time.

Facilities and equipment for gathering, producing, and distributing news are, for the most part, modern and efficient. The exceptions are those television outlets that have not yet been able to switch to full HD-quality video. The problem is more acute in regions. However, with low-cost, HD-quality equipment capable of capturing news becoming increasingly available, the main problem relates to airing full HD-quality videos.

Quality niche reporting and programming exists but at a minimal level. There are very few niche reporters specializing in issues such as health, business, education, etc. Most journalists cover a wide array of issues in (at times diametrically) different fields. The quality of such reporting is also a problem: More often than not, these “versatile” reporters lack depth of knowledge on their topics. “I don’t remember having a professional sports commentator for years,” Ishkhanyan said.

The major constraints remain the prohibitive financial, time, and human resources needed to produce well-researched, thorough niche reporting. Outlets, for the most part, are understaffed, with overstretched reporters caught up in daily tasks that prevent them from producing stories that call for longer-term dedication and involvement. Most mainstream managers and editors see this as too expensive and with too little return on their investment. They know they can spend less on scandalous, popular content that brings far more

clicks—which translates into advertising revenue.

More professional, investigative-style content, as a rule, is also lengthier and demands more time from readers and viewers. It is becoming increasingly difficult to retain the average audience member’s attention in the reality of today’s information influx and shortened attention.

**OBJECTIVE 3:
PLURALITY
OF NEWS**

2.43

There are myriad news sources that people can access to get a wider perspective on issues and multiple points of view. While there are outlets which present differing viewpoints within their coverage, they are very few. Because a vast array of media outlets has political strings attached—many exist for the sole purpose of supporting a specific political force or figure—it would be naïve to expect that they would even try to achieve objectivity and impartiality by providing different viewpoints. “Real plurality means the existence of different viewpoints in commensurate, comparable media outlets in terms of their coverage and audience size, whereas if one opinion is featured in an outlet with a large audience, and the differing, alternative views are featured in a newspaper with a circulation of 5,000, it’s not real plurality, because the impact of the latter is much weaker,” Vardanyan added.

There are many different types of media, far more than would be sufficient to meet citizens’ needs. “The field is [intentionally] flooded with news, and for people with poor media literacy it is very difficult to discern propaganda from real news. Thus, the

Multiple news sources provide citizens with reliable and objective news.

PLURALITY OF NEWS SOURCES INDICATORS

- ▶ A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- ▶ Independent broadcast media produce their own news programs.
- ▶ Citizens' access to domestic or international media is not restricted.
- ▶ Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

multitude of news sources, the multiple viewpoints can do harm in this context," Abrahamyan maintained. "There are a number of online media that provide mostly quality news reporting, and they do that intentionally to create a positive image, building trust in their media organization to be able to service their hidden agenda when needed," Vardanyan said.

Ordinary people increasingly rely on social networks, with Facebook on top of the pyramid, for news and information. Few people type direct links of media outlets, but rather follow their Facebook pages and get the stories within their Facebook accounts through feeds, and even more through their friends' shares.

By law, access to domestic and/or international media and news is not restricted; it has not been since the collapse of the Soviet Union. The natural restriction here is the language barrier, putting access to western media and news out of reach for most of the population. On the other hand, most Armenians know enough Russian to read articles or watch television programs, making an average Armenian more likely to read Russian than English-language media. "Most of the Russian-language news sources, especially international newscasts, are propaganda," Vardanyan noted. Poor Internet coverage in rural areas and smaller towns amounts to another restriction. While there is the 4G mobile Internet, it is not unlimited, and data restrictions can make watching videos a challenge.

Public television has undergone huge changes as compared with five or six years ago, when seeing an opposition figure on the screen was highly unusual, and the Armenia portrayed on public television differed dramatically from the Armenia seen in online media. Today's public television is open to alternative views and comments, with some reservations.

Over the years, the panelists have maintained that it is still not a genuine public service-model television run by independent, apolitical managers. Public television remains under the full control of the government and the alternative views currently available on it could be curbed immediately should the need arise. Although Armenia's public television tries to project the image of an outlet serving the public interest in a nonpartisan way by presenting differing viewpoints, it often gives itself away with a whiff of the party line.

Public radio, in contrast, comes much closer to serving the public interest in a nonpartisan way—but its audience is smaller.

The panelists agreed that public television and

radio today do seem to fill a gap left by commercial broadcasters by offering educational, cultural, and social programming that private media usually bypass.

News agencies, in their traditional meaning, are nearly extinct in Armenia. One exception is Photolur, which provides only images. Television stations turn to international agencies, like AP and Reuters, primarily for video footage.

"Real plurality means the existence of different viewpoints in commensurate, comparable media outlets in terms of their coverage and audience size, whereas if one opinion is featured in an outlet with a large audience, and the differing, alternative views are featured in a newspaper with a circulation of 5,000, it's not real plurality, because the impact of the latter is much weaker," Vardanyan added.

Private media produce their own news and information programming, and almost all television outlets produce their own news. The content does not dramatically differ from that produced by public media. "The style is different, but the content is not," Ishkhanyan observed. Online media offer more options, providing wider angles, more views, timelier stories, and a greater range of topics. Online media, however, also amalgamate news and information from a variety of other sources.

Media ownership in Armenia maintains opaque, leaving the true ownership a matter of speculation. "If for television outlets you more or less know who the owners are and what to expect, the online field is absolutely indefinable," Abrahamyan said.

Media ownership can no longer be deduced from content; owners have sharpened their sophistication on that front. “Two different outlets, with opposing views and policies, might be affiliated with one and the same figure,” Gevorgyan said. People in the media community might be aware of the real owners, but most ordinary readers have little idea. “At times, when you learn that a specific outlet belongs to a specific person, you are flabbergasted, because the content would make you think the opposite,” Ishkhanyan said.

Over the years, the panelists consistently have reported no difficulties covering ethnic minorities. Moreover, the public radio has been airing programs in 14 minority languages—Russian, Ukrainian, Greek, Kurdish, Assyrian, and others. Russian, Ukrainian, Kurdish, and Yezidi minorities also publish their newspapers in their respective languages.

Reporting on issues such as sexual orientation or minority religions is minimal on television, though online periodicals provide more coverage. “I would say it’s rather a one-sided anti-propaganda,” Ishkhanyan said. “The television hasn’t changed a lot in this respect, but the print and online outlets have; offensive labels are less common now,” he added. The media still resist including such issues, pressed by society at large, which discourages coverage of these topics.

Citizens are able to find news and information about their hometown, other regions of the country, national issues, and international developments. Media with a nationwide scope report on significant news from regions outside the capital, yet, as panelists have noted over the years, there is still a lack of news from the regions, even though the flow of information from regions has increased in recent years. “Five years ago there was none, but now we see more information from regions,” said Samvel Martirosyan, a media and IT security expert.

Local media in regions and small cities provide mainly local-centric news and information. “In any case, from what we get from outlets, television in particular, we cannot figure out what is going on in terms of the broader social, political events,” Vardanyan observed. “And even if there are stories from regions, maybe it’s not intentional, but they are rendered in an uninteresting, unattractive way,” he added.

Media in Armenia provide coverage of international issues, but the quality is mostly poor—typically a compilation, copy, and translation of news from international television channels rather than original content. International coverage is also usually a bit stale, though that has improved slightly in recent years. As discussed above, the language barrier plays an important role in how media choose the sources for compiling international news, giving Russian sources an edge. However, media have come to recognize the propaganda-laden nature of Russian sources, and show more caution.

Few Armenian media outlets prepare and follow business plans that would help them secure funding, guide decisions on expenditures and personnel, or plan for capital expenditures. Accounting and finance practices are brought in line with state tax requirements rather than international standards. Few outlets hire specifically designated professionals apart from editors and journalists to manage marketing, human resources, or legal functions. “Many print and online outlets don’t even have dedicated commercial directors; rather, the editors take up this task as well, which adversely impacts both the business and content sides,” said Vahe Sargsyan, a freelance journalist.

As most of the country’s media—including online media—were never intended to be successful commercial entities, but rather propaganda tools, there are not many sources of funding. Other than contributions from their founders, advertising is largely the only source of revenue. The panelists feel that advertising impacts media content, as it is used as a tool to deter negative coverage of the advertiser, the affiliated companies, or public figures.

For years, telecom providers, insurance companies, wine manufacturers, banks, automobile dealerships, home-improvement hypermarkets, and lotteries have been the main media advertising buyers. Much advertising has shifted from traditional media to Facebook, which is often viewed as a faster, more transparent, efficient, and effective channel of communication. However, advertising decisions are based on political influence and/or business ties as much as market principles. Regional print and broadcast media, in addition to commercial advertising, also draw revenue from classified ads, congratulatory messages, and holiday greetings. Advertising agencies work mainly with broadcast outlets and the larger newspapers/online media and seldom cooperate with regional outlets.

**OBJECTIVE 4:
BUSINESS
MANAGEMENT**

1.85

For years, MSI panelists have claimed that self-sustainability is more dream than reality for Armenia’s media outlets. Outlets functioning as self-sustainable business entities are few. The media, as a rule, are not conceived as commercial enterprises but rather as tools to shape public opinion. There are rare exceptions, such as Photolur, “but it’s becoming increasingly difficult because our clients are going through hard times, which in turn affects our revenues,” Baghdasaryan said.

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS

- ▶ Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- ▶ Media receive revenue from a multitude of sources.
- ▶ Advertising agencies and related industries support an advertising market.
- ▶ Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- ▶ Independent media do not receive government subsidies.
- ▶ Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- ▶ Broadcast ratings and circulation figures are reliably and independently produced.

According to the panelists, a few players—which nominally function as independent entities but are thought to belong to the same people—have monopolized the media market for years. These include Media International Service (the only media sales house in Armenia, with exclusive rights to advertising inventory in five Armenian channels thought to have the highest ratings: Armenia TV, ArmNews, A TV, Shant TV, and Yerkir Media); Admosphere Armenia (the only television audience measurement organization); and advertising agency PanArmenian Media House.

With advertising as one of their only sources of revenue, media managers feel pressed to use more and more ads. As the effectiveness of regular ads has diminished, media managers have flooded the programs, mainly sitcoms and soap operas, with product placement ads. The effectiveness of

traditionally placed advertising has dwindled due to several factors: Aside from Internet penetration, which lets viewers watch just about any television program free of charge and at times is convenient for viewers, the advent and subsequent penetration of IPTV triple-play services, with features like program catch-up, fast-forwarding, and rewinding, significantly contributed to the devaluation of television ads.

Many television outlets also persist with the archaic practice of many post-Soviet states of raising the volume of the transmission during ads.

“As for online outlets, for some outlets the impression is you have to look for the articles amidst the ads,” Vardanyan said. Martirosyan continued, “And sometimes when you’ve finally found the article and barely started reading, another ad pops in the middle of the story.”

Since 2015, public media have not been allowed to sell advertising, with few exceptions, such as social or commercial advertising in scientific, educational, cultural, and sports programming.

Government subsidies are governed by law and are provided to independent regional and/or minority-language print outlets. These are minimal: AMD 500,000 (\$1,030) is now dispensed in quarterly installments of AMD 125,000 (\$257)—instead of lump sums, as before.

Armenian media have not embraced market research, especially professional third-party research, which could guide their decision-making and planning. Among the reasons, perhaps, are the prohibitive costs. However, since they have come to realize that even quality research, which is very rare and expensive in Armenia, does not necessarily guarantee the desired outcome, they stick to the old trial-and-error approach. At best, they conduct primitive research in-house, using their own personnel resources, rather sporadically. Call-in shows, views, hits, and comments also serve

as the main tools for measuring the success of and demand for specific shows or articles. Gevorgyan brought up the example of public radio’s launch of several new programs based on market research findings that showed a need for specific types of programs—“Ecosphere,” which covers environmental protection issues, “Healthy Lifestyle,” the political show “Crossroads of Opinions,” and others.

Ishkhanyan objected to relying on surveys to tailor products to the interests and preferences of the audience: “If the research shows that the most popular content is low-quality popular music, should we air it all the time?” However, other panelists expressed more faith in audience tastes.

Few Armenian media outlets prepare and follow business plans that would help them secure funding, guide decisions on expenditures and personnel, or plan for capital expenditures.

The only organization that measures television audiences is still Admosphere Armenia, which was founded in 2015. Admosphere has partnered with the Nielsen Admosphere Czech TAM company to transfer its TAM experience using modern technologies and software; it now uses Adwind Kite software. Admosphere has been providing ratings data since April 2016, which includes digital broadcast as well as Internet Protocol Television (IPTV) viewership figures. The data are not publicly available; rather, they are sold to interested parties—television outlets, advertising agencies, and advertisers (mostly banks and telecommunications providers)—on a subscription basis. Admosphere is one of the companies mentioned above that is perceived to be part of a bigger scheme to

monopolize the advertising market.

The panelists again recalled that when viewers switch on U!Com (one of the IPTV providers), the default channel is set to Armenia TV Premium—a different feed of Armenia TV, which airs programs without advertising, and one episode ahead of the regular, free Armenia television feed. This provides an artificial ratings boost.

There are no organizations that track traffic to online media or other resources, and one of the only options here remains similarweb.com. If the website owners agree to connect their Google Analytics accounts to similarweb's account, then the latter can provide publicly available Internet statistics that could also be used for Armenian online media. It is, however, unclear how similarweb collects statistics for those that do not connect their Google Analytics account. Martirosyan also warned that the outlets' own counters below the articles, or share statistics under Facebook posts, are not accurate measures of actual views or shares, either. "I've come across online outlets that change the counter statistics randomly; every time you refresh the page, the counter adds a random number to the previous figure," he observed. "Facebook share figures cannot be taken for granted, either, because most of the shares are by the reporters themselves, when they share their article to hundreds of Facebook groups having something to do with media or journalism. You should look at the ratio of likes to shares—if they are close, it basically means real people haven't even read it. And they don't even suspect that they're actually doing themselves a disservice, because Facebook algorithms punish this kind of behavior by limiting the reach of those types of posts," he added.

**OBJECTIVE 5:
SUPPORTING
INSTITUTIONS**

2.42

There are no trade associations in Armenia that represent the interests of media owners and managers and provide member services. Attempts have been made before, but so far, apparently, without success.

There are organizations in Armenia that work to protect journalists' rights and promote quality journalism, and the government imposes no legal restrictions. They provide training, legal advice, journalists' rights advocacy, etc. These are the Yerevan Press Club, the Gyumri-based Asparez Journalists' Club, the Association of Investigative Journalists, the Vanadzor Press Club, and others.

Asparez Journalists' Club, in cooperation with Transparency International and with funding from USAID, will continue to implement a five-year project, "Engaged Citizenry for Responsible Governance," which includes a component to help increase citizen access to independent and reliable information through online live-streaming of public discussions organized by the project.

Over the years, the panelists have observed that these organizations largely depend on international donor funding in the absence of other sources, making their effectiveness dependent on these grants. Providing legal assistance is expensive, and without grants it is quite difficult to provide legal support to journalists and media professionals when they need it. The panelists reaffirmed again that after joining the Russia-designed EEU, international donor funding has dwindled—yet, they expressed hope that more (assumedly European) funding might be available after signing the Armenia-EU Comprehensive and Enhanced Partnership agreement.

NGOs work in cooperation with the media sector to support freedom of speech and media independence. These are, among others, Open Society Foundation (OSF), the Committee to Protect Freedom of Expression, Eurasia Partnership Foundation Armenia (EPFA), Media Initiatives Center (MIC), and Journalists for the Future (JFF). EPFA and MIC will continue to jointly implement USAID's five-year media project, "Media for Informed Civic Engagement (MICE)," which was launched in March 2015. The project aims to increase citizen access to independent and reliable sources of information about the government's policies and planned reforms; it also seeks to create a demand for public awareness as a necessary mechanism for participation and involvement through better journalism. Recently, it convened a workshop on humanitarian issues and their coverage in media, in cooperation with the International Committee of the Red Cross (ICRC); a workshop on producing a television series; and a media literacy training for teachers.

"The problem is, many students today possess mobile phones that can produce higher-quality audio visual content than the [outdated] equipment the journalism schools and departments have at their disposal," observed Deheryan.

Ampop.am, a data-driven news website in the genre of explanatory journalism and data visualization, is an initiative of Journalists for the Future (JFF) NGO and Ampop Media (AM) initiative. It is funded by the Armenian Branch of Friedrich Ebert Foundation (FES). The platform consolidates journalist-researchers, data collectors, and

designers to support local media. The US Embassy in Armenia and the OSCE Office in Yerevan also support the project.

Journalism degree programs are abundant both in state and private universities; however, their quality remains low, and the panelists have not witnessed any progress here.

These programs do not include sufficient practical and theoretical training to prepare young people to enter the profession, and the panelists question the soundness of the theoretical knowledge delivered as well. Most schools fail to teach modern techniques and modern channels of communication; they lack modern equipment, laboratories, and studios where they can acquire hands-on, real-life experience gathering, producing, and disseminating information. “The problem is, many students today possess mobile phones that can produce higher-quality audio visual content than the [outdated] equipment the journalism schools and departments have at their disposal,” observed Deheryan. The journalism schools are very slow in picking up modern trends, technologies, and equipment, whereas the digital world evolves very quickly. The journalism schools just cannot keep up.

There are very few student-run media. Those that exist are affiliated with universities and are not separate outlets. The number of students who receive journalistic degrees abroad and then return home, bringing new expertise, are minimal, because few people choose journalism as a discipline to study abroad. Of those rare ones who do, very few return and very few of those who return start working as practicing journalists.

The quality of students who enroll in journalism degree courses has also slipped, due to the shortfall of students who want to enroll in such courses, which lowers the entrance passing score—thus admitting less proficient students. “Fourth-year

Supporting institutions function in the professional interests of independent media.

SUPPORTING INSTITUTIONS INDICATORS:

- ▶ Trade associations represent the interests of private media owners and provide member services.
- ▶ Professional associations work to protect journalists’ rights.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

students don’t know very basic things about Armenia’s recent history or political developments. So, three years from now, we’re going to be dealing with a situation that is a lot worse,” Abrahamyan said.

The majority of instructors are also out of step with modern media needs; they are not, and have never been, practicing journalists. “And they cannot bring in a practicing seasoned journalist with the pay [ADM 1,000–1,500 (\$2–3) per hour] currently fixed for lecturers,” Gevorgyan explained. “And on top of it, there’s no parking, and you have to spend more on gas trying to find a parking spot,” Martirosyan joked. “Many seasoned figures are invited to teach courses occasionally, but on a sporadic rather than systematic basis. Most of the instructors are older people who

deliver outdated courses to these kids,” he added.

For years, media outlets have not been satisfied with the quality of the graduates.

“If you don’t have a dictaphone, camera, or microphone, no matter how well you deliver the theory, if they [students] can’t get a hands-on practical experience, how are you going to graduate journalists?” Gevorgyan explained. “I’m invited to deliver a course on the Internet; I go and find out there are no computers. When, after a few classes, we find one, it’s only me “having fun” searching in Google and them watching me do that on the projector screen [as opposed to doing the same practical exercises on individual computers],” Martirosyan said.

Short-term training opportunities exist, mostly set up by international organizations, but they have grown rarer. “The editor will never come and say, ‘You know, guys, I have found this wonderful training for you, and I think you should participate.’ It’s almost solely up to the journalists to search and find training opportunities locally, or abroad, using their own networking skills,” Gevorgyan said. Even worse, the prevailing majority of editors are steadily reluctant to let their active journalists attend those trainings because of the compelling need for practical hands that would keep delivering them content. The courses are predominantly organized under the auspices of projects implemented by NGOs with international donor funding, so these are free for journalists. The most popular and needed courses are those teaching modern techniques, such as the use of the Internet and multi-media applications, equipment, etc.

Abrahamyan, however, complained about a lack of motivation on the part of the journalists to get trained: “If you take them [for a training] to Aghveran or Tsakhkadzor [popular resorts outside of the capital], they come with great pleasure; otherwise,

they are not very excited to attend. Acquiring knowledge, learning new things is not sufficient motivation for them.” It is very difficult for active, practicing journalists to attend trainings; weekends are probably the only options, but since this is their only opportunity for a day off, they are reluctant to join the trainings. “We often include media components in our [Helsinki Committee of Armenia] trainings, and the journalists are mostly willing to participate, but not during weekdays—unless it is outside of the capital,” added Ishkhanyan.

“The editor will never come and say, ‘You know, guys, I have found this wonderful training for you, and I think you should participate.’ It’s almost solely up to the journalists to search and find training opportunities locally, or abroad, using their own networking skills,” Gevorgyan said.

Again this year, the panelists acknowledged that there have not been any cases of undue restrictions on importing or purchasing materials that journalists or media need to produce their work. Newsprint, software, and video equipment are all freely purchased and imported. The only problem might be the lack of professional equipment in Armenia, due to the small market size. Almost all new professional equipment needs to be imported from third countries. There are few, if any, printing houses in the regions, so print outlets must travel to the capital to print their newspapers.

The switchover from analogue to digital broadcasting, accomplished in November 2016, left some 12 regional outlets on the brink of extinction because a 2010 amendment to the Law on

Television and Radio stipulated that there should be just one digital television station in a given region.

Later, analogue licenses of those regional outlets that did not win the digital license competitions were extended until the advent of private multiplexers¹. (Another 2015 amendment to the above-mentioned law allowed private multiplexers to accommodate other broadcast outlets not carried by the public multiplexer, which can have only one station from each region). These outlets complain that they are losing audiences, and therefore also advertising, because they are analogue in this era of digital.

This year, the National Commission on Radio and Television re-announced the competition for a private multiplexer (which had failed the previous year due to the absence of interested applicants). This year, too, the competition failed for the same reason—no applications were submitted during the three-month period set by the law. This means that for at least one more year, the only multiplexer, the public one, will remain as a natural monopoly. The problem is that no one wants to invest in setting up a private multiplexer with nationwide coverage (the 2015 amendment to the Law on Television and Radio, which allowed the entry of a private multiplexer, stipulated that the latter should cover the whole country).

The owners of private regional television outlets believe that if smaller private multiplexers were allowed, there would be interested applicants who could afford this. Setting up a private multiplexer with nationwide coverage would mean investing around ADM 4.5–6.5 billion (\$10–12 million), which is not attractive to businesses given current plummeting revenues for television. According to the authors of

the law, when they started designing it years ago, they could not foresee that the private multiplexers would be unattractive for businesses. However, the fast development of ICT infrastructure, Internet penetration, proliferation of online media, and the advertising shift from traditional media to online has rendered it unattractive for businesses. Unless the law is revised to allow for smaller private multiplexers, these regional outlets may be forced to shut down.

ICT infrastructure has developed a lot in Armenia. Digital broadcasting is underway, and people have come to appreciate its quality. Yet, some challenges remain unaddressed in rural areas and cities outside the capital. For most of the rural areas, 4G Internet through mobile phones is the only option, and it can pose a real problem due to the limited data allowance for high-speed Internet, which means that viewers cannot watch an unlimited number of videos because it will drain their limited gigabytes. Currently, none of the three telecom providers offer unlimited Internet options. Broadband, fiber-optic Internet has not fully penetrated the country. The cost of the high-quality, fast Internet is still high enough for today’s modern world and information flow.

¹ A multiplexer is a device that combines multiple input signals for transmission into one output.

ARMENIA

List of Panel Participants

Gayane Abrahamyan, journalist and reporter, factor.am and eurasianet.org, Yerevan

Suren Deheryan, chair, Journalists for the Future NGO, Yerevan

Gayane Mkrtchyan, reporter, iwpr.net, Yerevan

Armine Gevorgyan, journalist, Armenian Public Radio, Yerevan

Edgar Vardanyan, freelance journalist and political analyst, Yerevan

Samvel Martirosyan, media expert, IT security expert, Yerevan

Avetik Ishkhanyan, founder and president, Helsinki Committee of Armenia, Yerevan

Pap Hayrapetyan, editor-in-chief, *Sevan*, Sevan

Vahe Sargsyan, freelance journalist, Yerevan

Arevhat Amiryan, owner and editor-in-chief, *Vorotan*, Sisian

Melik Baghdasaryan, owner, *Photolur*, Yerevan

Anahit Nahapetyan, owner and editor-in-chief, *Tufashkharhi Arorya*, Artik

Moderator and Author

Artashes Parsadanyan, independent media consultant, Yerevan

The panel discussion was convened on November 30, 2017.

AZERBAIJAN



**MEDIA
SUSTAINABILITY
INDEX**

2018

Tracking Development
of Sustainable
Independent Media
Around the World



AZERBAIJAN

AT A GLANCE

GENERAL

- **Population:** 9,961,396 (July 2017 est. *CIA World Factbook*)
- **Capital city:** Baku
- **Ethnic groups (% of population):** Azerbaijani 91.6%, Lezgian 2%, Russian 1.3%, Talysh 1.3%, Armenian 1.3% (almost all in the separatist Nagorno-Karabakh region), other 2.4% (2009 est. *CIA World Factbook*)
- **Religions (% of population):** Muslim 96.9%, Christian 3%. Note: Religious affiliation is still nominal in Azerbaijan; percentages for actual practicing adherents are much lower (2010 est. *CIA World Factbook*)
- **Languages (% of population):** Azerbaijani (Azeri, official) 92.5%, Russian 1.4%, Armenian 1.4%, other 4.7% (2009 est. *CIA World Factbook*)
- **GNI (2015):** \$63.31 billion (World Bank, Country at a Glance, 2017)
- **GNI per capita (2015):** \$6,560 (World Bank, Country at a Glance, 2017)
- **Literacy rate:** 99.8%; male 99.9%, female 99.7% (2016 est., *CIA World Factbook*)
- **President or top authority:** President Ilham Aliyev (since October 31, 2003)

MEDIA-SPECIFIC

- **Number of active media outlets:** Print: 36 dailies, 100 weeklies, 85 monthlies; radio stations: 9 AM, 17 FM; television stations: 23 (9 broadcasting nationwide, 14 regional)
- **Internet usage:** 7.7 million users/78.2% percent of population (July 2016 est. *CIA World Factbook*)
- **Annual advertising revenue in media sector in 2016:** \$40.2 million total (*State Statistics Committee 2017 Yearbook*).
- **Mobile subscriptions:** 10,315,993 (July 2016 est. *CIA World Factbook*)
- **Newspaper circulation statistics:** The most widely read publications are the opposition newspaper *Yeni Musavat* and *Azerbaijan*, the official publication of the parliament
- **News agencies:** Turan, Trend, Azerbaijan Press Agency, Day.Az, and 1news.az (all private); AzerTag (state owned)
- **Broadcast ratings:** Top television stations: Azad Azerbaijan TV, Khazar TV (AGB/Nielsen)

MEDIA SUSTAINABILITY INDEX: AZERBAIJAN



SCORE KEY

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.



Azerbaijan’s media continues to operate in an ever hostile environment. Government repression of the media, largely through law enforcement, and pervasive government control over the media sector has led to threats, fines, arrests, and incarceration (among other things) of media workers. Azerbaijan’s overall MSI score this year remains static in comparison with last year’s study and is solidly in the unsustainable/mixed system classification. While individual objective scores either remained the same or saw very minor improvements, Objective 2 (professional journalism) saw the largest decline, further indication of the pressure under which Azerbaijani media operates.

Independent media in Azerbaijan faced worsening conditions in 2017 as all facets of the ruling apparatus, from the presidency to the parliament to police and courts, stepped up persecution of journalists and outlets. Regressive changes to media laws broadened avenues for officials to bring defamation cases, block news websites, and introduce censorship. Media that question government actions, report on President Ilham Aliyev’s family, or provide a platform for opposition views are essentially treated as prey.

Law enforcement has become the primary arena for repressive action. Activists and independent journalists are routinely arrested, tried, and imprisoned on pretenses of drug use, illegal border crossing, tax evasion, or resisting police. The year’s highest-profile case involved Mehman Huseynov, a popular video blogger and Facebook personality, who was arrested in January 2017 and is now serving a two-year term on defamation charges. As detailed in Objective 1, the following months brought numerous incidents of harassment and prosecution, including allegations that Azerbaijani authorities worked with the Georgian security forces to kidnap an investigative reporter working in exile in Georgia and forcibly returned him to Baku.

Mainstream news media are under the strict control of the ruling elite and only report news that suits its purposes. This holds true for both state-owned and private channels. Other media have come under withering attack. Several years after Radio Azadliq, the Azerbaijani service of Radio Free Europe/Radio Liberty (RFE/RL), was stripped of its radio frequency,

its website was blocked by court order, as were those of video channels Meydan TV and Azərbaycan Saati and other alternative news sources. The targeted outlets’ appeals of the order—secured by prosecutors under broad, vague new restrictions on disseminating “prohibited information”—have been shot down. The country’s only independent news service, the Turan Information Agency, was targeted by a tax investigation and briefly suspended operations.

In early 2017, parliament voted to double the fine levied for “tarnishing or humiliating the honor and dignity of the President of the Azerbaijan Republic in a public statement” and incorporated online and social media into defamation and slander laws. (Fines for pseudonymous users are double those for people posting under their own names.) In the fall, legislators introduced changes to the law on legal services, under which only members of the National Bar Association would be allowed to provide courtroom defense, further hamstringing independent media and activists who rely on legal aid from human rights and media nongovernmental organizations (NGOs)—lawyers from which are effectively blackballed by the bar association.

Along with overt threats came a growing menace to independent outlets’ digital security. The Facebook pages of Kanall3 and Meydan TV, which, respectively, had 200,000 and 500,000 followers, were hacked. Meydan TV lost 100,000 users and saw its entire post history deleted in the cyberattack. It marked a new front in Azerbaijani authorities’ war on media.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

1.05

Azerbaijan’s constitution guarantees freedom of speech in language that parallels international standards, and protection of the media and journalists is enshrined in legislation. However, these protections exist only on paper. In practice, they are restricted by amendments or simply ignored. The law establishing criminal liability for obstructing a journalist’s professional activities has never been applied in the 20 years since it was adopted, despite hundreds of attacks on reporters and bloggers. As one panelist noted, in a country that lacks any rule of law, there cannot be protection of free speech in practice.

Defamation remains a criminal offense and is increasingly used to target journalists and critics. Mehman Huseynov, perhaps the country’s most prominent blogger, and journalist Afgan Sadigov, who works in Jalilabad, remain incarcerated on defamation charges.

It is illegal for official bodies to refuse to provide information to media, but this provision has never been enforced; it is violated on a daily basis, as one panelist put it, and certain laws and amendments have restricted it. For example, news media are denied access to business-ownership records in contradiction of the laws on media and information.

In these and other areas, including licensing of television and radio broadcasting, and the lack of investigation of criminal and other offenses against journalists and bloggers, the worrisome situation for media in Azerbaijan has not changed since last year, and in some respects, it has gotten worse.

The presidential administration, the National Assembly, and government agencies own and

operate their own newspapers, without democratic oversight, which they use to protect their political power and stamp out alternative or critical views. Supported by the state budget and the financial resources of various public bodies, these publications enjoy special benefits and technical capabilities relative to other media outlets in the country.

The past year saw numerous prominent cases of detention of journalists, in one instance with fatal results: blogger Mehman Galandarov, who was arrested in February on dubious charges of drug trafficking, died in April while in pretrial custody. Authorities said he committed suicide.

In January, Huseynov disappeared from central Baku, and for a few days, his whereabouts were unknown. It emerged that he had been taken into custody. Following his release, Huseynov said police beat and tortured him. Instead of investigating his claims, the prosecutor’s office charged Huseynov with slandering the police. He was convicted in March and sentenced to two years in jail. Along with blogging, Huseynov founded and ran Sancaq, a Facebook page featuring videos and street interviews that has more than 340,000 followers.

Aziz Orujov, director of the independent online TV channel Kanal13, was convicted in May of disobeying a police order and sentenced to 30 days. Just before the end of his term, he was accused of illegal business dealings and abuse of office; these charges led to a six-year jail sentence. (He was released in April 2018 after the Supreme Court of Azerbaijan reduced his sentence to three years suspended.) The offices of Kanal13, which has a significant audience (more than 150,000 YouTube subscribers and 200,000 Facebook followers) were raided and computers, documents, and other materials seized.

On May 29, 2017, investigative reporter Afgan Mukhtarli was kidnapped in Tbilisi, where he had

been living with his wife, and spirited back to Baku. He had been investigating the ruling Aliyev family’s business activities in Georgia. Mukhtarli was charged with an illegal border crossing and smuggling foreign currency, and he was sentenced to six years in jail.

On July 24, 2017, Faig Amirli, financial director of the daily newspaper *Azadliq*, was sentenced to three years and three months in prison on charges of tax evasion and abuse of power. He was granted a conditional release in September.

In August, tax authorities initiated an investigation of the Turan Information Agency and subsequently

Legal and social norms protect and promote free speech and access to public information.

FREE-SPEECH INDICATORS

- ▶ Legal and social protections of free speech exist and are enforced.
- ▶ Licensing of broadcast media is fair, competitive, and apolitical.
- ▶ Market entry and tax structure for media are fair and comparable to other industries.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- ▶ Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- ▶ Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

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detained its director, Mehman Aliyev. Three state institutions provided three very different explanations for his arrest. Amid international pressure, including condemnations from the Council of Europe and the US State Department, the government released Aliyev after three weeks and dropped all charges.

Such prosecutions of government critics, activists, and journalists are common. Those no longer in detention are sometimes barred from leaving the country or have their bank accounts frozen. In defamation cases, the law puts the burden of proving innocence on media defendants, but courts rarely take their evidence into account, deciding cases on political, rather than legal, grounds. The only legal mechanism still available is application to the European Court of Human Rights, which can dispute rulings of the Azerbaijani justice system.

In March 2017, Azerbaijan's law on dissemination and protection of information was amended to provide a legal basis for blocking online resources. The measure also gave the Ministry of Transport, Communications, and High Technologies the power to shut down an Internet outlet without a court order. The law now specifies a laundry list of prohibited information, including content the government says promotes terrorism or terrorism financing, propagates violence or religious extremism, constitutes a state secret, or calls for public disorder or changes to the country's constitutional order. Additional grounds for blocking a site include hate speech; intellectual property infringement; publishing information on gambling, assembling firearms, and producing narcotics; promotion of suicide; insults and slander; and, broadly and ominously, "other information prohibited for distribution." The law makes a website's owner personally responsible for its activity and gives owners eight hours to delete such content once it is detected by the ministry.

Two months after the amendments were approved, a Baku court blocked Azerbaijanis's access to the websites of Radio Azadliq; *Azadliq*, the newspaper; Berlin-based Meydan TV; and sibling video news channels Azerbaijan Saati and Turan TV. YouTube, Twitter, and Facebook pages that feature content from the sites were not blocked, but connection speeds, which are subject to government control, are sometimes made so low that it is difficult to access them, particularly in the provinces and remote locations.

It is illegal for official bodies to refuse to provide information to media, but this provision has never been enforced; it is violated on a daily basis, as one panelist put it, and certain laws and amendments have restricted it.

The barred sites appealed but were denied in a series of court rulings. Neither the ministry nor the courts elaborated on the "prohibited information" the sites had published. By the end of the year, the number of sites blocked in the country—usually without a court order—was more than 25.¹ The amendment requires the communications ministry to make public the list of websites blocked without a court order, but to date, it has not done so.

1 An incomplete list of blocked websites includes <https://www.abzas.net>, <http://vizual.az>, <http://realliq.info>, <http://realliq.az>, <http://nia.az>, <http://neytral.az>, <http://sonolay.org>, <http://vedinfo.az>, <http://obyektiv.tv>, <http://aztoday.az>, <http://politika.az>, <http://24saat.org>, <http://ulus.az>, <http://qanunxeber.az>, <http://xalqinsesi.com>, <http://kanal13.az>, <http://occrp.org>, <http://Xebr44.com>, <http://Masallilar.az>, <http://ekivan.az>, <http://infoaz.org>, <http://criminal.az>, and <http://euroasianews.org>.

Another major shock to the system for Azerbaijani media was the passage in February of legislation regarding martial law that returns censorship to the country's statute books after 20 years. The measure authorizes military censorship of media following a declaration of martial law, as well as "prior coordination of the information and materials of the mass media with military authorities, state agencies and their officials," and surveillance of social media, electronic correspondence, and telephone and radio communications, according to the Institute for Reporters' Freedom and Safety (IRFS).² A legal expert on the panel said the measure explicitly contradicts Azerbaijan's constitution, which prohibits state censorship of media under an article adopted in 1998.

A series of legal amendments late in the year further eroded media freedom, particularly online. The parliament added articles to the law on administrative offenses that codify legal responsibility for publishing "prohibited information" on the Internet and for failing to prevent such publication. Notably, the amendment establishes a two-tier system of penalties, with fines of AZN 1,500–2,000 (\$880–\$1,170) for legal entities and AZN 2,000–2,500 (\$1,170–\$1,470) for individuals. Thus an individual violator could pay hundreds of dollars more than mobile operator Azercell, a company with assets of more than \$500 million.³ As one panelist noted, the clear intent is to target and threaten individual

2 "Mass Media to Face Censorship and Restriction during Martial Law Periods," IRFS, February 17, 2017, <https://www.irfs.org/news-feed/mass-media-to-face-censorship-and-restriction-during-martial-law-periods/>.

3 "Consolidated Financial Statements and Independent Auditor's Report for the Year Ended 31 December 2017," Azercell Telecom LLC. [http://www.azercell.com/media/html/files/AZERCELL%20TELECOM%20LLC-%202017%20Summary\(2\).pdf](http://www.azercell.com/media/html/files/AZERCELL%20TELECOM%20LLC-%202017%20Summary(2).pdf).

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citizens and the online media owners.

Far from decriminalizing defamation, a move long postponed, the government established new avenues for prosecution and ratcheted up penalties. One leading Azerbaijani lawyer said the moves foreshadowed cases such as those against Huseynov and Ikram Rahimov, an online journalist who was jailed in late 2016, along with a source, for reporting on bribery allegations involving business and political leaders in the city of Sumgayit.

A new type of defamation charge—slander and insult—was applied to journalists. Additions to the Criminal Code in October 2016 and November 2017 established sentences of up to three years in prison for slander and two years for invasion of privacy. Between May and October, fines for defamation, slander, and insult were increased from AZN 300–1,000 (\$176–\$586) to AZN 1,000–1,500 AZN (\$586–\$880). Fines for disseminating personal correspondence or private information, which indirectly target media and journalists, also rose substantially from AZN 100–500 (\$59–\$293) to AZN 1,000–2,000 (\$586–\$1,170). By contrast, penalties for preventing media from operating or violating the rights of journalists were not changed in 2017 and stand, respectively, at AZN 100–150 (\$59–\$88) and AN 300–500 (\$176–293).

Another increasingly common government tactic for intimidating media is summoning journalists to the Prosecutor General's Office for a talk, after which they are warned not to cover certain people or topics and pressured to sign agreements to that effect. Continued reporting on those subjects brings threats of criminal prosecution. Several independent journalists received such warnings last year, among them RFE/RL contributor Islam Shikhali; Ayten Mammadova of *Azadlıq*; Natig Javadli and Sevinj Vagifgizi of Meydan TV; infoAZ.org editor Namig Jafarli; Heydar Oguz, formerly with

Strateq.az; and Elchin Mammad, editor in chief of *Yukselish Namine*, a newspaper based in Sumgayit that reports on NGOs and human rights activism.

TV and radio are the only media subject to licensing, and in practice, the government only grants licenses to entities it controls, explicitly or implicitly. The goal is to keep track of television and radio, which are still the main sources of information in the country. On November 14, the National Television and Radio Council (NTRC) granted a national broadcast license to Turkel TV, which was founded in 2010 as a regional network. Turkel TV is financed by the State Oil Company of the Azerbaijan Republic (SOCAR),⁴ but its reputed real owner is the Heydar Aliyev Foundation affiliated with the president's family. Official data about the founders or stakeholders is considered protected commercial information and is not publicly accessible.

Other types of media need no government permission to operate. A note to the Ministry of Justice is sufficient to start a newspaper. Internet-based news sites are registered with the Ministry of Taxes as limited liability companies and must provide quarterly and annual reports to tax and social services agencies. However, there is little appetite for media entrepreneurship. A weak advertising market dampens investor interest; more importantly, one panelist said, "the media is a dangerous profession, and it turns everyone off."

Similarly, there are no serious legal barriers to engagement with journalism, but the media environment is such that there is no incentive for newcomers to join the field. Those who do are more likely to work for foreign media or public relations firms.

⁴ "The Regional TV Channel Became a Republic-Wide," Turan Information Agency. December 28, 2017. <http://www.contact.az/ext/news/2017/12/free/Social/en/67914.htm>.

Media-related taxes are comparable to those in other industries, but the government eliminated a major tax break for print media in late 2016, restoring the 18 percent value-added tax (VAT) on imported newsprint. The extra financial burden and low supplies of newsprint add to the obstacles of publication for independent outlets. "By now, the print media is in full control of the government, and it works for them, as they finance it and keep more for themselves in revenues," one panelist said.

Several TV channels and newspapers are funded from the state budget or from nontransparent sources. In addition, every ministry and upper-level state agency or committee has its own weekly or monthly newspaper, employees of which get favored access to public meetings and events.

Access to public information is increasingly restricted. Media are largely dependent on press releases and reports from state agencies. Officials responsible for providing information are not accessible, and outlets court legal jeopardy if they spread information about state activities that are not officially confirmed.

Journalists need not obtain a license to practice, although some government officials have recently called for such a requirement.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

1.28

The panel generally agreed that while there was a decline in this objective over the past year, it is in better shape than other ones measured by the MSI. There remain a handful of media outlets where reporters and editors take a serious approach to news gathering. They conduct necessary inquiries, consult with experts, and

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cross-check information and facts with multiple sources. One panelist cited Baku-based Abzas.net, Arqument.az, and Pahoo.az and Azerbaijani reporters working with Tbilisi-based journalism NGO Chai Khana as particularly positive examples.

Most of the country's media, however, remain affiliated with various political powers. The chief editors of almost all mainstream outlets consider their main duty to be disseminating information that serves the state, applying a filter that produces what one panelist characterized as a steady stream of propaganda and lies. Opposition media may present an alternative but are no less partisan and one-sided.

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There are tangible rewards for compliant journalists. In July, President Aliyev announced the allocation of 255 free apartments to reporters and editors in Baku under the State Support Fund for the Development of Mass Media (KİVDF). It was the second such giveaway, coming four years after the government opened a building in the capital with 155 free flats for journalists. Recipients are not shy about disseminating government propaganda in their outlets and on social media.

The Press Council, established by and for Azerbaijani journalists, has an ethics code but does not act impartially and objectively in evaluating ethics complaints, especially in relation to

publications connected to the politically powerful. Even outlets whose directors serve on its board regularly violate the code, sometimes egregiously. While the guidelines state that journalists should not receive valuable gifts, almost every member of the council's board enjoys one of those free apartments.

With journalists facing the very real threat of arrest and imprisonment on a variety of pretexts, self-censorship is rampant. Even a critical text message or social media post can have repercussions. Mainstream outlets, even ostensibly private ones, move quickly to quell dissenting voices from within. When Turan Ibrahimov, the host of national channel ATV's morning show, sharply criticized the mayor of Baku, he was dismissed the following day.

Journalists have difficulty covering key events and issues. Getting information through routine journalistic inquiries is becoming increasingly troublesome; the response to requests is often an angry phone call from authorities asking why the reporter needs the information. Pursuing topics such as torture in Azerbaijani prisons or incidents during the president's public appearances (which independent media are not allowed to cover anyway) can bring undesirable results for editors, reporters, bloggers, and photographers.

Reporters' wages follow a preset scale and average \$200 to \$500 a month, comparable to the official salaries of doctors and teachers but barely sufficient for normal living expenses, especially since two currency devaluations in 2015 drove up the cost of living. Editors and media managers have it somewhat better, with salaries around \$800 to \$1,000. Double-digit inflation and a lack of workplace medical coverage create further drains on journalists' personal finances. Professionalism, or lack of it, does not affect journalists' pay. Material insecurity keeps them financially dependent on staying in an employer's good graces and thus loyal to its political

Journalism meets professional standards of quality.

PROFESSIONAL JOURNALISM INDICATORS

- ▶ Reporting is fair, objective, and well sourced.
- ▶ Journalists follow recognized and accepted ethical standards.
- ▶ Journalists and editors do not practice self-censorship.
- ▶ Journalists cover key events and issues.
- ▶ Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- ▶ Entertainment programming does not eclipse news and information programming.
- ▶ Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- ▶ Quality niche reporting and programming exists (investigative, economics/business, local, political).

and other aims—not conditions conducive to raising professional standards.

There is no shortage of technical resources for state- or oligarch-owned outlets, but independent media cannot afford such capacity. VAT and customs duties on imported digital, video, and information and communications technology (ICT) equipment amount to 40 percent, well above average global rates. VAT was applied to e-commerce in early 2017, making it difficult to obtain cheaper equipment from online retailers. These conditions, along with the reintroduction of the VAT on newsprint and the depreciation of the manat, create enormous financial and operational burdens for independent outlets such as the Turan Information Agency, which, according to employees, is plagued by technical difficulties because of a lack of modern equipment.

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Entertainment dominates mainstream electronic media; news and information content take up perhaps a tenth of airtime and is of significantly lower quality than entertainment programming.

Azerbaijani journalism has evolved in terms of specialization; there are reporters focusing on the national budget, the shadow economy, business, crime, health care, education, labor and social relations, entertainment, sports, and culture. However, as one panelist said, the breadth and quality of specialized reporting is limited by political censorship, persecution of journalists, and overall lack of press freedom. Genuine investigative journalism is absent from domestic TV and radio. There are some investigative efforts in print and online, notably from outlets headquartered abroad such as Meydan TV.

OBJECTIVE 3: PLURALITY OF NEWS

1.08

The overall degradation of media in Azerbaijan is particularly visible in this objective. There has been a serious decline in the availability of reliable, objective information and multiple viewpoints. Broadcast media are overwhelmingly politicized and derive most of what they report from a single source. The growth of online news and social media is a boon for those seeking independent, alternative news sources, but the country's wide digital gap leaves many unable to access that variety, and, as elsewhere, online platforms have also created space for rumor and disinformation.

There are 10 or so online outlets providing alternatives to monolithic state media, but access to them

is restricted. The authorities block about half of them, but they use social media to partially bypass censorship. Facebook, YouTube, and Twitter are widely used and largely trusted as conduits for information because the government has only limited ability to control them. However, authorities have recently taken to reducing connection speeds to at least hinder people's access to major social networks. The three mobile phone operators are not allowed to send out breaking and political news to subscribers.

The dominant broadcast media, including public television, do not present a variety of political voices, and they acknowledge views that dissent from the government line only for purposes of attacking them. TV stations have a guest blacklist, composed primarily of opposition activists and truly independent experts. Alternative or opposing views are almost entirely limited to social media and the Web.

One panelist said AzTV, the national public broadcaster, allowed some level of pluralism as recently as five or six years ago, but now all those appearing on its news and information shows are unequivocally pro-government. The directors and chairs of state media outlets are invariably functionaries of the ruling party; for example, AzTV is headed by a member of parliament, Arif Alishanov. Appointments throughout public media are of a similarly political nature.

One new national TV license was issued in 2017. Turkel TV, formerly part of the ARB group of regional channels and now financed by SOCAR, was given the national frequency formally held by ANS, which was shut down by the government in 2016 at the behest of Azerbaijan's close ally Turkey. (ANS was rumored to be preparing to air an interview with Fethullah Gülen, the US-based cleric blamed by Ankara for the July 2016 coup attempt in Turkey.) Mirshahin Aghayev, the cofounder of ANS, is now heading a new satellite-based, all-news channel

Multiple news sources provide citizens with reliable and objective news.

PLURALITY OF NEWS SOURCES INDICATORS

- ▶ A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- ▶ Independent broadcast media produce their own news programs.
- ▶ Citizens' access to domestic or international media is not restricted.
- ▶ Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

called Real TV. ANS was independent, but Real TV, like Turkel, has been linked to President Aliyev's family.⁵ (It is not affiliated with the opposition Republican Alternative (ReAl) political movement, although the name may have been chosen intentionally to confuse the audience.)

No local or national radio broadcaster has been licensed over the past year. The country has only one local FM radio station in Ganja, Azerbaijan's second-largest city. One panelist, citing data from

5 Adilgizi, Lamiya. "Azerbaijan's New Pro-Government TV Network Has Some Familiar Faces," Eurasianet. March 22, 2018. <https://eurasianet.org/s/azerbaijans-new-pro-government-tv-network-has-some-familiar-faces>.

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the NTRC website, said only 20 percent of the country's 70 administrative divisions are served by local radio and TV channels. There are almost no independent print outlets in the regions. The handful that do exist are under constant pressure from, and tight surveillance by, local authorities. Local newspapers are practically unavailable.

The biggest news outlet, AzerTag, is state owned and only transmits official and shallow information, focusing primarily on the president's official meetings, visits, and activities. Because no other media organizations are allowed to cover these events, even private outlets that produce their own news content must refer to AzerTag when it comes to the president's daily agenda.

Most private news outlets are similarly one-sided, because of either self-censorship or ownership by government-allied oligarchs. They spread disinformation, attack opposition figures, and feature criticism of civil servants or public institutions only when the criticism comes from higher authorities, usually the president. These outlets create very little of their own content.

The major exception is the Turan Information Agency, perhaps the only in-country outlet that reliably produces objective and balanced content. In September 2017, for the first time in its 27-year history, it had to suspend operations because of the tax evasion case detailed earlier. Turan resumed work in November after authorities dropped the case under international pressure. It still strives to maintain its independence but has limited financial resources and is often unable to retain staff and meet its own high standards.

Relatively new online outlets, such as Toplum TV and Abzas, have been able to produce independent and balanced reports. (Abzas is currently blocked in Azerbaijan but updates its site regularly and is accessible via virtual private

networks.) They try to take an impartial and professional approach but do not have large audiences.

Private media create only about a third of their news content; most just circulate official government news. Many, particularly in television, have embedded government censors who monitor their editorial policies. Apart from the exceptions noted earlier, online media by and large copy and paste material from other outlets. Even in the sequence of reports, they echo each other.

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Most private outlets are believed to be concentrated in the hands of government officials or people close to them, but this cannot be confirmed, as ownership data is considered confidential information under legal amendments adopted in 2012. While lawmakers and civil servants are legally prohibited from engaging in entrepreneurship, the information law effectively lets them do so by shielding company ownership from public view. Some broadcasters are believed to have listed proxies in registration papers to further hide their real owners.

There are numerous Russian-language news and information outlets, and some in English. The main news outlets have Russian and/or English versions, but content in these languages is predominantly government propaganda. CBC TV, owned by SOCAR, airs news in five languages, including Armenian. Public channels carry programs in ethnic-minority languages, but again, they have the same limitations as programming in Azerbaijani.

When it was launched in 2005, public channel İctimai Television (ITV) had a Minority Peoples Department that produced and aired programs on and for ethnic minorities, but these are no longer available. Some minority communities have newspapers, including *Oko* (Russian), *Tolyshi Sado* (Talysh), *Dange Kurd* (Kurdish), *Samur* (Legzi), and *Shalala* (Georgian), but they are published irregularly.

Coverage of socially sensitive topics--such as religion, ethnicity, and gender and sexual orientation--often causes problems for journalists and outlets. In particular, reporting on problems faced by ethnic minorities draws pressure from authorities under the pretext that it causes a threat to national security.

No laws prohibit access to international media, and as the public turns more and more to the Internet for news, there is greater access to foreign sources. National and international news is available both from pro-government and independent media, but as provincial television and radio stations are under the even harsher control of local governors, outlets in the capital are not able to get alternative and independent news from the provinces.

OBJECTIVE 4: BUSINESS MANAGEMENT

0.76

Between state domination that is becoming ever more elemental on one hand and a disappearing advertising market on the other, there is little that resembles proper media management in Azerbaijan. No outlet can survive on its own resources. Most are explicitly or implicitly government controlled; they follow state dictates and stay afloat with state funding. That virtual monopoly and a weak market economy leave

A Z E R B A I J A N

little room for independent media to become sustainable and offer little incentive for them to invest in better management or strategic planning.

In revenue terms, Azerbaijani media is effectively a government program. The private advertising market shrinks annually, to the point where it has been almost erased. According to the panel, the print media ad market is only about \$2 million, divided up among outlets controlled by or aligned with the state. According to one panelist, *Baku Magazine*, which belongs to a member of the president's family, received more than AZN 1 million (\$586,000) in advertising in 2017.

The state is the main revenue source for media. The 2017 national budget distributed AZN 58 million (\$34 million) to various media organizations, both state run and private. The government also provided

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS

- ▶ Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- ▶ Media receive revenue from a multitude of sources.
- ▶ Advertising agencies and related industries support an advertising market.
- ▶ Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- ▶ Independent media do not receive government subsidies.
- ▶ Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- ▶ Broadcast ratings and circulation figures are reliably and independently produced.

AZN 3 million (\$1.8 million) in subsidies to five private TV channels last year under a presidential decree, and there are off-the-books allocations as well.

KİVDF annually holds two tenders to disburse financial assistance to print media to cover certain government-selected topics or projects. At its inception, the fund aided independent newspapers such as *Azadlıq* and *Zerkalo*, but, not surprisingly, the results now exclusively favor outlets that are explicitly loyal and depend heavily on these grants. Thirty-three such newspapers and news outlets won awards in the December 2017 funding round. Other media are financed by individual government officials or by SOCAR.

There is very little public information on media finances, and what there is concerns the state outlets listed in the national budget. Public network ITV and AzerTag, the official news outlet, are funded directly from state coffers—as is AzTV, although it is formally a closed joint-stock company. No media companies are traded on the Baku Stock Exchange.

The only media entities able to earn revenue consistently and independently are providers of digital cable television, which distribute paid packages of channels. Their relative economic freedom does not translate into transparency or freedom from state control. Channels that broadcast content inimical to the government are dropped from packages. Whether public or privately owned, the cable companies are financially opaque; it is impossible to get information about their structures or the sources and levels of their income.

Ownership and censorship set clear limits on editorial independence and allow for little diversity in editorial policy. Virtually across the board, those who finance media decide what can be aired, published, or posted. Rare exceptions come from the few independent outlets supported by donors, who exert no observable influence on coverage or

editorial policy (although these outlets do usually have distinct political slants).

Like broadcasting, print media is largely financed by government, directly or indirectly. The sales market for print has essentially collapsed, especially in the provinces where towns generally have a single kiosk. Some government agencies juice circulation of their own publications by obliging employees to subscribe.

The only media entities able to consistently earn revenue independently are providers of digital cable television, which distribute paid packages of channels. Their relative economic freedom does not translate into transparency or freedom from state control. Channels that broadcast content inimical to the government are dropped from packages.

Advertising agencies' activity is largely confined to major cities; they have limited knowledge of local or regional businesses, or of entrepreneurship. Advertisers are not proactive; it is usually media outlets that try to reach out to them, not the other way around.

Bulk ad buys, such as they are, benefit government media. State pressure on advertisers serves multiple purposes: it deprives independent outlets of revenue, widens the imbalance created by government grants to loyal media, and, as one panelist noted, sends a message to the public that government critics are incapable of running successful businesses. This long-standing approach has yielded results—for example, independent newspapers *Zerkalo* and *Ayna* closed in recent years for financial reasons.

No independent research is conducted to

assess the advertising market, gauge audience interests, or shape strategic planning; in the current media environment, such data would be superfluous. No private companies or media groups regularly measure broadcast ratings or audit print circulation. Most media outlets measure their reach in terms of online traffic using tools such as Google Analytics and Facebook Analytics to assess audience and advertising activity.

**OBJECTIVE 5:
SUPPORTING
INSTITUTIONS**

0.91

There are no independent professional bodies representing the interests of media owners, managers, or journalists. “Azerbaijan still lacks classic trade union traditions among the journalists, and that’s a major cause of other problems related to their work,” one panelist said. The associations that do exist operate under stringent government control. The Journalists Trade Union of Azerbaijan, established in the late 1990s, is now effectively run by the deputy chairman of the Press Council—putatively a self-regulatory body, in practice an arm of the presidential administration.

Both organizations remain silent on arrests, lawsuits, website shutdowns, and other aggression against independent media. However, the Press Council, which investigates complaints against print and online media, maintains a blacklist of outlets it concludes have committed slander. Inclusion on this list has serious consequences. Printing houses, even those that are privately owned, refuse to do business with a publication on the list, and websites on the roster may find themselves blocked. The

council’s analog in electronic media, NTRC, is entirely dependent on the central government and executes its instructions.

Civil society groups that once constituted a bulwark of support for media independence and journalists’ rights have been severely weakened by a crackdown on NGOs that began in 2013. There are open criminal cases against more than 20 domestic and international NGOs, and a number of journalists and human rights lawyers are facing tax charges and bans on travel. Only a handful of Azerbaijani lawyers assist journalists with advice and courtroom representation. Regulations adopted by the government in recent years require donor-funded organizations to register and stringently limit their access to financial support from abroad.

Many organizations that ran educational projects for journalists have been closed or severely curtailed amid the clampdown, including IRFS and the Media Rights Institute, which had their offices raided and sealed. Leaders of those organizations, who face arrest in Azerbaijan, have reestablished the groups abroad. The Baku School of Journalism (BSJ), a nonprofit institution founded by the Dutch government, has returned to activity after a hiatus in the mid-2010s, but with fewer students and lecturers. The Institute for Democratic Initiatives (IDI) completed its second journalism school project in March–June 2017, ushering new faces into the media community.

As one panelist pointed out, the BSJ and IDI programs are not widely accessible; for security reasons, admission is by invitation or nomination only (names are put forward by graduates, students, instructors, and independent journalists) and limited to 20 to 25 participants per session. Financial difficulties, including restricted access to grants from abroad, also hinder the progress in this area. There are short training programs abroad, developed

Supporting institutions function in the professional interests of independent media.

SUPPORTING INSTITUTIONS INDICATORS:

- ▶ Trade associations represent the interests of private media owners and provide member services.
- ▶ Professional associations work to protect journalists’ rights.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

especially for journalists operating in repressive environments such as Azerbaijan’s, but they draw from the same small community as do BSJ and IDI.

In recent years, public universities and colleges have instituted a “talent examination” that prospective journalism students must pass in addition to their regular entrance exam. The new test has further driven down journalism school admissions, which were already shrinking, as only two institutions, Baku State University and Nakhchivan University, still have journalism programs. Their curricula are not comprehensive and are often reminiscent of the Soviet era, focusing more on theory than practice. However, classes in new media and online media have cropped up.

There was even an attempt to create a modern newsroom at Baku State, but the university administration hamstrung it.

Those who are serious about studying journalism generally pursue their degrees abroad. In most cases, they must use their own resources or foreign aid scholarships, as Azerbaijan's own state scholarship program to study abroad ceased in 2015. Even when it was running, journalism was not among the approved fields of study.

“Azerbaijan still lacks classic trade union traditions among the journalists, and that’s a major cause of other problems related to their work,” one panelist said.

Work by investigative reporters suggests that all three cellular operators are controlled by figures at the highest echelons of government. All television transmission goes through the Teleradio Production Union, an arm of the communications ministry. All channels of media distribution, from kiosks to mobile networks, belong directly or indirectly to people in or around senior government who can, and do, hinder dissemination of any content that smacks of protest or opposition.

List of Panel Participants

Due to the restrictive media environment, participants in the Azerbaijan study will remain anonymous. An Azerbaijani journalist developed this chapter after a series of structured interviews in January and February 2018 with colleagues who have firsthand knowledge of the media sector.

GEORGIA



MEDIA SUSTAINABILITY INDEX 2018

Tracking Development
of Sustainable
Independent Media
Around the World



GEORGIA

AT A GLANCE

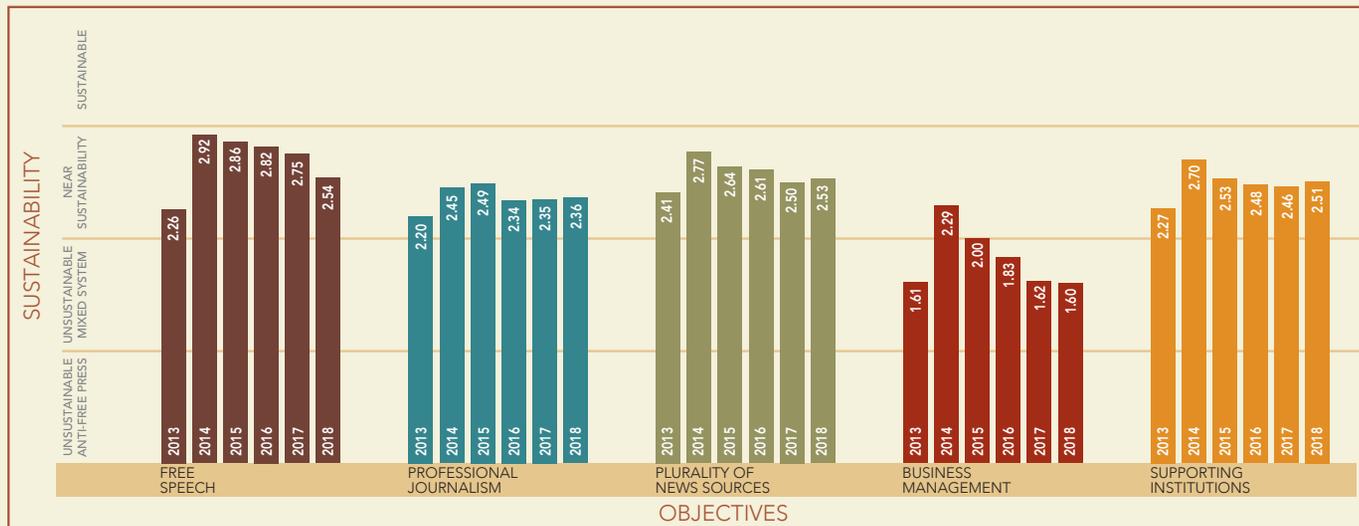
GENERAL

- **Population:** 4,926,330 mln (CIA World Factbook, July 2017 est.)
- **Capital city:** Tbilisi
- **Ethnic groups (% of population):** Georgian 86.8%, Azeri 6.3%, Armenian 4.5%, other 2.3% (CIA World Factbook, 2014)
- **Religion (% of population):** Orthodox Christian 83.4%, Muslim 10.7%, Armenian-Apostolic 2.9%, other 1.2%, none 0.5% (CIA World Factbook, 2014)
- **Languages (% of population):** Georgian (official) 87.6%, Azeri 6.2%, Armenian 3.9%, Russian 1.2%, other 1% (CIA World Factbook, 2014est.)
- **GNI (2016-Atlas):** \$ 14,259.35 million (World Bank Development Indicators, 2016)
- **GNI per capita (2016-PPP):** \$ 9,530 (World Bank, International Comparison Program database, 2016)
- **Literacy rate:** 99.8% (male 99.8%, female 99.7%) (2015est. CIA World Factbook)
- **President or top authority:** President Giorgi Margvelashvili (since October 27, 2013)

MEDIA-SPECIFIC

- **Number of print outlets, radio stations, television stations nationwide:** Print: 317 newspapers (National Statistics Office of Georgia, 2017); Broadcast: 91 active radio broadcasting licenses, 30 Multiplex operators, 111 TV broadcasters with different types of authorizations (one and the same company owns several authorizations), 6 radio broadcasters with authorization. (Georgian National Communications Registry, accessed in December, 2017)
- **Newspaper circulation statistics (total circulation and largest paper):** Rezonanse (4,000–5,000 daily), Kviris Palitra (average 55,000 weekly) (individual newspaper claims)
- **Broadcast ratings:** Highest rated television outlets in the country: Rustavi2, 4.63%; Imedi, 4.91%; GDS, 1.06%, Comedy Channel 0.74%; Chanel 1 0.64% (TV MR GE, 2017)
- **Annual advertising revenue in the media sector:** The estimated revenue of the television advertising market in 2017 reached GEL 70 million (approximately \$28 mln); (TV MR GE, 2017)
- **News agencies:** AP Bureau, Reuters Bureau, Agence France Presse (representatives), Bloomberg (local representative), info 9, Black Sea Press, Iveroni, NovostiGruzia, Sarke, Interpressnews, Iprinda, Kavkazpress, Media News, Prime Time News, Pirveli, Georgian Business Consulting News, Georgian HotNews, GeoNews, Expressnews, World Sport, ambebi.ge, Business Press News, Droni.ge, epn.ge, agenda.ge, Aianews.ge, Kakheti Information Center, Primetimenews.ge, Kvemo Kartli Information Center, Mtkheta-Tianeti Information Center, For.ge, Frontnews.ge, Civil.ge, Economic.ge, marshalpres.ge, bpi.ge
- **Internet subscribers:** 733,691 (Georgian National Communications Commission, December, 2017)

MEDIA SUSTAINABILITY INDEX: GEORGIA



SCORE KEY

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.



Business management remained the weakest element of Georgia's media landscape in a year that saw consolidation of the advertising market, mergers of pro-government channels, and the crisis at Rustavi 2, which was punctuated by the defection of several highly rated programs. With their financial viability at risk, major broadcasters, for the first time, sought income from cable carriers for transmitting their shows, challenging the "must carry, must offer" principle in Georgian law. The depth of the industry's problems remains unclear, as the GNCC did not release revenue figures for major stations. All the above contributed to the panel's outlook on the state of Georgian media, dropping the country's score from 2.34 to 2.31.

For Georgian media, 2017 was a vexing year. Trends that took hold the previous year—including politicization of media and shrinking advertising revenue—tightened their grip on the television stations that provide most Georgians with most of their news. The main, putatively independent state media bodies, the Georgian Public Broadcaster (GPB) and the Georgia National Communications Commission (GNCC), showed worrying signs of becoming overtly political actors.

The GPB started the year with a newly elected director. The main public broadcaster undertook a series of changes that included: dropping critically acclaimed social and political talk shows; bringing in journalists from Georgian Dream Studio (GDS), the television company formerly owned by the family of billionaire businessman and former Prime Minister Bidzina Ivanishvili; and relegating minority-language programming to its website. Off the air, GPB backed amendments to the Law on Broadcasting that broaden its access to advertisers and loosen restrictions on its acquisition of programming. The measures potentially position the GPB to

compete with commercial media for shows and dwindling ad revenues.

The GNCC sought expanded authority in the areas of media literacy, hate speech, and opinion polls, moves that panel members called thinly veiled efforts to impose more government control over independent media. There was turmoil for major private broadcasters, as the long-running and highly politicized legal fight over ownership of Rustavi 2, the top-rated channel, went to the European Court of Human Rights and the station's finances nosedived.

Afgan Mukhtarli, an Azerbaijani investigative reporter who went into exile in Georgia to escape his home country's clampdown on media critical of its government, was snatched off the street in Tbilisi and transported to Baku, where he is being held on questionable criminal charges. His abduction sparked an outcry from civil society and mainstream Georgian journalists, who took part in public and on-air protests to express solidarity with Mukhtarli and to challenge government denials of complicity in his abduction.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

2.54

The score for this objective declined by 0.21 point amid what panelists characterized as government attempts to impose mechanisms for greater media control. Upheaval at GPB; ownership and content controversies at Rustavi 2, the largest broadcast network and a thorn in the Georgian Dream government’s side; and Mukhtarli’s abduction and return to Azerbaijan were also cited as causes for concern.

Georgia’s legislation guaranteeing free expression and freedom of the press remains among the strongest in the region, and a new constitution drafted in 2017 and awaiting adoption would enshrine Internet access as a constitutional right. However, Zviad Koridze, an independent media expert, said proposed legislative amendments are chipping away at those protections. “They are aimed at cultivating the idea in society that media self-regulation can be restricted, that the media need to be regulated more,” he noted.

In October 2017, GNCC submitted to the parliament three amendments to the Law on Broadcasting that panelists viewed as an expansion of the regulator’s authority. One amendment would centralize a diffuse effort to improve Georgians’ media literacy—currently involving school programs and self-regulation by broadcasters—under the authority of GNCC, which would establish a media-literacy strategy and create a nonprofit agency to implement it. The second proposed amendment would obligate broadcasters “to verify the trustworthiness and objectivity of opinion polls” in pre-election periods. It follows what a Media Development Foundation (MDF) report termed

the GNCC’s “selective and inconsistent approach” to sanctioning outlets over polls published in the run-up to Georgia’s 2016 national elections, with broadcasters critical of the government facing heavier penalties. Tamar Kintsurashvili, the director of MDF, said the rule on polling could give GNCC control over “not only the broadcasters, but research organizations as well.” The Georgia chapter of Transparency International (TI) criticized the amendment, saying it could dampen public participation in opinion polls by arousing suspicions “that the regulator might learn about the positions expressed by the participants of the survey and their stated support for political parties.”

The final proposed amendment would, under the umbrella of harmonizing Georgian law with European Union directives, expand the GNCC’s authority to regulate broadcasters’ professional and ethical standards in areas such as hate speech and discrimination, matters media currently self-regulate by means of codes of conduct. Nino Jangirashvili, director of regional broadcaster Kavkasia TV, said the vague legal definition of hate speech could give the GNCC, with its pro-government leanings, cover to sanction critical outlets such as Rustavi 2. Nata Dzvelishvili, executive director of the Georgian Charter of Journalism Ethics (GCJE), agreed: “Hate speech is so subjective that this amendment can be used subjectively against any media.” She added, “GNCC’s latest actions demonstrate that the commission has been gradually departing from its essence, which is an independent regulatory body.”

The GNCC also drew fire from panelists for what they called protracted procedures and vague, poorly explained decisions on granting radio licenses. Natia Kuprashvili, director of the newly formed Alliance of Broadcasters (AB) and a professor at Tbilisi State University, cited the regulator’s rejection of licenses for Iomurghalo Radio

in Kakheti and Mountain Radio in Mtskheta-Tianeti, ostensibly due to a shortage of frequencies. In another case, she said the GNCC denied frequencies to Radio Palitra and Radio Hereti in the first round of applications, saying they were both so good the commission could not make up its mind. “Wherever we have licensing, we have vague and badly justified decisions or artificially prolonged procedures,” Kuprashvili said.

There was contention and controversy throughout the year about the GPB’s trajectory under its new director general, Vasil Maglaperidze, a former lawmaker and governor who previously

Legal and social norms protect and promote free speech and access to public information.

FREE-SPEECH INDICATORS

- ▶ Legal and social protections of free speech exist and are enforced.
- ▶ Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- ▶ Licensing of broadcast media is fair, competitive, and apolitical.
- ▶ Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- ▶ Market entry and tax structure for media are fair and comparable to other industries.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.

worked at GDS, the television station owned by Bidzina Ivanishvili's family. Maglaperidze's affiliation with the ruling party created apprehension in civil society when he was elected by the public broadcaster's board in January, said Hatia Jinjikhadze, media-support program manager at the Open Society Georgia Foundation (OSGF). "What has happened since his arrival has validated our suspicions," she added.

Panel members echoed civil society groups in condemning reforms the GPB undertook throughout the year. In February, Maglaperidze announced plans to suspend 102 programs and air only newscasts until 2018, writing in an action plan that "radical steps" were needed to avert a "crisis" at the station and continue to justify its public funding, but the GPB board rejected the initiative. In June, the broadcaster dropped two programs produced by Radio Free Europe/Radio Liberty's (RFE/RL) Georgian service: Red Zone, which aired on GPB for almost 10 years, and InterVIEW, a talk show known for tough questioning of politicians and public officials. They are now carried by another public channel, Adjara TV.

GPB has also recruited current and former GDS employees, among them hosts from 2030, a talk show launched by Bidzina Ivanishvili. In October, GPB awarded an equipment-rental contract worth more than GEL 372,000 (Georgian lari, the rough equivalent of \$146,400) to Silk Factor Studio, a company run by Bera Ivanishvili, the ex-prime minister's son. A public outcry forced the parties to cancel the deal, and Silk Factor donated the lighting and other gear instead.

Maglaperidze's "only media experience was working at Bidzina Ivanishvili's channel," Jangirashvili said. "He was chosen for his political affiliation and political trustworthiness. ... He lacks vision on how a public broadcaster should function."

Adjara TV, by contrast, received high marks from panel members, who unanimously agreed it operates in accord with the standards and philosophy of a public broadcaster. Nina Ivanishvili (no relation to Bidzina Ivanishvili), dean of the Caucasus School of Journalism and Media Management at the Georgian Institute of Public Affairs (GIPA), said picking up the RFE/RL programs dropped by GPB's 1TV channel has helped boost Adjara's audience.

"If we are speaking about the protection of journalists, the Public Ombudsman covers this area, and if we are talking about self-regulation, we already have such bodies," Dzelishvili said. "There is no need to set up additional institutions, especially those under the government."

GPB could also benefit from amendments to the Law on Broadcasting that were given final approval by the parliament on December 22, after the Media Sustainability Index (MSI) panel had convened. The revised law lifts GPB's obligation to follow the Law on Public Procurement: it will no longer have to announce public tenders when purchasing media products or services. The law also allows the channel to double advertising airtime, from 30 minutes per 24 hours to 60 minutes; halve free airtime allocated for public-service messages from 24 to 12 minutes; and accept sponsorship of entertainment programs and television series.

Prior to adoption, the amendments were roundly criticized by civil-society groups. The Institute for Development of Freedom of Information (IDFI) said the draft disregarded the true value of the public broadcaster, and GCJE released a

statement signed by various nongovernmental organizations (NGOs) saying the legislation risks "enabling nontransparent activities by GPB and corruption, weakens public control over GPB, and creates a noncompetitive environment in the media advertising market."

There were threats to media freedom on the judicial front. Eva Gotsiridze, a member of the High Council of Justice of Georgia, sought to restrict open reporting of court cases, arguing that it made courts vulnerable to outside influences and that self-regulating mechanisms were inadequate. "We assessed this as an attempt of censorship," GCJE's Dzelishvili said. Gotsiridze was subsequently appointed to the Constitutional Court of Georgia, a move Dzelishvili said suggests that "some of our leading political forces share her values."

Gotsiridze has been a staunch defender of Tamaz Urtmelidze, the Tbilisi City Court judge who presided over the politically charged Rustavi 2 ownership case. On March 2, 2017, the Georgia Supreme Court upheld Urtmelidze's decision granting 100 percent control of the channel to Kibar Khalvashi, its former owner and reportedly a Georgian Dream ally. Khalvashi claimed Rustavi 2 was taken from him by the previous administration of Mikheil Saakashvili, and he sued to regain control. The case was widely viewed as a political struggle over the station, which has backed the opposition United National Movement.

Rustavi 2's management, which fought the ownership change, appealed to the European Court of Human Rights (ECHR), which on March 4 ordered Georgia's government to suspend the Supreme Court ruling—which it did—and to "abstain from interfering with the applicant company's editorial policy in any manner." Koridze said the government "failed to realize that [the case] was about freedom of expression and not about identity of the owner,"

leading to the ECHR decision. Kintsurashvili called the European court's ruling "foundational" for media pluralism in Georgia.

The same week as the Rustavi 2 rulings, Prime Minister Giorgi Kvirikashvili proposed establishing a Media Ombudsman's Office to monitor the country's media environment and its development.¹ Panelists said the media community views the new office as unnecessary. "If we are speaking about the protection of journalists, the Public Ombudsman covers this area, and if we are talking about self-regulation, we already have such bodies," Dzvelishvili said. "There is no need to set up additional institutions, especially those under the government."

Georgian journalists expressed shock and dismay over the abduction in May of Azerbaijani investigative reporter Afgan Mukhtarli, the highest profile case of violence against a journalist in Georgia in 2017. Mukhtarli and his wife went into exile in Tbilisi in 2015, fearing for his safety after he reported on corruption in the Azerbaijani military. He had since been investigating the Georgian business holdings of Azerbaijani President Ilham Aliyev's family. On May 29, he went missing from Tbilisi; the next day, Amnesty International reported that he was in detention in Baku and "at risk of torture and other ill treatment." According to his lawyer, Mukhtarli was snatched off a Tbilisi street by plain-clothed men who spoke Georgian; they beat him, placed a bag over his head, and took him to the border.

Through his lawyer, Mukhtarli asserted that his assailants in Tbilisi were members of the Georgian security force. In a joint statement issued by TI Georgia, several human-rights organizations expressed doubt that the arrest could have taken place "without at least a willing ignorance

or ineffective work of Georgian state institutions, if not with their active support and direct participation." Kvirikashvili denied involvement by Georgian authorities "in any such activity."² Jinjikhadze of OSGF alleged the government concealed details of the case and "prevented journalists from obtaining information collected from street security cameras."

Jinjikhadze said many Georgian journalists view the incident as an indication that "Georgia is no longer a safe country and his abduction poses a threat to every one of them." While some outlets "uncritically reiterat[ed] government positions" on the incident, many journalists engaged in public protests. Notably, in the days after the abduction, several prominent television presenters wore bags over their heads during their shows and in appearances before the Georgian parliament's Human Rights and Civil Integration Committee.

Radio Marneuli director Kamila Mamedova told TI she came under pressure from regional officials over critical reports by the community station, which serves a border region in southeastern Georgia.³ Mamedova said she and her staff were threatened on the phone and in social media and private conversations, and a fake Facebook account spread information about her personal life. She appealed to police to investigate.

Neither slander nor libel are criminal offenses in Georgia; if either is proved, a civil award for damages is applied. There were several cases of libel adjudicated in 2017; panelists noted one

involving Nanuka's Show, a talk show on Rustavi 2, which a court ordered to correct defamatory statements made by a divorced couple in an interview. Panel members questioned the court's decision to hold the station accountable for statements that were made by guests rather than by journalists or hosts.

In September, Georgia succeeded France in chairing the Open Government Partnership, a multilateral initiative aimed at promoting transparency and accountability among member governments. Despite such public commitments to openness, panel members said access to public information in Georgia is gradually worsening. A draft Freedom of Information Act prepared in 2015 is stalled, and public institutions commonly withhold information under the guise of protecting personal data or privacy rights. As in previous years, release of information by public agencies is protracted, and the data provided to journalists are often incomplete. Gela Mtvlishvili, director of the Kakheti Information Center, said there were occasions in 2017 when administrative bodies told him that they would not release information to him because they did not trust him.

A controversial provision of the new Georgian constitution that sets grounds for when the government can permissibly withhold public information was watered down in the amendment process. The constitution approved by the parliament on first reading in September 2017 included language sought by the Ministry of Justice allowing nondisclosure if requested information contains state, professional, commercial, or personal secrets. Civil society and some lawmakers criticized that standard as too broad. On second reading in December, it was amended to eliminate personal confidentiality as grounds for withholding information and set parameters for recognizing

1 "PM Kvirikashvili Mulls Media Ombudsman's Office," Civil Georgia, <http://civil.ge/eng/article.php?id=29907>.

2 "Georgian Officials on Azerbaijani Journalist's Alleged Abduction," Civil Georgia, June 1, 2017, <http://civil.ge/eng/article.php?id=30149>.

3 "Possible instances of intimidation of Radio Marneuli journalists," Transparency International Georgia, July 6, 2017, <http://www.transparency.ge/en/post/possible-instances-intimidation-radio-marneuli-journalists>.

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state secrets, defined as information “necessary in a democratic society for ensuring national security or public safety, or interests of legal proceedings.” IDFI said these grounds, “upon good-faith interpretation, may be considered legitimate for restricting access to public information” but expressed hope that “their inclusion in the constitution does not create a future risk of excessive, disproportionate restriction of the right at the legislative level.”⁴ The new constitution is set to take effect after the 2018 presidential election.

The parliament established a new unit within the State Security Service, the Operative-Technical Agency, which is charged with carrying out secret surveillance. This change was prompted by the Constitutional Court’s 2016 ruling that sections of the law on electronic communication that gave the Security Service direct, unrestricted access to telecom operators were unconstitutional. Under the previous legal regime, politicians and media figures were routinely victimized by leaks of secret recordings. The new law was criticized by nongovernmental organizations affiliated with IDFI’s This Affects You campaign, telecom companies, the Public Defender’s Office, and the president of Georgia, who said it runs counter to the court’s decision and expands government surveillance powers.

Panel members say access to foreign information sources is not restricted in any way. Freedom House’s Freedom on the Net 2017 report gives Georgia a score of 24 on a 0-to-100 scale,

with 100 representing “least free.”⁵ The report found “few indications of censorship or online content manipulation by the Georgian authorities” but said “unreliable and politically biased content, including anti-Western propaganda, also proliferated online.” Freedom House noted Georgia’s “increasingly diverse” online media environment and growing blogosphere but added that “there are few bloggers who create content that has an impact on the political agenda, or who spark widespread discussion online.”

The government applies no restrictions to the journalism profession, either in terms of students entering university programs or journalists already in the workforce.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

2.36

The score for this objective was virtually unchanged from last year. Panelists said major events receive extensive and varied coverage and adherence to media ethics codes is improving. However, self-censorship is still widely practiced, especially at pro-government outlets, and political preferences often outweigh professional standards.

Jinjikhadze said reporting is often formally balanced but lacking in depth. “We see all sides of the story present, but journalists themselves cannot tell a story,” she said. “This compels me to say that the quality of journalism hasn’t improved much.”

As was the case during 2016’s national elections, political considerations deeply affected coverage of major issues, panelists said. Jangirashvili cited Imedi TV’s handling of Panorama Tbilisi, a massive development project backed by Bidzina Ivanishvili that has sparked public protests and resistance from preservationists and environmental activists.

“[Imedi’s] coverage of Panorama Tbilisi was positive and did not mention the protests by the political opposition and civil society at the Tbilisi City Assembly against the mayor’s office’s decision to hand over a piece of land in Tbilisi Old Town to Ivanishvili. This news story is an example of a blatant violation of journalism standards,” Jangirashvili said. “If this happened in some marginal media, we would not worry that much, but this has been happening on the most-watched national television outlets.”

European Union- and United Nations-funded monitoring of prime-time news programs on 14 national and regional television stations in the six months prior to October 2017 elections for municipal and local offices found that six of the channels allocated the most airtime to Georgian Dream—a change from past years, when the ruling party received the most coverage on a majority of channels.⁶ Election coverage on the 20 online media outlets analyzed was found to be superficial but reasonably balanced and impartial. The monitoring of 12 newspapers published in Tbilisi and the regions showed regular use of “offensive or discriminating terminology” in capital-based papers but none in the regional outlets, which largely covered

4 “Constitutional Amendments Change the Grounds for Restricting Access to Public Information,” Institute for Development of Freedom of Information, December 22, 2017, https://idfi.ge/en/access_to_information_bases_changed_following_the_constitutional_ammendments_in_georgia.

5 “Georgia Country Profile,” Freedom on the Net 2017, Freedom House, <https://freedomhouse.org/report/freedom-net/2017/georgia>.

6 Results of Media Monitoring for the 2017 Local Self-Governance Elections in Georgia, The European Union for Georgia and the United Nations Development Programme, http://mediamonitor.ge/uploads_script/accounts/MM_FINAL_REPORT_2017_ENG.pdf.

Journalism meets professional standards of quality.

PROFESSIONAL JOURNALISM INDICATORS

- ▶ Reporting is fair, objective, and well sourced.
- ▶ Journalists follow recognized and accepted ethical standards.
- ▶ Journalists and editors do not practice self-censorship.
- ▶ Journalists cover key events and issues.
- ▶ Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- ▶ Entertainment programming does not eclipse news and information programming.
- ▶ Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- ▶ Quality niche reporting and programming exists (investigative, economics/business, local, political).

political forces impartially, actively addressed social issues in their communities, and cited diverse sources of information.

GCJE's pre-election monitoring of television talk shows revealed many instances of hosts asking superficial questions or none at all, leaving the platform entirely to political candidates, Dzvelishvili said.

Most panelists said ethical violations in television news and information programs are becoming less common. Along with codes of conduct enshrined in the Law on Broadcasting, GCJE has become an important instrument for encouraging ethical behavior. Dzvelishvili said a growing number of media outlets are becoming more sensitive to professional standards. "We are receiving calls from journalists, including those from mainstream media, asking us how to cover different

topics," she said. In 2017, GCJE crafted themed sets of guidelines for reporting on gender issues, court cases, and mental health.

In December, GPB faced a wave of criticism from Georgian writers and media ethics watchdogs for airing video footage released by the Ministry of Internal Affairs of poet Zviad Ratiiani's arrest in Tbilisi. Grigol Gogelia, chairman of GPB's board of trustees, declared that showing such material infringed on Ratiiani's human rights and the public broadcaster's standards.

Journalists are increasingly using social media to hunt for or flesh out stories and get access to sources, panelists said. Kintsurashvili and Mtivlishvili said this can result in the spread of fake news and other violations of professional and ethical standards. Mtivlishvili added that plagiarism is rampant in some online media, and it is impossible to trace culprits due to the proliferation of questionable media portals, which have no difficulty obtaining low-cost domains.

The use of discriminatory and hate speech remains problematic. On May 29, MDF lodged a complaint with GCJE over an article in the newspaper Rezonansi headlined "Arabs, Indians, Iranians, and Turks distribute Georgian lands among themselves." MDF charged that the article violates ethical standards by engaging in xenophobia and encouraging discrimination. The GCJE board upheld the complaint.

Kintsurashvili, MDF's director, also cited the tabloid Asavali Dasavali, notorious for its dissemination of hate speech, xenophobia, and anti-Western rhetoric, as a routine transgressor of ethical and professional standards. She divides Georgian media into two categories: "On one side there are those who are reacting to criticism, and on the other are those who don't care" what media professionals say.

Outlets well regarded for their ethical standards

and impartial, quality reporting include Liberali magazine; the newspaper Batumelebi; news websites Netgazeti, OC Media, and On.ge; and broadcaster RFE/RL.

Panelists said journalists who work for pro-government outlets are aware of boundaries they should not cross. "When you work in such an organization, your producer doesn't have to remind you every time what topics to cover and how to report on them. Everything is already clear," Jangirashvili said. "You know what editorial policy line the outlet follows; you know which topics are preferred by your management, and you do it. In other words, you practice self-censorship."

"We see all sides of the story present, but journalists themselves cannot tell a story," she said. "This compels me to say that the quality of journalism hasn't improved much."

Corporate as well as political interests can foster self-censorship. Jangirashvili said some large businesses can "literally wipe out" material that puts them in an unfavorable light. Nestan Tsetskhladze, editor of Netgazeti, said the site's negotiations with a company for large-scale advertising fell apart because the firm insisted Netgazeti not report on the company or its business practices. "The outrageous thing was when they told me, everyone else"—referring to other media with which the company was negotiating—"had already revoked the coverage," she said.

Instances of self-censorship arising from social or religious pressure are declining, panel members said, noting extensive coverage of the so-called "cyanide case," in which a Georgian Orthodox archpriest was convicted of planning to poison a top aide to the church's patriarch.

Major events are widely covered, but panelists said that to get a spectrum of perspectives on them, Georgians must read and watch news across different platforms. How events are covered depends on who is reporting on them, said Nino Danelia, a media professor from Ilia State University “If there were no Rustavi 2, a staunch government critic, it would have been very easy for mainstream media not to broadcast or to camouflage some [events],” she said.

Pay levels for journalists and other media professionals are sufficient relative to the cost of living, most panel members said. Salaries average around \$500 a month for full-time staff at online media outlets; in television, they can reach several thousand dollars. Nina Ivanishvili said some young journalists favor freelancing for various local and international media and project-based work because it can add up to more pay than a full-time job.

News and entertainment take up more or less equal shares of programming for private and public broadcasters, even though 2017 saw a number of social and political talk shows go off the air.

Almost all large television companies, whether in Tbilisi or in the regions, have poor technical facilities and equipment for gathering, producing, and distributing news, panel members said. The exception is Imedi TV, which has relatively high-quality facilities. Mtvilishvili says Imedi can distribute news so quickly that the only way his news agency can keep up viewership in its home region of Kakheti is to report live on Facebook with a smartphone.

Some outlets engage in investigations and other niche reporting, but the quality is middling and they are little known to the general audience. Most programs that focus on business, economics, and health are “boring and obscure,” Nina Ivanishvili said. “Journalists must know the themes well to be

able to convey complex ideas in a simple way,” she added, but staff shortages and time pressures make doing so “very hard work.” Koridze said business and economics shows on the major national channels are intended more to attract advertising from companies than to inform the public on these topics. For many years, much of the best investigative content has been produced by Monitor, a small studio that has drawn local and international attention. Kavkasia TV airs its work.

**OBJECTIVE 3:
PLURALITY
OF NEWS**

2.53

Georgia has a multitude of news outlets that provide diverse perspectives, ensuring a plurality of news sources. However, the politicization and polarization of media that marked coverage of the national elections in 2016 continued to harden in 2017, and panelists said GPB—the outlet with the greatest legal and ethical duty to reflect the broader political spectrum—is systematically abdicating that duty. News agencies were also seen as abandoning their traditional role.

There was general agreement on the panel that the quantity of diverse outlets gives Georgians access to a variety of sources and viewpoints, but some members said this was plurality in form, not in function. Reflecting the latter view, Kintsurashvili and Jangirashvili noted the ongoing politicization of major national media. “Every party in Georgia has its own television station. This is an old story,” Jangirashvili said.

According to the Caucasus Resource Research Center (CRRRC), television is the primary source of information on politics and current events for 73

percent of the population; 19 percent rely mostly on the Internet, and only 1 percent get most of their news from newspapers and magazines.⁷ Television channels Imedi, Maestro, GDS, and GPB are distinctly pro-government. Rustavi 2 remains linked with the opposition United National Movement, following the ECHR’s suspension of a Georgian court ruling that would have turned the station over to an owner affiliated with Georgian Dream. Obiektivi TV and Iberia TV reflect the ultranationalist stance of the Alliance of Patriots of Georgia.

There are no laws restricting Georgians’ access to domestic or international media. However, access to six terrestrial television stations—including Rustavi 2 and Imedi TV, the most-watched channels—was threatened in 2017 by an ownership dispute. Those two channels—along with Maestro, GDS, Comedy Channel, and Marao—demanded payment from cable operators for distribution of their programming, under threat of blocking retransmission by cable networks. Cable companies resisted, arguing that “must carry,” a legal provision requiring them to include national broadcasters in their channel packages, precludes those outlets from demanding payment. Cable firms said the fees the broadcasters sought would have increased cable subscribers’ monthly fees by 2 GEL (about 80 US cents). The matter came to a head on October 17 when dozens of cable operators temporarily ceased transmission of six channels. The dispute was settled in December with no increase in subscriber fees, and GNCC said it would weigh amendments to the broadcasting law, including possible abolition of the

7 “NDI: Public attitudes in Georgia, June 2017.” Caucasus Research Resource Center, <http://caucasusbarometer.org/en/nj2017ge/INFSOU1/>.

must-carry principle.⁸

Technological and infrastructure challenges also restricted some Georgians' access to media. As the country switches over to digital television, some remote regions lack necessary equipment. For example, Nino Narimanishvili, the editor of regional radio station Samkhretis Karibche, said construction of a new multiplex to serve the largely Armenian-speaking Samtskhe-Javakheti region is hindered by

8 "Details about the meeting between the Georgian National Communications Commission Members and Cable Operators," Cable Televisions Union of Georgia, December 1, 2017, <http://cable-tv.ge/news/details-about-the-meeting-between-the-georgian-national-communications-commission-members-and-cable-operators.html>.

Multiple news sources provide citizens with reliable and objective news.

PLURALITY OF NEWS SOURCES INDICATORS

- ▶ A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- ▶ Independent broadcast media produce their own news programs.
- ▶ Citizens' access to domestic or international media is not restricted.
- ▶ Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

the fact that relatively few families own the set-top boxes necessary for digital television reception.

Panelists were harshly critical of GPB, noting changes they said ran counter to the public broadcaster's mission to offer diverse programming spanning genres, political views, and minority concerns. GPB's content reshuffle under a new director included temporarily cancelling direct broadcast of parliamentary hearings and committee sessions on its second channel, 2TV, (which was ultimately restored) and dropping four major talk shows, leaving audiences with a deficit of critical social and political content in the run-up to local-government elections in October. "It is because of 1TV that pluralism has declined this year. GPB broke all records," Jangirashvili said.

Mtivlishvili said very little regional news is covered in prime time on GPB, and in 2017 the broadcaster shifted programming aimed at serving minority communities in Akhalkalaki and Kvemo Kartli—home to predominantly Armenian- and Azerbaijani-speaking populations, respectively—off the airwaves and on to GPB's website. Panel members said scarcity of Internet penetration in those areas limits viewership of the programs.

There are several dozen news agencies in Georgia, but panel members said they are drifting away from objectivity and are increasingly compromised by political or financial interests. InterpressNews (IPN) introduced a new business model for news agencies built on creating content for subscribers, offering a range of paid services that can include space for clients' announcements on the IPN.ge website, writing and distributing news about clients to other media, and even covering events and preparing press releases at the clients' request.

Some news agencies' content is rife with disinformation and manipulation, Kintsurashvili said. On November 9, 2017, Saqinform published an article,

based on a report by state-run Russian news service TASS, about a UN resolution initiated by Russia the previous year condemning glorification of Nazi, neo-Nazi, and similar organizations. The measure was approved by a vote of 136-2, with 48 abstentions; the opposing countries were the United States and Ukraine. Saqinform's article was accompanied by a photo-illustration juxtaposing the US and Ukrainian

Nina Ivanishvili and Jangirashvili said that with Imedi TV's acquisition of GDS and Maestro, it became apparent in 2017 that Georgia has "openly oligarchic" ownership in its media. "Do the people know who owns the media they use? No, they do not," Koridze said.

flags with a swastika and the caption, "USA and Ukraine voted against glorification of Nazism in the UN." The article did not note the reasons for the "no" votes: The United States believed the resolution violated the principles of free expression and assembly and conflicted with the Universal Declaration of Human Rights; Ukraine said it would not support such a resolution unless Stalinism and neo-Stalinism were condemned as well.

Independent Georgian broadcasters produce their own news programs, although regional media do so mostly for local coverage and rely on outside providers for national news.

Panelists questioned the reliability of what outlets disclose about their ownership, despite a provision of the Law on Broadcasting requiring broadcast media to make such information public. Georgian law does not obligate print and online media to report on their ownership, further reducing transparency.

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GEORGIA

became apparent in 2017 that Georgia has “openly oligarchic” ownership in its media. “Do the people know who owns the media they use? No, they do not,” Koridze said.

Imedi TV is owned by the Georgia Media Production Group, 100 percent of the shares of which are controlled by Inna Gudavadze, a citizen of Russia and the widow of the company’s founder, Badri Patarkatsishvili, who was Georgia’s wealthiest man at the time of his death in 2008. A declaration available on the company’s website lists seven members of its board of trustees: four citizens of Russia, two Georgian citizens, and an American. Panelists said the trustees are mostly unknown to the Georgian public and have no track record in the media business.

“We see that investments in 2016 into most of the television companies came from their owners and the question arises: What are the implications for editorial policy?” Jangirashvili said.

Since the merger was announced, Imedi TV and Maestro have united their newsrooms, which could have implications for media plurality. Jangirashvili said the arrangement flouts regulations on concentration of a broadcaster’s property. “The law prohibits a person, independently or in cooperation with an interdependent person, from possessing more than one general over-the-air television channel and one over-the-air radio channel per service area. GNCC contends that this is not a breach of the law,” she said. “This is a real threat for GNCC to have the bravado to interpret the law in such a way owing to political influences.”

The media’s ability to serve a broad spectrum of social interests suffered a blow with GPB’s shift of minority-language newscasts to the Web. Owing to language barriers, minority communities get much of their news and public-affairs coverage from donor-funded community outlets, including Radio Marneuli and Radio Ivrisi (Azerbaijani); Radio

Nori, Aliq Media, Samkhretis Karibche, and Jainews (Armenian); and Radio Way in Pankisi (Chechen).

Samkhretis Karibche, which serves the Meskheti region in southern Georgia, has begun collaborating on news content with Radio Nori, which serves neighboring Javakheti. Narimanishvili said the exchange has been positive for both communities: “Javakheti’s population receives our news more often now, and vice versa.” She noted, however, that Georgian media programming for these regions remains sparse: “Their [satellite] dishes are turned in another direction to get news about Armenia.”

“These communities are mostly living in another informational space. They only physically live in our country,” Jinjikhadze said. Ivanishvili added, “This is our problem, not theirs ... our government has not created good conditions for them. As soon as the government does this, they will turn to us.”

Georgian media do not systematically follow international events, with little coverage of even the country’s South Caucasus neighbors. Only online outlets Netgazeti and OC Media regularly offer news about Armenia and Azerbaijan, with Netgazeti featuring daily updates of the events from all three Caucasus countries.

OBJECTIVE 4: BUSINESS MANAGEMENT

1.60

Continued contraction of the television advertising market was the media-business headline for 2017, which saw the score for this metric inch downward from 1.62 to 1.60. The financial terrain for broadcasters looks set to get rockier if legislation takes effect allowing GPB to enter the fray for dwindling ad revenue. The economic challenges played out

in a consolidation of major channels (although panelists noted that could have more to do with politics than with money), popular programs switching stations, and a fee fight between terrestrial broadcasters and cable operators. Exactly how deep the problems run is hard to determine: At the time of writing, GNCC, in seeming violation of its legal duties, has yet to release 2017 revenue figures for some big broadcasters.

That lapse makes it difficult to assess the exact size of the advertising market. Using data from ad sellers, TVMRGE, ABG Nielsen’s licensee for audience measurement in Georgia, estimated 2017 television ad revenue at about GEL 70 million (\$27.8 million). If accurate, that would mean the market shrank by approximately 25 percent from 2016, when GNCC’s official data showed GEL 93 million (\$37.4 million) in television revenue.

GNCC’s partial failure to publish revenue data made it difficult to assess the financial impact of major industry changes, such as the merger of Imedi TV, Maestro, and GDS, announced in late 2016, and the defection of several popular shows from Rustavi 2 to Imedi TV. “Nobody knows how these changes altered market shares,” Jangirashvili said.

Panel members said the media market, already small, has been buffeted by Georgia’s economic slowdown of the past few years. It could be further shaken by an amendment to the Law on Broadcasting, sought by GPB and approved by the parliament late in the year, which would allow the national public broadcaster to compete with private outlets for advertisers. Media companies and NGOs are urging President Giorgi Margvelashvili to veto the measure.

“The market is already overloaded, unable to generate sufficient revenues for even the largest

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS

- ▶ Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- ▶ Media receive revenue from a multitude of sources.
- ▶ Advertising agencies and related industries support an advertising market.
- ▶ Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- ▶ Independent media do not receive government subsidies.
- ▶ Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- ▶ Broadcast ratings and circulation figures are reliably and independently produced.

players. The appearance of another big player in the form of GPB, which already receives substantial funds from the [state] budget, will further deteriorate the media market and its sustainability,” Jangirashvili said. GNCC supported GPB’s initiative to enter the ad market, a position Jangirashvili said “breached its role of objective arbitrator.”

Financial and legal problems continued to dog Rustavi 2. The court fight over ownership of the most-watched television channel, detailed above, remains unresolved, resulting in some of the company’s bank accounts being frozen and a portion of its property being under sequestration. The station has seen a steep drop in revenue from government advertising—from GEL 2.1 million (\$833,000) in 2015 to just over GEL 500,000

(U\$200,000) in 2017, according to an MDF report.⁹ During the same period, government advertising with Imedi TV more than doubled to about GEL 2.5 million (\$1 million).

Amid the instability and declining revenue, Rustavi 2 underwent a reorganization, reducing staff and cutting salaries. It also lost a number of high-rated shows and popular hosts to Imedi TV.

Rustavi 2 and Imedi TV were on the same side of a fight, led by six national broadcasters, to wring payments from cable operators for retransmission of their signals. Along with challenging “must carry, must offer” (the legally enshrined principle requiring cable operators to carry the national channels, which in turn must provide their signals for free), the attempt showed that broadcasters are trying to diversify their revenue sources, departing from a past practice of relying almost entirely on advertising. “It will affect the media market, as other television stations will follow in the six’s footsteps,” Jangirashvili said. “That may lead to turning terrestrial channels into paid channels, eventually limiting the population’s access to media.”

Panelists said diversifying revenue sources is crucial to sustaining smaller television stations and online and print media. Zura Vardiashvili, editor of Liberali, said the magazine’s special project “Chveni Tamashi” (Our Game) drew significant revenue. Supported by TBC Bank, the project launched in October 2017 and involved publication of a special edition on Georgian rugby, in conjunction with a touch-rugby festival with open public participation.

Panel members also emphasized the importance of donor organizations and other types

of financial support. “Without grants, many if not all small media outlets will fail to survive,” Jinjikhadze said. Ivanishvili said donors should shift from “helping small media in general” to assisting “outlets that have distinguished themselves for continually creating quality content and news.”

The emergence of a new, dominant player in selling television advertising raised alarms of a possible return to the monopolization that marked the ad market in the recent past. Inter Media LLC launched in December 2016 and since January 2017 has been selling all advertising time for the six largest television stations—Rustavi 2, Imedi TV, Marao, Comedy Channel, GDS, and Maestro—and a portion of ad time on Pirveli and Kavkasia TV. Panelists worried about diminished competition and financial fallout for media outlets outside the majors.

“The market is already overloaded, unable to generate sufficient revenues for even the largest players. The appearance of another big player in the form of GPB, which already receives substantial funds from the [state] budget, will further deteriorate the media market and its sustainability,” Jangirashvili said.

“Inter Media can offer discounts to its clients on the condition that they air ads on all the sales house’s contractors’ channels,” Jangirashvili said, potentially “leaving other channels without advertising.”

Most of the owners and executives of Inter Media held high-level positions at General Media, the politically connected ad-sales company that took over the market in 2011, when it was formed from the merger of what were then two major ad brokers. General Media broke up with the change of

9 Pataridze, Mariam, Pre-Election Financial Media Environment, Media Development Foundation, https://www.scribd.com/document/362106174/Pre-Election-Financial-Media-Environment-2017#from_embed.

government in 2013, but panel members expressed concern that Inter Media could bring back its monopolistic practices.

In summer 2017, the government announced new procedures for procuring broadcast and online advertising time. Rather than various government entities purchasing ad time individually, the government as a whole would make two single buys: a GEL 2 million contract (approximately \$831,000) for advertising on major channels and GEL 1 million (\$415,555) for smaller stations. The larger contract was awarded to pro-government Imedi TV. Rustavi 2, the only other possible competitor on the basis of ratings, challenged the decision in court, claiming the State Procurement Agency did not notify it of the bid deadline in time.

Less is known about how the government distributed its online ad buys, which amounted to more than GEL 1 million (\$415,555) in 2016. Jangirashvili said Internet publications are more reliant than television on government spending. "A significant part of the online media is financed from the budget," she said. "The fact that such media operate does not mean that they operate as business entities."

The television market remained split between two television-audience measurers (TAMs): TVMRGE, ABG Nielsen's licensee, and Tri Media Intelligence, a Kantar Media affiliate launched at the start of 2016. Problematically, the two TAMs provide conflicting data, panel members said. This created confusion and mistrust among advertisers, another factor driving the decline in ad spending.

"While one measurer was reporting about our ratings going up, another was reporting a decrease. I, too, question the data of both companies," said Natia Kapanadze, director of Adjara TV. The panelists said the television market is unlikely to bear competing TAMs for long. There remains no

reliable, independent resources for online and print media readership.

**OBJECTIVE 5:
SUPPORTING
INSTITUTIONS**

2.51

The slight increase in this score from 2.46 to 2.51 reflects ongoing efforts by support organizations and donors to foster sustainable media in Georgia, compensating for what the industry cannot accomplish on its own. A small and more or less stable number of professional associations and civil society groups work to promote the interests of individual journalists and media outlets, including the Media Advocacy Coalition, the Georgia Young Lawyers Association (GYLA), TI Georgia, GCJE, the Media Club, and the Georgian Regional Media Association, which primarily represents the interests of regional print and online outlets.

One significant change in the media support landscape in 2017 was the split in the Georgian Association of Regional Broadcasters (GARB). In August, nine of its 21 members withdrew from the 12-year-old organization and formed the Alliance of Broadcasters (AB), chaired by Natia Kuprashvili, the former executive director of GARB (and an MSI panelist).

Kuprashvili said the interests of the nine founding AB members had diverged dramatically from those of their GARB peers as donor funding for media outlets declined, and some participants saw a need to change working and fundraising practices. "This was a values-based conflict," she said. "There were large broadcasters oriented toward high-quality content creation, ready to

take novel approaches to content production and sharing. The majority of GARB members are small media companies that apparently wanted to have guaranteed sources of funding without substantial effort." She noted that the GARB studio, which creates content of national relevance for regional broadcasters that do not have their own people in the capital, has mostly been retransmitting news from government sources and television series from Mosfilm, the largest and oldest studio in Russia.

Within four months, AB membership had grown to 17 broadcasters, including some community radio stations. Kuprashvili says the new association has taken innovative approaches to content production; for example, "they create common content and

Supporting institutions function in the professional interests of independent media.

SUPPORTING INSTITUTIONS INDICATORS:

- ▶ Trade associations represent the interests of private media owners and provide member services.
- ▶ Professional associations work to protect journalists' rights.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

merge forces in attracting advertising money.”

Most panel members said GCJE, an independent union of journalists that aims to raise professional and ethical standards and develop mechanisms for media self-regulation, has grown into a highly professional organization and an effective advocate for quality journalism. In 2017, it considered 56 complaints of alleged ethical violations brought by citizens, media, NGOs, and even the Ministry of Interior.

la Mamaladze, editor of *Guria News* in western Georgia, said the kind of support widely available for media in Tbilisi is not always present in the regions. “Sometimes we have difficulty finding respondents among the regional branches of the NGOs who can provide expertise on certain topics,” she said.

The role and impact of the NGO sector has been gradually increasing, and 2017 was a very active year in this regard. “The more the media are suffering, the higher is the role of NGOs,” Nina Ivanishvili said. Panel members say the Media Advocacy Coalition, the Human Rights Education and Monitoring Center (EMC), and TI have been particularly vocal. Civil society was deeply engaged in the outcry over Azerbaijani investigative journalist Mukhtali’s abduction from Tbilisi and the Rustavi 2 ownership case. “If there had not been unanimity and integrity among civil society and the media, the disputed Georgia Supreme Court ruling on Rustavi 2 would have been enforced,” Jangirashvili said.

Several donors fund efforts by Georgian media outlets to provide unbiased and diverse coverage of current events. IREX’s Georgian

Media Partnership Program, funded by the Bureau of Educational and Cultural Affairs of the U.S. Department of State through the Public Affairs Section of the U.S. Embassy in Tbilisi, supports professional development in Georgian media through partnerships with US media outlets. With funds raised from international donors, Internews implements the Strengthening Independent Media in Georgia, Moldova, and Ukraine project. This initiative works to improve access to information and media literacy among citizens of the target countries. Another IREX program, Media for Transparent and Accountable Governance, known as M-TAG and funded by USAID, aims to strengthen journalism in Georgia and ensure sustainability of regional media outlets, improving the public’s access to independent, reliable, and balanced reporting.

la Mamaladze, editor of *Guria News* in western Georgia, said the kind of support widely available for media in Tbilisi is not always present in the regions. “Sometimes we have difficulty finding respondents among the regional branches of the NGOs who can provide expertise on certain topics,” she said.

Although they actively voice support for media freedom and independence, NGOs are not always there to lend a helping hand to individual journalists facing legal and other travails, some panelists said. “It is, of course, very good when NGOs make statements to defend you, but it is also crucial when someone studies your case and provides legal assistance,” Tsetskhladze said. “In the past, the media center of the Georgian Young Lawyers Association was doing this. We are journalists, not lawyers, and cannot do this on our own all the time.” Kintsurashvili said it is up to donors to decide to whom they give money to ensure more thorough legal support for journalists.

High-quality education programs are available for prospective journalists, but panel members

say there is a need for more. Koridze singled out the Caucasus School of Journalism and Media Management at GIPA for developing a vision of the kind of content it should provide to its students. “The curriculum there is well planned, and every professor knows what the students learn in different classes. This way, students receive a very good outcome,” he said.

There are fewer options at regional institutions. Narimanishvili said the journalism program in Samtskhe-Javakheti State University has closed, and Mtvlishvili said Telavi State University’s journalism program has only four students. They attribute the disinterest to a low quality of teaching offered to journalism students.

From November 2016 through December 2017, GIPA’s journalism school held a one-year training program, entitled Multimedia Skills and Literacy for Ethnic Communities, aimed at equipping budding young leaders from Armenian and Azerbaijani communities in Samtskhe-Javakheti and Marneuli with multimedia, business, and social-entrepreneurship skills and greater understanding of the news and media environment. The project was fully funded and supported by the US Embassy in Tbilisi and was delivered in minority languages. The school hired its Azerbaijani and Armenian graduates as trainers’ assistants.

There are ample trainings offered to journalists, but Mtvlishvili and Tsetskhladze said they often refuse to attend programs funded by state bodies and private businesses, which sometimes use their resources to take journalists to luxury hotels and give them gifts, potentially undermining the independence of participants and, ultimately, the media products they create.

Sources of newsprint and printing facilities are apolitical and in private hands, but Koridze said the scarcity of providers could restrict publications’

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access to these resources. For example, he noted that there are three companies in Tbilisi that can print Batumelebi in its current format: Favorite, owned by the newspaper Kviris Palitra; Cezanne, the most expensive option; and a third belonging to Asavali Dasavali, where production quality is low. Batumelebi favors Favorite but sometimes sees its jobs delayed for a few days “because [the printer] thinks the client will wait, having no other choice,” Koridze said.

On the television side, panel members said the infrastructure of multiplexes and the functionality of the multiplex networks in Georgian regions is unsatisfactory. Dzvelishvili said many people in the regions complain that they do not receive terrestrial broadcast channels. She said GNCC must monitor the situation and make recommendations to multiplex owners.

List of Panel Participants

Dimitry Availiani, editor, JAMnews Georgia, Tbilisi

Nino Danelia, journalism professor, Ilia State University; independent media expert, Tbilisi

Nata Dzvelishvili, executive director, Georgian Charter of Journalism Ethics, Tbilisi

Nina Ivanishvili, dean, Caucasus School of Journalism and Media Management, Georgian Institute of Public Affairs, Tbilisi

Nino Jangirashvili, director, Kavkasia TV, Tbilisi

Hatia Jinjikhadze, media-support program manager, Open Society Georgia Foundation, Tbilisi

Natia Kapanadze, director, Adjara TV, Batumi

Zviad Koridze, Independent media expert, Tbilisi

Natia Kuprashvili, director, Alliance of Broadcasters, Tbilisi

Ia Mamaladze, publisher, Guria News, Chokhatauri

Maia Mikashavidze, director, multimedia project, Internews Georgia, Tbilisi

Gela Mtivlishvili, director, Kakheti Information Center, Gurjaani

Nino Narimanishvili, editor, Samkhretis Karibche, Akhaltsikhe

Nestan Tsetskhladze, editor, Netgazeti, Tbilisi

Zura Vardiashvili, editor, Liberali, Tbilisi

Moderator

Ekaterina Basilaia, Tbilisi State University, Tbilisi

Authors

Ekaterina Basilaia, Tbilisi State University, Tbilisi

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The panel discussion was convened on December 2, 2017.



**RUSSIA AND
WESTERN
EURASIA**

BELARUS



MEDIA SUSTAINABILITY INDEX 2018

Tracking Development
of Sustainable
Independent Media
Around the World



BELARUS

AT A GLANCE

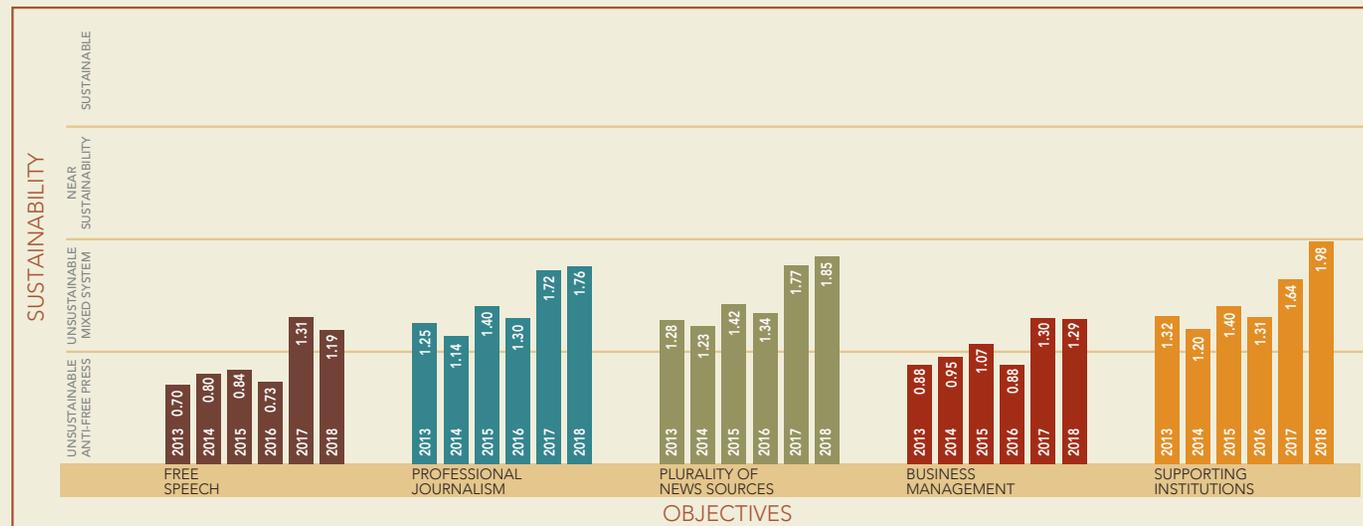
GENERAL

- **Population:** 9,549,747 (July 2017 est. *CIA World Factbook*)
- **Capital city:** Minsk
- **Ethnic groups (% of population):** Belarusian 83.7%, Russian 8.3%, Polish 3.1%, Ukrainian 1.7%, other 2.4%, unspecified 0.9% (2009 est., *CIA World Factbook*)
- **Religions (% of population):** Orthodox 48.3%, Catholic 7.1%, other 3.5%, nonbelievers 41.1% (2011 est., *CIA World Factbook*)
- **Languages (% of population):** Belarusian (official) 23.4%, Russian (official) 70.2%, other 3.1% (includes small Polish- and Ukrainian-speaking minorities), unspecified 3.3% (2009 est., *CIA World Factbook*)
- **GNI (2015-Atlas):** \$61.42 billion (World Bank Development Indicators, 2017)
- **GNI per capita (2015-PPP):** \$16,920 (World Bank Development Indicators, 2017)
- **Literacy rate:** 99.7 %; male 99.8 %, female: 99.7% (2015 est., *CIA World Factbook*)
- **President or top authority:** President Alexander Lukashenka (since July 20, 1994)

MEDIA-SPECIFIC

- **Number of active print outlets, radio stations, television stations, Internet news portals:** 752 domestic newspapers, 869 magazines and journals, 103 television programs, 176 radio channels/programs (including 30 FM stations). More than 30 Internet news portals.
- **News agency:** BelTA (state-owned), BelaPAN (private), Interfax-Zapad (Russian-owned), Prime-TASS (Russian-owned), Ecopress (private), Agentstvo Grevtsova (private), Minsk-Novosti (state-owned), Registr Information and Legal Agency (private) (Belarus Ministry of Information, 2017)
- **Newspaper circulation statistics:** Top three by circulation: Belarus Segodnia, Komsomolskaya Pravda v Belorussii (Megapolis Media advertising agency, 2017), Respublika, (advertising departments, 2017)
- **News agencies:** BelTA (state-owned), BelaPAN (private), Interfax-Zapad (Russian-owned), Prime-TASS (Russian-owned), Ecopress (private), Agentstvo Grevtsova (private), Minsk-Novosti (state-owned), Registr Information and Legal Agency (private) (Belarus Ministry of Information, 2017)
- **Broadcast ratings:** NTV-Belarus (14.8%), ONT (13.97%), RTR-Belarus (13.27%) (December 2014, GEVS)
- **Internet usage:** 5,786,572 (data from 2016, based on Elaboration of data by *International Telecommunication Union (ITU)*, *World Bank*, and *United Nations Population Division*.)
- **Annual advertising revenue in media sector:** 90 mln USD (AMG-Consult)

MEDIA SUSTAINABILITY INDEX: BELARUS



SCORE KEY

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.



Despite the increase in the overall score to 1.61 there are still many alarming threats to media freedom. The freedom of speech objective dropped from 1.31 to 1.19 as anti-government protests erupted and resulted in the detainment of 167 journalists covering these events. The improvements in the media sector are largely due to the increased access to higher quality journalism programs, which rose the supporting institutions objective by .34 points, almost to the near sustainable threshold.

Crackdowns against journalists intensified in Belarus in 2017 amid mass protests. Detentions of media workers and fines increased tenfold. The authoritarian government has not given the media any more freedom. It is now preparing a new edition of the mass media law, without consulting independent professional media bodies. While the country's constitution guarantees the freedom of expression and the right to receive, store, and disseminate information, the criminal code in Belarus still contains provisions on defamation, libel, and insult.

Since 2014, online media outlets have been subject to the same restrictions as traditional media. In the case of a suspected violation, the Ministry of Information has the power to limit access to websites, without a court ruling—which it exercised in blocking the Belorusskiy Partizan website for several days, before it returned online with a new Belarusian hosting. The appointment of a new information minister in September 2017 did not bring significant improvements to the media sphere.

Economic discrimination continues to place independent media at a disadvantage as well. They are subjected to unequal distribution and production conditions, not to mention the \$57 million annual state subsidies to the pro-governmental press. The country's MSI score has moderately improved over the previous year, but not enough to lift Belarus up from the mixed unsustainable systems category.

Although laws limiting freedom of speech remain, the state's

treatment of several nongovernmental print media outlets improved slightly, as they were allowed back into the state system of distribution after 11 years. Nine newspapers in all made it back to kiosks—including the national *Novy Chas* and the regional *Gazeta Slonimskaya*, *Intex-press*, and *Borisovskie Novosti*. At the same time, Viciebsk-based *Vitebski Kurier* has not been accepted into the distribution system, despite having a publishing license registered in Russia.

Against the background of the repressive political regime, the quality of the independent media outlets has grown, with their business models becoming more diversified and online-audience oriented. Restricted economic freedoms and the lack of reforms, however, hold back their development. In this sense, discrimination toward the nongovernmental media sector prevents Belarus from significantly increasing this score.

The continued availability of LTE/4G connection and broadband Internet made it easier for an increasing number of Belarusians to access information. Yet in 2017, the government took a more active approach to punishing online content. Throughout the year, the Ministry of Information issued 17 warnings to media, including 10 targeting online outlets. The government also blocked access to websites 106 times.

Several nongovernmental media outlets also succumbed to self-censorship in 2017 by agreeing to remove archived information about the past of IT businessmen Viktor Prakapnya, who has close ties to the president.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

1.19

The score for this objective experienced the largest decline in 2018 compared with its 2017 score, driven by the growing pressure on journalists and media and an increase in censoring materials by labeling them extremist.

Laws limiting free speech remained unchanged and enforced. While 2017 did not bring resolution of the case against pro-Russian reporters detained in late 2016 (their five-year sentence was suspended in early 2018), the year passed under the shadow of this criminal investigation. The authorities accused the three Russia-based writers—Dzmitry Alimkin, Yury Paulavets, and Syarhey Shyptsenka—of inciting racial hatred in their publications and detained them for more than a year. While their publications fell far short of journalistic standards—often replicating pro-Kremlin propaganda about Ukraine and other former Soviet states—human rights defenders, along with the independent Belarusian Association of Journalists (BAJ), criticized their treatment as too harsh. In an interview with the independent radio station Euroradio,¹ BAJ chair Andrei Bastunets said that while the articles contained some violations of journalistic ethics, they did not violate Belarus’s criminal code, and therefore, in his view, the state overstepped in its interference at the expense of freedom of speech and opinion.

In October 2017, Alyaksandar Karlyukevich, the

new minister of information, announced the government’s preparation of changes to the law on mass media. According to the minister, who emphasized that the move is not aimed at “censoring or limiting free speech,”² the changes are expected to target social media and online content. The ministry has until April 2018 to consult on the draft before Parliament’s review.

The state also continued its attacks on free speech by labeling more than 300 materials and publications extremist in 2017. While many of the banned pages contained jihad propaganda, Nazism, and other extreme views, some were blocked because of references to Belarusians participating in the conflict in East Ukraine, on the Ukrainian side. In December 2017, the list of blocked websites expanded to include belaruspartisan.org, a website set up by the slain Belarusian journalist Pavel Sheremet. In its explanation, the ministry only stated that it applied Article 511 of the state mass media law because “the website hosted news and materials that contain information that, if spread, may harm national interests of the Republic of Belarus.”

As in 2016, the Ministry of Information issued relatively few—17—official warnings to the media: 7 for traditional media outlets and 10 for online media. Most of the warnings detailed minor violations, such as “not mentioning the age limits for the publication” or “mistakes in output data.” An exception was a warning to *Borisovskie Novosti*’s newspaper and website for the “violation of the article 38 of the Law on Mass Media.” In December 2017, its editor, Anatol Bukas, was slapped with a BYN 345 (\$150) fine for mentioning an unauthorized demonstration in his publication. The court ruled that an October 4 *Borisovskie Novosti* article mentioning an opposition demonstration in Minsk on October 21 had violated

² “Editors’ Club,” Belarus-1 TV. October 7, 2017.

the law on mass gatherings, which bans giving the date and time of unauthorized demonstrations. This marked the first time the law on mass gatherings was applied to a media outlet in Belarus.

Officials also deployed copyright law as a preferred tool to persecute journalists. In October 2017, the authorities confiscated the equipment of Belsat TV freelancer Alyaksandar Barazenska for alleged “violation of the trademark.” In March 2017, they confiscated equipment from two Belsat TV offices in Minsk. This was possible because of a Belarusian court’s 2014 decision to register the Belsat trademark with the Belarusian commercial

Legal and social norms protect and promote free speech and access to public information.

FREE-SPEECH INDICATORS

- ▶ Legal and social protections of free speech exist and are enforced.
- ▶ Licensing of broadcast media is fair, competitive, and apolitical.
- ▶ Market entry and tax structure for media are fair and comparable to other industries.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- ▶ Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- ▶ Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

¹ Lukashuk, Zmitser. “BAJ Chairperson: Freedom of Speech Is Violated in ‘Belarussophobes’ Case,” UDF. December 15, 2016. <http://udf.by/english/main-story/149611-baj-chairperson-freedom-of-speech-is-violated-in-belarussophobes-case.html>

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company “BELSATplus.” BELSATplus was established before Belsat TV and since having the same name brings reputational risk, BELSATplus was legally granted the trademark for the Belsat name, which validates the violation of trademark charges.

Media licensing and registration continues to be unfair. Print and broadcast media alike have to pass several stages of the highly bureaucratic registration process to receive a permit, and foreign-based Belarusian broadcasters are barred entry to the local market. For example, officials again refused to issue a permit to European Radio for Belarus (Euroradio), an exiled broadcaster with a bureau in Minsk. The accreditation of this broadcaster was extended for only one year. At the same time, online media continue to operate without any registration or permit requirements.

Market entry and tax structure are distorted for media compared to other types of businesses and between state and nonstate media. Unlike other businesses, media newsrooms cannot be located in residential houses. Individual entrepreneurs are not allowed to publish any media, except in online outlets. An editor in chief of a media outlet applying for registration is required to have at least five years of media management experience. Broadcast media editors in chief must pass a special exam on broadcasting law, technical settings of radio and television broadcasting and advertising law for their outlet to receive a license.

In 2017, the state detained 167 journalists—in most cases, journalists’ detentions were related to their coverage of anti-governmental protests in the beginning of the year. BAJ recorded 101 detentions of journalists by police, while 69 freelancers working for foreign media without accreditation received fines amounting to \$29,600. To compare, in 2016, there were only 13 detentions and 10 fines. The last year more than 100 journalists were detained

was 2011: a year of “silent protests” after the flawed presidential election and a major currency crisis. The practice of fining journalists for unaccredited work for foreign media outlets has been in place since 2014. Between 2014 and 2016, journalists were fined nearly 50 times; then that practice slowed—but was revived in spring 2017, with average amounts for fines ranging from \$230 to \$575.

In 2017, the state returned to its practice of detaining journalists—in most cases, journalists’ detentions were related to their coverage of anti-governmental protests in the beginning of the year.

With no public service broadcasting and the state’s regulation of the media market, only a handful of media outlets can be considered editorially independent. State-run media received more than \$57 million in subsidies from the government’s budget, showing their preferential treatment. President Alyksandar Lukashenka personally appoints and dismisses the heads of the main national state-owned media.

Libel continues to be punishable under the criminal code, with offended parties having no responsibility to prove falsity or malice. However, there has been a positive trend, with judges favoring the independent media in nonpoliticized cases. “Five years ago, when we talked to judges about freedom of expression and quoted the constitution, they never followed our advice. Now, they themselves tell businesses that instead of suing for defamation they should first resort to softer tools, such as asking media outlets to publish corrections. They quote all the relevant constitutional norms defending freedom of expression,” a panelist with a legal background

said. Three criminal code articles can be applied for defamation of the president or public officials, yet none of them were used in 2017.

At the same time, the Supreme Court upheld the libel charges pressed against Associated Press journalist Yuras Karmanau in 2016 for investigating the use of radioactive milk in the country’s dairy products. Karmanau claimed that milk samples he had collected from a Milkavita farm (near the zone with continuing contamination from Chernobyl) contained radioactive isotopes 10 times above national safety levels, according to tests by a lab in Minsk. After hearing testimony from a lab employee, Belarus’s Supreme Court upheld a ruling ordering Karmanau to pay court costs and to retract key evidence from his story.

Access to information for media has grown more difficult. As several panelists noted, ministries and state institutions are now more likely to require special accreditation before they’ll provide any information to journalists. State press services often withhold information or organize “pseudo” press conferences where they only allow one or two questions. An August 2017 poll by BAJ of more than 50 state and nonstate media professionals named the least open institutions: the Ministry of Information, the Committee of State Security, and the Operative and Analytical Centre of the Administration of the President. The most open institutions are the courts, Ministry of Emergency Situations, Ministry of Sports and Tourism, and the Ministry of Forestry.

While previously some media used the law on inquiries by physical and legal persons to obtain replies to their requests, it became more difficult in the past year. Instead of providing nationwide data, ministries check the address of citizens requesting the information and then pass the requests to the city authorities, who in turn can provide only limited city-related information.

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Legislation does not restrict access to or use of domestic and foreign news sources, although one can be punished for spreading messages considered extremist. Because of the lack of clarity in copyright definitions, many news organizations borrow stories from other outlets, giving credit to original sources.

Entry into the journalism profession continues to be largely unrestricted. At the same time, the state limits access in other ways. The Ministry of Information, for example, only issues press entry cards to registered media outlets and full-time staffers. Freelance and part-time journalists, as well as staffers of online media outlets and journalists working for foreign media organizations, must obtain accreditation from the Ministry of Foreign Affairs. Working without accreditation is subject to fines and other types of administrative punishments.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

1.76

The panelists attribute the improvement in the score of this objective to the professionalization of the nonstate media, while the gap in quality between independent and state outlets remains wide.

The dominance of state-controlled media, varying degrees of self-censorship, and the popularity of politicized and unbalanced reporting on some independent platforms prevent Belarusian journalism from meeting high professional standards.

More often than not, media sink to producing click-baiting, misleading headlines and recycling news from each other. Panelists also noted the media's unwillingness to look for second or

alternative sources of information. "I recently received a ready-for-publishing text for review, and I'd estimate that at least 30 percent of the text required basic fact-checking—and this is not an isolated case," one panelist noted. Some nonstate media outlets offer fair and objective reporting, but they are limited by the restricted access to information and the lack of financial and human resources.

While there are two commissions of ethics set up by journalists' unions—the pro-state Belarusian Union of Journalists (BUJ) and the independent BAJ—both are considered ineffective. Their handling of homophobic articles published by a state-run regional newspaper, *Vecherniy Mogilev*, illustrates their limited influence: both commissions reviewed the case and came to opposite conclusions, and none of that has influenced the authors or editors of the paper.

BAJ's ethics code needs to be updated to address the realities of online journalism. Still, it is important that BAJ's commission regularly reviews the cases, as an incident with Belarus 1 revealed. In August 2017, the state-run television channel aired a story about pedophiles using a picture of a Belarusian surgeon who had nothing to do with the charges. When independent media reported on their egregious error, the channel issued an official statement blaming the reporter's "extremely high speed of work" for the mistake.

In 2017, Belarus's nonstate media found itself in the middle of a new type of self-censorship in the country. While some outlets have regularly succumbed to political intimidation to issue "corrections," last year, leading portals, such as TUT.BY, Onliner.by, and others agreed to delete old articles about the businessman Viktor Prakapenya, following requests from his lawyers. Prakapenya, now considered the president's right hand in Belarus's IT-revolution, just two years ago spent time in the state security detention prison. He was never

Journalism meets professional standards of quality.

PROFESSIONAL JOURNALISM INDICATORS

- ▶ Reporting is fair, objective, and well sourced.
- ▶ Journalists follow recognized and accepted ethical standards.
- ▶ Journalists and editors do not practice self-censorship.
- ▶ Journalists cover key events and issues.
- ▶ Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- ▶ Entertainment programming does not eclipse news and information programming.
- ▶ Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- ▶ Quality niche reporting and programming exists (investigative, economics/business, local, political).

officially charged, however, and was released after several months. In September 2017, he approached dozens of media that had published information about his detention and asked them (or, according to some reports, offered them bribes) to remove articles that were damaging his image among international partners. Leading and smaller portals alike quietly removed the publications or made them unfindable via Internet search—a move that took an independent blogger to uncover. Some media chose to remove only reprints linking to other publications, but kept their own original stories. The panelists disagreed, however, on whether this case qualifies as self-censorship. "The businessman turned to the newsrooms at a time when his connection to the president was still unknown, and he could get the sympathy of editors as a victim of unfair persecution," one panelist noted.

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Journalists cover most major events and issues, although they still tend to rely on secondary sources. In several cases in 2017, however, mass media coverage forced the government to change its behavior. One such case, in October, involved coverage of the suicide of an 18-year-old soldier in Pechy, a military unit near Barysaw. His mother, convinced his suicide was staged, contacted the online outlet, Media Polesie. After that, Euroradio developed the story further—visiting the unit, talking to the soldier’s friends and relatives, and asking officials uncomfortable questions. As a result, all major nonstate media reported on the suspicious death, and thousands of Belarusians signed a petition demanding a response from the Ministry of Defense. The State Investigative Committee agreed to treat the case as suspicious and claimed it would reopen the investigation of similar cases in recent years. Ultimately, Belarus’s president apologized to the family (through his press secretary).

Significant media attention also proved key in changing the government’s stance on the on affair known as the “Patriot’s Case.” Soon after the spring protest, the state secret services accused a patriotic sports club’s owners and members of forming an illegal armed group and plotting a riot. The defendants included acting and former employees of the border troops, the Armed Forces, and the Ministry of Emergency Situations and Internal Affairs. State media showed stashes of weapons allegedly found in their apartments—coverage independent media denounced as fake and kept up the pressure by regularly publishing inconsistencies in the prosecutors’ statement. By late 2017, all detainees were released.

The Belarusian economy had a rough year, as reflected in declining salaries for journalists. “Last year, we lost one-third of our staff. All of them, 10 people, went to work either in Minsk or abroad,” a regional panelist said.

“The level of income of journalists is very low. Outside Minsk, one can find job classified ads offering as little as \$250 per month for a full-time reporter’s work. As regional media outlets cannot afford to pay more, they either have to rely on low-quality workers or be prepared to lose good journalists,” another regional panelist said.

Furthermore, audiences have developed a taste for new media, which requires more expensive media specialists, such as 3D-animators, videographers, or designers. This places yet more strain on already struggling independent media outlets, especially those relying on print as a main channel of distribution and income.

“The level of income of journalists is very low. Outside Minsk, one can find job classified ads offering as little as \$250 per month for a full-time reporter’s work. As regional media outlets cannot afford to pay more, they either have to rely on low-quality workers or be prepared to lose good journalists,” another regional panelist said.

Again this year, the panelists highlighted the huge imbalance of news and entertainment programming at state television and pro-state radio stations, with little, if any, objective coverage of news and information. In contrast to 2016, the panelists also reported an increase in state-run disinformation, as demonstrated vividly by the “Patriot’s Case” coverage. The propagandist film *Zvonok Drugu* (Call a Friend), which depicted street protesters demanding the denouncement of the so-called freeloaders tax as paid opposition lobbyists, provides another example.

Interestingly, a former chief propagandist, Alexander Zimovsky, gave an extensive interview to the independent portal kyky.org, explaining in detail how such fakes are filmed and how their authors are remunerated. Another long-forgotten tool was brought back in 2017: publishing false information about street protest participants in regional press. “We have noticed a wave of such publications in the state-owned media outlets all over the country,” said one panelist.

With the development of modern technologies and the relatively high accessibility of the Internet, most journalists do not experience major problems surrounding access to equipment. However, regional nonstate outlets complained that they lack the modern equipment required for their jobs, or the knowledge to properly use cheaper, more modern equipment and software. At the same time, one panelist commented that the significant technical upgrade of state-run regional media has made them more competitive and allowed them to lure some local journalists, drawn by the greater stability and security state outlets can provide, to their side.

The panelists reported a surge in specialized, niche outlets—both regional and national—such as the new Brest-based Binokl outlet. Positioned as a city-centric outlet (very much like Citydog in Minsk), it presents a strong visual storytelling approach to journalism, concentrating on human stories and appealing to younger audiences. The opening of the Minsk franchise of the Moscow-based online outlet The Village also strengthened city-centric coverage; it follows the tradition of hyperlocal journalism set up by the *Village Voice* in America. Other examples of specialized coverage include Nasha Nina, a web spin-off of *Nasha Niva* about women run by a female editor, and the Tolki Zhanchyny (Women Only) program and Facebook community run by Radio Free Europe/Radio Liberty (RFE/RL). At the

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same time, a gap in investigative journalism persists. There are no specialized outlets that run investigative stories. Foreign broadcasters produced the year's most daring investigations, such as Belsat TV's use of drones to find the hidden residential houses of Belarusian officials. Economic journalism has stagnated since the 2015 split of the national weekly *Belorusy i Rynok*; personnel changes in *Ekonomicheskaya Gazeta* have also weakened coverage of the economy. *Office Life*, a print journal that launched its web version in 2017, is one of the few outlets trying to fill that need.

OBJECTIVE 3: PLURALITY OF NEWS

1.85

Belarusians' access to multiple news sources continued to grow in 2017, although it was somewhat limited by the state monopoly on national television and radio broadcasting, and a lack of decisive steps to stop the proliferation of biased pro-Kremlin news. Economic constraints further undermine independent media coverage of socially relevant topics.

According to Belarus's Ministry of Information, citizens have access to multiple sources of news and information, including 752 domestic newspapers, 869 magazines and journals, 103 television programs, 176 radio channels/programs (including 30 FM stations), and 9 news outlets. More than 200 foreign television channels are rebroadcast—a significant share of them from Russia. However, the healthy quantity of outlets does not translate into a variety of viewpoints within the Belarusian media landscape.

The Internet remains the only true pluralistic environment for Belarusian media. However, despite

a growing number of users, the Internet has not become a primary source of daily information for the majority of consumers. Meanwhile, the traditional media sphere remains dominated by media with little to no diversity in the coverage of social and political topics.

There are no special legal restrictions to access domestic or international media. High-speed mobile LTE/4G Internet has become increasingly available outside the capital city, which may improve the access of the population beyond Minsk to a greater variety of news. According to Gemius, in December 2017, around 45 percent of all Internet traffic in Belarus went through mobile phones, four percent through tablets, and 51 percent via PCs. The limitations rest on the level of media outlets themselves: broadcast media are subject to unequal registration conditions, while nonstate print media face economic discrimination, thus limiting the plurality of news sources for those who do not have access to high-speed Internet. Also, the blockage of access to Belaruspartisan in 2017 demonstrated the Ministry of Information's willingness to block access to news sites.

State media largely reflect the views of the government, with opposition politicians or independent media receiving few, if any, positive mentions—especially outside of election years.

Belarus did not register any new news agencies in 2017. Out of the nine existing agencies, four (BelaPAN, BelTA, Interfax-Zapad, and Prime-TASS) sell newswire services to other media. BelTA and BelaPAN are domestic media organizations, while Interfax-Zapad and Prime-TASS are Russian-owned. On average, domestic news agencies charge approximately \$300 per month for daily news updates and twice as much for real-time and hourly news alerts. Apart from newswire services and news websites, BelaPAN and BelTA offer photos, multimedia stories, and infographics. Additionally,

BelaPAN sells thematic analytical reviews on a variety of topics, and BelTA publishes a weekly newspaper and an economic magazine. BelTA also builds and maintains websites for local state media and government outlets. However, economic difficulties have forced many independent media to cut their news agency subscriptions, including national news wires. "On top of that, state media and some private FM broadcasters received unofficial 'advice' from the government not to subscribe to BelaPAN," according to one panelist.

"One could see how the trust in media that provided such [live video] streaming grew. People who are usually reluctant to comment about anything on camera, especially for nonstate media, stood in queues to tell their opinion," one panelist noted.

Many broadcast media continue to face difficult circumstances. The state controls all national television channels, and only the alternative Poland-based television station, Belsat, is persecuted. Prosecutors harass its journalists relentlessly in the form of fines and warnings. Accredited journalists from RFE/RL and European Radio for Belarus contribute to independent, trustworthy broadcasting, along with reporters from the non-accredited Radio Racja and special correspondents of other international broadcasters, including Deutsche Welle, BBC, and RFI. The government has taken no steps to grant these broadcasters wider access to audiences.

It is difficult to see the exact ownership structure of media, although this information can be obtained by request. Print media publish this information on their front or last pages, but websites or blogs are not obligated to publicize

Multiple news sources provide citizens with reliable and objective news.

PLURALITY OF NEWS SOURCES INDICATORS

- ▶ A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- ▶ Independent broadcast media produce their own news programs.
- ▶ Citizens' access to domestic or international media is not restricted.
- ▶ Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

ownership details. The state controls more than 600 outlets in Belarus, serving as the major “investor” for most. Private media ownership is not concentrated. Under Belarusian law, foreigners cannot own more than 20 percent of the shares in a private Belarusian media company, but the leading Russian television channels found a way to circumvent the requirement by registering in Belarus as Belarusian entities. An unusual development in 2017 was the purchase of *Belgazeta* by a Belarusian journalist, Kiryl Zhyvalovich, who organized a successful subscription and crowdfunding campaign to give new life to this well-known brand. Before, Belarusian businessman Sergey Isaev owned *Belgazeta*; he bought it from the Russian-owned business in 2015.

Reliance on the narrow variety of sources and commentators weakens the ability of both independent and state media to reflect diverse social interests. But panelists underscored one positive trend in 2017: live video streamed by a range of media during the street protests in the spring. “One could see how the trust in media that provided such streaming grew. People who are usually reluctant to comment about anything on camera, especially for nonstate media, stood in queues to tell their opinion,” one panelist noted.

It is important to note that the government does not actively promote use of the Belarusian language in education, culture, or the media sphere, despite its status as an official language alongside Russian. Therefore, the language of the nation’s majority can be considered a minority language, while the language of the actual minority, Russian, dominates. As for other national languages, official promises in 2015 to introduce a Ukrainian television channel to the cable networks have gone unfulfilled.

The lack of institutional knowledge sharing also hinders coverage of national minorities. “At a press conference by the Polish ambassador, the young editor in chief of a leading independent outlet apparently knew nothing about the history of the split between unions of Poles in Belarus; for him, this [2005] split was ancient history,” one panelist said.

While Belarusian media focus primarily on domestic issues, an increase in international reporting was seen in two exiled broadcasters: Belsat TV and Euroradio. The latter continues to be part of the wider international network of Russian-language media, the Russian Language News Exchange. Examples of international reporting brought via the exchange include a special project on unrecognized territories in the former Soviet Union and a special feature on Crimea.

**OBJECTIVE 4:
BUSINESS
MANAGEMENT**

1.29

While Belarus now offers more educational programs for media managers, 2017 brought few, if any, new opportunities to improve business models or learn lessons from successful media business examples.

At the same time, the shift of audiences online has heightened print media’s hardships, and income from alternative sources cannot compensate for their losses. The overwhelming majority of media in Belarus continue to be either directly owned or subsidized by the state; the rest face economic discrimination, as the state monopolizes traditional media distribution.

Most of the media do not operate as sustainable business enterprises. Those not subsidized by the state rely on scarce, forbidden foreign funding and limited internal advertising and subscription revenue. While nonstate media try to introduce new models of income generation, such as crowdfunding or new types advertising, it is not enough to compensate for their disadvantaged position compared to the state outlets.

The panelists discussed whether foreign aid received by some media outlets should be considered part of a sustainable strategy. However, as the Belarusian law penalizes all foreign aid that is not registered with the authorities, and as all media that receive such aid risk punishment under the law, most experts agreed it cannot be considered a sustainable income source. “If media were profitable businesses, the donor community would not hear from them cries for help to cover their basic core needs,” one panelist said. Independent media must also cope with the constant threat of increasing

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finances and detentions. “How can a media outlet plan or organize its work if at any moment its equipment could be confiscated, its journalists could be detained for several days and thus be unable to work, or it could be fined a huge amount?” another panelist asked.

The online advertising market saw growth of native advertising in the past years. The major Internet portal TUT.BY boasted of publishing more than 600 native ads throughout 2017—the first year it started developing this type of advertising. Such advertising also proved key for the income of the sports portal Tribuna.com, which also relies on gambling ads. The Minsk portal Citydog.by claimed that in 2017, the share of native advertising in its overall advertising turnout was 78 percent, up just slightly from 76 percent in 2016.

Belarusian law restricts the volume of

advertising to 30 percent in newspapers and magazines (25 percent in state-owned titles). For radio and television, the volume is limited to 20 percent, including no more than 16 minutes per hour during prime time. Advertising-only outlets are exempt from this rule. “It was difficult for me to evaluate this indicator. Some national nonstate

“The issue is not that the media do not know how to plan strategically, but in Belarus, they can, at best, just plan for a start-up phase or crisis management. It is impossible to look ahead for more than one to two years,” another panelist argued.

media, such as *Narodnaya Volya*, have very little advertising, but there are regional outlets that always fulfill the quota and could benefit from more advertising,” one panelist said. Online media face no limitations in the volume of advertising. However, online media outlets that wish to sell advertisements for Belarusian services and businesses are requested to host their websites on servers within Belarus, per a 2010 presidential decree.

As mentioned earlier, the state-owned media receive government subsidies, giving them an unfair edge over their nonstate counterparts (especially when combined with other economic discrimination tactics). Independent media that would like to apply for foreign assistance—and thus receive subsidies from other governments, private companies, or individuals—must comply with the law mandating the registration of any foreign donations with the government. Throughout 2017, *Imena* has been lobbying to change the legislation in order to abolish mandatory registration, at least for micropayments from abroad. The magazine—Belarus’s first

crowdfunding success story—is unable to receive donations for social causes because of this restriction. *Imena*’s management expressed hope that in 2017 the law would be changed, but it is not a fast process.

Meanwhile, the government has increased subsidies and investments in new state-owned media outlets. “In Hrodna, the city council has invested huge funds into a fine print magazine about the city. We could never dream of the equipment it has received,” one panelist said. At the same time, circulations and audiences of traditional print media continue to fall. The debt crisis has pushed the non-state *Brestskiy Courier* to the verge of shutting down. Those media outlets that still show profits, such as *Vecherni Hrodna*, suffer the consequences of their founders’ decisions not to reinvest in the development of the media but to repurpose the income elsewhere.

Market research is scarcely available and rarely used, although there have been attempts to improve long-term planning. “At the media management school where I teach, we have a special course on strategic planning for editors and owners of media—and it’s hugely popular,” said one panelist. “The issue is not that the media do not know how to plan strategically, but in Belarus, they can, at best, just plan for a start-up phase or crisis management. It is impossible to look ahead for more than one to two years,” another panelist argued. Marketing tools have become more accessible. “Nowadays, one can obtain market data quite cheaply. We monitor the preferences of our readers during polls twice a year and actively solicit feedback via social media. We’ve segmented our audiences and understand who they are,” one panelist said.

Because of the state’s backlash against independent sociologists, non-state media have limited access to broadcast ratings; circulation

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS

- ▶ Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- ▶ Media receive revenue from a multitude of sources.
- ▶ Advertising agencies and related industries support an advertising market.
- ▶ Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- ▶ Independent media do not receive government subsidies.
- ▶ Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- ▶ Broadcast ratings and circulation figures are reliably and independently produced.

figures are published in the newspapers but cannot be found easily online.

**OBJECTIVE 5:
SUPPORTING
INSTITUTIONS**

1.98

Access to professional education has grown for the Belarusian media, and human rights nongovernmental organizations (NGOs) and professional organizations have demonstrated a high level of support for the independent media. There has been moderate growth in the quality of journalism degree programs, but channels for media distribution remain monopolized and/or politically controlled and restricted.

Nearly all panelists noticed the lack of a business association to provide services to more than a small group of regional media outlets or advertising businesses. Such an association could help outlets navigate the complicated legislative environment governing media operations. “We need someone to explain to us how to deal with the new system of taxation of incomes derived from online platforms. Yet we do not know whom to ask, as there is no one representing our interests,” said the editor of a national specialized website.

At the same time, some specialized unions, such as the Telecommunications Industry Union and the Association of Cable Broadcasters, effectively lobbied for legislative changes that would expand possibilities for rebroadcasting in 2017. United Mass Media is a significant regional player, representing 14 independent print publishers from all regions in Belarus except Homiel.

BAJ, which unites around 1,200 media professionals, intervened in a timely way to protect the

rights of media workers. In partnership with human rights defenders, it supported journalists ordered to pay high fines for their work. Together with dozens of other NGO players, it has come up with a united approach to treating the case of pro-Russian reporters: while disapproving of the content of their articles, BAJ considered their detention too harsh a response. There is also the pro-state, 1,500-member strong BUJ for state-owned media journalists. Both unions rarely cooperate.

The panelists differed on how well NGOs in Belarus support free speech and independent media. Those panelists with professions more closely related to the NGO sector had a feeling that the interest of NGOs had grown. They provided examples of solid cooperation between BAJ and human rights defenders in providing input on the UN’s Universal Periodic Review on Belarus. Others expressed more skepticism. “I have a feeling that we [media] are totally alienated from civil society. Yes, there is cooperation with human rights defenders, but the rest of the third sector is indifferent to us,” one panelist said.

Belarusian State University remains the leading institution offering journalism degree programs. Its Institute of Journalism currently enrolls more than 1,250 students. Regional universities complement the school’s degree programs and often send their students to train at the local media outlets, including nonstate ones. The quality of these students varies greatly. *Vitebski Kurier* reported negative experiences with students lacking basic writing or critical thinking skills. Media outlets in the west of the country report a more positive experience. “Some years before, we wrote to Hrodna State University, asking them not to send us any more interns, as we couldn’t do anything with them. This year, we wrote them a letter of gratitude for the first time,” said one panelist.

Supporting institutions function in the professional interests of independent media.

SUPPORTING INSTITUTIONS INDICATORS:

- ▶ Trade associations represent the interests of private media owners and provide member services.
- ▶ Professional associations work to protect journalists’ rights.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

Strengthening media managers emerged as the main trend in short-term professional media education in 2017. There were three schools of media management, organized by the International Educational Centre and “Third Sector” (a Hrodna-based NGO), BAJ and the Entrepreneurship Institute, and, lastly, one organized by the Press Club. BAJ continues to cooperate with Sweden’s Fojo media institute in strengthening Belarusian newsrooms. “Still, there are professions that one cannot learn through short-term courses. Advertising specialists, social media marketers, or big data analysts need a more long-term, thorough education, which is difficult to obtain,” one panelist said.

Conditions for access to newsprint continue

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to favor state media. The price of newsprint for non-state media keeps climbing on no objectively reasonable grounds. In 2017, the Shklou paper factory reoriented its sales to Russia, making all national newspapers suffer from a newsprint shortage. The media were forced to buy newsprint from secondary sources in Russia at sky-high prices. In Hrodna, a crisis of a different nature has unfolded: seven years ago, the printing house bought an experimental Russian-Indian printing machine, and now it cannot find spare parts needed for repairs. “The deputy director of the printing house told me that they would not buy a new one, as soon they will run out of clients anyway,” one panelist said.

“I have a feeling that we [media] are totally alienated from civil society. Yes, there is cooperation with human rights defenders, but the rest of the third sector is indifferent to us,” one panelist said.

Price discrimination against privately owned newspapers continues to be a common practice. Private media are required to make down payments, while state media can print on credit. Belarusian law holds owners of printing facilities responsible for the content of printed materials, and printing equipment must be registered at the Ministry of Information. Belsajuzdruk, a state network of around 1,500 newspaper kiosks, is the main retail distributor. Press subscriptions are in the hands of the state postal monopoly, Belposhta.

Print and broadcast channels of transmission remain restricted and controlled by the state. The Internet, however, offers growing opportunities. The access to information and communication technology is growing, with the gap between Minsk

and the regions gradually narrowing. Throughout 2017, LTE/4G high-speed mobile Internet became accessible in smaller district cities of Belarus, such as Barysau, Cherven, Berazino, and Polack. Overall, more than 100 cities and towns in Belarus now have access to this technology. Depending on the amount of traffic per month, access to LTE/4G and phone communication can cost from \$3 to \$15 per month.

State provider Beltelecom has actively introduced broadband access to Belarusians, with more than 2.4 million households having such a connection by the end of 2017.

List of Panel Participants

IREX protects the identity of the panelists who agreed to participate this study. Amendments to the criminal code include an article, “Discrediting the Republic of Belarus,” that provides for criminal liability for giving international organizations “false information” about the country.

The panel discussion was convened on December 27, 2017.

MOLDOVA



MEDIA SUSTAINABILITY INDEX 2018

Tracking Development
of Sustainable
Independent Media
Around the World



MOLDOVA

AT A GLANCE

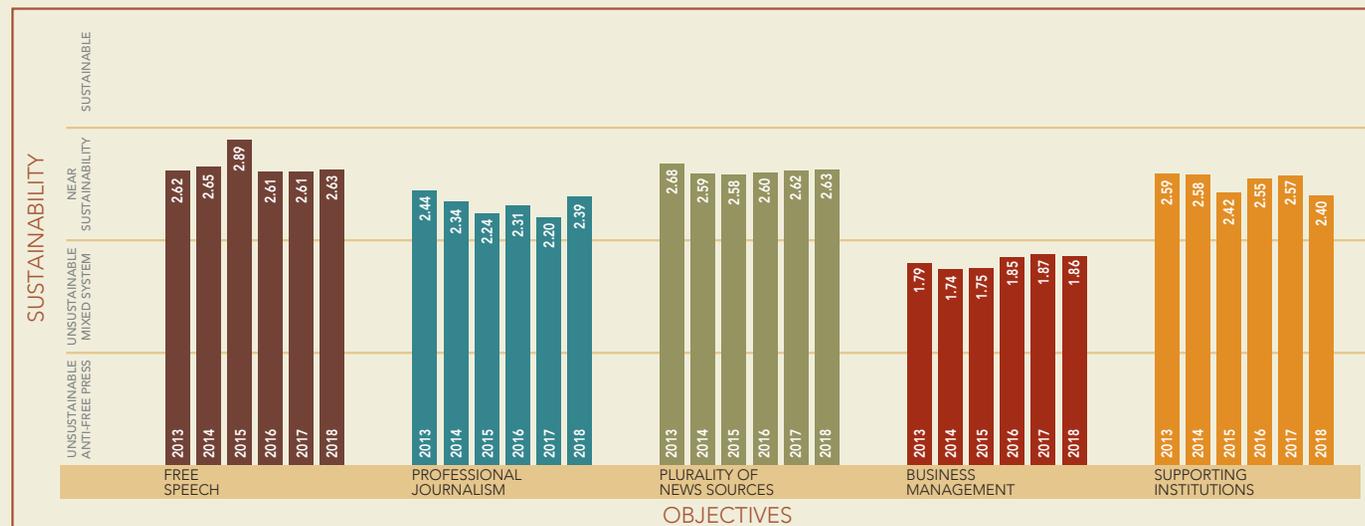
GENERAL

- **Population:** 3,474,121 (July 2017 est. CIA World Factbook)
- **Capital city:** Chisinau
- **Ethnic groups (% of population):** Moldovan 75.1%, Romanian 7%, Ukrainian 6.6%, Gagauz 4.6%, Russian 4.1%, Bulgarian 1.9%, other 0.8% (2014 est. CIA World Factbook)
- **Religions (% of population):** Orthodox 90.1%, other Christian 2.6%, other 0.1%, agnostic <.1%, atheist 0.2%, unspecified 6.9% (2014 est. CIA World Factbook)
- **Languages:** Moldovan/Romanian 80.2% (official) (56.7% identify their mother tongue as Moldovan, which is virtually the same as Romanian; 23.5% identify Romanian as their mother tongue), Russian 9.7%, Gagauz 4.2% (a Turkish language), Ukrainian 3.9%, Bulgarian 1.5%, Romani 0.3%, other 0.2% (2014 est. CIA World Factbook)
- **GDP at market prices:** \$ 6.75 billion (2016 est. World Bank Development Indicators)
- **GDP per capita:** \$ 5,657 (World Data Atlas, 2017)
- **GNI per capita:** \$ 2,240 (World Data Atlas, 2017)
- **Literacy rate:**
- **total population:** 99.4%; male: 99.7%; female: 99.1% (CIA World Factbook 2015 est.)
- **President or top authority:** President Igor Dodon (since December 23, 2016)

MEDIA-SPECIFIC

- **Number of active print outlets, radio stations, television stations, Internet news portals:**
- **Print:** 153 newspapers (annual edition, thou. copies – 33,827); 216 magazines (annual edition, thou. copies – 2,716) (National Bureau of Statistics, Statistical Yearbook of the Republic of Moldova, 2016)
- **Radio Stations:** 57 (Broadcasting Council, 2017);
- **Television Stations:** 70 (Broadcasting Council, 2017);
- **Internet News Portals:** top three: point.md, protv.md, unimedia.info (Alexa.org, 2016)
- **Newspaper (annual-2015) circulation statistics:** Komsomolskaia Pravda – 1,989,808; Makler – 770,463; Antenna – 654,980; Unghiul – 501,960; Timpul de dimineata 351,910; (BATI, 2016); magazine circulation statistics: Rabotai&Otdahai – 48,000; Aquarelle – 38,500; Business Klass – 27,500 (BATI, 2016)
- **Broadcast ratings:** Competing surveys produce dissimilar results.
- **According to IPP (november, 2017):** Top three television: Prime TV (private), Moldova 1 (public), Jurnal TV (private). Top three radio: n/a
- **According to AGB Moldova (2017):** Top three television: Prime TV, RTR Moldova, Moldova 1. Top three radio: n/a
- **News agencies:** IPN, Moldpres (state-owned), Infotag, Info-Market, Sputnik (part of the Russian news agency)
- **Annual advertising revenue in media sector:** Television: €12.4 million (\$14.9 million); Radio: €560,000 (\$670,804); Internet: € 2.8 million (\$3.4 million); Print: €1,2 million (\$1.4 million) (AAPM, 2016 est.)
- **Internet usage:** 2.9 million (82.9% of the population) (ANRCETI, report "Evolution of the electronic communications market, third quarter, 2017")

MEDIA SUSTAINABILITY INDEX: MOLDOVA



SCORE KEY

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.



Moldova's overall score remained in the near sustainable category, only rising .01 points from last year's score of 2.37 to this year's score of 2.38. There was a slight increase, from 2.20 to 2.39, in the professional journalism objective because 2017 was not an election year, although political influence continues. On the other hand the supporting institutions decreased this year with the inefficiency of professional associations and the lack of opportunities for journalism students. Nonviable business planning and funding instability keep business management as the only objective that falls in the unsustainable classification.

The year 2017 was relatively stable against a background of sporadic tension between the pro-European parliament and government versus the pro-Russian President Igor Dodon. The factors behind these conditions include the country's sustainable development; attitudes toward the EU and NATO; reactions to the electoral-system change; and the referendum on the resignation of the mayor of the capital, Chişinău. This tension resulted in the Constitutional Court issuing Dodon two temporary suspensions over ministerial appointments.

Internationally, government relations with economic development partners (primarily the EU and the United States) improved slightly. The president tried to revive relations with Russia, which worsened when Russian Deputy Prime Minister Dmitry Rogozin made several offensive public statements about Moldova in August. In December, the Investigative Committee of the Russian Federation (RF) announced criminal proceedings against Vladimir Plahotniuc, leader of the ruling coalition Democratic Party (PDM). The committee charged that he participated in at least two attempted murders. PDM considered this harassment and persecution by Russia.

The event that had the greatest impact, however, was voting initiated by the ruling party in the mixed electoral system, which provides that half of the total number of deputies elected should be independent and the other half should represent political parties. This action was criticized both internally and internationally, and PDM was accused of changing the voting system to remain in power. According to political analysts this system will favor PDM, since in recent years this party managed to persuade many mayors and local councilors to join. Currently, the local authorities depend heavily on central authorities and consequently can be influenced easily.

The main parliamentary parties — PDM and the Party of

Socialists (PSRM) — strengthened their media presence by bringing influential television stations under their control. These acquisitions conflict with broadcast ownership law, which limits the number of licenses held by one licensee. To comply with the broadcasting code amendments that have entered into force, the PDM leader and sole owner of four stations merely ceded two stations to an adviser. No actual changes have occurred in broadcast ownership or pro-party bias in TV outlets.

External (i.e., Russian) and internal propaganda has continued. This material mostly discredits the country's European integration prospects and promotes the Russian agenda. Broadcasters' legal obligation to ensure eight hours of original media programs daily has not yielded the expected results. Monitoring by the Broadcast Coordinating Council (BCC) regulatory authority showed that half of Moldova's broadcasters have not complied with the law and that many programs released by politically affiliated stations are propagandistic.

Cloned websites, or phantom versions of popular, credible information outlets, created to manipulate users, gained traction. Some media affected include the investigative newspaper *Ziarul de Gardă*, Jurnal.md, and API.md's "STOP FALS!" [Stop Fake!] webpage. This trend does not bode well, given that about 25 percent of citizens (and more than one-third of young people aged 18 to 25) seek information online.

In June, under international and internal pressure, parliament created a representative working group to improve media regulation laws. By December 31, the group developed several important regulatory acts, including a new draft broadcasting code. Even with such efforts, problems with professional integrity remain at many media outlets, especially those with political affiliations.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

2.63

The Constitution of the Republic of Moldova guarantees freedom of speech in at least 12 articles, and more than 30 national laws have provisions regarding this fundamental right. In 2010, Moldova enacted a law on freedom of expression that sets the framework for action and the limits of this freedom. A press law is also in force, guaranteeing the confidentiality of sources, among other rights.

No journalists have been imprisoned over disclosure of information sources, and Moldova's legislation on freedom of expression is sufficient and mostly in line with European and international standards. Nonetheless, its application in 2017 was flawed. According to Eugen Ribca, lawyer and director of the economic news outlet *Mold Street*, "Legal provisions are not real guarantees for implementing media freedoms and journalists' rights. Public authorities allowed the arbitrary implementation of legal provisions, such as the application by the BCC of more serious legal sanctions for television stations that were not affiliated with the ruling party or the flagrant and repeated violations by the head of state of the standards and rules for accrediting media representatives to public events. During the year there were several attempts to restrict freedom of expression: the draft of the 'Big Brother Law'

1 "Scrisoare partenerilor de dezvoltare: Jurnal TV denunță un nou tip de REPRESIUNE din partea CCA," Jurnal.md, September 22, 2017. <http://jurnal.md/ro/social/2017/9/22/scrisoare-partenerilor-de-dezvoltare-jurnal-tv-denunta-un-nou-tip-de-represiune-din-partea-cca/>.

aimed at over-regulating online media,² the draft law imposing burdensome conditions for journalists using drones,³ and the draft law amending the Law on Personal Data Protection in order to establish the obligation for journalists to justify their requests for information of public interest in the field."

Several panelists commented on the problems with political influence. Viorica Zaharia, chair of the Press Council, shared her belief that "on paper, freedom of expression exists, but in reality, many journalists are determined [or] forced not to use this freedom, especially those who work in the media outlets affiliated with the ruling party or in public broadcasting." Ludmila Barbă, TV project coordinator for the public broadcaster Teleradio-Moldova, said that she believes the main problem is the judicial system's lack of independence.

Political influence in Moldova's media sector is troublesome. According to Victor Mosneag, deputy editor in chief of investigations at the newspaper *Ziarul de Gardă*, "De facto, we have 80–90 percent of the media politically controlled. Although justice is also politically controlled, in 2017 several judgments were issued in which public institutions were required to provide journalists with the information they requested. I would like to note here the case of the Independent Press Association and the company Post of Moldova, which holds a monopoly

2 Media AZI. "Vadim Vieru, avocat Promo-LEX, despre „Legea Big Brother”: „Blocarea site-urilor web prin intermediul furnizorului de servicii Internet constituie o măsură de cenzură a conținutului online." February 21, 2017. <http://media-azi.md/ro/stiri/vadim-vieru-avocat-promo-lex-despre-„legea-big-brother”-„blocarea-site-urilor-web-prin>.

3 Media AZI. "Guvernul vrea să reglementeze activitatea dronelor. Jurnaliștii cred că noile reguli vor limita accesul la informație." March 20, 2017. <http://media-azi.md/ro/stiri/guvernul-vrea-s%C4%83-reglementeze-activitatea-dronelor-jurnali%C8%99tii-cred-c%C4%83-noile-reguli-vor-limita>.

on newspaper distribution. After an 18-month trial, the Supreme Court of Justice required the Post of Moldova to provide the association with the information it requested about the companies that repaired post offices in the country. Although there have been no prison sentences for nondisclosure of sources, there have been attempts to file lawsuits against journalists and publications in order to find out their sources."

Media outlets and journalists experienced pressure from various sources. As media researcher Aneta Gonța observed, "In 2017, media organizations made at least 25 public statements condemning abuses in the media sector, including the following: verbal and/or physical aggression toward journalists by representatives of political parties or civil servants; the deposition of journalist Mariana Rață at the prosecutor's office⁴ and her subsequent rebuke at a meeting of the Superior Council of Magistracy for disseminating information of public interest; the persecution and/or detention of journalists; restrictions of media representatives' access to events of public interest;⁵ the tendency of various public authorities to misinterpret the provisions of the Law on Personal Data Protection, resulting in unjustified refusals to provide information of public interest

4 Anticoruptie.md."Vladimir Botnari, fostul comisar al Capitalei, cere tragerea la răspundere penală a unei ziariste a Centrului de Investigații Jurnalistice." January 19, 2017. <https://anticoruptie.md/ro/stiri/vladimir-botnari-fostul-comisar-al-capitalei-cere-tragerea-la-raspundere-penala-a-un-ei-ziariste-a-centrului-de-investigatii-jurnalistice>.

5 Media Azi. "CJI lansează studiul național de audiență." December 18, 2017. <http://media-azi.md/ro/stiri/cji-lanseaza-studiul-național-de-audiență>; Media AZI. "TVR Moldova, exclusă din lista de acces la un club de discuții cu Președintele Dodon, din cauza unei „neînțelegeri"." June 28, 2017. <http://media-azi.md/ro/stiri/tvr-moldova-exclusă-din-lista-de-acces-la-un-club-de-discuții-cu-președintele-dodon-din-cauza>.

to applicants, especially to journalists; the Prime Minister's statements condemning the critical position of the media toward government actions; and so on."

Valeriu Vasilică, director of the news agency IPN, said that "some professionals and media NGOs have become sufficiently aware that freedom of speech and access to information are fundamental values that need to be protected, including through actions of solidarity. At the same time, it is hard to imagine that many people would go out into the street to protect these values. The current state favors media promotion of group or personal interests that are contrary to the values of a

Legal and social norms protect and promote free speech and access to public information.

FREE-SPEECH INDICATORS

- ▶ Legal and social protections of free speech exist and are enforced.
- ▶ Licensing of broadcast media is fair, competitive, and apolitical.
- ▶ Market entry and tax structure for media are fair and comparable to other industries.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- ▶ Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- ▶ Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

democratic society." This opinion was shared by Tudor Darie from the news outlet Agora.md and by Alexandru Burdeinii, editor in chief of Infomarket Media news agency. Galina Zablovski, executive director of the Association of Advertising Agencies, added, "Citizens have repeatedly found that no sort of protests bring about the desired changes."

Media experts in Gagauzia and in the Transnistrian region experienced an even worse situation with freedom of expression. In Gagauzia, for instance, reporters from independent media are not always invited to attend events of public interest conducted by authorities. In the Transnistrian region, usually, the state media have priority in accessing information distributed by authorities.

In Moldova, only broadcasters need licenses. Other types of media go through a relatively easy and accessible registration procedure. In 2017, in the context of central administration reform, the government transferred the authority to register media outlets from the Ministry of Justice to the Public Services Agency. Speaking of the relaxed legal framework to establish and operate media outlets, Vasilică noted that it "is often used for purposes contrary to those of professional and socially responsible media. We have a very large number of so-called information resources that imply association with media outlets, yet function openly and provocatively in the interests of parties or groups."

Multiple panelists noted continuing major problems in the BCC's issuance of broadcast licenses. Darie said that "licenses for television frequencies are still being granted according to certain political preferences." As Gonța pointed out, "The year 2017 was marked by arbitrary interpretations by the BCC of Article 26 of the Broadcasting Code, which concerns the transfer of broadcasting licenses. Also, the criteria for choosing winners in licensing competitions are questionable and have

been consistently criticized by experts."

Mosneag commented, "The political affiliation of the BCC led in 2017 to a case that could be interpreted as an attempt to hinder the activity of station TV8 (formerly TV7), which criticized government activities. The BCC postponed the license transfer to TV8 for six months.⁶ As a result, this TV station missed the chance to obtain grants for development." Barbă also commented on this case, saying, "The BCC justifies it by claiming it was a dispute between two economic agents—a situation that goes beyond the regulating powers in cases of license transfer." Ribca also recalled the instance of a television station in the city of Balti (the third-largest city in Moldova, after Chișinău and Tiraspol). For unjustified reasons, it was denied the renewal of its analog broadcasting license,⁷ forcing it to apply for a cable license instead.

Zaharia expressed the belief that "the BCC imposes fines on TV stations arbitrarily. It ignores gross violations committed by stations that are close to the government, including ones that retransmit foreign programs with clear elements of propaganda, and to date has not applied any sanctions to them."

Gonța added, "The BCC elected a new chairman in May, and he revealed himself [to be] against media nongovernment organizations (NGOs). By the end of the year, the BCC was fully staffed with three new members who

6 Media AZI. "CCA a amânat a doua oară cererea de cesionare a companiei care administrează TV8." September 27, 2018. <http://media-azi.md/ro/stiri/cca-amânat-doua-oară-cererea-de-cesionare-companiei-care-administrează-tv-8>.

7 Media AZI. "TV Bălți are probleme cu obținerea licenței de emisie prin cablu." October 24, 2017. <http://media-azi.md/ro/stiri/tv-bălți-are-probleme-cu-obținerea-licenței-de-emisie-prin-cablu>.

raised certain doubts. The selection contest in the specialized parliamentary commission and the vote in parliament appeared as pure formalities, as the candidates who were the least familiar with broadcasting got the most votes. Several MPs actually left the commission meeting...but ultimately the proper candidates were nominated.”

In Transnistria, the Russian-influenced region in Moldova’s that borders Ukraine, media outlets have to register with the State Service for Mass Media under the local administration. License renewal depends on the political situation. Panelists described a 2017 case of “purification” in Transnistrian media, in which its parliament adopted a law⁸ affecting the publication *Profsoyuznye Vesti*. The law required the founders/editorial board members to join the Federation of Trade Unions of Transnistria, which is tied closely to the local administration and therefore subject to its control.

In Moldova there is no difference between founding a media company and any other type of company. The state gets involved only in supporting public/state-owned media outlets. “Entry into the market is free, but access is different because publishing a website and launching a television station are [two] different things and involve different costs,” said Gonța.

Mosneag described the distribution cost problems that print media face. “In 2017, the Post of Moldova increased the fee for newspaper distribution and also introduced a special fee for packaging individual newspapers, which was

considered discriminatory by periodical publishers. The issue was discussed by a specialized parliamentary commission, but nothing was resolved. According to some calculations, the Post of Moldova’s fees represent about 40 percent of a newspaper’s cost.” Barbă pointed out the reasoning behind the change. “The Post of Moldova authorities declared that, being self-sufficient, they would work at a loss if fees were not increased. The solution, therefore, would be to have appropriate state policies.”

Viorica Zaharia, chair of the Press Council, shared her belief that “on paper, freedom of expression exists, but in reality, many journalists are determined [or] forced not to use this freedom, especially those who work in the media outlets affiliated with the ruling party or in public broadcasting.”

The parliamentary commission that discussed the case left settlement to the discretion of the two parties, Vasiliță said. “There is also somewhat discriminatory treatment inside the media community,” he added, “For example, news agencies regulated by the same legislation as periodicals are required to pay value-added tax. Also, some media outlets and companies related to the media do not make their revenue and expenditures public, thus avoiding taxes and creating unfair economic and financial competition for media that work honestly in terms of taxes and social issues. Politically affiliated media have priority in getting funding in the advertising market and from businesses with the same affiliation.”

Panelists also noted certain other discriminatory elements. According to Zablovski, “Print media pay big money for distribution, and broadcasters,

in addition, pay 1 percent of their turnover to the broadcasting support fund. It turns out that online media have the most advantage.” Burdeiniu commented, “When it comes to cable operators, it is not clear why some television channels are on top of the grid while others, even highly popular ones, are at the bottom. So, the place of a new channel on the grid depends on the operator’s taste, just like the audience for the station.”

Ribca expressed the belief that legislation enacted in 2017, in which every broadcaster—whether local, regional, or national—is obliged to air eight hours of domestic programs daily, is discriminatory. “According to the best European practices, the state should grant fiscal resources and financial aid to the media. Such resources and aid, though they have been requested for years by the media, are at this point only a dream,” he said.

Multiple abuses against media representatives, some of which scandalized public opinion, were reported in 2017. Barbă recalled the case of journalist Mariana Rață from the investigative website Anticoruptie.md. She was deposed by the Chișinău Prosecutor’s Office after a former Chișinău commissar filed a criminal complaint. He claimed that Rață published personal data about him and his family without his consent. In July 2017, after her investigative article “Judges of the Stolen Billion” was published, members of the Superior Council of Magistracy (SCM) admonished her publicly for incorrectly presenting one of the judges’ names. SCM neglected to comment on the serious problems revealed in the journalist’s investigation and instead focused on a mistake that Rață acknowledged. Rață explained that it happened because the source had not responded to her name confirmation requests.

Zaharia highlighted the case of photojournalist Constantin Grigoriță. He was “boycotted by the president, who won’t let him attend any

8 Новости Приднестровья. “ЗАКОНОПРОЕКТ О ПЕРЕУЧРЕЖДЕНИИ ГАЗЕТЫ «ПРОФСОЮЗНЫЕ ВЕСТИ» ПРОШЁЛ ВТОРОЕ ЧТЕНИЕ В ВЕРХОВНОМ СОВЕТЕ.” December 13, 2017. <https://novostipmr.com/ru/news/17-12-13/zakonoproekt-o-pereuchrezhdenii-gazety-profsoyuznye-vesti-proshyol>.

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administrative event after Grigoriță had asked him two uncomfortable questions at a press conference early in 2017.” Grigoriță filed a lawsuit against the presidential administration for restricting his access to information. The court of appeals decided that the head of state could not benefit from the immunity granted by law, as the dispute concerned access to information of public interest.

Mosneag described two more serious cases of media discrimination. “In November 2017, two *Ziarul de Gardă* reporters were threatened while filming near the building of the Global Business Center, where politician and businessman Vladimir Plahotniuc works. Previously, the police had asked another one of our newspaper reporters not to photograph in the direction of that building. In December 2017, another newspaper reporter was intimidated while trying to have a discussion with the head of Chișinău’s Central District. None of the above cases resulted in sanctions for the perpetrators, creating the impression that they are protected. Only media associations react when a journalist is threatened or intimidated.”

As another threatening factor, several cloned websites appeared in 2017 that fraudulently used the identity of some credible Moldovan media outlets to try to manipulate public opinion. Investigative authorities could not find the perpetrators.

Gonța also identified other cases of threats to media members. They included the following:

The detention of the news website Gagauzinfo.md’s film crew by law enforcement officers in the town of Ciadir-Lunga, Gagauzia, while they covered at a protest by local transportation drivers who claimed their economic rights;

The stalking of Vladimir Solovyov, the editor in chief of Newsmaker.md;

The aggression against a Publica TV film crew at a protest;

The aggression against a Jurnal TV reporter by Vladimir Hotineanu, the chair of the Parliamentary Commission on Culture, Education, Research, Youth, Sport, and Mass Media;

The aggression against a *Jurnal de Chișinău* photojournalist by a shop owner after the photojournalist took footage of outdated food; and

The prohibition of a Prime TV team from attending the congress of the Action and Solidarity Party.

Multiple panelists agreed that the legal system works against journalists. Zablovski emphasized, “In fact, media representatives don’t feel protected, just like the other citizens of this country,” and Darie commented, “There are no registered cases of courts convicting people who attack the media. They are usually public people, and their actions are covered by political influence.” According to Vasiliță, “The punishments meted out to people and media outlets are not more severe than in other areas. But the impression is that abuses against independent media covers all kinds of violations, whereas even more serious violations that are committed by the media affiliated with the regime or with political parties go unnoticed.” For example, in the Transnistrian region, independent bloggers and journalists are forbidden to film or to interview people at rallies. Panelists recalled cases in which journalists that tried to film were approached by strangers who, with no introduction, demanded that they leave the event or who followed them.

National legislation protects the editorial independence of public media outlets. It does not explicitly favor public media outlets to the detriment of private outlets, and it stipulates that the managers must be elected democratically and should be able to work independently. In reality, however, Gonța argued, “Neither the members of the Supervisory Board (SB) at Teleradio-Moldova nor the senior managers

are totally independent of politics. Here is just one example: A member of the public broadcaster’s SB is also a senior adviser to the Moldovan prime minister. The manner in which the new director for TV station Moldova 1 was elected in 2017 has been criticized; political interference is suspected.” Barbă also pointed out that “there have been cases when information access was preferentially granted to private media outlets that provide broad coverage either of the government or of the opposition.”

Several panelists explained the effects of government influence on public service media programming. Vasiliță said, “Annual funding from the state budget is based on subjective criteria and is also a method of informal political control. While surveys show that the majority of people turn to television for information, political pressure on television is also greater than, for example, public radio, which enjoys more editorial independence.” According to Darie, public media outlets are trying to be balanced, but “political influence is felt, especially in the coverage of topics related to the government and the opposition.” Mosneag recalled, “In 2017, there were protests at the public television station, in which opposition parties demanded access to screen and air time. As a result, in November, Moldova 1 launched a program intended for all political parties.”

Panelists also gave the example of the People’s Assembly of Gagauzia, which adopted a law in 2017 to increase the financial and editorial independence of the regional public broadcaster. But the autonomy’s head did not promote the law, and as a result the assembly withdrew it from its agenda.

Slander and libel were decriminalized many years ago and are provided for in the Contravention Code of the Republic of Moldova. Domestic legal rules require both sides to prove guilt or innocence in cases of defamation. The Supreme Court of

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Justice of Moldova, in a decision dating back to 2006, instructed courts to take into account the specific nature of the idea of “value judgment,” which means that the person is not responsible for expressing opinions about events, circumstances, etc.—the truth of which cannot be demonstrated. Gonța noted that the law on freedom of expression distinguishes among facts, value judgments, value judgments without sufficient factual grounds, information about private and family life, public interest, persons in public office, and public persons.

However, according to Zaharia, “some media outlets are being sued for damaging dignity and honor.” Mosneag added, “As a rule, officials spoken about in the media may demand that information be refuted, but litigation is usually settled in favor of journalists. When journalists lose cases and officials demand compensation of hundreds of thousands Moldovan lei, judges reject their claims or grant them much smaller amounts.”

One such case concerned the station Pro TV, which was obliged by the court to pay MDL 40,000 (\$2,300) to a plaintiff who had invoked the television’s lack of discernment over the right to private life, respect for honor, dignity, and professional reputation. The plaintiff demanded moral damages amounting to MDL 1.5 million (\$87,000). After a trial that lasted two years, the court only obliged Jurnal TV to refute publicly the published, allegedly denigrating information about the speaker of parliament.

Another lawsuit, filed by public television director Ecaterina Stratan against journalist Vasile Năstase, was dismissed by the court, which deemed it unfounded. In the lawsuit, the plaintiff asked for a refutation and explanation as well as compensation of MDL 500,000 (\$29,000).

In 2017, *Pravda Pridnestrovyya* journalist Nadejda Bondarenco was fined for slander in the Transnistrian region. She reported on a road

accident in which an underage girl was killed and that involved a Transnistrian dignitary’s relative. Experts stated that Transnistrian authorities committed serious abuses against the journalists. For instance, about half of journalists employed by state media were dismissed because they supported in the last elections the former leader Evgheni Sevciuk. They were asked to write resignation letters and indicate that they resign by their own initiative. Vasilică and Burdeinii noted that often the dignitaries and institutions that are reported on prefer not to react to criticism, and the media affiliated with them avoid covering events and public statements that might subject them to scrutiny.

Darie said that although Moldova has many cases of slander, “not all of them get to court. There are other leverages — for example, economic and financial.” Referring to websites, Zablovski recalled cases of owners who were held responsible for placing misleading advertising. Such lawsuits are usually initiated by competitors, she added.

Since 2000, Moldova has had in effect the Law on Access to Information. This legislation guarantees equal access to information of public interest for all types of media. The law is supplemented by others, such as the Law on State Security, the Law on Trade Secrets, the Law on Information and State Information Resources, the Law on Countering Extremist Activities, and the Law on the Civil Servants’ Code of Conduct. However, according to Gonța, “The provisions of these legal acts are often used to limit or delay the delivery of information to journalists. The most recent examples are the order of Chișinău’s interim mayor that obliges mayoral office employees to communicate with the media only through the public relations department; and the order of the former minister of health, whereby institutions subordinated to the ministry of health must coordinate all broadcast program and interview

invitations with the ministry’s press service.”

Zaharia and Mosneag noted a drastic regression in access to information for journalists due to the following:

Under the cover of protection of personal data, many institutions have taken the liberty of not providing the information requested or providing redacted versions.

Institutional representatives have concealed information about issues of major public interest that might prejudice the interests of the government, and only data that presents authorities in a positive light has been easily accessible.

Many institutions, especially in the judiciary, virtually have been closed to journalists, and some courts have no employees responsible for press relations.

Journalists have been unable to check information from relevant sources in a timely manner, which has discouraged them from attacking big problems in the justice system.

Some court hearings of major public interest (such as the cases of Ilan Shor and Veaceslav Platon⁹) have been held behind closed doors, contrary to the law. In another example, the public has been deprived of accurate and truthful information about the enormous bank fraud

9 Ilan Shor, the former head of the Administration Council of the Economy Bank of Moldova (BEM) and the current mayor of Orhei town, was accused of fraud and money laundering. Prosecutors accused him of stealing from BEM and laundering about 5 billion Moldovan Lei (about \$338 million). Shor was sentenced by a court in first instance to eight years in prison, but he appealed the court decision and is waiting for a verdict. Veaceslav Platon, a businessman, was sentenced to 18 years in prison for fraud and money laundering, and to 12 years for a large-scale fraud attempt and an attempt to corrupt the officers of the Special Destination Unit “Pantera” (an anticorruption unit). In both cases, the trials were not public.

committed in Moldova in 2014.

Ribca described another instance: “The worst situation is the restriction of information access on the website [Instante.justice.md](http://instante.justice.md), which is managed by the Agency for Courts Administration for the Ministry of Justice. Throughout the entire year 2017, with the support of the SCM, informational access about the exercise of justice in Moldova was blocked. Refusals of access to information of public interest were usually justified by the legislation on the protection of personal data.”¹⁰

Barbă also called out SCM as responsible for the access problems. “In 2017, the SCM started implementing the Regulation on the Publication of Judgments on the Courts’ Web Portal, which restricted information access by posting judgments with no reference to who was involved. The Ministry of Justice explained the need for this regulation due to citizens’ complaints that their legal rights were being violated by publishing their names on the court website. This is despite the fact that even the European Court of Human Rights publishes the names and information on the parties involved in the cases it examines,” she said.

“Limited access to information and truncated information offered to journalists are the reasons why we don’t know who is responsible for the collapse of a building or for delivery of spoiled food to kindergartens,” Zablovski observed.

Vasilică and Darie drew attention to another concern: Some dignitaries regard journalistic requests for information as comparable to citizen petitions, thereby delaying answers and

compromising the issue’s timeliness.

In the Transnistrian region, the procedure for requesting official information is excessively bureaucratic, and information access in the public interest requires special permission. In 2017, more so than other years, journalists were forced to turn to the court to request access to public information. Notable among them were investigative journalists from Rise Moldova, *Ziarul de Gardă*, MoldovaCurata.md, and Anticoruptie.md.

Burdeinii placed some blame on journalists, dividing them into three categories: Those who are too lazy to obtain information, those who are favored by authorities and are given preferential treatment over others regarding information, and those who rely less on legislation and more on personal relationships and contacts with important official sources of information.

Gonța noted that online journalists sometimes are treated differently. “In Moldova, bloggers who don’t have the official status of journalists have more access to information, including information of public interest, than some journalists and/or media outlets do. Then they are quoted as sources of information for traditional media.”

Moldovan law does not restrict Internet access to foreign news or to sources of information. However, according to Vasilică, economic and editorial constraints are the reality. “Although access is not limited, it is significantly restricted because self-funded media outlets usually cannot afford subscriptions to local or international news agencies. And politically affiliated media usually don’t subscribe to local news agencies because their aim is not to publish neutral, pluralistic coverage of events,” he said.

Mosneag also commented on foreign news content: “Media outlets and journalists increasingly borrow articles from the Romanian media, taking

advantage of the fact that both countries write in Romanian.” Gonța added, “The articles taken from other sources often don’t indicate that source, despite the fact that the law protects intellectual property.” Zaharia pointed out another problem: “There are no restrictions on the use of the Internet, but the opportunities offered by the Web happen to be used abusively; for example, by distributing fake [information] or promoting hate speech.”

In Moldova, newscasts and political debates from abroad are retransmitted extensively, and many of them are propagandistic. According to Barbă, this trend led parliament to adopt an amendment to the broadcasting code that limits the broadcasting in Moldova of informative, analytical, political, and military programs from countries that have not ratified the European Convention on Transfrontier Television. The declared purpose of the amendment is to fight propaganda and manipulation coming from abroad, primarily Russia. However, this amendment has created social controversy, and many experts in the field doubt that the intended effects can be achieved.

In the Transnistrian region, authorities block foreign media broadcasts, except those from Russia. There have been cases in which foreign media have applied for temporary accreditation, but they usually have been refused without explanation. In 2017, Tiraspol’s KGB blocked access to Deschide.md, claiming that information leakage from Transnistrian nonresidents was aimed at destabilizing the conditions in the region.¹¹

The choice and practice of journalism in

10 *Ziarul de Gardă*. “Încă o lovitură pentru accesul la informație? Portalul instanțelor a...” February 2, 2017. <http://www.zdg.md/stiri/stiri-justitie/inca-o-lovitura-pentru-accesul-la-informatie-portalul-instanțelor-au-exclus-cautarea-unui-dosar-dupa-numele-inculpatului>.

11 Cojocari, V. “Krasnoselski recunoaște. KGB-ul de la Tiraspol a blocat accesul la pagina Deschide.md.” *Deschide.md*, October 4, 2017. <https://deschide.md/ro/stiri/social/19098/Krasnoselski-recunoa%C8%99te-KGB-ul-de-la-Tiraspol-a-blocat-accesul-la-pagina-Deschidemd.htm>.

Moldova is free and is not dictated by a person's sex, ethnicity, spoken language, religion, etc. However, according to Zaharia, "Authorities indirectly discourage the practice of this profession by restricting access to information, not responding to journalists' requests, and impoverishing independent media."

Several panelists commented on the downsides to free entry to the profession. "The fact that journalism can be done by anyone contributes, to a certain extent, to the deterioration of media quality — especially when it is not the journalist's main activity," Barbă commented. Burdeinii lamented that "the profession's popularity and credibility have fallen sharply, because anyone, including many bloggers, can consider themselves journalists. But they are not aware that this profession means not only collecting, analyzing, and delivering information, but also exercising responsibility, which is the very thing that they lack." Moreover, the employment of novice journalists, according to Mosneag, "is influenced by the fact that they choose to work for politically affiliated media outlets that usually have better working conditions and salaries, but whose work is foreign to socially responsible media. It is understandable, since a large part of the media is directly or indirectly owned by politicians."

**OBJECTIVE 2:
PROFESSIONAL
JOURNALISM**

2.39

Moldova has seen a trend of journalism quality deteriorating drastically during election years. As 2017 was not an election year, the quality of journalism improved slightly. This progress was insignificant because, in the opinion of Zaharia, "important television stations, some newspapers, and some websites served the interests of

politicians, and journalists were involved in denigrating political competitors and deliberately distorting reality in favor of the government."

Gonța shared Zaharia's viewpoint, adding that "media outlets, depending on whose interests they represent, have chosen so-called 'independent experts' who are invited every time they need to confirm 'the right thing.' It happens that many local and regional media outlets abide by professional standards to a greater extent than national outlets."

In terms of compliance with professional quality standards, Vasiliță identified four categories of media: those producing fair reports as a daily practice (Pro TV, Radio Free Europe, TVR Moldova and *Ziarul de Gardă*), those affiliated with the government, those affiliated with the parliamentary opposition Party of Socialists (NTV Moldova, Accent TV, RTR Moldova), and those related to the extraparlimentary opposition (Jurnal TV, Radio Vocea Basarabiei).

The majority of panelists agreed on the gaps in the work of professionals, including (1) a focus on news to the detriment of analysis; (2) frequent claims to a single source of information, even in controversial items; (3) deliberately avoiding facts that are relevant for the public but make authorities uncomfortable; (4) exaggerated coverage of irrelevant events that are comfortable for the "political sponsor"; and (5) long reports and interviews "about nothing" that are necessary to reach the domestic production quota as required by law.

Mosneag drew attention to two other aspects that are shaping Moldovan professionalism. "Fair, objective, and well-documented journalism is practiced by the few independent media outlets supported by foreign grants. The year 2017 saw the further development of the phenomenon of bloggers engaged in political partisanship and manipulation

of public opinion. [These bloggers] are often quoted by or appear on politically controlled television stations," he said.

Moldova has a code of journalism ethics that is in line with international standards and that many media outlets have adopted. In practice, however, journalists often breach these standards. As Darie described, "The largest media outlets are politically controlled, so political orders are at the head of the table rather than the code of ethics." According to Gonța, "In 2017, the most serious violations of professional ethics were committed in the covering of delicate issues such as the online game Blue Whale or the sexual abuse of a minor girl." In the case of the abused girl, the BCC reacted by fining seven TV stations MDL 5,000 (\$290) each for their lack of ethics and professionalism in the coverage of the story.¹²

National media also have serious problems with plagiarism, "especially online, where entire texts are taken from other sources without indicating the original source," said Zaharia. Plagiarism is also widespread in Transnistria, where the media community assumes no code of ethics.

Several panelists gave examples of questionable media practices. According to Vasiliță, "A general problem is that some journalists accept media orders, including for money or for other favors." Barbă pointed out that "in Moldova, there is no atmosphere for reprimanding journalists for ethics violations. Often, the journalist's prestige is measured by the size of the salary he or she was bought for. It explains why there are turncoat journalists who run

¹² Media AZI. "Amenzi de 5000 MDL pentru posturile tv care au relatat neadevrat cazul minorei abuzate din Ialoveni." December 28, 2017. <http://www.media-azi.md/ro/stiri/amenzi-de-5000-mdl-pentru-posturile-tv-care-au-relatat-neadevrat-cazul-minorei-abuzate-din>.

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from opposition television stations to government stations and vice versa.” Burdeinii commented that “despite accepted ethical standards, advertising is often presented as news. Although there is the practice of labeling paid material as such, most of the articles that could be classified as advertorials are aired without such labels.”

Zablovski, however, noted one positive change. “After the law on advertising was amended by prohibiting sexist content, the situation in the media improved in this sense,” she said.

Neglect of ethical standards has also favored the spread of “electronic phantoms.” Mosneag cited multiple cases, including *Ziarul de Gardă* and Stop Fake, in which credible websites were cloned for the purposes of manipulating online media consumers.

Self-censorship in Moldovan media is widespread, even if the issue has not been made public. Gonța claimed, “Self-censorship is editorial policy, especially in politically affiliated television stations. Keeping a job is important. The owner’s interest dictates the editorial policy, and the satisfaction of this interest leads to self-censorship that is visible to the naked eye.”

Several other panelists had similar observations. “In some media outlets, the editor places certain topics under taboo, while in other outlets journalists themselves avoid certain topics, as they are aware that they will not be accepted anyway,” Burdeinii said. Mosneag noted that as a rule, “Journalists don’t oppose orders from their superiors, but rather comply with them.” Zablovski expressed the belief that “few people can afford to ignore the interests of the funders, be they political parties or commercial structures.”

Self-censorship is also widespread in the Transnistrian region. Only bloggers and some NGO productions cover certain topics, such as human rights or rising prices.

Overall, Moldovan media report the most important events, but not always even-handedly with all parties or in compliance with professional and ethical standards. Multiple panelists confirmed that bias is commonplace. Darie said, “There are problems in the coverage of events with political impact.” Zaharia stated, “Media outlets that are dependent on circles close to the government present events according to their interests — either in a positive or negative light, not neutrally as they should be.”

Gonța supported this opinion, saying, “The protests of the extraparlimentary opposition and those on uninominal/mixed voting were covered by the media affiliated with the ruling parties too, but the focus was different, so the same event was covered differently. One of the events omitted (from international news) was the massive protests in Romania in early 2017. Four of the five television stations that have national coverage did not report it, though it had had no precedents in Romania since 1989 and was reported by media all over the world.”

Barbă specified: “Unfortunately, the editorial agenda, especially of the media located in Chișinău, is set not by journalists but by politicians. We have lots of news reports and programs about politicians and very few about the lives of ordinary people.”

Vasilică, whose IPN offices have a room in which 80–85 percent of press conferences are held, admitted, “I often feel ashamed, seeing what issues the media disregard, and I also often feel ashamed at the issues they come to cover. Events with high social impact are ignored; instead, media consumers get invented topics and values thrust on them, such as scandals around sexual minorities. The conclusion is that the agenda of many media outlets is distorted.”

Zablovski further noted, “A charity patronized by a politician is often given a great deal of attention in newscasts, while a protest in the center of the

Journalism meets professional standards of quality.

PROFESSIONAL JOURNALISM INDICATORS

- ▶ Reporting is fair, objective, and well sourced.
- ▶ Journalists follow recognized and accepted ethical standards.
- ▶ Journalists and editors do not practice self-censorship.
- ▶ Journalists cover key events and issues.
- ▶ Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- ▶ Entertainment programming does not eclipse news and information programming.
- ▶ Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- ▶ Quality niche reporting and programming exists (investigative, economics/business, local, political).

capital city is barely mentioned.”

Burdeinii described a phenomenon that is becoming increasingly present in the media: “A lot of journalists ‘feed’ on what they are offered by the press services of state authorities. The enormous number of press releases allows them to work without delving deeply into topics useful for the public.”

The average monthly salary level in the media industry is higher than the overall Moldovan average (MDL 5,600, which is about \$330). “However,” Zablovski said, “this level cannot stop corruption and is not motivating professionalism. In addition, salaries are not always paid officially and transparently. Since IPN was created, employees have been paid official [monthly] salaries of MDL 5,000 to MDL 9,000 [\$290 to \$520] to maintain their professional, economic, and moral comfort. But in all 12 years of our existence, we’ve experienced an

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acute shortage of personnel. After growing professionally with us, people often leave for gray areas of the media, characterized by censorship and self-censorship, media orders, and salaries that are unofficial but higher than those at IPN. Though it is unnatural, relatively high earnings in the profession are not a guarantee against corruption, just as they are not a guarantee for keeping professionals in the industry.”

Several other panelists described the disparities in pay rates. Mosneag noted, “The highest salaries are usually paid by politically affiliated television stations and other media. Independent journalists are mainly supported by foreign projects and grants, and bloggers, by advertising mostly written on political orders.” Gonța said, “Traditionally, private media usually pay higher salaries than public outlets; however, I know of cases where reporters at a private outlet earn less, but still prefer that outlet for its name and for what they can learn there.” Barbă concluded, “We have well-paid journalists and poorly paid journalists. To keep your independence in Moldova, you have to work for foreign media or work for several independent local media at the same time.”

At present, newscasts and political debates have the highest share of original content in Moldovan media outlets. Mosneag and Zablovschi explained that these programs have much lower production costs compared to entertainment broadcasts. In addition, according to Vasilică, “Decision makers in Moldovan media look at newscasts and political debates and see a more efficient tool for influencing public opinion over certain political and geopolitical options (including propagandistic messages), and they need much less investment than entertainment programs.” Zaharia agreed, saying, “There is no shortage of news; there is a shortage of well-presented news. Unfortunately, the degree of manipulation in the news is very great.”

Other panelists emphasized that the quantity of entertainment content is still high. Gonța said that “entertainment eclipses news among all programs to which Moldovan viewers have access. Retransmitted program services deliver mostly entertainment. The latest media audience survey shows that Moldovans extensively consume this kind of program.” Barbă noted, “Along with these programs, audiences swallow huge doses of propaganda from newscasts and analytical programs that are very well integrated into the daily schedules of the programs retransmitted in Moldova.”

**“Journalists don’t oppose orders from their superiors, but rather comply with them.”
Zablovschi expressed the belief that “few people can afford to ignore the interests of the funders, be they political parties or commercial structures.”**

In Moldova, the materials and technologies necessary for collecting, producing, and disseminating information are not a problem for print and online media. Darie said, “The Internet and new technologies allow the production of content with minimal equipment.” Zaharia agreed: “Media outlets have the tools needed to offer quality products, but the editorial content is far from great.”

Zablovschi and Burdeinii noted the big difference between the technical facilities of national broadcasters versus local or regional broadcasters, and Barbă and Gonța highlighted that public broadcasters are in a precarious situation regarding technical equipment. They lamented that although Moldova is on track with new technologies, it has not yet honored its commitment to switch to digital television — which should have done back in 2015.

Vasilică noted that some media outlets are properly equipped due to external support. One regional public broadcaster has been broadcasting via satellite since November 2017 through help from the government of Turkey.

Moldova has many solid print and online media that specialize in investigations, economics, politics, banking, wine making, health, and fact checking. The panelists said that these outlets have developed a great deal lately and meet quality criteria. Vasilică mentioned the newspaper *Ziarul de Gardă*, the Investigative Journalism Center, RISE Moldova, Mold-street.md, and the projects Sic.md and Stop Fake as among those making improvements.

On the positive side, Gonța noted several recent achievements: “In 2017, one of the Best Journalist of the Year prizes was won by a journalist addressing health topics; a Moldovan reporter took the best investigative journalism prize in a competition in Southeast Europe; another investigative journalist was nominated for the European Press Prize; and the Panama Papers investigation in which Moldovan journalists were involved won the Pulitzer Prize.”

Other panelists observed that successes in investigative journalism are limited. “The bad part is that such media products are not covered by television stations, which are the main sources of information for the populace,” Zaharia said, and Mosneag found that “there are not enough journalists in investigative journalism, just like there are not enough journalists specializing in other areas.”

Panelists also pointed to a serious problem: the rapid emergence of pseudo-investigative journalism. Several websites that appeared virtually overnight have published compromising articles about politicians that are critical about the government and called these pieces journalistic investigations (e.g.,

Zeppelin Investigation¹³). Also, preordered articles were produced by some bloggers to look like journalistic investigations. Politically affiliated media usually completely absorb or quote these sources.

Gagauzia and the Transnistrian region also have media specialized in various areas, but investigative journalism is virtually absent largely due to fears about persecution.

OBJECTIVE 3: PLURALITY OF NEWS

2.63

Moldova has a wide variety of media, but very little pluralism is ensured by these individual media outlets. New media outlets have emerged, especially news websites, that offer many points of view, but some were created artificially to disseminate fake news.

Several panelists elaborated on the problems with diversity of perspectives. In Barbă's view, to be properly informed "you need to use information from many sources." Gonța stated that the population, especially in rural areas, "has access to television stations with national coverage, and since they usually offer only one point of view (that of the government), pluralism is almost nonexistent." Vasiliță observed that "decision makers in the media and in politics misinterpret the role of the media and strengthen their manipulation and propaganda tools to the detriment of their watchdog role. The relatively good part of the situation is that those decision makers are interested in promoting their own businesses and views in the media rather than in pressuring their competitors, although pressure is not totally absent."

¹³ <http://zeppelin.md/eng>

Moldovans extensively use social networks to keep informed, with Facebook and Odnoklassniki [a Russian website similar to Facebook] the most accessed resources. Mosneag noted that politicians also have a presence in online forums, "The only platforms where the government and the opposition meet are social-networking websites, because the ruling parties' representatives usually refuse to participate in programs and interviews produced by critical media outlets."

In the Transnistrian region, the number of information resources is small. Moldovan-based print media have no access to the region, and certain television channels are included only in the commercial packages of cable operators.

Citizens' access to national and international information is free in all respects – which also means practically unlimited access to certain kinds of messages from the Russian Federation. "Poor knowledge of foreign languages other than Russian fuels unproductive nostalgia and causes distortions in many citizens' views on the values needed for development," Vasiliță observed.

Burdeinii said that free access can still be limited by technical issues, and Gonța described incidents of interference: "In 2017, the national provider of TV services was accused of jamming the broadcasts of TV8 – a fact that qualified as a restriction of rights of access to information and freedom of expression. Also [I] remember the fire in the technical building of the StarNet telecommunication company that led to the temporary cessation of television services... Some analysts assumed it was an act of revenge for the owner's involvement in politics. None of these cases were, however, confirmed officially."

Moldova has one national public broadcaster, one regional public broadcaster in Gagauz, and one public news agency; almost all of them are

politically influenced. Barbă said that by the end of the year, "there were visibly more news reports about the activity of the ruling party in newscasts, and the work of the regional public broadcaster remained very dependent on the Gagauz authorities. An example of this dependence was the Gagauz Parliament's dismissal of the Supervisory Board, which was done contrary to legislation."

Gonța said that she considers 2017 a year of regression for the national public broadcaster in terms of evenhandedness and professionalism in news. One-day monitoring of the main newscast conducted by Gonta showed that out of the 13 national news reports, 11 were authorities' statements quoted from press releases and government decisions. In most of those cases, one-sided opinions and statements made up the entire news report. Moreover, the presentation manner and the news content strikingly resembled the news shown by the other four national television stations affiliated with the ruling party.

These facts are in line with the panelists' observations. Darie said, "There is a feeling that news is covered in favor of authorities and against the extraparliamentary opposition," and Mosneag recalled, "The opposition protested throughout 2017, requesting access to the public television station and accusing it of political partisanship in favor of the government."

Vasiliță noted that the public broadcasters do contribute to the media sphere. "Public media seem aware of their purpose, covering the gaps left by private media outlets, including programs on education and culture, those intended for minorities, and so on, but its status of 'controlled Cinderella' thwarts a lot of good intentions. Public radio manages to do more to achieve its mission than public television, but its impact is smaller," he said.

According to Barbă, Moldovan news agencies

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can afford a higher degree of independence than other media because they work online and have subscribers among embassies, foreign companies, financial groups, and some media outlets, even though they also offer much information for free.

Moldova currently has one public news agency, Moldpres, and two private news agencies, IPN and Infotag. Vasiliță said that this represents a downturn. "When IPN appeared in the media market in 2005, it was the thirteenth agency. Now there are only two of them. The others disappeared from the market and were replaced by so-called information resources that have shady funding, owners, editorial staffs, professional ethics, and messages." He also specified causes for the decrease in subscriptions:

Multiple news sources provide citizens with reliable and objective news.

PLURALITY OF NEWS SOURCES INDICATORS

- ▶ A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- ▶ Citizens' access to domestic or international media is not restricted.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.
- ▶ Independent broadcast media produce their own news programs.
- ▶ Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

"It persists for reasons that are not always objective. For example, the public television station refused to subscribe to IPN for 2018, but public radio, part of the same public company, maintained its interest in IPN news. Two years ago, the entire media holding affiliated with the government gave up its subscription to IPN, although it had previously negotiated better payment conditions. This situation disregards the existence both of agency products and of news agencies in the classical sense."

Burdeinii noted another explanation for the low usage. "Media increasingly prefer not to buy news from agencies, but to compile it and present it as their own. Agency subscriptions are affordable, but as no one was punished for 'compilations,' the media just don't buy them," he said. Gonța had similar observations: "The news of domestic agencies is very rarely quoted or used as sources. International agencies are quoted more often." A reason mentioned by Darie is that Moldovan agencies mainly offer text content without accompanying visuals. Mosneag agreed: "International agencies are used to presenting foreign news, and most national television stations subscribe to these agencies from which they take not only information, but also photos and videos."

In the Transnistrian region, media use news from the region's agencies and accessible news from Russian agencies. Subscriptions to international agencies are essentially nonexistent.

In Moldova, broadcasters with national, regional, and local coverage produce their own content as a legal obligation. However, as Vasiliță said, "...many of them — especially central outlets that are politically affiliated — either cover events selectively or interpret the statements of the figures they dislike with bias, thus contributing to disinformation and manipulation of public opinion." Gonța has observed that "the four television stations

with national coverage from the holdings of the Democratic Party leader distribute almost exactly the same content." Mosneag had a similar conclusion: "Information is largely repeated, as the majority of media outlets have a common agenda. The agenda is usually inspired by the events of the day and by reporting on those events. Few media outlets choose to come up with original and exclusive content." In this sense, as Burdeinii commented, "Local and regional media are more interesting because they focus on the audiences in the localities where they work." Darie pointed out that this coverage is often limited. "Broadcasters located in the capital city often cover events from the capital, while news from Moldova's regions is rare," he said.

New media bloggers usually choose their own topics or develop stories from traditional media. But in recent months, they have been the source for suggesting topics for traditional media or are quoted in news reports. Some bloggers deeply research certain issues, but some others defiantly manipulate public opinion.

Legislation on media ownership transparency and limits on the number of television stations per owner is mostly a mere formality. Some stations have simply transferred ownership to persons directly supervised by the former owners — as was the case of the media holding affiliated with the leader of PDM. Zaharia characterized the Moldovan sphere as "two media trusts that dominate the information market, especially broadcasting. These trusts disseminate manipulative information in the interests of two political groups: The Democratic Party and the Party of Socialists. The former forms the government and controls the parliamentary majority, and the latter is the party of the country's president."

Gonța described recent developments related to ownership. "In Moldova, media are bought not by economic trusts but rather by wealthy politicians,

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directly or through intermediaries. There is no considerable investment in our media, although there have been talks this year, even in the government and parliament, about its importance for the media landscape. The only attempt to manage a television station — TV8 — with foreign investment was hampered by the BCC for six months. Other investment is at the website level; the most recent example is the launch of Nokta.md in the Gagauz autonomous region.” Vasilică added, “The fairest media outlets are those that get foreign investment, but unfortunately, they are a small part of Moldovan media, and significant foreign investments in the field are still waiting their turn.”

While the situation with ownership transparency in broadcasting has improved somewhat, for Internet outlets the situation is critical. “Online media are not regulated, which has led to the emergence of dozens of websites of unknown origin. The majority of them produce manipulative content or disseminate fake news,” Mosneag said, expressing the panelists’ general observations.

In Moldova, the national public broadcaster delivers programs in minority languages accessible to all citizens, and the regional broadcaster delivers programs in the Gagauz language. In the district of Taraclia, predominantly populated by Bulgarians, the local private broadcaster also delivers programs in the Bulgarian language. In 2017, the Roma community launched a radio station in the Romani language. Burdeinii and Zablovschi expressed the view that “it is possible for every minority to have media outlets, but the problem is probably related to funding.”

Panelists said that Moldovan media report inadequately on social subjects. Mosneag noted, “The media provide the public with information that brings traffic or views, but the outlets that address the issues of ethnicity, religion, or gender are not in

this category.” According to Gonța, “Delicate topics, such as gender equality, social conventions, religion, and sexual orientation are covered rudimentarily and remain somewhat taboo. In Moldova, those who address such issues are considered brave and nonconformist.”

Mosneag noted that politicians also have a presence in online forums, “The only platforms where the government and the opposition meet are social-networking websites, because the ruling parties’ representatives usually refuse to participate in programs and interviews produced by critical media outlets.”

Vasilică explained the status quo as follows: “Social issues haven’t yet reached a notable place in the media’s concerns, including reasons such as: (a) certain topics are addressed in the interests of politics; (b) the division of society based on language, gender, ethnicity, etc., is encouraged for political interests; and (c) Russian language is extensively kept on the market for geopolitical interests to the detriment of other languages and ethnic groups living in Moldova, including Gagauz which, despite having the mechanisms of an administrative territorial autonomy, prefers official and media communication in Russian.”

The panelists underscored that media professionals are divided into two large groups based on language — Russian and Romanian —and this fact reflects the two parallel worlds of Moldovan society. For example, the media published in Romanian cover the national and international events in a different way than those published in Russian. Sometimes, the approach and the perspective of the

coverage are adversarial. In the panelists’ view, these groups are a worrying phenomenon, because they reflect and perpetuate the division of society as a whole.

In order to have a comprehensive overview of news, Moldovan consumers need to consult several sources. “Because of a lack of technical and financial resources, and because of the increased interest in politics of Chișinău’s television and radio stations, which make up about 60 percent of the total, the daily concerns of the rural population mostly remain outside the editorial agenda,” Barbă said.

Darie noted that Moldova has an abundance of national news and a deficit of local and international news, while Gonța commented, “In addition to the fact that local media deliver few national news items and national media deliver few local news items, about one-third of the districts have no local media outlets.” Vasilică had a slightly different viewpoint, observing, “News on local issues is present in the media with national coverage, but such reports often resemble detective stories or scandals, and the big local problems remain in the focus of local media and are most often not the focus of journalists from central outlets. One reason for this is lack of funders’ interest in social and local problems, as they bring fewer political dividends,” he said.

Zablovschi noted that international news reports “are also presented depending on the orientation of the media outlet, with corresponding comments.”

According to the panelists, local bloggers and citizen journalists have not yet gained proper recognition, and traditional media do not seem to understand the need to present a fully informative picture of reality to consumers.

**OBJECTIVE 4:
BUSINESS
MANAGEMENT**

1.86

In Moldova, the efficient management of media companies remains a challenge for many reasons. Mosneag and Zaharia expressed the belief that independent media outlets survive due to foreign grants for funding, while politically affiliated media outlets are supported financially by their owners – usually politicians. Most have no long-term business plans and cannot afford to hire staff for marketing, human resources, or business management. The managers of newspapers and websites are journalists that combine editorial and administrative work.

Several panelists commented that resources are not devoted to business development. “In over 25 years of Moldova’s independence, no training of media managers has been initiated. Sporadic training courses have only partially contributed to solving this problem,” Barbă said. Zablovski judged the managerial shortfalls as “based on the fact that quite a lot of media outlets closed in 2017.” He gave the example of Realitatea TV, which disappeared from the media landscape after three years on the air. According to Darie, “Most often, media outlets focus on content production and partially or totally ignore the issues of efficient management. In the absence of sales and customer service departments, and given the extremely small advertising market, media outlets cannot be self-sufficient.”

Other panelists mentioned financial legitimacy problems with website owners. Gonța pointed out, “Lots of online media outlets and bloggers in Moldova support their work with resources that are either not very or not at all transparent.” According to Burdeinii, “To make money, the majority of media

and bloggers agree to publish ‘preordered’ material. In such cases, sustainability loses its essence.”

Although media outlet income is made up of multiple sources, this is not a favorable situation. Zaharia has found that “the most important economic and political groups fund two media trusts that dominate the information market, and it seriously damages the journalistic content they deliver. So, a lot of journalists work for politicians and not for the population of this country.”

Mosneag provided a breakdown of media income: “In Moldova, only some media outlets persevere with earnings from advertising. Some independent media, including newspapers, survive from grants and from circulation sales. Important television stations have wealthy owners and earnings from advertising. While in the case of grants, the editorial policies of outlets cannot be influenced, if an outlet has a political owner, it is inevitable.” Gonța said that she is sure that “interventions in editorial policy cannot be excluded – even in the case of public broadcasters, as only about 60 percent of their needs are financed.” Zablovski added that “media outlets have the biggest earnings during election campaigns.”

Burdeinii has found a paradox: seemingly diverse revenue sources – advertising, grants, sponsorships, contract articles, subscriptions, the national budget (state-owned outlets) – do not guarantee stable funding or the necessary degree of editorial independence. Vasiliță agreed, offering this example: “IPN obtains 65–70 percent of revenue from subscriptions, 15–20 percent from projects funded by foreign donors, and the rest from renting the press conference room and from commercial services including publishing and distributing press releases. For many years this revenue has covered current expenditures and the payment of exaggerated taxes. So we can’t invest

in development, for example. A significant reduction in one of the three components of revenue might bankrupt the company, causing approximately 20 employees to lose their jobs.”

Moldova has networks of advertising agencies that contract with the largest providers, including those from abroad. “Politically independent advertising agencies usually collaborate with media outlets. Generally, agencies are the ones who set prices for advertising; only in some cases can contracts be negotiated individually,” said Mosneag.

According to Zablovski, the big problem is that “serious clients are interested in the price for reaching the target audience, and the majority of media outlets lack this information.” At television stations that have audience data, advertising from international agencies prevails. The other media either seek advertising themselves or appeal to local advertising agencies.

Vasiliță and Darie said that they believe that big advertising agencies give preference to the politically affiliated television stations, and whatever is left for the remaining media outlets does not amount to much. This trend points to the lack of a real advertising market, and in addition, Burdeinii predicted a drastic reduction in advertising budgets for print media and television. At the same time, the online market has a balance between budgets allocated and ratings of media websites.

Speaking about the quality of advertising products, Gonța noted, “Some online and television advertising is produced professionally with companies appealing to known actors and production houses.”

In the Transnistrian region, the advertising market is essentially missing. Advertising is mostly placed in state-owned media; the region has no companies that can measure audience size or audit the circulations of periodical and online publications.

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS

- ▶ Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- ▶ Media receive revenue from a multitude of sources.
- ▶ Advertising agencies and related industries support an advertising market.
- ▶ Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- ▶ Independent media do not receive government subsidies.
- ▶ Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- ▶ Broadcast ratings and circulation figures are reliably and independently produced.

According to Barbă, advertising does not have a standard line item in a media outlet’s budget for at least two reasons: the Moldovan advertising market is underdeveloped and it is monopolized.

Several other panelists said that outlets are needing to compromise standards and focus on bringing in advertisers. Mosneag explained, “Independent media often have to accept advertising that contradicts their editorial policy in order to raise extra money. Print media get less and less advertising. Advertising from state institutions usually goes only to the media outlets that are close to the government.” Gonța noted, “The revenue of the media depends mostly on the funder. In some media outlets (e.g., retransmitted stations like Pro TV Chișinău) the content of programs is lost in favor of advertising, as managers are forced to deliver more and more advertising.” Zablovski said, “The amount

of advertising allowed in one hour of broadcasting corresponds to standards, but the share of revenue is insufficient, even though in 2017 the advertising market grew somewhat.” Burdeinii commented, “Today, even media that have been surviving for 25 years on circulation and advertising are forced to look for sponsorships.”

In Moldova, public broadcasters are subsidized, and in the Transnistrian region they are owned by the local administration in Tiraspol. Zablovski and Gonța stated the belief that the government is not an active or important actor in the advertising market, but that it sometimes might “recommend” certain advertising that needs to be run for free by a number of media outlets.

Several panelists pointed out the connection between government funding and alliances. Vasilică said that there is no transparency in the advertising money that state companies allocate, so the assumption could be that funds are given based on the loyalty shown by affiliated media. Ribca agreed, saying, “This situation continues also because advertising from state institutions is in no way regulated by legislation.” Mosneag added that “this aspect is developed locally, too — district councils refuse to advertise in local media if they criticize their work.”

Market studies in Moldova are scarce, partly because of the unpreparedness of media managers, partly because of the lack of resources, and partly because some of the studies conducted have not had enough credibility. As Vasilică commented, “Market studies do not always lead to the improved quality of media products in the classical sense of correctness, pluralism, and social responsibility,” and Barbă added, “When, for example, political interests are sought, market studies don’t matter much.” Gonța had a similar opinion: “Although market studies are conducted rarely, media don’t take into

consideration the public’s preferences, even in those rare cases.”

Zablovski noted, “Market studies have been around for a long time, but only a few media outlets can pay for them. As a result, we have an unfair distribution of budgets for advertising. Moreover, consumer preferences are studied just twice a year, which cannot reflect the real situation. Ongoing, complex market studies are very expensive and cannot be done.”

Vasilică concluded, “Market studies have an impact as long as their results produce real effects on media activity and on advertising placement. A big audience does not always guarantee a lot of advertising. It should also be noted that measurement results are not sufficiently known to the media community and to the general public.”

Mosneag described his outlet’s efforts to gather data. “Ziarul de Gardă studies readers’ preferences by asking for and responding to feedback. For example, we took into consideration the requests of rural subscribers who repeatedly asked us to publish the TV guide and the horoscope in our newspaper, although the editorial staff initially considered this information irrelevant,” he said.

The Transnistrian region does not have agencies specializing in market studies, so its media outlets have no data.

In Moldova, the AGB Nielsen Media Research Agency provides data on audio and TV audiences, and the Audit Bureau of Circulation and Internet (BATI) provides data on print media circulation and website traffic. In Barbă’s opinion, however, “AGB services are very expensive. And, for example,

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television station Canal Regional cannot afford this luxury, so it becomes less competitive in obtaining advertising and grants. In addition, there is a great deal of doubt about the independence and objectivity of AGB studies. There have been cases when AGB showed a high rating for a television station that was on a technical maintenance break at the time."

Other panelists also described the agencies' limitations. Gonța said, "AGB Moldova measures the audience of only 16 TV stations out of the several dozen in operation." According to Mosneag, "Not even all newspapers have access to BATI because they have to pay a monthly fee of several hundred euros, and not all media outlets have this money. Advertising agencies, however, take BATI measurements into account when proposing advertising contracts, and if you are not a BATI member, you are virtually isolated. It is much harder for you to get advertising." Vasiliță concluded, "Market studies have an impact as long as their results produce real effects on media activity and on advertising placement. A big audience does not always guarantee a lot of advertising. It should also be noted that measurement results are not sufficiently known to the media community and to the general public."

OBJECTIVE 5: SUPPORTING INSTITUTIONS

2.40

Moldova has no legal restrictions to prevent establishing professional associations within the media community. Nevertheless, said Vasiliță, "Such associations are mostly missing. This situation is created by the multitude of extramedia interests that drives many media owners and managers. Politically affiliated media

cannot stimulate the emergence of professional associations." Burdeinii expressed a similar opinion: "Even if such associations exist, they are neither visible nor efficient and we, the media outlets, don't feel their presence and support." Darie added that "Online media don't yet have a professional association, although one would be appropriate." Barbă was able to identify some associations but also pointed out their shortcomings. "Formally, there are the Cable Providers Association of Moldova and the National Broadcasting Employers' Association. If the former is heard about at least at annual forums, then the latter hasn't been heard about since 2014 when it addressed the BCC with a request," she said.

Because Moldovan laws do not impose restrictions on the creation and functioning of professional associations, several have appeared in journalism and focus on sports, economics, the environment, agriculture, and other topics. "But these associations are not very visible, as they mostly organize internal events and competitions among their members and have few, if any, concerns about quality standards in the field," Mosneag said, voicing the opinion of most panelists. Burdeinii also observed, "If not all, then definitely the majority of professional associations work from grants, and if there were membership fees, associations would be much closer to journalists."

Some associations have affiliations, such as the sports journalists' affiliation with the International Sports Press Association (AIPS) and AIPS-Europe, but this does not have the expected impact on media quality. In the Transnistrian region, media members have a trade union and a journalists' union funded from membership fees. However, they do not protect the rights of journalists or help with their professional development.

Moldova has several NGOs that protect freedom of speech and independent media. Some of them are quite active and collaborate closely with the media; react to violations of press freedom; support regional media; get involved in the review of media legislation; provide free legal counseling to journalists and media outlets; and partner with similar international organizations.

Gonța noted some of their accomplishments: "NGOs participated this year in the working group for improving the media legislation created by parliament. The important draft Audiovisual Media Services Code was developed and proposed for public debate and has been placed on parliament's website. Other relevant documents (Law on Advertising, Concept of the National Media Development, the Information Security Concept) are in the advanced stages of drafting, discussion, and modification, so there are real chances for some of them to become legal in 2018 and genuinely contributing to the development of a healthy media landscape in line with democratic standards."

Other panelists described the high quality of Moldovan organizations. "There are experienced, sustainable NGOs that have made significant achievements: the Independent Journalism Center, the Independent Press Association, the Electronic Press Association, the Investigative Journalism Center, and others," Vasiliță said, "They constantly conduct projects with professionalism and have attained a high degree of alliance among themselves and with NGOs in related fields, such as human rights or fighting corruption." Zaharia agreed, saying, "The country's media NGOs are in line with the mission to monitor the government's work and to promote professional, quality standards in journalism. They benefit from the support of international field organizations and from the support of programs to develop the skills of journalists who

want their work to be fair and professional.”

Experts on the panel also noted that in 2017 media NGOs focused on several issues, such as media literacy; fake news, which is increasing in domestic media (especially online); media commitments assumed in the EU-Moldova Association Agreement; gender balance in media; media action against manipulation and disinformation; and delays in the switchover to digital television.

Moldova has a wide range of institutions specializing in training media professionals. They include five specialized university departments, one of which is in Transnistria; and the Chişinău School of Advanced Journalism, which is affiliated with the Independent Journalism Center. Several other universities have courses or master’s degree programs related to the field.

Nevertheless, half of the panelists agreed that when young journalists come to media outlets, they cannot prove they have the needed practical abilities. Gonța adds, “The problem of public educational institutions is mainly their lack of modern technical equipment for practical classes and their unfamiliarity with the job market demands. In the private sector, basic training is weaker. The best solution would be to combine the two types of approaches for a specialized education.”

In Zablowski’s view, the country’s educational institutions have deteriorated, and students are being lost to foreign countries. “One should count on young people who study journalism abroad; the problem is that most of them don’t come back.” Burdeinii identified one more problem with new employees: “No matter how well-prepared graduates are, when they come to editorial offices, they are told to forget whatever they have learned and do what we tell them. Everything depends on the editorial policy.”

In the Transnistrian region, graduating

journalists have nowhere to get a job, so they are forced to work in other areas. According to the panelists, this phenomenon is common because universities prepare more specialists than the job market actually needs.

A significant number of the projects carried out by media NGOs are educational and have a real impact on the media community’s professionalism. Mosneag claimed that the newspaper he represents “encourages short courses, both at work and outside it, and journalists don’t have to take leave for this purpose.”

However, other panelists pointed to several issues with educational offerings. Vasiliță noted, “Not many journalists from politically affiliated media attend them, nor do journalists from small editorial teams that cannot afford leaves of absence for periods longer than a half a day or so.” Zablowski said that “most of the time, the courses are free for journalists, and possibly for this reason, they are not as effective as expected.” Gonța added, “Training courses are not systematic. A 2017 survey of media needs showed that journalists need regular courses. The shocking thing is that, when asked about which courses are the most necessary, journalists put news in first place, followed by interviews, which means that there are big problems in journalism education.” In the Transnistrian region, journalists are offered remote training with video presentations, but the trainers have the reputation of being propagandists.

In the panelists’ view, Moldova has enough printing houses to meet print media’s needs, but they also described several shortcomings. According to Mosneag, “The printing quality of periodicals is often below acceptable level.” Burdeinii also pointed out that “private printing houses are better equipped than state-owned printing houses, but wealthy glossy magazines still prefer printing in other countries – for example, in Ukraine.” Zablowski

commented, “There are two big printing houses in Chişinău, but they are enough given that periodical circulation is constantly decreasing. However, the likelihood of a cartel agreement between printing houses is very high.”

Several panelists recalled a serious case reported at the end of the year regarding the magazine *Acasă*. Managed by a member of the opposition political party, *Acasă* accused the state publishing house *Universul* of refusing to print its publication. *Universul* invoked the alleged debts the periodical owed, but the magazine in turn responded that the refusal to print the magazine was due to included material that criticized the government.

The distribution channels for media in Moldova

Supporting institutions function in the professional interests of independent media.

SUPPORTING INSTITUTIONS INDICATORS:

- ▶ Trade associations represent the interests of private media owners and provide member services.
- ▶ Professional associations work to protect journalists’ rights.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

M O L D O V A

are apolitical and unrestricted. Darie said that “mobile phone operators also work independently and properly,” while Gonța and Zablovschi commented that the Internet is the only medium with no monopoly on content distribution. Vasiliță pointed out that “some broadcasters complain of the high costs for telecommunication and broadcasting services on the one hand, and of the discriminatory practices by cable operators for including stations in their packages on the other hand.”

Zaharia agreed, saying, “The country’s media NGOs are in line with the mission to monitor the government’s work and to promote professional, quality standards in journalism. They benefit from the support of international field organizations and from the support of programs to develop the skills of journalists who want their work to be fair and professional.”

The problems of newspaper distribution in Chișinău’s kiosks also became more acute in 2017. Citing repairs of main streets, the mayor’s office removed the kiosks, including the ones that sold newspapers, so for a while it was nearly impossible to find newspapers and magazines in the center of the capital city.

According to the common opinion of the experts, in Moldova the information technology infrastructure is developed sufficiently. It makes the delayed implementation of digital television by authorities all the more unjustified; they did not manage the process efficiently, responsibly, or in due time, so the new deadline was moved to 2020, according to Vasiliță and Gonța.

Moldova is a country with one of the highest Internet speeds, but as Burdeinii pointed out, “there still are differences between Internet access to people in cities versus those in rural areas.” Mosneag noted that overall, though, Internet use is broadening gradually. “All media outlets offer free access to website content, and users frequently access them via mobile phones. For example, in 2017, half of the users of the *Ziarul de Gardă* website accessed it via mobile phones. However, the number of those who know how to use modern technologies is not very large, and not all media outlets have adapted their websites to new technologies,” he said.

List of Panel Participants

Eugen Ribca, media law expert, director, economic news website Mold Street, Chișinău

Aneta Gonța, media researcher, lecturer, State University of Moldova, Chișinău

Ludmila Barbă, journalist, Moldova 1, public TV station of Teleradio-Moldova, Chișinău

Tudor Darie, manager and cofounder, Interact Media and the news website Agora, Chișinău

Viorica Zaharia, journalist, chair, Press Council, Chișinău

Galina Zablovschi, executive director, Association of Advertising Agencies, Chișinău

Anonymous, journalist, regional public broadcaster, Comrat, Gagauz Yeri Autonomous Region

Victor Mosneag, deputy editor-in-chief, newspaper *Ziarul de Gardă*, Chișinău

Natalia Scurtul, director, NGO MeDiaLog, Tiraspol, breakaway region of Transnistria

Alexandr Burdeinii, editor-in-chief, Infomarket, business news agency, Chișinău, Russian ethnic minority

Valeriu Vasiliță, director, IPN news agency, Chișinău

The following participants submitted a questionnaire but did not attend the panel discussion:

Viorica Zaharia, journalist, president, Press Council, Chișinău

Anonymous, director, NGO, Tiraspol, breakaway region of Transnistria

Valeriu Vasiliță, director, IPN news agency, Chișinău

Moderator and author

Ion Bunduchi, media expert, Chișinău

The panel discussion was convened by the Independent Journalism Center on December 27, 2017.

RUSSIA



MEDIA SUSTAINABILITY INDEX 2018

Tracking Development
of Sustainable
Independent Media
Around the World



RUSSIA

AT A GLANCE

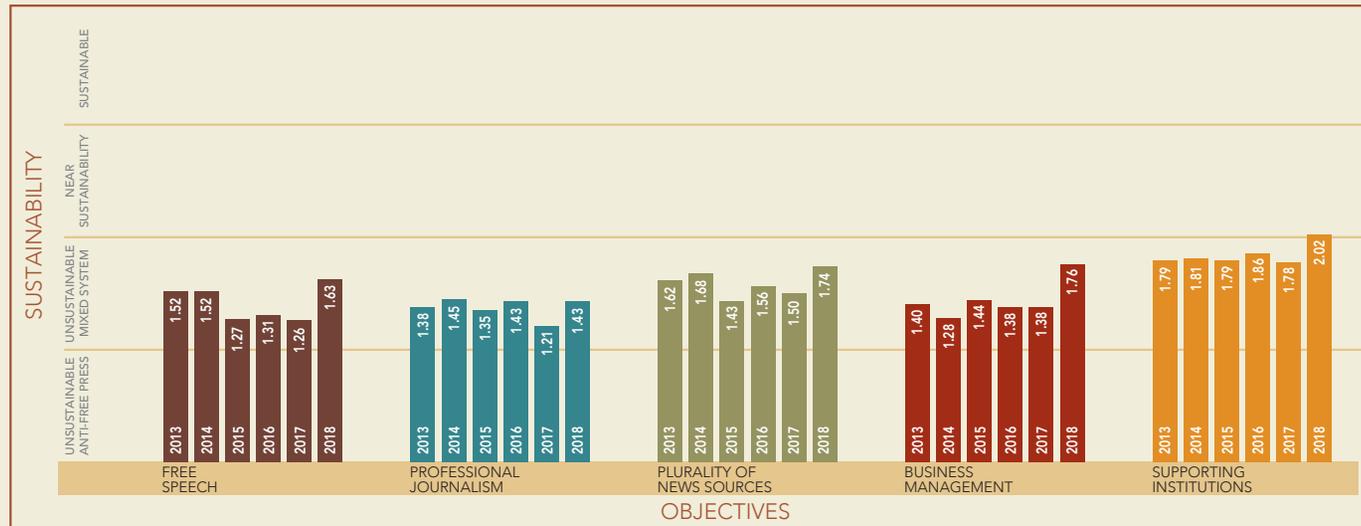
GENERAL

- **Population:** 142,257,519 (July 2017 est., CIA World Factbook)
- **Capital city:** Moscow
- **Ethnic groups (% of population):** Russian 77.7%, Tatar 3.7%, Ukrainian 1.4%, Bashkir 1.1%, Chuvash 1%, Chechen 1%, other 10.2%, unspecified 3.9% (2010 est., CIA World Factbook)
- **Religions (% of population):** Russian Orthodox 15-20%, Muslim 10-15%, other Christian 2%. Note: estimates are of practicing worshipers; Russia has large populations of non-practicing believers and non-believers, a legacy of over seven decades of Soviet rule; Russia officially recognizes Orthodox Christianity, Islam, Judaism, and Buddhism as traditional religions (2006 est., CIA World Factbook)
- **Languages (% of population):** Russian (official) 85.7%, Tatar 3.2%, Chechen 1%, other 10.1% (2010 est., CIA World Factbook)
- **GNI (2016-Atlas):** \$1.426 trillion (World Bank Development Indicators, 2018)
- **GNI per capita (2019-PPP):** \$24,120 (World Bank Development Indicators, 2018)
- **Literacy rate:** 99.7% (male 99.7%, female 99.6%) (2015 est., CIA World Factbook)
- **President or top authority:** President Vladimir Putin (since May 7, 2012)

MEDIA-SPECIFIC

- **Number of active print outlets, radio stations, television stations, Internet news portals:** Print: 23,628 newspapers; 30,813 magazines; radio stations: 3,408; television stations: 2,956; online: 5,472 news sites (Federal Agency for Press and Mass Communications, 2016)
- **News agencies:** ITAR-TASS (state), Russia Today (state), Interfax (private)
- **News Internet portals:** Top-three news portals by audience share (December 2017): Yandex (49.0%), Mail.ru (43.1%), Rambler (24.6%) (Mediascope, 2018)
- **Annual advertising revenue in media sector:** 2016: RUB 360 billion; January–September 2017: RUB 285 billion (Association of Russian Communication Agencies, 2018)
- **Internet users:** 108,772,470 (July 2016 est., CIA World Fact Book)
- **Newspaper circulation statistics:** Top-three daily general new national newspapers by readership (May–October 2017): Rossiyskaya Gazeta (687,200, state owned), Moskovsky Komsomolets (526,400, private), Izvestia (330,300, private) (Mediascope, 2018)
- **Broadcast ratings:** Top three national TV channels by audience : Russia 1 (15.3%), Channel One (13.7%), NTV (7.7%) (Mediascope, 2018). Top three national radio stations by audience: Evropa Plus (18.7%), Avtoradio (15.5%), Dorozhnoe Radio (15.4%) (Mediascope, 2018)

MEDIA SUSTAINABILITY INDEX: RUSSIA



SCORE KEY

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.



While there has been some minor improvement in its MSI scores this year, Russia's overall country score places it firmly in the Unsustainable category, reflecting a media sector that is dominated by political interests, particularly various levels of the government. Some independent media are managing to survive, but they face strong competition for advertising revenue, pressure from security forces, widespread self-censorship, and a growing number of laws that limit free speech.

In 2017, Russia was preparing for September regional and local council elections, and governor elections in 16 regions. The ruling United Russia party swept all of the governor elections and the six regional elections, receiving 77 percent of the local seats in Moscow. For the first time in history, the liberal opposition won 15 percent of the seats.

In March 2017, Alexey Navalny's Anti-Corruption Foundation released a documentary accusing Russian Prime Minister Dmitry Medvedev of amassing a vast private fortune in excess of his official income. This video was shared on social media and viewed more than 20 million times. Navalny called for protest rallies, which took place in dozens of Russian cities, after state authorities ignored the video. As these rallies were not state sanctioned, hundreds of participants, including teenagers and several dozen journalists, were detained. State-controlled media mostly overlooked these protests.

The Russian economy is constrained by relatively low oil prices and inefficient state governance. Sanctions imposed by the European Union and United States grew from 1.4 to 1.8 percent, and inflation was nearly 3 percent. The advertising market grew by 14 percent, but is heavily skewed toward television, Internet, and national media outlets. While TV and Internet advertising markets demonstrate substantial growth, newspapers keep losing advertising revenue.

According to a Levada-Center survey, the most important events of 2017 were the Russian military operation in Syria and the International

Olympic Committee's banning of Russian athletes in the 2018 Winter Olympics. This coincides with the news agenda presented by state-run TV channels, which remain the dominant news source in the country: 86 percent of people report that TV is their main source of news. Viewers also feel that national TV channels focus too much on the Syrian military operation and international affairs, and do not pay enough attention to growing consumer prices, domestic poverty, and problems with Russian education, health, and social services.

The majority of Russian media outlets belong to national, regional, and local authorities, as well as affiliated businesses. The few independent media outlets face unfair competition, as state media get direct subsidies, but both independent and state media compete for advertising. An interview by the National News Service on February 21, 2017, with Vladimir Sungorkin, editor of the private newspaper Komsomolskaya Pravda, revealed, "State media are thriving... Nonstate media...are gradually moving toward bankruptcy, [while] other media are taking their place. The advertising market is shrinking, kiosks are being removed, and state media is growing... They don't need subscription and retail sales. They are distributed through all channels for free. The Internet is the only niche where nonstate media flourish. But in my opinion, there is little money in that niche, and now the state will make sure that money for online ads goes to state web resources." Sungorkin predicts that Russian state media will soon triumph over nonstate media.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

1.63

Article 29 of the Russian constitution guarantees free speech; the universal right to obtain, produce, and disseminate information; and media freedom. Censorship is prohibited. Despite these protections, there are a growing number of laws that are limiting free speech and are putting pressure on independent media and bloggers. For example, there is the law on the protection of personal data, the law against insulting religious beliefs, the law on protecting children from harmful information, and the anti-extremism law that includes but is not limited to prosecution for terrorism, degradation of national dignity, display of Nazi propaganda, and promotion of racial, national, religious, and social discord.

In November 2017, Russia adopted a law that allows for the designation of foreign media outlets as “foreign agents.” This law will potentially lead to prosecution of news sources that offer an alternative viewpoint, according to Galina Arapova, director of the Mass Media Defence Centre, in a newspaper interview with Argumenty i Fakty. She observed, “Provisions of this law are too broad. They can be applied to a media outlet as well as to a group of enthusiasts that moderate a public community in social media or post video on YouTube. The main criteria for designation is the presence of foreign funding to a media outlet or an internet project, even if this funding came as payment for advertising or a subscription. If we look at the recent statements made by the members of parliament, people who work for such communities and the media can also

be designated as foreign agents.”¹

Law enforcement officers regularly detain journalists covering public protests. In 2017, the Glasnost Defense Foundation reported 111 such cases.² Moreover, Russian society does not place a high value on freedom of speech and media freedom. According to surveys conducted by the Levada-Center, 44 percent of Russian citizens think that the majority of the population does not need correct information unless it has direct effect on their lives, and 48 percent of citizens think that media censorship is necessary (compared to 37 percent who believe that media censorship is unacceptable).³

“Most people, when you ask them what problems are most important today, don’t include free speech restriction among their top ten problems,” noted prominent Russian journalist Vladimir Pozner in an October 4, 2017, interview with the news site 29.ru. “In this country we have retained the Soviet perception of media; that is, the belief that media should serve the authorities—federal, regional, and municipal.”

The Federal Service for Supervision of Communications, Information Technology, and Mass Media (Roskomnadzor) manages licensing of broadcast media and registration of print media. Registration is

1 Sycheva, Natalia. “В суд за репост. За какие высказывания в Сети можно поплатиться свободой,” Alliance of Independent Regional Publishers. January 15, 2018. http://www.anri.org.ru/news/item.php?SECTION_ID=15&ELEMENT_ID=16356.

2 Glasnost Defense Foundation. “Материалы мониторинга за 2017 года.” January–December 2017. <http://www.gdf.ru/monitoring>.

3 Волков, Д., & С. Гончаров. “Российский медиаландшафт: основные тенденции использования СМИ – 2017.” Levada-Center. August 22, 2017. <https://www.levada.ru/2017/08/22/16440/>.

required for print publications that have a print run of 1,000 or more copies. Print media registration is simple and does not set any market-entry barriers. According to the Glasnost Defense Foundation, there were no cases of Roskomnadzor denying media outlets registration in 2017.

The broadcast licensing process is competitive and mostly transparent, although there are cases when licensing decisions are not apolitical. For example, in 2016, Roskomnadzor refused to renew the broadcasting license for Europe Plus Tomsk, owned by the independent Tomsk media company TV-2, on the grounds that Viktor Muchnik (one of

Legal and social norms protect and promote free speech and access to public information.

FREE-SPEECH INDICATORS

- ▶ Legal and social protections of free speech exist and are enforced.
- ▶ Licensing of broadcast media is fair, competitive, and apolitical.
- ▶ Market entry and tax structure for media are fair and comparable to other industries.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- ▶ Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- ▶ Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

TV-2's shareholders) did not provide enough proof that he did not have dual citizenship. TV-2 appealed this decision in 2017, as there is no legal mechanism in Russia for proving lack of foreign citizenship, but the decision stood.

Licenses for a regional slot in digital TV multiplexes were awarded in 72 Russian regions during February and March 2017. Selection was competitive, with two to six companies applying for a license in a specific region. A regional digital license means considerable savings on signal distribution and a potential 10–20 percent audience increase for a TV channel. Out of the 72 TV channels picked, 49 were state-owned and 23 were private companies. This result, in the opinion of experts who prepared the Russian Television 2016 Industry Report (produced by Rospechat—the Federal Agency on Press and Mass Communications), reflects the fact that “in the current economic and legal situation, the presence of private TV channels is becoming increasingly difficult.”

Websites may register as media with Roskomnadzor, but it is not required. In 2014, Russia adopted a law that required bloggers with more than 3,000 daily readers to register with Roskomnadzor. By June 2017, the “bloggers’ registry” included more than 2,200 entries, with the majority being public communities on the Russian social media network VKontakte. As of August 1, 2017, the bloggers’ registry was terminated.

Market entry and tax structure for media are comparable to other industries, except that foreigners are not allowed to launch Russian media outlets and cannot own more than 20 percent of their shares. In 2017, Roskomnadzor proposed to lower the value-added tax rate from 18 percent to 10 percent for all media.

According to the Committee to Protect Journalists’ 2017 Global Impunity Index, Russia

ranks ninth in terms of the number (calculated as a percentage of the country’s population) of unsolved cases of journalists’ murders. In 2017, two Russian journalists were murdered: Dmitry Popkov from Krasnoyarsk Krai was shot dead and Nikolay Andrushchenko died in a St. Petersburg hospital after a violent assault. Both journalists were covering corruption issues.

According to the Glasnost Defense Foundation, there were 54 cases where journalists and bloggers received threats and 55 cases where they were assaulted in 2017. The Glasnost Defense Foundation is concerned that the growing number of threats is being followed by physical violence against journalists, according to its December 18, 2017, Digest. Law enforcement authorities are reluctant to investigate threat cases. For example, on June 12,

“In this country we have retained the Soviet perception of media; that is, the belief that media should serve the authorities—federal, regional, and municipal.”

2017, during an anticorruption meeting in the city of Makhachkala, Dagestan, three men seized the mobile phones of—and threatened to abuse physically—two female reporters, Saida Vagabova and Bariyat Idrisova, of the local independent newspaper Chernovik. Reportedly, one of the men was a staff member of the city district administration. Police classified this attack as a minor offense and refused to prosecute.

There is no public media, and there is no legislation regulating state media. Russian media law guarantees editorial independence of all media regardless of the ownership. In reality, the government fully controls state media, which serves its interests. Therefore, state media outlets represent

only the government’s point of view and mostly ignore the opposition. Since the majority of Russian media, including TV (which is the main informational source to most Russian people), belongs to the state, the government has considerable control over the national news agenda. For example, state media did not even mention the public anticorruption protests led by oppositional politician Alexey Navalny.

Libel constitutes a criminal offense. Although it is not punished by a prison sentence, an offender faces a fine ranging from RUB 500,000 to 5 million (approximately \$8,700 to \$87,000—bearing in mind that the average Russian salary is nearly RUB 35,000 (\$607) per month—or 160 to 480 hours of community service.

Libel cases against journalists are rare; however, public officials sometimes get preferential treatment. For example, Eric Chernyshov, a journalist from the Khakassia Republic, was found guilty of libel against a member of the Khakassia legislature, Ilya Uliyanov. Chernyshov published several investigative pieces about the local chapter of the Communist Party of the Russian Federation selling one of its seats in the regional legislature⁴ to Uliyanov. Additionally, Olga Li, editor of the Kursk newspaper People’s Journalist, was found guilty of libel against Kursk judge Liudmila Shurova. The libel case was filed in 2016 after Li posted a video criticizing Russian President Vladimir Putin. In this video, she also accused Judge Shurova of violating the presumption of innocence in a court case against a People’s Journalist reporter who organized a single-person picket. In contrast, a court in Saratov acquitted Sergei Vilkov, journalist of the newspaper Public Opinion, in a libel case filed by a

4 In Russia’s regional legislature elections, people vote for parties, not individual candidates. The results of the vote determine the number of seat a party will get.

member of the regional legislature after investigative pieces linking him with local criminal organizations were published.

The Russian constitution guarantees all citizens the right to seek and receive information; access is limited only to information that is legally recognized as a state secret. Requests from journalists receive priority in terms of access to information: public officials have to respond to their requests for information within seven days, while citizens' requests are given 30 days for a response. In reality, all levels of government create obstacles to open access. In many municipalities, any request for information has to be in writing and addressed to the city mayor. According to the Glasnost Defense Foundation, there were 366 cases in which journalists were denied access to information in 2017.

Committed audiences often help independent media compensate for difficulties with information access. "In our city we have no access to government executives, and we learn about many important topics from press releases after the fact. But our readers help us. They inform us about their problems, achievements, and conflicts. We use all communication channels (social media, Telegram [a Russian messaging service], a 24/7 call line) and often learn about new stories well before other media and even state agencies," said Valentina Permyakova, newspaper editor for Gorodskie Vesti, from the small Ural city of Revda, in an interview for Zhurnalist magazine.⁵

In general, the law does not restrict media access to local and international news sources; however, in practice there are limitations. For example, when media uses information published by media outlets considered foreign agents in Russia,

it has to be labeled accordingly. There is also a ban on using information released by state-identified "undesirable" organizations. Media can be blocked or fined if they violate these rules.

Entering the journalism profession is free from barriers. Journalism education is not a prerequisite for getting a position as a journalist. Although the Ministry of Labor developed national standards that set forth requirements for journalists and editors, including a requirement to have a journalism degree, media outlets are not required to follow these standards.

OBJECTIVE 2:
PROFESSIONAL
JOURNALISM

1.43

Many people who work in media "have a vague idea what journalism is about. They see mass media as a venue for political propaganda or a means to make money," commented one of the panelists. "Journalists do not resist increasing state control over society. All media run only positive news agendas. On the regional TV, three news reports out of five are about the governor. The spirit of journalism is disappearing," observed another panelist. It is easier for the government to control unprofessional journalists, noted yet another panelist.

Fair, objective, and well-sourced journalism exists only in a few private media outlets—e.g., national TV and newspapers Kommersant and Vedomosti, along with a few regional print and online outlets that are run by champions of professional journalism. "Colleagues from state and municipal media don't follow any standards because their jobs require them to engage in propaganda," noted one of the

panelists, an editor of a small private newspaper.

The Congress of Russian Journalists adopted the Code of Professional Ethics of the Russian Journalist in 1994, which is in line with generally accepted international norms of journalism ethics. "There are standards, but nobody follows them. And there are no mechanisms for enforcing the standards," commented one of the panelists. Only a few private media that adhere to professional journalism standards establish their own codes and follow ethical principles—for example, they make clear distinctions between news reporting and advertorial pieces.

Self-censorship is widespread and often is at the heart of the editorial policy, especially in the state-controlled media. For example, according to one of the panelists, the Sakhalin Oblast government took control over two of the remaining independent online media outlets—Citysakh.ru and Sakhalin Online. In one case, the authorities were able to change ownership; in another, they were able to control the outlet financially. Both outlets now depend on state funding and coordinate their coverage with the regional government. For example, "the deal may be that during a certain period, there is no critical coverage of the governor. And for two months prior to the elections, the agreement was to have no negative news. Everything is good—we have good medicine, good roads, good day care and schools; all coverage has to be positive," shared one of the panelists.

Because of online media, blogs, and social networks, all key events and issues in the country become public knowledge. "Competition with the Internet forces journalists of regular media to cover all events, but this coverage is not necessarily complete and fair. Often, only one viewpoint is presented," one of the panelists said. The smaller a media outlet's audience, the more freedom it

⁵ Никитушин, Александр. "Крутящий момент." *Zhurnalist*, December 12, 2017. <http://jrnlist.ru/revda-info>.

Journalism meets professional standards of quality.

PROFESSIONAL JOURNALISM INDICATORS

- ▶ Reporting is fair, objective, and well sourced.
- ▶ Journalists follow recognized and accepted ethical standards.
- ▶ Journalists and editors do not practice self-censorship.
- ▶ Journalists cover key events and issues.
- ▶ Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- ▶ Entertainment programming does not eclipse news and information programming.
- ▶ Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- ▶ Quality niche reporting and programming exists (investigative, economics/business, local, political).

has in selecting news stories, noted prominent TV journalist Vladimir Pozner in an October 3, 2017, interview with the independent TV channel STV in Severodvinsk. “My program is broadcast on Channel One, and I know that there are certain people whom I cannot invite as guests... Channel One buys my program and they are against Navalny, for example...and many others. I compromise, because I think it’s worth it.”

More than a million people follow opposition politician Alexey Navalny on YouTube alone, but covering his anticorruption protests can have negative consequences for journalists. The owner of KurchatovTV, a private TV station funded by the Kurskaya Nuclear Power Plant and the Kurchatov city government, closed the newsroom and laid off all the journalists after they covered anticorruption protests initiated by Navalny on March 26, 2017.

The pay level for journalists and editors is insufficient to keep qualified personnel within the profession. The site Planerka.org analyzed the level of salaries offered to journalists and editors in five major cities: Moscow, St. Petersburg, Ekaterinburg, Novosibirsk, and Nizhny Novgorod. On average, journalists’ salaries range from RUB 21,000 (about \$370) in Nizhny Novgorod to RUB 43,000 (\$750) in Moscow; editors’ salaries range from RUB 30,000 (\$530) in Nizhny Novgorod to RUB 48,000 (\$840) in Moscow. Typical salaries in these cities range from RUB 30,000 in Nizhny Novgorod to RUB 76,000 (\$1,340) in Moscow. Salaries paid by media outlets in smaller cities are even lower.

Salary level disparities between Moscow and other Russian regions lead to a constant outflow of journalists from the regional media to Moscow-based outlets. In addition, many journalists leave the profession to take jobs in public relations and advertising, where salaries are higher. In fact, many journalism school graduates never work in media; they go straight into public relations and advertising.

Most panelists think that much of the news and political shows on Russian TV are infotainment rather than real, informative programming. This applies to all TV news channels. According to research by the Levada-Center, about 40 percent of the news and analytical program watchers of major state TV channels perceive them as serious and analytical, with multiple viewpoints. Another 25 percent think that these programs are staged, biased, and farcical.

The media have sufficient facilities and equipment for gathering, producing, and distributing news. However, due to falling revenues, media outlets in smaller markets are not able to purchase new equipment. For example, at the Urals Media Forum in December 2017, representatives of small local TV companies complained that cameras, mics, and other TV equipment were

rapidly wearing out, but they did not have money to buy new equipment.⁶

Quality niche reporting exists, but it is rare. Since it is expensive, most media outlets cannot afford to have reporters working on specialized beats or spending a lot of time on investigative stories. “TV investigative reporting is gone,” noted prominent TV journalist Leonid Mlechin at the Urals Media Forum. “We should be finding out what’s going on and helping people to understand what’s happening, but it’s gone. People can see that this kind of journalism is no longer around and gradually get used to it. Now, no media outlet can afford to have even one reporter spending a month on just

“Colleagues from state and municipal media don’t follow any standards because their jobs require them to engage in propaganda,” noted one of the panelists, an editor of a small private newspaper.

one piece. And this is really bad, because since a newspaper or a journalist cannot create an investigative piece, society can’t get this information.”⁷

“As revenue went down, we had to optimize our editorial processes. We have redistributed beats. The news editor also covers the court beat, but as a result, we cannot follow court cases closely or spend enough time in court. A reporter who was covering the housing beat now also covers medical issues,” shared one of the panelists, the owner of a small local newspaper.

6 Pankratova, Darya, & Ekaterina Kirichenko. “Уральский медиафорум раскрыл проблемы региональных СМИ.” GIPP Soyuz Izdatelei, December 11, 2017. <http://www.gipp.ru/viewer.php?id=65764>.

7 Ibid.

**OBJECTIVE 3:
PLURALITY
OF NEWS**

1.74

There are multiple news sources, but only a few that offer multiple viewpoints. On the national level, these include national TV channels RBC-TV and Dozhd; Radio Echo of Moscow; newspapers RBC, Vedomosty, and Novaya Gazeta; and Euronews, BBC Russian Service, and Radio Freedom. On the local level, there are several dozen independent media outlets. However, in most Russian cities, there are no independent local media. National, regional, and local authorities and affiliated businesses own the majority of media, and they typically reflect the viewpoint of their owner.

At the same time, because of the high availability of the Internet, two-thirds of the Russian adult population can potentially access media that offer multiple viewpoints.⁸ According to the research by the Levada-Center, only 28 percent of Russians regularly use at least one of the independent news sources, and only six percent use more than three independent news sources to compare information. Another 16 percent of people report that they compare information from different news sources to check the objectivity of news stories.

Television remains the main source of information. According to the Levada-Center, 91 percent of Russian citizens watch TV news at least once a week, and 86 percent report that TV is their main source of news. Additionally, 25 percent of

Russians get their news from the Internet and 16–17 percent from radio and 16–17 percent from print media.

The most popular sources of national and international news on TV are the state-controlled Channel One, Russia-1, and Russia 24, as well as NTV. NTV belongs to Gazprom-Media, a subsidiary of Gazprom, in which the government is a major shareholder. According to Levada-Center, news aggregators Yandex News and Mail.ru News are the most popular online news sources, with 23 percent and 11 percent of Russian citizens (respectively) accessing them regularly. Even though both aggregators belong to private companies, the aggregators reportedly moderate news in favor of the government. For example, during the March 26, 2017, anticorruption protests, Yandex News removed news about the protests from its top news list.

Newspapers serve as a news source by 46 percent of citizens. The most popular newspapers are local and regional ones (read by 22 percent of the population) that usually belong to regional and local governments, and national tabloids such as Argumenty i Fakty (12 percent) and Komsomolskaya Pravda (7 percent). Readership of independent high-quality newspapers such as Vedomosty, Kommersant, RBC, Nezavisimaya Gazeta, and Novaya Gazeta does not exceed 1–2 percent.

Fifty-five percent of Russian citizens regularly use social networking sites. The most popular social networks are national—e.g., Odnoklassniki (used by 43 percent of adult population) and VKontakte (40 percent). Considerably fewer people use Facebook (12 percent), Instagram (11 percent), Google+ (7 percent), and Twitter (6 percent); LinkedIn is blocked in Russia. Only 19 percent of people use social networks to get national and international news. The trend now is the rapid popularity of the Telegram channels (similar to, but not the same as, a Reddit sub). The news Telegram channels such

as Nezygar and Metodichka already have tens of thousands of subscribers.

In 2012, Russian authorities started blocking websites that violate legal provisions. Initially, this practice was used against sites that distribute child porn and promote suicide and drug use. Later, the practice expanded to websites that feature extremist content. Since November 2017, the law allows the blocking of “undesirable” websites. Still, access to most domestic and international media is not legally restricted.

Levada-Center research indicates that there is a connection between the use of independent media and level of education and income: people who regularly use several independent news

Multiple news sources provide citizens with reliable and objective news.

PLURALITY OF NEWS SOURCES INDICATORS

- ▶ A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- ▶ Independent broadcast media produce their own news programs.
- ▶ Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- ▶ Citizens’ access to domestic or international media is not restricted.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

8 Волков, Денис, & Степан Гончаров. “Российский медиаландшафт: основные тенденции использования СМИ – 2017.” Levada-Center. August 22, 2017. <https://www.levada.ru/2017/08/22/16440/>.

sources typically have higher education and income levels. They are also more likely to know foreign languages and to participate in charitable activities and civic activism.

According to Levada-Center, 86 percent of Russians do not know foreign languages,⁹ which creates a barrier in accessing foreign media. Additionally, there is a huge disparity in media access between major cities that have vibrant media markets and inexpensive high-speed access to the Internet, and rural areas with no local media and limited or no access to the Internet.

The majority of state media does not reflect a spectrum of political views and serves the interests of the government rather than the citizens, who recognize this. For example, according to the Levada-Center, more than half of the citizens think that state TV channels are censored. Still, in some small cities, municipal newspapers adhere to high journalism standards and produce high-quality local news in the interest of their readership.

Major national news agencies such as state-controlled TASS and RIA Novosti, as well as privately owned Interfax, are not editorially independent. The majority of about 200 regional news agencies are affiliated with and supported by regional governments; accordingly, their editorial policies are not independent. Still, there are a few outlets—for example, Ura.ru and Znak.com in the Urals and TV2.today in Tomsk—that are independent.

National news agencies distribute news, photos, and videos to media outlets. For example, TASS reports that it has more than 1,000 media outlet subscribers to its news feeds. At the same time, all news outlets have their own websites that are

popular with the public. For example, news from the RIA Novosti website was shared on social media over four million times in 2017.¹⁰

Independent and privately owned media produce their own news and actually fill the information gap left by the state media. “Fair competition between private and state media is impossible because the government sets the rules in the market... But this disparity gives private media an advantage: since state media operate under favorable conditions, they stop competing for readers, while private media pay close attention to their audiences

The majority of state media does not reflect a spectrum of political views and serves the interests of the government rather than the citizens, who recognize this. For example, according to the Levada-Center, more than half of the citizens think that state TV channels are censored.

and enrich content, try new formats and ‘tricks,’ and use the main advantage of the press—quality analytical materials,” said Vitaly Obedin, deputy chief editor of the newspaper Yakutsk Vecherny, at the 2017 All-Russian Civic Forum,¹¹ where the future of regional media was discussed.

While media ownership is not fully transparent, the government is the largest media owner. The

federal government has 38.9 percent of the shares of the national TV Channel One and 100 percent of the shares in the All-Russian TV and Radio Company, which operates three national channels: general interest Russia-1, all-news Russia-24, and culture and education channel Russia-K. The Republic of Tatarstan owns Tatmedia holding company, which operates 98 regional, district, and local newspapers; 15 magazines; 17 TV channels; 10 radio stations; 87 websites; and news outlet Tatar-Info. The government of Rostov-on-Don, through the Don Media holding company, owns TV channel Don24, radio station FM-na-Donu, information outlet DON24, newspaper Molot, and advertising outlet Don Media. The government of the Tula Oblast owns the TV channel Tula and 26 regional and local newspapers.

Foreign ownership in Russian media is limited to 20 percent of shares. The introduction of this rule in 2014 is seen as detrimental to Russian independent media, as it limits access to foreign investment.

In general, there is a broad spectrum of social interests reflected in Russian media. However, major media outlets do a much worse job in this regard. Major media ignore many issues—such as gender, religion, ethnic tensions, and sexual orientation—that community sites, blogs, and social media cover.

The economic crisis that started in 2009 heavily hit niche print media that traditionally had covered specific social interests. “Since the beginning of the crisis, about ten thousand media—from glossy magazines to local newspapers—had to close. We have already lost whole sectors of media that were covering popular science, youth, literature, technology, economics, environment, music, agriculture, [and] children issues. This was a special strata of high quality press that was providing educational content. The circulation of remaining media of this kind are several thousand copies at best. In essence, they are not present anymore in

9 Levada-Center. “Запад”: восприятие и стремление эмигрировать. October 13, 2015. <https://www.levada.ru/2015/10/13/zapad-vospriyatie-i-stremlenie-emigrirovat/>.

10 Russia Today. “Пользователи соцсетей выбрали РИА Новости главным источником информации в 2017 году.” January 11, 2018. <http://xn--c1acb12abd1kab1og.xn--p1ai/news/20180111/49412.html>.

11 АНРИ. “Будущее региональных СМИ: итоги работы площадки АНРИ на ОГФ-2017.” January 12, 2017. http://www.anri.org.ru/news/item.php?SECTION_ID=20&ELEMENT_ID=16307.

the information sector of this country. Only glossy and advertising press, major weeklies, state media, and crosswords and television guides are still doing well," said Igor Mosin, general director of the Women's Health magazine, in an interview with the Guild of Press Publishers on December 21, 2017.

Russia is a multinational country: there are more than 190 ethnic groups speaking more than 150 languages. According to MediaDigger.ru, there are Russian media in 161 languages. For example, there are 916 Tatar language media. According to the study "Russian Atlas of the Ethnic Media," conducted by the Journalism Department of the Moscow State University since 2015, the state owns the majority of minority language media outlets. In the case of print and online media, 100 percent of registered minority language media outlets belong to the government. The study also found that a majority of TV and radio content in minority languages is entertainment programming. Print and online media cover both general news as well as educational and cultural topics.¹²

Russia retained the Soviet media model: national media cover national and international news, while regional and local media focus on their respective news. As a result, regional and local news rarely appear in the national media. According to the Levada-Center, Russian citizens believe that the national TV channels are doing well with topics such as the Russian military operation in Syria, international terrorism, and Russian international affairs, but their coverage is insufficient concerning such issues as domestic poverty, inflation, unemployment, and problems in the education, health, and social sectors of the country.¹³

12 Гладкова, Анна. "Атлас этнических СМИ России." *Zhurnalst*, July 9, 2016. <http://jrnlst.ru/content/atlas-etnicheskih-smi-rossii>.

13 Волков, денис, & Степан Гончаров. *Ibid*.

OBJECTIVE 4: BUSINESS MANAGEMENT

1.76

"At present, it is no longer economically sustainable and profitable to run media as a business," said Ivan Eremin, general director of information agencies UralPolit.ru and FederalPress, at the Urals Media Forum, as reported by Guild of Press Publishers. "As a result of technological progress and authorities' efforts to undermine press as the 'fourth estate,' media can hardly sustain themselves, let alone make a profit. At the same time state subsidies are distributed unevenly and are mostly in favor of federal media outlets. For example, the budget of the Information Society program that provides financial support to media is diminishing, but this did not affect the federal media; in reality, state subsidies keep growing. In 2017, support for federal media from the state came to RUB 109.9 billion [\$1.9 billion], and in 2018 they will get RUB 125.1 billion [\$2.2 billion]."

Under such conditions of unfair funding competition of state media, independent private media outlets can survive only by increasing operational efficiency. They are still competing with state media for advertising and circulation revenue. There are a small number of independent private media outlets that have developed sustainable business models, enabling them to maintain editorial independence. These independent media have professional management teams and are constantly investing in staff. At the same time, many Russian media are struggling to hire highly qualified professionals. According to a survey conducted and published on December 14, 2017, by the Civic Chamber of the Russian Federation, 59 percent of regional media

face a shortage of qualified staff.

The increasing popularity of social media and growth of the online advertising market give bloggers the opportunity to earn money. According to estimates of the Russian Research Agency for Bloggers, in the first half of 2017, the 15 most popular Russian bloggers made nearly RUB 1 million (about \$17,000) to RUB 24 million (about \$416,000) each.¹⁴ All of these bloggers generate entertainment content.

Editorial independence depends on the values of media owners rather than revenue sources. Private, independent media try to ensure a variety of revenue sources and work with a broad range of clients, but their efforts are being undermined by the declining regional economies. In these regions, companies depend on the regional government and have small advertising budgets, so an independent general news outlet cannot survive by just selling advertising, according to Sofia Krapotkina, chief editor of the online magazine 7x7, in an interview with RBC.¹⁵ "Because of unfavorable economic conditions, small businesses in little cities like ours face serious difficulties," said Valery Bezpiatykh, publisher of the small town newspaper Gorodskie Vesti, which is located in Revda, Sverdlovsk Oblast, in his interview with Zhurnalst magazine. "Almost half of our advertisers either went out of business or became much smaller. Since our business plan is based on 80 percent of revenue coming from small local business, this is a major problem for us." Declining advertising revenue forces media to apply for state subsidies, information support contracts,

14 РИАБ. "Самый богатый блоггер: I полугодие 2017." <http://riabloggers.ru/researches/15>.

15 Mass Media Defence Centre. "Эксперты Кудрина заявили о застое в российских СМИ." December 21, 2017. <http://mmdc.ru/news-div/digest/eksperty-kudrina-zayavili-o-zastoe-v-rossiyskikh-smi-/>.

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS

- ▶ Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- ▶ Media receive revenue from a multitude of sources.
- ▶ Advertising agencies and related industries support an advertising market.
- ▶ Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- ▶ Independent media do not receive government subsidies.
- ▶ Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- ▶ Broadcast ratings and circulation figures are reliably and independently produced.

and grants. And in some regions, state money comes with the requirement that the media outlet does not criticize authorities.

The Russian advertising market grew in 2017 and is expected to reach a record RUB 400 billion (about \$7 billion) by the end of 2017. At the same time, the market is heavily skewed in favor of TV and Internet; they get about 80 percent of the advertising revenue. While Internet advertising grew by 23 percent, exceeding TV ad sales for the first time (TV ad sales still increased by 13 percent), newspapers lost 3 percent of their advertising revenue. There is also a huge disparity between national and regional markets. According to the Russian Association of Communication Agencies, from January to September 2017, total advertising sales amounted to RUB 285 billion (about \$5 billion); regional media received only RUB 31 billion (about \$538 million),

however.¹⁶ Regional media outlets are concerned that major national advertising agencies favor national media and ignore media in the regions.

Law limits the amount of advertising in Russian media. For TV, it cannot exceed 15 minutes per hour; for radio, 20 percent of airtime per day; and for print media, except for publications with exclusively classified advertising content, 40 percent of space. As a result, news and information content does not get lost at the expense of advertising. Interestingly, because of these limits, advertisers experienced a shortage of advertising slots on TV in 2017, and so ad placement prices went up. State media are allowed to sell advertising and often undersell private media because of their guaranteed state funding.

State subsidies and information contracts, through which the government pays media to cover its operations and this coverage is approved by press departments prior to publication, heavily distort the media market. The impact of this has increased impact in regions where the amount of state media expenditure is comparable to advertising revenue. In 2016, regional media made RUB 45 billion (about \$780 million) of advertising revenue and received RUB 43.2 billion (about \$749 million) from regional authorities. In 2017, regional authorities planned to spend RUB 40.4 billion (about \$701 million) on media, according to the Mass Media Defence Centre. There are few regions (Chelyabinsk and Voronezh, for example) where authorities distribute state subsidies to media fairly and transparently. But in a majority of regions, state money goes to loyal media.

In small cities, independent media may face unfair competition with media owned by large

businesses which are used as corporate public relations mouthpieces. “In the small local media markets, private media monopolists affiliated with local authorities monopolize the markets in the same way as the state media. For example, in Revda and Pervouralsk, there is no municipal media anymore, but there is a major corporate media outlet affiliated with authorities. As a result, private media again face unfair competition,” noted Valery Bezpiatykh at the 2017 All-Russian Media Forum, as reported by Alliance of Independent Regional Publishers (ANRI).

Only national media can afford to hire market research companies. Regional, independent private media use openly published marketing data and conduct small-scale studies themselves. Additionally, marketing data inform editorial decisions. “We evaluate every project from the point of view of potential gains it can generate—in terms of financial gains, image gains and audience growth,” said Valery Bezpiatykh in his interview with Zhurnalist magazine.

The budget of the Information Society program that provides financial support to media is diminishing, but this did not affect the federal media; in reality, state subsidies keep growing.

As of September 2017, TV broadcast ratings can be measured only by Roskomnadzor-selected companies. The share of foreign capital in these companies cannot exceed 20 percent. Roskomnadzor selected Mediascope (formerly Mediascope/TNS), which is part of TNS Gallup Media. To meet the ownership requirements, the British advertising group WPP sold its share in TNS Gallup Media to the Russian Public Opinion Research Center. Mediascope has been granted a three-year monopoly for media opinion surveys

16 АКАР. “Суммарный объем рекламы в средствах ее распространения за первые три квартала 2017 года.” http://www.akarussia.ru/knowledge/market_size/id7558.

in Russia. It is committed to improving its polling practices by rotating households in its polling panels and increasing the number of local people meters, as well as the number of interviews via mobile phones. All of this is meant to increase the level of media trust.

**OBJECTIVE 5:
SUPPORTING
INSTITUTIONS**

2.02

The National Association of TV and Radio Broadcasters and the Guild of Press Publishers are major media-related Russian trade associations. As of June 2017, the Guild of Press Publishers had 272 members; however, the National Association of TV and Radio Broadcasters does not disclose its membership data. Both associations cooperate with international trade associations, conduct trade fairs, publish industrial magazines, and provide analytical, informative, and training services to their members. The associations also lobby the Russian government to advance the interests of their members.

The ANRI brings together media outlets that adhere to principles of fair journalism and editorial independence. As of December 2017, ANRI consists of 67 members. ANRI organizes training programs and industrial events, and lobbies the government on behalf of its members. For example, in 2017, ANRI organized a discussion on the future of Russian regional media at the All-Russian Civic Forum.

In order to provide services to their members, all three associations have to fundraise in addition to having membership fees. ANRI was awarded a president's grant in the amount of RUB 1.5 million (about \$26,000) to conduct a webinar series on

the legal aspects of media operation. This is one example of such funding.

In November 2017, the Russian Union of Journalists (RUJ) elected a new chair, Vladimir Solovyov, a prominent TV journalist who is currently an adviser to the director of the national TV channel Russia-1. Some observers see this appointment as an increase in state control over the journalism profession. "RUJ became integrated in the system of state control and will be receiving state funding. The situation with our regional chapter is the same. A new chair was quietly elected this summer. The candidate was recommended by the government. He has good connections with them and can secure funding. But he won't help us when necessary," commented one of the panelists, an editor of a small independent newspaper. Seeking state funding is seen as a key means for RUJ maintaining operations. For example, a regional RUJ chapter in Primorsky Krai received a president's grant (RUB 3 million, or about \$52,000) to train young journalists in 2017. At a membership meeting, Viktor Sukhanov, chapter head, recommended that other regional chapters follow their example.¹⁷ Thus, there is concern that RUJ and its chapters do not adequately protect journalist rights and promote quality journalism.

There are a few nongovernmental organizations (NGOs) that support free speech and media freedom. The Glasnost Defense Foundation monitors violations of media rights and runs educational programs. The Mass Media Defence Centre provides free legal advice and support to media: In 2017 alone, they provided 3,779 consultations and represented media

¹⁷ *Vesti: Primorye*. "Приморские журналисты замахнулись на создание Тихоокеанского медиасоюза." December 22, 2017. <http://vestiprim.ru/news/ptrnews/58321-primorskie-zhurnalisty-zamahnu-lis-na-sozdanie-tihookeanskogo-mediasoyuza.html>.

Supporting institutions function in the professional interests of independent media.

SUPPORTING INSTITUTIONS INDICATORS:

- ▶ Trade associations represent the interests of private media owners and provide member services.
- ▶ Professional associations work to protect journalists' rights.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

in 48 court cases. The Press Development Institute-Siberia promotes civic investigative journalism. The Regional Press Institute offers training programs to media outlets. NGOs cooperate with international organizations. For example, the Regional Press Institute, in cooperation with the Danish Association for Investigative Journalism, International Media Support, and Fojo Media Institute, operates an investigative journalism support program for Russian journalists working in the Russian northwest. All of these NGOs (except for the Regional Press Institute) are recognized as "foreign agents," which creates an increased administrative burden to comply with the high reporting requirements associated with the foreign agent status.

R U S S I A

According to Vuzoteka.ru, there are 153 journalism degree programs in Russia, and journalism ranks third among the most popular degrees. Several programs include sufficient practice-oriented training—for example, Moscow State University, St. Petersburg University, and Higher School of Economics. However, most programs focus more on theory than practice and are taught by people with little practical experience. In many cases, journalism, public relations, and advertising are taught within the same department. Media outlets are unhappy with the skill level of journalism graduates and have developed their own on-the-job training programs.

There are numerous short-term training opportunities—offered by NGOs, media trade associations, and RUJ—that range from webinars to internships with leading media. Training is provided on a whole range of topics, from reporting to legal aspects to media management. Workshops on digital technologies, content monetization, and media design are very popular with media professionals. Media outlets usually cover training and associated travel expenses.

Sources of media equipment, newsprint, and printing facilities are apolitical, and are not monopolized nor restricted. However, newsprint prices and printing fees keep rising, which undermines the economic sustainability of print media. According to the Russian Press Distributors Association, newsprint prices went up by 45 percent in the past four years.

Distribution channels for media are restricted. The Russian Post is the main distributor of subscriptions to publications. When the government discontinued subscription delivery subsidies to the Russian Post in 2014, increased subscription prices resulted in the loss of 42 percent of subscription circulation. In most regions, the number of press

kiosks is declining, and supermarket networks refuse to sell local newspapers. Two big private press distribution networks—Neva-Press in St. Petersburg and Press-Logistic in Moscow—went bankrupt, leaving over RUB 1 billion (about \$17.3 million) in debts. The introduction of digital television, where the government supports broadcasting of 20 federal and 72 regional TV channels, means that other channels (especially small local ones) have to use cable operator services. As a result, these services substantially increased the fees for such channels.

“RUJ became integrated in the system of state control and will be receiving state funding. The situation with our regional chapter is the same. A new chair was quietly elected this summer. The candidate was recommended by the government. He has good connections with them and can secure funding. But he won’t help us when necessary,” commented one of the panelists.

According to the Russian Public Opinion Research Center, 60 percent of adult Russians use the Internet on a daily basis, and 70 percent use it at least once a month. There is a disparity in Internet use between the major cities of Moscow and St. Petersburg, where 79–80 percent of people use the Internet at least monthly, and other cities (70–74 percent) and rural areas (60 percent). Mobile operators considerably expanded coverage of 4G networks beyond major cities, and the speed of mobile Internet increased by 25–30 percent

and reached 10 mbps in 2017.¹⁸ According to the Ministry of Telecomm and Mass Communications, mobile Internet traffic increased by appropriately 90 percent. However, there are still locations where Internet connections are slow or non-existent, and mobile connections are weak and unstable.

List of Panelists

Because of laws restricting NGO activity and contacts with U.S.-based NGOs, the participants in the Russia study will remain anonymous. A Russian journalist developed this chapter in December 2017 after a series of structured interviews with colleagues in the media sector.

18 Kodachigov, Valery. “Мобильный интернет в России растет все быстрее.” *Vedomosti*, September 18, 2017. <https://www.vedomosti.ru/technology/articles/2017/09/18/734306-mobilnii-internet>.

UKRAINE



MEDIA SUSTAINABILITY INDEX 2018

Tracking Development
of Sustainable
Independent Media
Around the World



UKRAINE

AT A GLANCE

GENERAL

- **General population:** 44,033,874 (July 2017 est. CIA World Factbook)
- **Capital city:** Kyiv
- **Ethnic groups (% of population):** Ukrainian 77.8%, Russian 17.3%, Belarusian 0.6%, Moldovan 0.5%, Crimean Tatar 0.5%, Bulgarian 0.4%, Hungarian 0.3%, Romanian 0.3%, Polish 0.3%, Jewish 0.2%, other 1.8% (CIA World Factbook, 2001 est.)
- **Religions (% of population):** Orthodox (includes Ukrainian Autocephalous Orthodox (UAOC), Ukrainian Orthodox - Kyiv Patriarchate (UOC-KP), Ukrainian Orthodox - Moscow Patriarchate (UOC-MP)), Ukrainian Greek Catholic, Roman Catholic, Protestant, Muslim, Jewish. Note: Ukraine's population is overwhelmingly Christian; the vast majority—up to two-thirds—identify themselves as Orthodox, but many do not specify a particular branch; the UOC-KP and the UOC-MP each represent

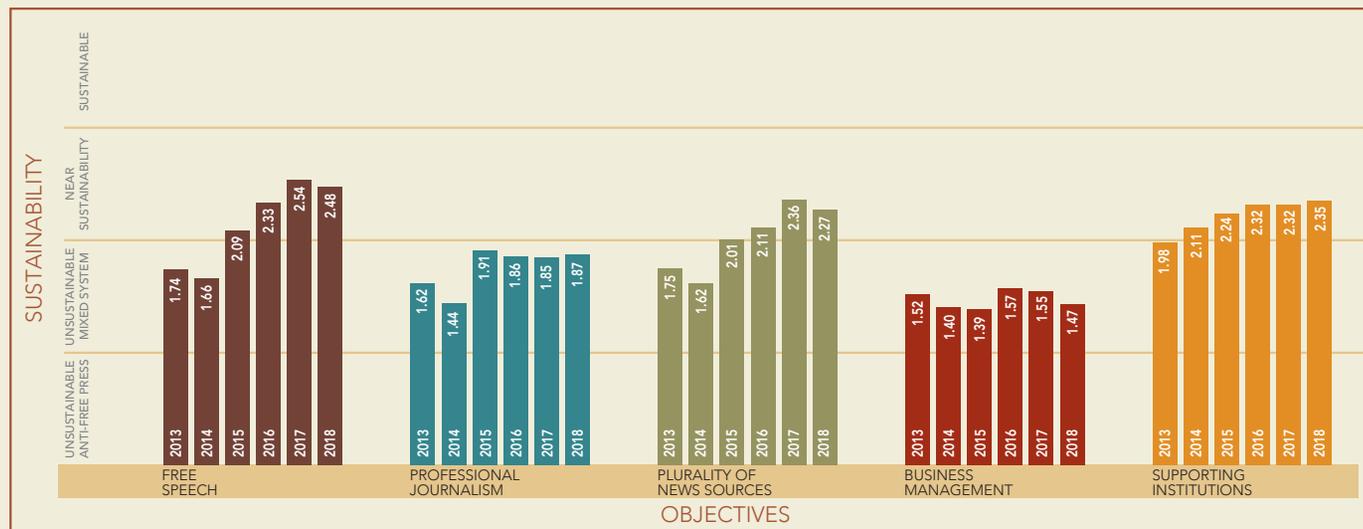
less than a quarter of the country's population, the Ukrainian Greek Catholic Church accounts for 8-10%, and the UAOC accounts for 1-2%; Muslim and Jewish adherents each compose less than 1% of the total population (CIA World Factbook, 2013 est.)

- **Languages (% of population):** Armenian Ukrainian (official) 67.5%, Russian (regional language) 29.6%, ther (includes small Crimean Tatar-, Moldovan/Romanian-, and Hungarian-speaking minorities) 2.9% (CIA World Factbook, 2001 est.)
- **GNI (2016 - Atlas):** \$93.27 billion (World Bank Development Indicators, 2016)
- **GNI per capita (2016 - PPP):** \$2,310 (World Bank Development Indicators, 2016)
- **Literacy rate:** 99.8% (male 99.8%, female 99.7%) (CIA World Factbook, 2015 est.)
- **President or top authority:** President Petro Poroshenko (since June 7, 2014)

MEDIA-SPECIFIC

- **Number of active media outlets:** Print: 3349 subscription titles: 2292 newspapers and 1057 magazines (Ukrposhta data, catalogue for 2018) plus roughly a thousand more periodicals in retail only, the same ratio between newspapers (68%) and magazines (one third) (by UAMB expert estimate); Television: 30 national television broadcasters, 72 regional television broadcasters, and 120 satellite television channels; Radio: 16 national radio channels, 39 regional radio, and 7 satellite radio stations (National Council of Television and Radio Broadcasting of Ukraine, 2017)
- **Newspaper circulation statistics:** The top three daily newspapers: (all private) *Fakty i Kommentarii* (638.91), *Segodnya* (578.88), *Vesti* (463.16). (Cover, TNS audience research MMI Ukraine 2017)
- **Broadcast ratings:** Top television (all private): Kanal Ukraina, 1+1, Inter, STB, ICTV, Novyi Kanal (all private, ITC (Nielsen, 2016); Top network radio (all private): Hit FM, Pyatnytsya, Shanson, Lux FM, Russkoe radio Ukraina, (Kantar TNS Ukraine 2017)
- **News agencies:** Interfax (private), UNIAN (private), Ukrainski Novyny (private), LigaBiznesInform (private), RBC-Ukraine (private), RIA Novosti Ukraine (private), UNIA Ukrinform (state-owned)
- **Annual advertising revenue in media sector:** Television: \$259 million; Print: \$48 million; Radio: \$17 million, Internet: \$153 million (2017 est., All-Ukrainian Advertising Coalition)
- **Internet usage:** 23 million users (2016 est., CIA World Factbook)

MEDIA SUSTAINABILITY INDEX: UKRAINE



SCORE KEY

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

OVERALL
SCORE
2.08

There is little change from last year's study in Ukraine's MSI score this year, with the levels of professionalism and media management remaining in the Unsustainable range. Panelists observed a deterioration of professional standards and ethical observance, noting the continued profusion of *jeansa* (commissioned stories and hidden advertising conferred on political or business interests for pay), widespread self-censorship, and increasing use of social media as a primary (and sometimes sole) source.

The tug of war between free speech protections and national security concerns remains a fixture of the Ukrainian media landscape, as the armed conflict in Donbass and the Russian occupation of Crimea enter their fifth year. With pro-Russia and Kremlin-controlled media pumping out propaganda and fake news, Kyiv ratcheted up its information war by blocking Russian social networks and online services. The public has grudgingly accepted such moves with an understanding of the threat posed by Russian media manipulation. However, the MSI panelists warned that government-imposed restrictions on freedom of speech also pose a significant risk to the Ukrainian society, and they called for more open debate and communication with the public regarding such measures.

There was little change in the frequency of violations of journalists' rights in 2017, but panelists expressed alarm with the systematic indifference to such abuses, which are criminalized but rarely prosecuted and produce nominal punishments even when adjudicated. Perpetrators, either private citizens or official organs, operate with impunity, as the government and judiciary have established no precedents that would effectively deter violence and threats directed against reporters for doing their jobs.

The most vigorous prosecution has political overtones,

with one of the country's most visible anticorruption activists, facing jail time for punching a blogger of dubious reputation whom he accused of routine harassment. The government appears to be using other means to take aim at journalists and activists who investigate corruption by enacting legislation that requires them to file electronic declarations of their own income and assets. Panelists anticipate threats to journalists to increase and access to information to shrink in the run-up to the 2019 presidential and parliamentary elections.

There was tenuous optimism about the new national public broadcasting service, which launched in January 2017. However, private media's prospects for editorial or financial independence remain slim. Ownership at the national level—especially in the dominant medium of television—is concentrated among a handful of oligarchs less interested in profitability than in using their media properties for political ends. Privatization of municipally owned newspapers is going slowly, and they remain subject to government interference. The twice-delayed switchover to digital TV is in the hands of a monopoly provider. Despite 30 percent growth in the advertising market and relative stability in the national economy after years of tumult, panelists see little chance for improvement in the media economy, thus continuing a decline in journalistic quality and low public trust in media relative to other institutions.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

2.48

Freedom of speech is protected by the Ukrainian constitution and well-developed laws, but is routinely violated via intimidation of journalists, denial of access to information, and obstruction of professional activities, said a director of a regional television station. The chairman of a Ukrainian publishers association, said legal protections are not properly enforced, and violations are not properly investigated because of widespread corruption in the judiciary, law enforcement, and state offices. The score in this objective declined slightly from last year.

In May, on the recommendation of the National Security and Defense Council (NSDC), President Petro Poroshenko issued a decree blocking Ukrainians' access to the widely used Russian social networks Odnoklassniki and VKontakte, the Yandex search engine, and the e-mail provider Mail.ru. As part of the sanctions regime for Russia's annexation of Crimea and military action in eastern Ukraine, the government also banned major Russian TV outlets and barred 13 Russian journalists from entering the country. The moves were viewed by the public as fair and were accepted by NATO and the European Union (EU) as valid national security measures, but an editor of a digital media outlet, noted the precedent they set for unilateral government restriction of speech. While numerous international human rights and media freedom organizations¹ protested the restrictions, the response to this

¹ Concerns were expressed by organizations including Human Rights Watch, Reporters Without Borders, the Committee to Protect Journalists (CPJ), the European Federation of Journalists (EFJ), and the Council of Europe.

decree from the Ukrainian media and tech community was mixed. Thirty-one of 40 experts surveyed by the Democratic Initiatives Foundation following the decree agreed with the move. Supporters said the sites were instruments of Russia's "hybrid war" against Ukraine and banning them would both benefit Ukraine's information security and hinder Russia's tech economy. Among 200 experts from the media, human rights, and IT sectors polled by Internews in October, 48.3 percent had a very or somewhat positive view of the ban; 40.2 percent viewed it negatively. Fifty-six percent of respondents considered it a strategically sound decision. Notably, two months after Poroshenko imposed the ban, ruling-party lawmakers introduced bills to broaden the definition of "technological terrorism" and permit blocking or restricting access to websites on those grounds on the authority of a prosecutor or NSDC investigator.

One panelist, coordinator of a free speech monitoring project, said they has seen an uptick in violations by the Security Service of Ukraine (SBU) and a dearth of evidence or explanation when it detains bloggers or deports foreign journalists. In August 2017, security forces denied entry to two Spanish journalists and expelled two Russian TV reporters. In May, Ukraine barred Ashot Dzhazoyan, secretary of the Russian Union of Journalists, over his visits to Crimea and deported Igor Shuvalov, the Russian deputy director of a company that produces news for the Ukrainian TV channel Inter.

In the Anti-Terrorist Operation (ATO) zone—as the occupied Donetsk and Luhansk regions are officially known— a blogger and correspondent for the Radio Free Europe/Radio Liberty (RFE/EL) service "Donbass. Reali," was detained by combatants in June 2017. A blogger from Luhansk, who was taken into custody in November 2016 and sentenced in August 2017 to 14 years in prison, was freed in December as part of a prisoner exchange

between Ukraine and the Russia-backed separatists. In Crimea, a journalist accused of separatism, was given a two-and-a-half-year suspended sentence and banned from public activities for three years.

The National Council of Television and Radio Broadcasting of Ukraine, the eight members of which are split between presidential and parliamentary appointees, must license Ukrainian broadcasters. Print media are only required to register with the Ministry of Justice; online media have no registration requirements.

One panelist, a lawyer working with a pro-democracy NGO, said the election of National Council members is neither apolitical nor transparent—for example, there is no regulation of the procedure and criteria for seating the president's nominations—and that broadcasters face excessive licensing requirements. Another panelist, director of a regional radio and television company, agreed, noting that matters—such as how often children's, cultural, scientific, and other specialized programming channels air—is subject to council oversight. Both panelists agreed that licensing decisions are themselves politicized, with channels connected to Poroshenko receiving prompt and favorable decisions. The only advantage of the current National Council, a panelist said, is that they do not take bribes.

Legal and social norms protect and promote free speech and access to public information.

FREE-SPEECH INDICATORS

- ▶ Legal and social protections of free speech exist and are enforced.
- ▶ Licensing of broadcast media is fair, competitive, and apolitical.
- ▶ Market entry and tax structure for media are fair and comparable to other industries.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- ▶ Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- ▶ Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

One panelist recommended that Ukraine’s law on broadcasting services, now in the draft stage, limit licensing to over-the-air outlets. The current draft does not go quite that far. It would limit licensing to terrestrial stations and digital Internet Protocol television (IPTV) and Over the Top (OTT) channels. Other outlets would simply be required to register, with video-sharing services such as YouTube and Vimeo subject only to marking requirements, such as notifying users of content that may be harmful to children. Ukraine must harmonize its laws with EU’s Audiovisual Media Services Directive by September 2019.

Ukraine has twice missed deadlines for switching off analog broadcasting: June 2015 and June 2017. The turnoff is now set to be completed in 2018 or 2019. Panelists cited numerous problems with the digitization process and with Zeonbud, the designated monopoly national provider for digital broadcasting. Zeonbud’s license mandates that the company’s service cover 95 percent of the population, but one panelist said there is still no precise measurement of coverage, delaying the analog switch off. Some districts entirely lack technical facilities for coverage. As a result, broadcasters have now been paying double fees—for both analog and digital transmission—for six years.

A panelist, editor of a national news website, said there are no distinctions in business taxation that discriminate against media; indeed, the industry enjoys some privileges, such as a value-added tax (VAT) exemption on print media subscription sales. From 2018, television channels will benefit from a five-year exemption from VAT and customs duties for original productions as part of legislation aimed at benefiting Ukrainian film production and distribution.

Ukraine has strong legislative protections for journalists. Articles of the Criminal Code enacted in 2015 specifically criminalized violence and threats against journalists, their families, or their property arising from their professional activities. However, another panelist said the laws are underapplied.

According to a national media monitor, 276 press freedom violations occurred in unoccupied parts of Ukraine in 2017, compared to 264 cases in 2016 and 310 in 2015. Three cases were registered in Donbass and 16 in Crimea, bringing the total to 293 cases. The leading violations were obstructing journalists from their professional activities (89 cases, compared to 108 in 2016), restricting access to information (41 cases, compared to 30 in 2016), and threats (37 cases, compared to 43 in 2016). There were 29 reported physical attacks—the same number as in 2016—and 15 incidents of cyberattack, damage to property, political pressure, and lawsuits against media. Private citizens were implicated in 151 cases, local governments in 50, and law enforcement bodies in 33; it was the third straight year in which violations by citizens outnumbered those of government and law enforcement entities.

However, few such cases make it to court, one panelist said. In the first half of 2017, there were 149 registered cases of crimes against media workers, but only 14 such cases were adjudicated, with some of them dating to previous years, according to figures. Another panelist cited one small victory: an individual was sentenced to three years in prison by a Vinnytsya court for striking a journalist recording a video about police traffic-stop procedures; such cases, they said, typically end up being settled or result in fines of around UAH 850 (\$30).

Another panelist, chairman of a journalistic organization, offered up similarly grim findings. There has yet to be a prosecution for any of the 271 instances of physical aggression against journalists recorded during the November 2013–February 2014 Euromaidan protests, and the murder of Pavel Sheremet, whose car was blown up in Kyiv in July 2016, remains unsolved. In 2017, a union of journalists partnered with the Regional Press Development Institute (RPDI) and other media and human rights groups to launch the Index of Physical Security of Journalists in Ukraine. It documented 80 incidents of physical aggression against journalists in the first 10 months of the year. Victims complain about the lack of effective and prompt investigations. A panelist noted that less than 10 percent of cases are ever brought to court, and sentences for perpetrators are not proportional to the crimes committed. International watchdogs such as CPJ, EFJ, the International Federation of Journalists, and the Organization for Security and Co-operation in Europe (OSCE) Representative on Freedom of Speech have noted the impunity effectively granted to transgressors against journalists.

Journalists with an investigative project of RFE/EL's Ukrainian service, reported multiple incidents of intimidation by security and private forces in 2017. Pro-Russian oligarch Viktor Medvedchuk's bodyguards reportedly harassed a media crew at Kyiv's Zhulyany airport in November. "The increase in criminal responsibility for crimes against journalists has not led to a decrease in such crimes, because impunity makes perpetrators even more shameless," said one panelist, a media lawyer who has provided legal aid to journalists that have been victims of violence.

Against this backdrop of official indifference, panel members viewed with suspicion the prosecution the director of an anti-corruption NGO over his June 2017 altercation with a video blogger and an assistant to a lawmaker from the populist Radical Party. In January 2018, the charges against the activist were changed from bodily injury to a person to attack against a journalist. Media support groups questioned whether the incident related to professional journalism activity and called for equally vigorous investigations of numerous other alleged crimes against media workers.

In May, on the recommendation of the National Security and Defense Council (NSDC), President Petro Poroshenko issued a decree blocking Ukrainians' access to the widely used Russian social networks Odnoklassniki and VKontakte, the Yandex search engine, and the e-mail provider Mail.ru.

Media outlets' editorial independence is protected by law but shaky in practice. Media owners and financial backers routinely interfere with editorial policy, and municipal governments essentially view local outlets as their mouthpieces, said a panelist, former editor at a regional TV and radio network. Monitoring by a pro-democracy institute in Kyiv showed the highest volumes of jeansa and government press releases are in municipal media, said the institute's director.

The new National Public Broadcasting Company of Ukraine (UA:PBC), uniting 31 TV and radio channels, was established on January 19, 2017. The new entity is off to a transparent start, with documentation about its board and national management team accessible on its website. There is a plan to set up an independent endowment for UA:PBC's development. Throughout the company's structure, including at the regional level, administrative and production functions are divided, separating editorial decisions from management. An appointed editorial board is working on editorial guidelines, which it is scheduled to make public in early 2018.

Panelists said the reorganization of public broadcasting must be accompanied by proper funding for the reform to be a success. Formed from existing national TV and radio companies, UA:PBC inherited an inflated staff structure and has been tasked with reducing its workforce from 7,000 to 4,087 by April 2018. According to the trade union representing its employees, UA:PBC can fire only 3 percent of staff per year, but that agreement—made between the union and the State Committee for Television and Radio, which oversees UA:PBC—may not be legally binding. The public broadcaster is also modernizing its predecessors' outdated pay structure; beginning in April, base salaries will be doubled, and employees will be eligible for performance bonuses of 10 percent to 80 percent of their base pay.

The government allocated UAH 1.3 billion (\$45.6 million) for the public broadcaster in 2017 but spent only UAH 1.1 billion (\$38.3 million). The budget for 2018 is just UAH 776.6 million (\$27.4 million)—half the amount obligated by Ukraine's public broadcasting law, which mandates directing 0.2 percent of the previous year's state expenditure

to the company.² One panelist said the allocation is a measure of government dissatisfaction with UA:PBC's policy of editorial independence. It is the only entity under the umbrella of the State Committee on Television and Radio Broadcasting that will see its funding cut in 2018.

The law on community broadcasting has not been adopted, and the current draft provides that local governments fund community outlets and does not protect editorial independence. One panelist said that, in two years with the a public broadcasting affiliate, local government did not pressure them, but it did sometimes withhold information. They said that at the regional level, the way the chief editor responds to government attempts at influence often dictates editorial independence.

Libel was excluded from the criminal law in 2001. Defamation is a matter of civil law; both the plaintiff and the defendant are obligated to prove whether disseminated information is true or false.

Court treatment of defamation has been more or less stable for several years, save for some inflation in the money amount of claims, a panelist said, with more exceeding UAH 100,000 (about \$3,500). There is no progressive scale for court fees proportional to the size of the damage claim, and judges as a rule do not endorse large damage awards. However, judicial practice in defamation cases lacks clarity.

There is no legal provision holding Internet service providers and hosting services responsible for website content. The author and the site owner

are liable for publication of false or defamatory content; any plaintiff must fully identify them to bring a claim—a process that can be complicated because of a lack of transparency in online media.

The law provides for free access to public information, and in some ways, practice has caught up with the legal provisions. Ukraine can be proud of the numerous and huge public data sets developed in recent years, available online and in machine-readable format, covering areas such as company registrations, real estate, court decisions, e-procurements, and state treasury transactions.

“The increase in criminal responsibility for crimes against journalists has not led to a decrease in such crimes, because impunity makes perpetrators even more shameless,” said a media lawyer.

There are mechanisms for appealing rejections, although court fees starting at UAH 3,000 (\$105) can be a deterrent. NGOs have established a coalition that is lobbying for reducing the fee.

Accountability for illegal denials of access to public information was added to the Criminal Code in 2016. A milestone of sorts was reached in October 2017 with the first sentencing of an official for this offense. A district court in the Zakarpattya region held a village chairman criminally responsible for withholding public information. The assessed fine of UAH 3,200 (\$113) was cancelled by amnesty, but the official was ordered to pay UAH 8,000 (\$282) in court costs. Despite the legal advance, one panelist anticipated greater difficulty in access to information as the next national election approaches.

Access is not equally enforced for all media, a panelist said. Law enforcement bodies prioritize requests for comment from TV channels over those of online media. Accreditation rules for certain events, especially those involving government officials, are used to regulate access, with bloggers especially facing difficulty getting admittance. The government restricts journalists' travel in the ATO zone, said one panelist.

Entry into the profession is free, and there is no licensing. Some panelists said the lack of barriers opens the door to individuals and organizations with ulterior motives and a questionable commitment to ethical standards, even with active self-regulation by independent journalism ethics groups. Press cards are easy to obtain or falsify, and a broad range of actors use them, from agents of the National Anti-Corruption Bureau of Ukraine to activists from radical groups.

“We are getting lots of pseudojournalists who are hard to fight with and prove that they are not professional journalists,” said a panelist. They cited an information outlet started in the fall of 2017 that offers press cards for a fee (an initial UAH 500 [\$18] plus UAH 1,200 [\$42] a year). The ease of obtaining credentials encourages individuals, on their own or through commissions, to bait targeted public figures under the guise of reporting. Civil Society actors have publicly condemned such activities as discrediting the profession. One panelist said that monitoring groups are increasingly careful in their monitoring of violations against media to confirm that the cases involve legitimate journalists.

² European Broadcasting Union, “EBU Calls on Ukrainian Government to Ensure Proper Funding for UA:PBC,” European Broadcasting Union. September 29, 2017. <https://www.ebu.ch/news/2017/09/ebu-calls-on-ukrainian-government-to-ensure-proper-funding-for-uapbc>.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

1.87

Panel members characterized professional standards as low and getting lower, and the score for this objective remains mired in the “unsustainable, mixed system” range. A key factor for this is political influence exerted by owners and local governments, which continues to influence coverage. Most outlets, especially online newsrooms, are strapped for resources and are constantly in a stringent saving mode. Wages are low, encouraging corruption. Heavy workloads give reporters little time to verify sources and separate fact from fiction, and lead to high turnover. Sensationalism rather than reliability is the rule.

In racing to report, journalists are relying more on social media as a source of news and often do not verify what they find there. Exemplifying this approach, media in Lviv falsely reported a typhus outbreak in the region, citing Facebook as a source, one panelist said; reporters did not even call health authorities to check the story.

Media monitoring by three organizations showed a lack of balance, depth, and distinguishing of fact from opinion in coverage by key national TV channels and publications, as well as in regional media. There are also vast quantities of jeansa. One organization found that some outlets are most prone to violate professional standards in news coverage, largely to their owners’ active engagement in politics. UA:First and its regional affiliates rate higher; The organization identified no manipulation, political influence, or jeansa in their coverage—but UA:First

has a significantly lower audience than the other national outlets.

National news and information programs commonly feature assertions by politicians and officials going unchallenged, praise for individual government officials but a generally negative attitude toward government actions, and overnight shifts of editorial policy regarding certain individuals and issues. Additional research in Donbass found that channels there, although under Ukrainian control, downplay or ignore Russian military aggression in the eastern regions.

Independent media heavily criticized the most popular channels, singling out 1+1 for sensational, tabloid-style reporting, such as disclosing personal data on Donbass separatist leaders’ children living in other parts of Ukraine, publicizing details of the personal lives of victims of an explosion that rocked central Kyiv in August, and naming and showing victimized children. Inter, meanwhile, heavily features pro-Russian messaging, and Ukraina blatantly promotes its oligarch owner with hundreds of stories about him in evening prime time.

In monitoring of 10 online outlets and 5 print publications, a monitoring group noted high levels of jeansa benefiting political and government entities, primarily the Opposition Bloc (20 percent of political jeansa), the Radical Party (12 percent), the Ternopil and Zhytomyr regional administrations (11 percent and 8 percent, respectively), and Viktor Medvedchuk (7 percent).

A poll of 102 journalists found that 78 percent of them are troubled by the amount of jeansa, 52 percent admitted that their publication accepts jeansa, and 27 percent said media cannot survive financially without it.

A media monitoring group reviewed some 4,500 articles from 64 local publications in 8 regions (Donetsk, Luhansk, Kharkiv, Chernivtsi, Odessa, Dnipropetrovsk, Zhytomyr, and Lviv). One panelist summed up the findings: “If a citizen buys a local newspaper, he’ll hardly learn about his community, how to protect his rights, what changed in the local hospital or neighboring street. But he will definitely read what some official said at some ceremony or [that the official] donated money that he previously stole.” The panelist said regional media provide insufficient coverage of government actions and reforms, and little about the war, veterans, or internally displaced persons.

According to research, commissioned stories are most prevalent in Odessa, Luhansk, and Dnipropetrovsk outlets, notably from the People’s Front, Bat’kivschyna, and Freedom parties. Media in Lviv are generally of higher quality, with less jeansa and more analytical stories and interviews. A panelist, editor of a regional investigative reporting group, said most regional online media are of low quality, with outlets often set up by politicians who hire a couple of journalists and frequently repost material directly from Facebook pages.

Another panelist said media owners—who disdain such standards in favor of sensationalism that produces higher ratings—erode journalists’ commitment to ethical standards by weak self-regulation. The main self-regulatory body, was long ineffective, they said, and only recently has begun to regain respect in the industry. In 2016, with support from OSCE, a journalism ethics body renewed its statutory documents and elected new leadership, with a widely respected journalist becoming chairman.

Journalism meets professional standards of quality.

PROFESSIONAL JOURNALISM INDICATORS

- ▶ Reporting is fair, objective, and well sourced.
- ▶ Journalists follow recognized and accepted ethical standards.
- ▶ Journalists and editors do not practice self-censorship.
- ▶ Journalists cover key events and issues.
- ▶ Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- ▶ Entertainment programming does not eclipse news and information programming.
- ▶ Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- ▶ Quality niche reporting and programming exists (investigative, economics/business, local, political).

In 2017, the ethics body joined the Ethical Journalism Network, an international NGO that promotes high standards in media, and during the year, it handled 24 complaints on issues such as media reports that did not sufficiently distinguish between fact and opinions and unbiased coverage of court hearings.

IMC also responds to ethics complaints and makes recommendations on media regulations to authorities and industry stakeholders. The National Council has sought IMC's input in weighing allegations of fake news and other ethical lapses. One panelist said newsrooms rarely have internal ethics codes; Another added that guidelines are communicated in oral form, if at all. Common areas

of noncompliance include journalists receiving indirect benefits from entities they cover, such as travel and receptions, and failure to distinguish for readers between editorial and advertising content. Another panelist said plagiarism is also a problem, especially in online media.

Self-censorship comes in many forms. One panelist said it often serves wealthy media owners. They noted that 1+1, owned by billionaire oligarch Ihor Kolomoyskiy, largely ignored the nationalization of PrivatBank, Ukraine's biggest lender, which he also owns. Another channel was similarly quiet regarding a fatal August 2017 car accident involving its owner. Another panelist added that self-censorship is more acute in the regions where journalists risk losing their jobs if they run afoul of local authorities and have a far narrower choice of employment alternatives than peers in Kyiv.

One panelist said the position of an outlet's owner determines how practically all issues are covered. There is no outright suppression of covering socially important issues, they said, but there is insufficient reporting on the war in the east and almost none on Crimea. Anyone who attempts to report from the annexed region would become known to Russian authorities and thus endangered. Unwritten rules govern reporting on the occupied areas, a panelist noted. Media try not to give a platform to separatist leaders and conceal information viewed as potentially harmful to Ukrainian troops or military operations. Journalists reporting on corruption in the defense sector are expected to consider the national interest in pursuing stories.

One panelist said journalists' salaries have not grown proportional to increasing workloads, which is a source of stress in the field. Panelists associated pay disparities less with the threat of inducement to corruption than with drain of talent, both within

and away from the industry. Good journalists in the regions gravitate to higher paying jobs in the capital or to more lucrative jobs in public relations or communications (for example, public relations departments of state governments, politicians, and companies), said two panelists. There is greater competition within regions as well, as UA:PBC's move to equalize pay across its affiliates nationwide makes it attractive for staff at relatively low-paying private outlets. (Another panelist said the opposite is true at the national level, with big commercial broadcasters offering better pay than UA:First.)

There is also movement to opportunities outside media that call for similar skill sets. Another panelist, chief editor of an independent media outlet, said anticorruption and watchdog organizations with stable grant funding are able to lure top investigative reporters for projects involving government monitoring and data-driven research.

"If a citizen buys a local newspaper, he'll hardly learn about his community, how to protect his rights, what changed in the local hospital or neighboring street. But he will definitely read what some official said at some ceremony or [that the official] donated money that he previously stole."

One panelist said there is a balance between news and entertainment programs, but other panelists see the scales tipping toward entertainment and infotainment. Another panelist added that while the number of news-focused channels increased to 10 with the launch in 2017 of Pryamoi by Kyiv politician Volodymyr Makeyenko, informational and analytical content are gradually

decreasing on mainstream channels, and another panelist noted that most news stations have very low viewership.

Panelists generally agreed that technologies for newsgathering and distribution are becoming cheaper and lowering barriers to quality coverage, but regional outlets face higher hurdles in accessing those benefits. For one panelist, who heads a regional broadcaster, “television equipment is rather expensive and is modernizing so quickly that we do not always manage to catch up with technical progress.” The national public broadcaster is also poorly equipped because of years of underfunding by the state.

Panel members said media economics does not allow for much quality beat reporting and other specialized coverage, and there was only slight progress in this area in 2017. With low pay and heavy workloads, most journalists have neither time nor incentive to develop niche expertise. For small outlets with limited staffs, maintaining a specialized reporter is too expensive, said one panelist. Economic journalism is in crisis, the director of a national fact-checking outfit expressed in an interview. Outside of the major media business sections, there is little in the way of economic coverage; panelists noted just a handful of outlets and niche publications devoted to agriculture, accounting, transport, and other industries. Also speaking on record, the head of a digital media outlet said that business journalism has been retrenching since 2009, with only flashes of new activity like the 2011 launch of Forbes Ukraine, which was shuttered in early 2017. Despite these discouraging developments, there are a few promising developments. A platform for blogging on business, started up in late 2017 with some 300 contributors, and online broadcaster launched a business show with a very professional reporter (but a relatively small audience).

A bright spot is investigative reporting, which has boomed in recent years because of grants from international donors and greater interest in investigations at the largest TV channels. Again, the fruits are primarily national; one panelist said only a tiny fraction of stories produced by regional media involve investigative work. A well-regarded reporting project ended its weekly television program, produced by an online broadcaster and aired on UA:First and numerous regional channels, at the end of a three-year period of support from the Canadian government. It plans to move into investigative documentaries.

OBJECTIVE 3: PLURALITY OF NEWS

2.27

Panel members said news sources are numerous and diversified but getting reliable and objective information takes work. “There is general plurality, and different media stand for different viewpoints,” said a panelist, “All types of media operate, with the television being the most popular.” However, consumers’ access to diverse news and views is hampered by insufficient Internet penetration and the absence of Ukrainian news sources in the occupied territories, the panelist said, adding, “Media outlets lack pluralism internally.” That has a major effect because, as another panelist noted, media literacy is lacking, and people tend to get most of their news from a single, often politically affiliated, source with which they are familiar.

Outside of occupied Crimea, where the flow of information is strictly controlled by Russian authorities, Ukrainians’ access to domestic media

is not restricted, and they freely consume foreign media, except for the Russian TV channels and social networks banned in May 2017 by presidential decree. However, since virtual private network (VPN) use is not restricted, Russian outlets are still accessible for many.

Income level is generally not a factor in citizens’ access to online media, cable networks, or analog or digital broadcasting, and location is a more salient factor affecting access. There is a digital gap between big cities with plenty of media and technical facilities, and rural areas where quality and quantity of services is limited, a panelist said. Even in the countryside near the capital, people have issues with the Internet. Not all regional media have mobile applications, although many actively use social networks. Rural inhabitants have fewer media choices and rely more on terrestrial television and, often, district or municipal newspapers, which are quite influential in villages. Digital television reach has not been reliably measured, but according to a panelist it reaches 60 percent to 80 percent of the population, short of the 95 percent mandated by sole provider Zeonbud’s license. Another panelist said the state has not yet provided set-top boxes for all socially insecure people, putting some at risk of restricted access to on-air broadcasting.

New transmitters were built in Chongar in southern Ukraine and Bakhmutivka in the east in 2017 to provide Ukrainian TV and radio stations to the occupied territories. However, half of Kherson Province in the south does not receive Ukrainian broadcasting; it had been covered by a tower in Krasnoperekopsk in Crimea, which now transmits Russian channels. Russia is also maintaining analog television, available in parts of Ukraine bordering Crimea.

Television overwhelmingly remains Ukraine’s medium of choice for news, but its popularity is slipping, according to the annual media

Multiple news sources provide citizens with reliable and objective news.

PLURALITY OF NEWS SOURCES INDICATORS

- ▶ A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- ▶ Citizens' access to domestic or international media is not restricted.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.
- ▶ Independent broadcast media produce their own news programs.
- ▶ Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

consumption survey conducted in May and June 2017 for USAID's Ukraine Media (U-Media) program.³ Seventy-seven percent of respondents report watching TV for news, which is down from 82 percent in 2016. Trust in TV news declined from 58 percent to 54 percent for national channels and from 52 percent to 46 percent for regional outlets. Fifty-four percent of people used news websites, 48 percent social networks, 27 percent radio, and 24 percent the print press.

³ USAID and Internews, *Media Consumption in Ukraine 2017*, USAID/Internews. September 2017. https://www.internews.org/sites/default/files/2017-09/USAID_UMedia_AnnualMediaConsumptionSurvey_2017_FULL_eng.pdf.

The 45 percent figure for social media use was down seven percentage points from 2016, but Facebook registered major gains at the expense of Russian social networks VKontakte and Odnoklassniki, which lost significant chunks of their audience (although not all, as they are still accessible in Ukraine via VPN). Facebook is now the country's most popular social network, used by 43 percent of Ukrainians (up from 37 percent in 2016), compared to 37 percent for VKontakte (down from 49 percent) and 26 percent for Odnoklassniki (down from 40 percent, according to the U-Media poll).

Public broadcasters operate with a high degree of independence and, for the most part, effectively serve the public interest, a panelist said, especially UA:First and the three national public radio stations established with the launch of UA:PBC in 2017. However, one panelist said there is a substantial difference between public broadcasting at the national level and in the regions in providing reliable, objective, and diverse news. Other panelists said UA:PBC's two dozen regional affiliates are progressing unevenly, with some demonstrating resistance to reform. The branches are still early in the process, with new management in some regions hired in December 2017, and there are vacancies still to be filled in many areas. The UA logo will be granted to affiliates based on a three-month period of monitoring for quality and standards; so far, it has been bestowed upon the Sumy, Crimea, and Donbass channels. Regional public radio stations are to redesign their programming by March 2019.

Outside of the public system, state and municipal media still largely serve the interests of politicians and officials. Municipal outlets produce complimentary content about local government and avoid critical coverage, said one panelist. Another panelist agreed that state-dependent media largely ignore opposition figures and people critical of the government.

Privatization of state and municipal print media, with expected completion by the end of 2018, is progressing slowly. Only 148 of 716 outlets (21 percent) were in private hands by the end of 2017. According a media business association, 143 more publications are in process of destatization. One panelist said local governments are using the period of putative reform as a lever to cement their influence—attempting to install new and sympathetic editors in chief, for example, or threatening to take publications' properties. Five newspapers in the Zaporizhia region reported such tactics. Municipal media reported that they often receive undisguised directives on coverage from local officials.

“There is general plurality, and different media stand for different viewpoints,” said a panelist, “All types of media operate, with the television being the most popular.”

Many of the publications slated for privatization lack the funding and the skills for editorial and financial self-management, and 64 percent do not maintain websites, said one panelist, and expert on law and the media. Civil society organizations have proposed legislation to improve procedures for fair state support of media—for example, extending and simplifying state funding for some outlets so they can continue publishing if they miss the privatization deadline, or ensuring that government bodies do not use advertising contracts to reward loyal media.

There are numerous national news agencies, the largest being state-owned Ukrinform. Generally, they are editorially independent, well-regarded, and widely used by national media, but most regional

and local media cannot afford subscriptions. While state run, Ukrinform was found by media monitoring to be balanced and of high quality, and it provides considerable content online for free. Most regional and local outlets cannot afford to use them, but national media subscribe. Only the largest national TV channels can afford to use the services of foreign news services, said a panelist.

Private media generally produce their own news content, although there is some aggregation and outright theft. Panelists said regional media do a fair job providing in-depth coverage of local issues. One panelist said more than half of the content in regional newspapers monitored is original, but 60 percent of stories on regional news websites are reposted from other media, and 17 percent do not identify the source.

“But Ukrainian media have a gender imbalance, men prevail in comments, and sexual minorities are silenced.”

There is no legal requirement for online media to disclose ownership, and information in print media registration documents is usually limited and opaque. Since 2016, broadcasters have been legally required to disclose ownership and regularly update that information with the National Council, which makes the data available on its website. However, not all outlets submit their information by the annual March 31 deadline, and many have complicated ownership structures, making it difficult to unravel who truly funds and controls a given channel. Experts say some disclosures identify only nominal owners and mask the true beneficiaries. There is relatively little public interest in the matter; in the U-Media survey, 36 percent of respondents said it is

important to know who owns major media.

According to studies by Reporters Without Borders, national TV stations remain highly politicized. Of the 11 that were monitored, 10 are directly or indirectly connected with political figures. Ownership and potential influence is very concentrated: four oligarchs—Akhmetov, Kolomoyskyi, Viktor Pinchuk, and Dmytro Firtash—control channels that command more than 75 percent of the television audience. Ukraine lacks enforceable regulations to guard against monopolization of media and cross-sector concentration of ownership or to promote financial transparency in media or the advertising market.

There were a handful of ownership changes in 2017. Kolomoyskyi reduced his shares in 1+1 because of nationalization of PrivatBank, but remains informally in charge of the channel. Arseniy Yatsenyuk, a former prime minister, and Inna Avakova, wife of the current interior minister, acquired a combined 70 percent stake in Espresso TV but sold their interest by the end of the year. Svitlana Pluzhnikova, the widow of Inter founder Igor Pluzhnikov, seized co-ownership of the channel. In the summer, the Tonis channel became Pryamoi under the new ownership of Makeyenko, former deputy head of the Party of Regions.

Owners of the large TV channels, who are also political players, shape overall media coverage of socially important issues, said one panelist. Oligarch-controlled channels eschew objectivity, especially when the news relates to an owner's conflict with the president or other politicians.

Gender and ethnic issues have little currency among the general audience and do not get much mainstream media attention, said a panelist. In strongly religious, socially conservative parts of western Ukraine such as Ternopil, many people consider coverage of LGBTQ issues inappropriate, a panelist said.

The panelist noted that the new transmitter in Kherson restored broadcasting of Tatar channels and radio stations into Crimea, and other pockets of ethnic and religious minorities are served by outlets in their communities. “But Ukrainian media have a gender imbalance, men prevail in comments, and sexual minorities are silenced,” added the panelist. Monitoring of national TV, print, and online outlets found that women are central figures in 27 percent of stories and are cited as experts in 19 percent.

One panelist said there is a lack of explanatory journalism on issues such as housing and health; these topics are touched on but usually in a superficial manner. For regional media, the news agenda has changed little in five years—coverage of the ATO zone, veterans, and displaced persons is almost nonexistent, said one panelist. At the national level, coverage of the conflict in the east derives largely from official statements and lacks human stories, according to National Council monitoring of 10 news channels, and the Crimea occupation gets an average of 2.2 percent of airtime.

**OBJECTIVE 4:
BUSINESS
MANAGEMENT**

1.43

There are no profitable television channels in Ukraine, a panelist asserted, adding, “Media outlets are not businesses, but a tool of influence for their owners, including their electoral interests.”

One panelist that said traditional media receive income from many and various sources: advertising, sponsorship, below-the-line services such as marketing support, and, for broadcasters, production of films and programs for sale. These sources do not influence editorial policy. Large advertisers, such as alcohol and pharmaceutical companies, prefer national media; property developers, private medical centers and hospitals, construction and renovation firms, and home appliance retailers are major advertisers in local media. Two specialized agencies, work with regional media, but these outlets are increasingly selling space or airtime directly to advertisers, bypassing the agencies. Many media make money with jeans. However, ownership remains the primary source of funding for many if not most outlets, according to a panelist. This dependence, rather than audience needs or a commitment to quality, shapes editorial direction and angles of coverage.

Municipal media, which are in the process of destatization, have not yet managed to free themselves from pressure by the local councils and regional state administrations that cofounded them. A positive example a municipal radio station in the Vinnytsya region, which became self-sustainable—and more compliant with professional standards—after the local government cut off its funding in a dispute over editorial policy.

Operationally, the media business suffers from a lack of quality management education, said a panelist. A panelist added that the only source of professional education for media managers is German broadcaster Deutsche Welle’s DW Akademie, a short-term program organized by the Independent Association of Broadcasters (IAB). There are no academic or training programs focused on editing.

One panelist, a former government official who now works with a media support NGO as a strategic-communications expert, said the market has yet to recover fully from the hryvnia’s massive decline against the dollar since the 2008–2009 crisis. Even though the TV ad market is growing by 30 percent a year, it still has not reached the dollar equivalent of a decade ago.

That weakened market is increasingly in the grip of the key oligarch-owned channels that dominate the Television Industry Committee (TIC)—a trade association of broadcasters and media agencies that, among other things, contracts with Nielsen and the Communication Alliance for audience measurement. TIC sets an artificially high price of UAH 1 million to be part of the ratings process, which is out of reach of most TV companies. Eighty percent of Ukrainian media’s ad revenue comes through a dozen international agencies, but channels lacking in audience data and the currency of the ad market cannot compete for their business, a panelist said. In 2018, some channels of the TIC may become more sustainable by reducing production costs and increasing revenue but that will come at the expense of other players, they concluded.

The head of strategic development for a large Ukrainian broadcasting group—told a media outlet that commercial channels have been unprofitable since 2009, although some are close to breaking even.

Ukrainian broadcasters receive just five percent of cable providers’ income and need to diversify their revenue streams, the panelist said. One new income source is satellite signal coding, which will require customers to pay a fee to decode the signals of major channels currently provided for free. The four major TV groups reached an agreement in November 2017 on a coding protocol set to take effect in May 2018. One panelist said the reduction of 32 free on-air channels to 12 to 15 may be a solution for sustaining them through the available advertising market.

The CEO of an ad sales company predicts 35 percent media inflation in 2018. With the country’s modest economic rebound, demand among advertisers is rising, explained the CEO in an interview. Channels are quickly selling out airtime

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS

- ▶ **Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.**
- ▶ **Media receive revenue from a multitude of sources.**
- ▶ **Advertising agencies and related industries support an advertising market.**
- ▶ **Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.**
- ▶ **Independent media do not receive government subsidies.**
- ▶ **Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.**
- ▶ **Broadcast ratings and circulation figures are reliably and independently produced.**

and after several years of keeping ad rates flat to let clients stabilize their businesses, they are now raising prices and negotiating big contracts. Even with the price increases, said a panelist, TV advertising is considerably cheaper per thousand viewers than online video ads.

Online media have virtually no chance to achieve profitability, let alone sustainability, panel members said. One panelist noted that the largest advertisers use Google AdSense for online placement; this generates little revenue for the sites themselves, and only those with the largest audiences have good prospects to survive. Another panelist said that ad revenue is unlikely to ever be sufficient to sustain digital media. Paywalls are not a solution either, they said, because most online content in Ukraine is not good enough to get people to pay for it.

Regional advertising declined substantially in 2008 and has yet to recover, according to one panelist. Regional channels lack the market research to demonstrate to advertisers that they have significant local viewership. Attempts to set up an advertising sales agency to serve regional channels collectively failed long ago. One panelist said local oligarchs in Volyn set up and maintain news websites, and even a TV channel, but these do not rely on the market; owners divert money from their other businesses to maintain media that support their political interests.

Local media are self-sustaining to a certain extent, but only because they pay low salaries and invest little in technical resources, said one panelist. Municipal and other media that survive on public money take it for granted, they added. They have little incentive to invest in improving quality and building their audience, and won't do so until they must compete for advertisers and readers.

Media in embattled eastern Ukraine are just surviving, noted a panelist. There is next to no advertising market, the best employees leave for

Kyiv, and ex-Party of Regions politicians who want to keep media outlets under their thumbs lead districts.

According to the advertising coalition the 2017 media advertising market, including television, radio, print, and digital, totaled UAH 13.51 billion (\$485.1 million), an increase of about 30 percent from 2016. It projected 26.5 percent growth this year. The estimates do not include political advertising and VAT. The television advertising market grew by 20 percent to UAH 7.33 billion (\$263.2 million), and projects 26 percent growth in 2018. Channels are sold out of advertising time months in advance, as brands rush back into the medium, according to the coalition. TV sponsorship revenue also grew rapidly because of high inflation and an influx of sponsors from the 2017 Eurovision Song Contest, which was held in Kyiv.

Online media have virtually no chance to achieve profitability, let alone sustainability, panel members said.

Data indicates that print outlets' advertising revenues amounted to UAH 1.36 billion (\$48.8 million), up to 18 percent from 2016. The forecast is for similar growth in 2018. Publications are benefiting from advertisers' interest in multiplatform campaigns—combining broadcasting with print and digital—and from the return of print-friendly sectors such as cosmetics and construction that slashed ads with the downturn.

Radio advertising increased by 20 percent to UAH 480 million (\$17.2 million), according to AUAC. Of this figure, UAH 348 million (\$12.3 million) went to national radio, UAH 47 million (\$1.7 million) to regional radio, and UAH 85 million (\$3 million) is sponsorship. Radio is expected to grow by 20 percent in 2018. Digital advertising grew by 38

percent to UAH 4.34 billion (\$155.8 million) and is predicted to grow by 30 percent in 2018, but, as panelists noted, most of those gains go to Google, Facebook, and other tech giants that serve ads to websites, not to the media themselves.

One panelist said the state does not subsidize or otherwise financially support private regional media. State and municipal media are undergoing privatization but remain reliant on government money, even as the deadline for privatization looms. Panelists said state support does not stimulate development of newsrooms, as subsidy levels rarely depend on an outlet's quality or size of audience. Another panelist noted that government allocations for official advertising are used to reward loyal media and are similarly unrelated to tangible factors such as circulation. In general, this money is drying up; for example, whereas the Kherson regional administration spent around UAH 5 million (\$180,000) annually on advertising a decade ago, it now spends about UAH 1 million (\$36,000).

Regional media generally cannot afford market research, although one panelist said some do their own surveys or focus groups. The services of professional research firms such as GfK or Nielsen are within reach only of large national media companies.

Nielsen and the Communication Alliance, under the auspices of TIC, do regular measurement of the national television audience. As noted earlier, participation is prohibitively expensive for regional and specialty channels. Only TIC members have access to raw audience data. The association sells interpretations of the data to smaller national channels; it postponed changes that would have further limited the data offer to niche channels, which have sought equal access to audience analysis. There have been attempts to redress the data imbalance. IAB, with donor funding, led efforts to unite regional broadcasters and measure their

ratings, said a panelist. Another panelist advised regional broadcasters to join forces and hire a less-expensive research company to track their viewership regularly. They said advertisers might be happy to shift business from the more expensive and ad-saturated mainstream channels, but only if regional outlets can provide reliable audience numbers. In a move to provide more reliable data on digital TV viewership and improve regulation and promotion of these technologies, the National Council reached an agreement in October 2017 with Big Data UA, a new company specializing in measuring audiences for IPTV and OTT services, to supply ratings information on these platforms.

There is no audit bureau to verify print publications' self-reported circulation figures, which are considered unreliable. A data company is contracted to measure radio audiences. Several entities monitor website audiences but use different, noncomparable methods, so there is no unified measurement.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

2.35

Ukraine has a well-developed network of media trade associations, unions, and supportive NGOs. Key trade groups include TIC (which unites the largest TV groups), IRC (radio), IAB (regional broadcasters), the Association of Rights Holders and Providers, UAMB (major publishers), and AIRPU (private regional publishers). In online media, the Ukrainian Internet Association connects Internet advertisers and the Internet Association of Ukraine represents providers.

One panelist said that the trade associations lobby strongly on behalf of business interests and

usually get their way in a manner that, they said, sometimes varies from societal interests—for example, opposing legislative efforts to make media ownership more transparent or to more closely regulate broadcasting. Associations also provide legal support, hotlines, digests of industry news, and training opportunities for members.

Some outlets that long found themselves outside the scope of existing trade groups are forming their own. In January 2018, eight niche channels established the Ukrainian Television Association. Other channels, including UA:First, are expected to join soon. The mission of the association is to establish fair and transparent market rules for audience measurement, advertising sales, and distribution of programming.

In August 2016, 53 municipal newspapers from 16 regions that are subject to destatization established the National Association of Ukrainian Media, which provides consulting on legal issues and represents them in dealing with Ukrposhta, the national postal service. There are also local media associations serving municipal newspapers in the Chernigiv, Kharkiv, and Sumy regions.

There are two main labor organizations in media. They have been active in supporting public broadcasting workers who have been, or will be, laid off because of the system's reform. However, one panelist said, one lost legitimacy following the dubious dismissal of its then chairman in mid-2016. The panelist also questioned whether all of the 19,000 members are journalists and called for an audit of its rolls.

The unions drew criticism from other panelists. One panelist said they have seen little indication of union activity, and another similarly said the union "has not provided any reports on activities and expenses per our request."

Supporting institutions function in the professional interests of independent media.

SUPPORTING INSTITUTIONS INDICATORS:

- ▶ Trade associations represent the interests of private media owners and provide member services.
- ▶ Professional associations work to protect journalists' rights.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

Another panelist, working in management of a regional union, said it has been rejuvenated since the election of a new national chairman in April 2017. However, another panelist described union affiliates as out of touch and said there is little reason for young journalists to become members.

The chairman said that in 2017, the state made a direct attempt to take over the union nominating an official from the Poroshenko administration as a chairman candidate and using SBU to disseminate disparaging information about him on the eve of the election congress. He said ruling-party politicians, unhappy with the union's

criticism of the government's failure to uphold journalists' rights, sought to discredit the union for participating in dialogues with the Russian Union of Journalists, under the auspices of OSCE, in an effort to liberate journalists detained in occupied Donbass.

Media support NGOs protect free speech, provide legal consultation and training programs, and communicate with law enforcement bodies about the lack of enforcement in crimes against media members. Some panelists said this donor-funded network is more effective than the unions and other formal institutions. "Their training workshops replace journalism education, and I can't imagine how we would safely conduct investigations without lawyers financed by these NGOs," said one panelist. Another panelist pointed out national NGOs as effective advocates for media. There are also local media NGOs, such as press clubs, but they serve primarily as platforms for communication, press conferences, and roundtables, and do not provide much training or legal support.

There are many university-level journalism programs—too many, according to one panelist, who said the glut degrades professionalism in the field by spreading talent too thin. More than 40 academic entities serve about 2,800 students per year, and another panelist said mostly unqualified teachers who have never written for a publication or spent a day in a newsroom staff themselves. The panelist called for the Ministry of Education to be more selective in issuing relevant licenses to facilities educating journalists. Another panelist said journalism schools lack opportunities for practical training, such as a student newspaper or radio station. A limited number of students can avail themselves of short-term internships and exchange programs abroad. Media are not eager to hire graduates of domestic journalism schools, as they lack practical experience and specialization.

Short-term courses are available courtesy of donor money. One panelist said workshops for journalists invariably revolve around a handful of trendy topics, such as EU integration, decentralization, gender, or internally displaced persons (IDPs). Training opportunities for media employees other than reporters are virtually nonexistent, a panelist noted. The panelist did compliment the IAB-organized DW Akademie for journalists and managers, which offers monthly three-day workshops and practical weekly exercises in between. Another panelist praised IREX's Ukraine Media Partnership Program, which facilitates exchange programs between US and Ukrainian newsrooms, and the four summer media schools of Interlink Academy.

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There are a growing number of programs focusing on broad coverage areas. For the past three years, the Kyiv Court of Appeal has conducted the School of Court Journalism for students at four universities. In September 2017, the Kyiv School of Economics and Vox Ukraine established the Center for Economic Journalism, mixing online and live courses, research, and discussions. In the fall, DW Akademie held a 12-day school of economic journalism.

The market for printing facilities is fully demonopolized and apolitical. A panelist said firms selling television equipment are characterized by high prices and limited selection. However, on the

distribution side, Ukrposhta remains a monopoly and regularly raises tariffs for distribution of media, delays payments, and offers disadvantageous contracts to media. Print outlets and their trade groups engage in a process of negotiation to curb postal rate increases and secure better service. Ukrposhta regularly claims losses on press delivery and tries to shed these services.

Two monopolies control broadcasting transmission: state-owned Concern RRT (Concern of Radio Broadcasting, Radio Connection, and Television) for the analog signal and private Zeonbud for digital. This creates a burden for broadcasters, who have no alternative but to pay high, nontransparent fees to both. Ukraine is overdue to fully switch to digital television, but has not for two reasons, which are, according to one panelist, the war and Zeonbud, which for years has been tied up in legal, regulatory, and legislative battles over its monopoly status and handling of certain channels. One panelist said the large question of the future role of RRT Concern remains unsolved; transforming it into a second digital provider has been discussed but not concretely pursued.

Ownership groups for 1+1 and Inter opposed turning off analog in 2017 as scheduled, saying that as many as 170 more transmitters were needed to provide full coverage. They said the T2 signal in western Ukraine reached only 50 to 60 percent of the population. The National Council now proposes turning off analog broadcasting in one pilot region in March 2018 and completing the switchover in phases by mid-2019, when Zeonbud is supposed to expand the first multiplex of eight channels to an additional 47 cities.

Panelists said the telecommunications infrastructure continues to develop gradually. Three apolitical operators dominate the mobile market:

Vodafone Ukraine, Kyivstar, and Lifecell. Digital gaps arising from incomplete 3G coverage and ineffective distribution of frequencies among 3G operators is only now being corrected, one panelist said. The 4G and 5G networks are slated to start operating in the first half of 2018.

Internet penetration at the end of 2017 amounted to 63 percent of Ukrainians over the age of 15, according to Factum Group research. There was an urban-rural gap with 52 percent of rural inhabitants using the Internet and 73 percent in cities with populations above 100,000 using it. Online advertising consultancy Gemius's June 2017 survey pegged nationwide Internet use at 22 million people. Nineteen million surf using PCs or notebooks, 2.6 million with tablets, and 10 million with mobile phones. Speedtest's Global Index ranks Ukraine 109th out of 122 countries in mobile Internet speed: 8.46 Mbit/s during downloads and 2.39 Mbit/s for upload. Ukraine rates much better in broadband speed: 39th place at 34.2 Mbit/s download and 33.64 Mbit/s upload.

The panel discussion was convened on November 27, 2017.



CENTRAL ASIA

KAZAKHSTAN



**MEDIA
SUSTAINABILITY
INDEX**

2018

Tracking Development
of Sustainable
Independent Media
Around the World



IREX

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AT A GLANCE

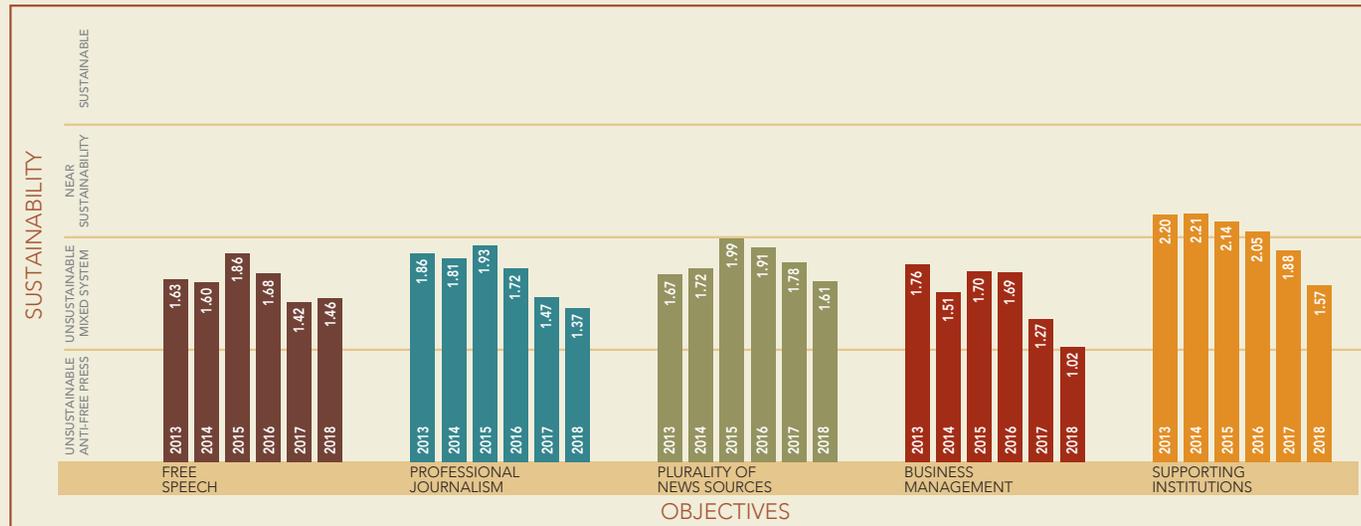
GENERAL

- **Population:** 17,994,200 (May 2017, Committee on Statistics, Ministry of National Economy of Kazakhstan, stat.gov.kz)
- **Capital city:** Astana
- **Ethnic groups (% of population):** Kazakh (Qazaq) 66%, Russian 21%, Uzbek 3%, Ukrainian 1.6%, Uighur 1.4%, other 7% (2015 est., Committee on Statistics, Ministry of National Economy of Kazakhstan, stat.gov.kz)
- **Religions (% of population):** Muslim 70%, Christian 26% (mainly Russian Orthodox), other 0.6% (Committee for Religious Affairs, Ministry of Culture and Sport)
- **Languages:** Kazakh (state language) 64.4%, Russian (official, used in everyday business) 95% (2001 est., *CIA World Factbook*)
- **GNI (2015-Atlas):** \$196.8 billion (World Bank Development Indicators, 2015)
- **GNI per capita (2014-PPP):** \$21,710 (World Bank Development Indicators, 2015)
- **Literacy rate:** 99.7% (male 99.8%, female 99.7%) (2009 est., *CIA World Factbook*)
- **President or top authority:** President Nursultan Abishuly Nazarbayev (since December 1, 1991)

MEDIA-SPECIFIC

- **Number of active print outlets, radio stations, television stations:** Print Outlets: 1,156 newspapers, 1,169 magazines; Radio Stations: 61; Television Stations: 108; Cable Operators: 108; Satellite Operators: 8 (Ministry of Information and Communications, 2016)
- **Newspaper circulation statistics:** Top four, by circulation: *Karavan* and *Karavan-Class* (partly private, weekly), circulation 500,000 combined; *Yegemen Qazaqstan* (state; in Kazakh, five times weekly), circulation 201,750; *Kazakhstanskaya Pravda* (state; in Russian, five times weekly), circulation 100,000; *Ekspress-K* (partly private; in Russian, five times weekly), circulation 100,000
- **Broadcast ratings:** Top four: 1 Channel Eurasia, NTK, KTK, 31 Channel (<http://www.tns-global.kz>)
- **News agencies:** 41 news agencies, most-used include Kazakhstan Today, KazInform, Bnews, Business Resource, Interfax-Kazakhstan (Ministry of Information and Communications)
- **Annual advertising revenue in media sector:** Advertising agency statements vary widely. Estimated annual revenue in media is \$154 million, distributed as follows: television 67%, radio 12%, print 10%, Internet 5%, outdoors 6% (TNS Kazakhstan)
- **Internet usage:** 71% (TNS Web Index)

MEDIA SUSTAINABILITY INDEX: KAZAKHSTAN



SCORE KEY

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.



Four out of the five objectives scores decreased this year, affecting Kazakhstan's overall score by dropping it to 1.41 from last year's score of 1.56. Objective 1 which measures freedom of speech was the only objective that increased, due to changes to the Law on the Media. Lack of qualified managers and limited funding streams that are exacerbated by poor economic conditions keeps business management as the lowest scoring objective at 1.02.

More than four million people from over 150 countries visited Kazakhstan in 2017 for the international EXPO exhibition, which focused on the future of energy and pioneering energy solutions—the largest event in the country's history, at a cost of \$2 billion. Additional visitors came for the 28th Winter Universiade, the country's first multi-sporting event. Kazakhstan also hosted several rounds of talks on the Syrian conflict, drawing diplomats, politicians, and armed opposition groups to the country.

Early in the year, President Nursultan Abishuly Nazarbayev announced a constitutional reform that redistributed power between the branches of authority. Parliament acquired additional powers; the prime minister, in conjunction with parliament, will make proposals on the structure and composition of the government, except for the Ministers of Defense and Foreign Affairs, who will be appointed by the head of state.

Other key events included a border dispute and war of words with neighboring Kyrgyzstan that broke out in the summer, causing civil unrest. In the fall, miners, demanding higher pay, went on strike, refusing to emerge from an underground mine in Karaganda. People only heard about the incident

through social networks and independent media, while official publications remained silent.

Amendments to the media law, initiated by the Ministry of Information and Communications, dominated the media sphere during the year. Several of the measures significantly curbed the freedom of speech of the media and citizens, prompting media NGOs to send letters of protest to parliament, the Ministry of Information, and the country's president. Following active discussion in civil society circles, several aspects of the amendments were softened, and several new elements were introduced. Additionally, the authority to manage all communication networks (as well as to block websites) has been transferred from the jurisdiction of the Ministry of Information and Communications to the Committee for National Security. During the year, a draft law also emerged on the protection of children from harmful information; it is still under discussion and development.

At the end of the year, Seytkazy Matayev, chair of the union of journalists, was released early from prison—but his son remains in jail. They were both sentenced in 2016 on charges of tax fraud and embezzlement of state funds—charges Matayev said were retaliatory for his work supporting press freedom.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

1.46

Amendments to the Law on the Media proved to be the media sphere’s main event of 2017. During the year, NGO and media representatives and social activists discussed the Ministry of Information and Communication’s proposals for change—some positive, some negative. Among the positives was a relaxation of the media’s administrative responsibility for either non-reporting or unclear reporting of production material, such as output data, circulation, and identification of the editor and editorial office. Whereas before, a publication would be threatened with closure, now they would receive a warning first, followed by a fine for subsequent violations.

For the first time, the law now lists the conditions that absolve journalists from needing permission to publish someone’s image: photographs taken at public events; photos of people carrying out official duties; or if “the image of the person portrayed is used in order to protect the constitutional order, public safety, human rights and freedoms, or public health and morals.”

The new law also prohibits the publication of photographs, videos, or any identifying information about children who have been affected by violence or are suspected of committing crimes. This applies not only to the media, but also to telecommunication networks such as messaging services. Also during 2017, a law to protect children from harmful information was under development. The main points of this law are to introduce age-markers on information production and to create Internet “whitelists,” aimed at restricting children’s access to only certain resources approved and authorized

by the government (approximately 3,000). At the moment, however, the law is still under consideration in parliament, looking to be adopted in mid-2018.

The law also contains some very contentious rules, which provoked vigorous public discussion, such as the obligation for Internet users to enter into an agreement with site owners when publishing any information. The requirement for the media to publish a refutation in cases where they lack proof (previously, a refutation was published only by court decision) also stirred controversy, along with the change in the procedure and timing for the provision of information. Whereas before, the authorities had to answer journalists’ requests within three days, now they have up to seven days for many types of requests. Finally, the law stipulates that journalists must obtain permission before publishing personal information about someone. The journalism community believes that this could essentially put an end to investigative journalism, since it will not be possible to publish information about people suspected of corruption.

According to Gulmira Birzhanova, a media lawyer at the Legal Media Center in Astana, there are arguments that the law is outdated and that Kazakhstan needs a new law on the media. The Minister of Information himself suggested that in 2018 the ministry might initiate the adoption of a new law on mass communications. Despite this, the amendments were rapidly adopted. Society reacted with sharp disapproval, with many calling it the end of Kazakhstani journalism.

However, Olga Kolokolova, editor in chief of *Nasha Gazeta*, is convinced that freedom of speech and freedom of the press are not valued in society: “At this stage, the influence of the media on public sentiment is in decline. People prefer to rely on information distributed through social networks, rather than professional journalism materials. And this is a growing trend.”

The “Cyber Shield” cyber security project, which envisions introducing changes to 40 laws, has also received government approval. A special unit has been set up under the Ministry of Defense and Aerospace Industry to deal with issues of digital security.

There are no changes in terms of licensing and registration. As before, print media need to be registered via a process transferred in mid-2017 to the regional Population Service Centers and made primarily electronic. Electronic media need a license, which is issued by a special commission of the Ministry of Information and Communications.

Legal and social norms protect and promote free speech and access to public information.

FREE-SPEECH INDICATORS

- ▶ Legal and social protections of free speech exist and are enforced.
- ▶ Licensing of broadcast media is fair, competitive, and apolitical.
- ▶ Market entry and tax structure for media are fair and comparable to other industries.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- ▶ Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- ▶ Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

KAZAKHSTAN

Registration is not required for Internet resources, except for online publications.

As before, there are no taxation benefits, and foreign ownership is restricted to 20 percent shares—which significantly hinders the development of the media industry. According to Tulegen Askarov, president of BIZ-Media, “The media market in Kazakhstan does not develop normally, as the conditions of its activities are significantly distorted by the state, which controls directly or indirectly electronic media which are loyal to it—providing them with both financial and other support.” In the print media market, the authorities continue to create unfair competition, supporting the state press through compulsory subscriptions to official publications. In addition to direct state control and state-commissioned information, the authorities use oligarchic private structures and the financial resources of national companies and state-run enterprises to control the media market. At the regional level, the situation has somewhat improved as a result of the privatization of regional media.

According to the Adil Soz Foundation, six attacks on journalists were recorded in 2017. In March 2017, unknown assailants beat a camera operator and broke his cameras at the funeral of a man who took someone hostage in Aktobe before being killed by the police.¹ In April 2017, guards staged a scuffle with journalists at a concert by Dimash Kudaibergen in Astana. On November 3, 2017, journalists from several publications covering a special operation to detain particularly dangerous criminals in Almaty reported being threatened by

people in plainclothes, and there was no action on the part of the police.²

At the beginning of the year, Bigelda Gabdullin, editor-in-chief of *Central Asia Monitor* and director of the Radiotochka website, was sentenced to five years of “limited freedom” on charges of extortion. The prosecution claimed that he demanded government procurement contracts from state officials for his publication—or threatened to publish impartial information.

Mikhail Dorofeev, editor in chief of informburo.kz, observed: “The status of journalists is not fully defined, society does not fully understand their role, the essence of their work, and the media is losing the audience’s confidence. At the same time, there has been increasing pressure on journalists—not by the state, government, or on the part of officials—but by businesspeople, public figures, and ordinary citizens.”

On September 7, Zhanbolat Mamay, editor in chief of *Sayasi kalam/Tribuna*, was convicted of “legalization of money or other property acquired illegally” and sentenced to three years of “limited freedom” and prohibited from engaging in journalism activities.

In November, Matayev, who was accused of embezzling state funds a year earlier, was released on parole.

In all three cases, international journalism advocacy organizations claimed the charges were trumped up and designed to stifle independent voices in the media.

The websites ratel.kz and forbes.kz forfeited KZT 50 million (\$155,250) to the entrepreneurial Kakimazhanov brothers (in a claim for protection of honor, dignity, and business reputation). The court sat in closed session and also prohibited the media from covering the process or commenting about it in social networks.

According to information from Gulnar Assanbayeva, an independent media expert, many publications (*Infoburo, Vlast*) have already removed comment sections from their sites for fear of prosecution stemming from comments placed by readers, trolls, or anonymous commentators. “The media in Kazakhstan are deprived of the possibility of interactive communication with the audience,” she said.

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Despite declared editorial independence, media materials are removed (most commonly redacted from informational sites) after a phone call, or journalists are required to disclose their information source, as happened to the newspaper portal *Uralskaya Nedelya* over a report about a major accident.³

1 “The cameraman was beaten at the funeral of a man who took a hostage in Aktobe.” March 17, 2017. Tengri News. Accessed March 15, 2018: <https://tengrinews.kz/crime/teleoperatora-izbili-pohoronah-mujchinyi-zahvativshego-314359/>

2 “The Prosecutor General’s Office reacted to reports of journalists about an attack during a special operation in Almaty.” November 13, 2017. InAlmaty.kz. Accessed March 15, 2008: <https://www.inalmaty.kz/news/1858637>

3 “Journalist: police ask ‘Ural Week’ to reveal the source of information.” April 4, 2017. Radio Azzatik. Accessed March 15, 2008: <https://rus.azattyq.org/a/28409259.html>

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According to Assanbayeva, authorities suppressed coverage of the scale of damage caused by spring flooding. In particular, materials and videos shot by Kostanay bloggers and journalists were subsequently blocked on the Internet, and Akimat (local executive body) representatives held explanatory discussions with some of the authors. Police and rural Akimat officials blocked road access by journalists of the Karaganda public Internet television, 101.tv. Roskomnadzor (Federal Supervision Agency for Information Technologies and Communications) demanded that journalists from the media company Rika TV delete material from the website www.rikatv.kz concerning a man who poured gasoline over himself during a failed attempt to enter the ROVD (Regional Department of Internal Affairs) building.

The difficult situation surrounding criminal liability for libel and insult remains unchanged. According to the Adil Soz Foundation, in 2017 some 61 charges were brought forth under this statute, leading to guilty verdicts in five cases. An accusation of spreading information of a “slandorous nature that defamed the honor and dignity of Batua company founder, Nurlan Biyadilov, and damaged his business” resulted in Aidyn Yegeubayev being sentenced to two years of “restricted freedom.”

The use of Article 174 (“the incitement of religious, national, social, class, and intergenerational strife”) also became more prevalent last year. According to the Legal Media Center, in 2017, 37 people were convicted under this article, of whom 15 were given an actual prison sentence. A notable case was that of Teymur Akhmedov, a representative of Jehovah’s Witnesses, who was sentenced to five years of restricted freedom for “exalting his religion over others.” At the end of the year, an Almaty court acquitted four users of the social networks Facebook and VKontakt who had discussed rumors

about the ethnic conflict through the messaging site WhatsApp. According to Birzhanova, there are virtually no acquittals under this article, and the majority of cases involve Internet users. None of these verdicts are published and cannot be found in official sources.

Access to information is another area in which constitutional guarantees are hampered by poor quality legislation, lack of appropriate institutions, and officials who do not have responsibility for violating or limiting the right of access to information. The problems can also be attributed to the reluctance of government agencies and the quasi-governmental sector, or other private owners of information, to implement systemic changes in this sphere to convert the culture of secrecy and inaccessibility to a culture of openness, transparency, and accountability.

At the end of the year, the Legal Media Center sued the Ministry of Information and Communications for refusing to provide the media with information on the recipients of government money. The minister issued an order restricting this information, saying the documents were for official use only. Shortly thereafter, the court rejected the claim, stating that “the rights of the plaintiff were not infringed,” and that if the information were to be divulged, it would infringe on the interests and rights of others.

At the same time, the website ratel.kz managed in court to obtain information from an Akimat about agricultural subsidies. The information was posted on the Akimat’s official website.

Kolokolova said that officials have developed an ideal method for ignoring journalists: not answer requests at first, not answer them in full, and forward them from one department to the next. When material does emerge that touches on a really painful topic: do not raise a scandal, do not

demand a retraction, but simply drown it in silence. As a result, the more socially active citizens are indignant, but they are a minority. Since nothing at all happens, any outcry simply fades away in such a sterile environment. According to Ashat Erkimbay, head of the NGO Minber, the conflict with foreign workers in Astana showed that official comments flow only after people start actively to discuss the subject online.

Formally, access to foreign sources of information is not limited in any way. If they have language skills, journalists can use various news sites. However, last year, the state’s policy toward Kazakhstan’s Internet space toughened. Access to social networks, messaging sites, and YouTube is regularly restricted, usually coinciding with Internet appearances by disgraced businessman Mukhtar Ablyazov. A government decision by the office of the prime minister transferred two state agencies, the Center for Technical Protection of Information and the Center for Qualification and Advanced Training of Specialists in Information Security, to the KNB (National Security Committee).

Journalists also report problems with access to courtrooms and official institutions. For example, journalists in Shymkent were not allowed to attend a court hearing on a bribed judge; in Aktobe, journalists were not allowed to attend a court session on the year-end results. Media access during the Karaganda region miners’ strike in December 2017 was partially restricted as well.

Entry into the journalism profession remains free and is not restricted by any licensing requirements, or need for examined qualifications, etc. However, unpublished blacklists still exist that limit access to state media for a number of opposition media journalists.

**OBJECTIVE 2:
PROFESSIONAL
JOURNALISM**

1.37

Journalism in Kazakhstan is developing under difficult conditions. On the one hand, strict requirements and restrictions, including legislation, feed the growth of self-censorship. On the other hand, effective self-regulatory mechanisms for the journalism community have not been created. There is no effective ethical code, nor are there universal mandatory professional standards or rules. All disputes are resolved in the courts and often not in favor of journalists.

Quality print outlets and television channels try to observe basic professional principles: checking information from different sources, allowing both sides in a conflict to be heard in their reporting, and inviting experts to discuss the issue. However, as Kolokolova said, not everyone does this: “The problem is that state-commissioned journalism in Kazakhstan focuses not on clarifying the true state of affairs, but on complying with the commissioning body. I personally encountered this practice in receiving a request for a commissioned piece—an article required urgently on the development of the official language, the immigration policy of the state, etc., and to be shown strictly in a positive light. And the justification: It’s a government request.”

Sponsored news reporting in the media remains high, especially on television and radio, where paid-for releases appear in news reports, as well as in online media and social networks. On social networks, brand ambassadors are actively promoting consumer goods and services, and large numbers of bloggers cover events for direct monetary payment and for bartering rights.

A number of advertising agencies that previously worked mainly with traditional media now work with bloggers or are independently active in messaging services, using their own staff bloggers.

Shavkat Sabirov, president of the Internet Association of Kazakhstan, feels certain that the use of new technologies and media is resulting in journalism taking on the format of blogger broadcasting. Journalism standards have descended to the point that many journalists limit themselves to the press releases of official bodies, according to journalist Ascar Aktleouv.

Olga Kaplina, director of e-event.kz, added that the unprofessionalism of journalists and their drive to grow their audience leads to the appearance of unreliable, click-bait headlines. One example, an article about young Kazakhstanis’ desire to emigrate, appeared on the web portal Kursiv. The piece drew on research data from the Ebert Foundation that found 10 percent of respondents wanted to leave the country, out of which 54 percent wanted to immigrate to Russia. However, the material was released under the headline “54 Percent of Young Kazakhstanis Want to Move to Russia.” Journalists from other media noticed the error and, through the closed Journalists of Kazakhstan Facebook group, they asked the editors to change the headline. The request provoked much discussion around the fact that such headlines seem designed to attract an audience and increase website traffic. Only under pressure from the journalism community was the headline changed.

Government officials got involved in journalistic ethics in the past year as well. In her Eurasian Media Forum speech, a senate deputy, Dariga Nazarbayeva, proposed an oath for journalists. The Minister of Information, Dauren Abayev, personally undertook an explanation of journalistic ethics, recording a special video presentation about the law coming into effect, On Mass Media. However, such top-down

efforts to regulate ethics have not enjoyed any success. Abayev, remembering a terrorist situation in Almaty when a lone shooter annihilated several people in a matter of moments, pointed a finger at the media: “In a matter of minutes following the start of a criminal act, a huge number of rumors erupted. Some media organizations succumbed to these rumors and published unverified information, provoking panic.”⁴ It is obvious that the first preventive factor to counter the appearance of rumors should have been information from the emergency situation committee about actual events in Almaty. But therein lies the problem: The silence

⁴ “Principles of journalistic ethics will serve as a guide for the entire industry: Dauren Abaev.” September 27, 2017. Kazinform.kz. Accessed March 15, 2018: http://www.kazinform.kz/ru/principy-zhurnalistskoy-etiki-posluzhat-ori-entrom-dlya-vsey-otrasli-dauren-abaev_a3069286

Journalism meets professional standards of quality.
PROFESSIONAL JOURNALISM INDICATORS

- ▶ Reporting is fair, objective, and well sourced.
- ▶ Journalists follow recognized and accepted ethical standards.
- ▶ Journalists and editors do not practice self-censorship.
- ▶ Journalists cover key events and issues.
- ▶ Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- ▶ Entertainment programming does not eclipse news and information programming.
- ▶ Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- ▶ Quality niche reporting and programming exists (investigative, economics/business, local, political).

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of Akimat officials was the precise reason for the rumors and panic.

According to Kolokolova, ethical standards are blurred by a false understanding of the essence of journalism, which is increasingly viewed as an institution that serves not the interests of society, but power; there are a few publications, she said, “where the advertising department is clearly separated from the editorial, and where journalists do not go in search of advertising, and, in the extremely rare

“The problem is that state-commissioned journalism in Kazakhstan focuses not on clarifying the true state of affairs, but on complying with the commissioning body. I personally encountered this practice in receiving a request for a commissioned piece—an article required urgently on the development of the official language, the immigration policy of the state, etc., and to be shown strictly in a positive light. And the justification: It’s a government request.”

case of being given a paid-for job to write an article, they merely receive a standard fee. ...Naturally, the article is always marked as advertising. It is not done to receive so-called holiday money from agencies, unless it is being given as the reward for winning a competition. But this is rather an exception to the rule. Hidden advertising, made-to-order materials, rewards from interested agencies—these are all part of today’s typical practice.”

Journalists work less and less with traditional information sources and increasingly rely on social networks, which results in a narrowing of the information field.

Dorofeev agrees that the situation in the regions is awful. However, he is encouraged by the fact that more and more editors recognize the unacceptably low ethical bar and are trying to raise it, and by the fact that the professional community periodically works to strengthen ethical standards (for example, right now the Kazakhstani Media Alliance is updating its ethics code).

The popular blogger Erlan Rashev, who for a long time borrowed others’ texts and published them under his own authorship, represents one striking example of plagiarism. Despite the swift condemnation and outrage of the Internet community, Rashev persists.⁵

Dorofeev, however, said that “self-censorship is the scourge of Kazakhstan’s journalism.” As often as not, it exists not just at the editorial level, but also inside the mind of every single journalist, photographer, and video operator. As a rule, it is based on an exaggerated understanding of the danger of repression, threatened if you publish “something not quite right.” However, some media are actively fighting self-censorship—successfully, in some cases.

Erkimbai believes that in both traditional and new media, there are still some taboo topics, such as inter-ethnic issues that could threaten public order. Journalists are also afraid to write about religious topics. Self-censorship is also found in online media. Popular bloggers often request that no negative comments be made under their posts, or they simply delete them.

Kolokolova is sure that many media do not regard the concept of “self-censorship” negatively. Journalists perceive it, rather, as a kind

of self-discipline. This explains why many media voluntarily limit themselves in the range of topics covered.

Journalists do not cover all major events and topics in the country. Even when certain issues show staying power on social networks, the country’s official channels simply stay silent—as seen during a large miners’ strike in Kazakhstan last year. For the first days, the pro-government media did not release any material whatsoever on the topic; only independent publications mentioned it.

All media are subject to pressure from the authorities, but local media receive slightly more freedom than national media in their coverage of national-level events. Kazakh-language media are freer than the media reporting in Russian—though they tend to self-censor more. The freest of all are small-circulation Internet media and social networks, excluding bloggers.

According to the panelists, the media are biased and generally lack objectivity. This may be connected with editorial policy, pressure from business influences or the government (a shining example being the miners’ strike), or due to journalists’ low levels of education and professionalism. Some journalists simply lack the imagination to consider there might be other viewpoints in a given story—or they believe that one article should express one party’s side of a conflict, and if the other party turns up, then let them have their turn. This attitude is mainly found in the Internet media and social networks but is a shortcoming across all media in the country.

Kaplina believes that inter-ethnic relations are still a very controversial topic and that as a result, related stories are not usually aired on television. For example, Internet media covered the conflict between Indian workers and Kazakh citizens that occurred in Astana, but there was no television coverage, either

5 “Why does Rashev steal someone else’s texts?” May 27, 2017. Matritca.kz. Accessed March 15, 2018: <http://www.matritca.kz/news/44410-zachem-rashev-voruet-chuzhie-teksty.html>

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on state or private television channels. Bloggers posted video footage on the Internet.

Journalists are not highly compensated for their work; the average salary of a journalist is \$150–300 a month. The difference in pay between television and Internet media workers has all but leveled out, with those in the state media being paid less than those in private media, and those in the regions far less than their counterparts in Astana and Almaty. State media employees receive quarterly awards and a thirteenth-month bonus payment. There is a steady flow of journalists from the media into public relations or production.

According to Olga Didenko, a media lawyer with Internews Kazakhstan, legislative restrictions hamper the thematic diversity of local media content. Entertainment content tends to dominate. When the media do publish articles on political or socially important topics, the quality is low. Kaplina said that in 2017, due to a shortfall in advertising budgets, the media were forced to reduce entertainment programming, devoting more attention to information programs with lower production costs. Television channels KTK, Khabar, and Astana, for example, expanded their information programming. Some new regional websites also appeared, in Balkhash and Semey.

The media have no difficulty with Internet access, and they are equipped with modern and effective equipment for collecting information, as well as producing and distributing news—but not all workers are familiar with the new technology. Pro-government media that receive state-commissioned procurements are able to acquire the latest technology, but independent media organizations face a slower process.

Nominally, economic, environmental, and medical journalism are developing in Kazakhstan. However, during complex situations, such as the

miners' strike, no media provided an economic analysis of the situation; everything was presented as a social problem.

Askarov said that there is virtually no specialized journalism in the regions. Investigative journalism is hampered by a lack of interest from media managers, who know it demands a considerable time investment—which is expensive in terms of labor cost and staffing levels for editors.

It is not surprising, then, that media anti-corruption investigations are practically nonexistent, said Didenko. This stems from several factors: first, legislative restrictions (criminal liability for defamation, insults, and similar content; unlimited deadline periods in cases of protection of personal nonproperty rights; etc.); second, the judicial track record of taking investigative journalists to trial and most often finding them guilty.

Assanbayeva said that many topical issues are reported incompetently—for example, matters relating to developments in science or higher education. There are no journalists specializing in the digital economy. In particular, articles about blockchain technology or cryptocurrencies—issues already facing the banking sector and the entire financial system of the country—are written in highly technical language that fails to capture readers' attention, doing little to facilitate understanding of these new economic phenomena.

Finally, the panelists commented that ethical standards are not observed in the coverage of contemporary religious trends.

OBJECTIVE 3: PLURALITY OF NEWS

1.61

According to data from the Ministry of Information and Communications, there are 2,973 media outlets operating in Kazakhstan; 84 percent are print, nearly nine percent are electronic, and about seven percent are news agencies.

For many years now in Kazakhstan, there have been only private or state media. The Law on Mass Media does not include provisions for creating public media, so they continue to be nonexistent; according to the Ministry of Information and Communications, over 80 percent of media in Kazakhstan are privately owned. However, almost all receive state funding, which significantly undermines their independence. This creates an imbalance and reduces the number of sources of information and news for the population. As a result, the audience is fed homogenous content, in which there is no pluralism of points of view on socially important issues.

The trend toward the displacement of traditional (print and broadcast) media from the market continued as a result of the rapid development of broadband and mobile Internet access. As the popularity of social networks grows, so too does their leaders' influence on society. The strengthening of the ruble against the tenge played a significant role, leading to a further increase in press costs, which depends on paper supplied from Russia. The expenses of cable networks paying for the content of Russian television channels also increased, which led to a temporary cessation of broadcasting by some of them. The redistribution of advertising budgets in favor of "new" online media and bloggers also continued.

The circulations of national print publications

Multiple news sources provide citizens with reliable and objective news.

- PLURALITY OF NEWS SOURCES INDICATORS**
- ▶ A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
 - ▶ Independent broadcast media produce their own news programs.
 - ▶ Citizens' access to domestic or international media is not restricted.
 - ▶ Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
 - ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
 - ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
 - ▶ Independent news agencies gather and distribute news for print and broadcast media.
 - ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

continue to decline, as the system designed to sell publications through a network of kiosks and other distributors has nearly collapsed. Efforts to sell issues through the Magnum supermarket chain in Almaty have yet to yield tangible results. The trend away from publishing local versions of leading Russian newspapers and magazines continues.

In general, people receive information mainly from the Internet. There are publications with alternative points of view, but they are small in number and are primarily Internet publications, such as Ratel.kz and Radio Azzatik. At a local level, *Nasha Gazeta* provides a platform for alternative opinions in the Kostanay region. Similarly, in Uralsk, there is *Uralskaya Nedelya*, and in Aktobe, *The Diapazon*.

Customers determine the reliability and objectivity of information independently on the basis of their own interest in a topic being reported. "The objectivity of materials in the state media is very low, because government-sponsored orders dictate coverage of 'necessary' news," and from the expected perspective as well, said Assel Dzhanaeva. For example, Kazakh media coverage of the information war over accusations made by former President Atambayev against Kazakhstan—of election interference in a neighboring country—was rather scant and muted, relying exclusively on the official version of events. The true border situation and scale of the war could be judged only by Facebook posts.

The Kazakh-speaking audience prefers to obtain its news from VKontakt, Facebook, and YouTube, especially in the remote regions, where newspapers are delivered rarely and irregularly.

More and more citizens receive and disseminate information via messaging services, such as WhatsApp, Telegram, and Viber. According to Kolokolova, this is not encouraging, because "the Internet has practically gobbled up paper and television, and social networks are devouring websites." As a consequence, consumers of news understand less and less precisely what kind of news they are reading, and who owns it. This means they do not know whether it is fake or who is behind the specific news, which is important for their critical evaluation, given the situation regarding objectivity of information. In the past year, instant messaging services were actively used for mailing fake news, at both national and regional levels.

Every now and again, the authorities block websites of both domestic and international media. For example, in January 2017, access to Lada.kz was restricted, and appeals to the prosecutor's office to lift the restrictions failed. In February 2017, the site was blocked. The websites Medusa and

Klopp remain inaccessible in Kazakhstan, as before. Access to social websites is restricted during video broadcasts by disgraced businessman Abyazov.

According to Birzhanova, the human rights organization website www.lmc.kz fell victim to a hacking attack, most likely due to the fact that the site provides information on which media receive funding and to what extent.

There is access to foreign channels, but according to Dorofeev, language barriers are an issue for some, the choice of channels is limited, and neither consumers nor the authorities are making any noticeable efforts to expand the offerings. The online journal Vlast.kz supports permanent communication with international media, and its council of experts includes journalists and specialists from Russia, the United States, Kyrgyzstan, and Armenia.

In December 2017, several Russian television channels from the NTV and REN TV groups vanished from some cable operators' channel lists. Increased licensing costs forced the operators to cease rebroadcasting.

State-run media unequivocally serve the government and the authorities, reflecting reality in an extremely biased way. At the same time, editors and journalists of state publications often believe that by serving the government, they are fulfilling their duty. The situation is not particularly different in the private media, which receive money from the government through e-procurements. There is simply no place for opposition in such press. Moreover, the opposition itself in Kazakhstan is extremely weak and does not provide special news opportunities.

The problem is also aggravated by the fact that discussion between representatives of state bodies is extremely rare. Appealing to the public, even in the course of discussing initiatives and decisions that are vital for the population, does not occur, as

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it might cost an official their job. The ethical code of a state employee in Kazakhstan explicitly prohibits public expression of an opinion on public policy or official activities if it does not comply with state policy. The circle of independent experts is limited, especially in the regions; therefore, the media face great problems in preparing materials related to the discussion of socially significant decisions. Thus, Kazakhstani media publish quality reports about events taking place in foreign countries but are cautious in their analysis of local events.

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News agencies work with all media. The most popular sources of domestic news are Interfax and KazTAG, while Reuters and AFP’s television channel are popular for international news. However, there is a barrier associated with the high cost of subscribing to the feeds of international news agencies, though some agencies provide news for free. According to Kolokolova, there are no exclusive materials in the news agencies; the same news is always presented on all the major information portals.

Almost every major media operator has the capability to produce its own news items; even recognized aggregators (Nur.kz, Zakon.kz) create their own versions of news. Of the major television channels, only television’s Channel 7 has no

news, since it refuses to air public and political broadcasts. Notably, even television Channel 31, with a Russian-media shareholder—the same group that owns the STS channel, which is known for developing exclusively light entertainment television—has its own news production. Due to labor restrictions and limited funding, the mass media often aggregate news from other resources when it is related to international events, conflict zones, or events in hard-to-reach places.

Nothing prevents the local media from publishing international and general nationwide news. The volume of reports and their direction are determined by the internal editorial policy. Naturally, local media give preference to local news, endeavoring to select international news in terms of its degree of special importance and particular interest for readers in the given region. Private media are divisible into those that produce their own content, including news, and those who survive on digests, reposts and relaying foreign broadcasts. The latter are becoming increasingly scarce.

The media ownership structure remains opaque. There are few joint stock companies, and media company shares are not quoted on the Kazakhstan Stock Exchange and do not appear on the debt capital market. There are some exceptions (e.g., media assets of *Verny Capital*), but that does not change the overall situation. Commercial bodies own media indirectly, through funds and public organizations, or through nominal fronts. There is little foreign capital in the media market, as its participation is limited by legislation (no more than 20 percent ownership of a media outlet is allowed).

An article on media ownership in May 2017 surprised everyone by naming mass media owners who were completely unknown—not only to media

consumers but even to those within the industry itself.⁶

OBJECTIVE 4: BUSINESS MANAGEMENT

1.02

The main hindrances to media industry development include a lack of funding for infrastructure projects (such as in the transition to digital terrestrial broadcasting and the retail distribution structure of the press); unfair competition and concentration of media resources by the state; legislative restrictions on media business investments; a lack of supportive measures for those media that experience difficulties in their activities due to economic circumstances; and a lack of research and accurate measuring in the media industry.

Traditionally, Kazakhstan’s media emerged as instruments of influence, not business projects. However, several media have appeared recently that position themselves as business ventures (primarily online; The Steppe, for example). At the same time, other media are striving for profitability in order to strengthen financial stability and reduce the cost burden on their founders.

In Kazakhstan, there are few qualified media managers. Often, the editor and publisher are one and the same person. The main qualification for a media manager is to have connections in the power structures; this provides additional sources of

6 Shibutov, Marat and Lyazat Shibutova, “Who really own the media in Kazakhstan.” March 26, 2017. REGNUM. Accessed March 15, 2018: <https://regnum.ru/news/2280402.html>

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income from information services rendered to state bodies, freer access to information, and protection against lawsuits from government departments. In these conditions, political loyalty is valued more than professional knowledge.

One of the main sources of income is financing from the state to support mass media. Subscriptions as a source of media finance are dead and buried, while crowdfunding is not practiced (the example of Vlast.kz in this sense is instructive). According to Dorofeev, the commercial advertising market is underdeveloped in Kazakhstan, with low capacity, and large advertisers and advertising agencies dictate the rules of the game. In addition, global players, such as Google, Facebook, and YouTube, are entering the market and biting off much of the already small advertising pie from the Kazakhstani media.

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS

- ▶ Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- ▶ Media receive revenue from a multitude of sources.
- ▶ Advertising agencies and related industries support an advertising market.
- ▶ Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- ▶ Independent media do not receive government subsidies.
- ▶ Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- ▶ Broadcast ratings and circulation figures are reliably and independently produced.

Flagging advertising revenue, especially at the beginning of the year, made 2017 a very difficult year for the media. The largest regional newspaper, *Ak-Zharyk*, stopped producing a print version. Some media have experienced cuts. In many ways, media processes are not optimized; the staffing levels even in regional media can exceed 100 or more people, which highlights the fact that the media depend heavily on government-sponsored procurement.

According to Select Communication's CEO, the media advertising market in Kazakhstan is only KZT 38 billion (\$118 billion). Of this, just 10 percent relates to digital, while about half of the total digital market belongs to Google and Yandex—with the former's share at around 75–80 percent. Television in Kazakhstan remains the main beneficiary of advertising budgets: about 56 percent of the total media pie.

Askarov believes that in 2017, Kazakhstan's advertising market began to recover from its crisis and estimates that growth could be in the region of 10–12 percent. Television and online resources are poised to benefit from this first, with print media to a much lesser extent. At the same time, a significant part of the advertising business has moved across to bloggers, brand ambassadors, and other recipients of advertising and PR budgets engaged in the online promotion of goods and services. Additionally, many advertisers prefer to go directly to social networks with their own offers (Raimbek, Arba Wine, Alma-Bio, AB Restaurants, hotels, bars, shops, farms, etc.).

In terms of organizational structure, the advertising market in Kazakhstan remains underdeveloped, in contrast with Russia and other more developed countries. Recently, the owners of advertising companies have had to branch out into other businesses; for example, the owner of the communications agency Insight Media announced its involvement in the project Stavni.kz, for the

production and installation of steel blinds.

The amount of advertising (advertising time and volume in print) in the media as a whole is limited. Those media that receive significant public funding run advertising at far lower costs than private media—not because they want to lower market rates for advertising, but rather because of the low rating of the media itself compared with private media. In the regions, advertising agencies are not developed, and each media organization has its own advertising department. Some national radio and television companies have branches. In most cases, however, advertisers turn to advertising departments within the media.

The media advertising market is also subject to numerous restrictions, which have caused a significant decline in advertising revenues over the past few years. Due to legislative restrictions on the advertising of certain products, media ad revenues are constantly shrinking. This forces private media to seek support, which can be provided in only one form: public procurement of information services. Such dependence may entail a change in editorial policy or the loss of editorial autonomy and independence when it comes to selecting topics for publication.

The absence of mechanisms for stable and effective development of media enterprises as businesses leads to a decrease in audience or readership, a reduction in the audience's level of trust in the media, and reduced competitiveness.

Despite the continuing trend of Internet audience growth, Internet advertising sales are weak. The major agencies are focused primarily on large Internet resources. In 2017, a handful of media branched out into new revenue streams: Lada.kz took up advertising on social networks and holding events; otyrar.kz and *Uralskaya Nedelya* conducted surveys. On March 1, there was a presentation by

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the international television channel ID Fashion Kazakhstan, which opened under the aegis of the existing channel Kazakhstan 7 (ERA TV Company).

The domestic media business is adversely affected by the poor economic conditions in Kazakhstan: a weak tenge against the dollar, high inflation, and state information procurement. These factors reduce the effectiveness of media management, dragging down financial performance and journalists' creativity. As a result, in terms of their levels of management, human resources, and in other areas, media companies lag behind government agencies, companies with state participation, and private companies in other industries.

Russian electronic media exert significant influence on the domestic media market, primarily television, and the resources of Rунet. For a brief time, cable networks suspended the transmission of several Russian channels, which resulted in public complaints.

This year, Radio MM Kazakhstan (Radio Media Metrics), an Internet radio station, launched. Television channel Atameken Business Channel became Kazakhstan's first channel to begin regular broadcasting in Russia via the Yamal satellite system, which also covers the entire CIS territory, Eastern Europe, Germany, Italy, Turkey, Mongolia, China, South Africa, and Japan.

In April, information was released about the arrival of the first network communications holding company in Kazakhstan. Dentsu Aegis Network announced it had completed the acquisition of Kazakhstan independent company Fifty Four Media LLC, a key player in the local communications market that occupies a leading position in the field of media planning and purchasing.

State subsidies are still distributed in a closed, nontransparent manner. The problem here is due to several factors: the unaccountability of state-owned

media when spending budget funds; imperfect procurement procedures; and poor data on the effectiveness of the use of budgetary funds by state media. Ten state-owned media received \$120 million; the remaining 70 non-state media received \$75 million. The information ministry declared the information on the latter to be a state secret.

The system of distribution of state procurements improved slightly this year but remains opaque. State funding is now being distributed among the media as payment for projects that the media must present and detail. However, the state-funded media still come under pressure from the government and local authorities.

The absence of mechanisms for stable and effective development of media enterprises as businesses leads to a decrease in audience or readership, a reduction in the audience's level of trust in the media, and reduced competitiveness.

Only online and television media routinely study their audiences: first, using special tools (most commonly Google Analytics); second, via media metrics conducted by Kantar TNS. Marketing research in the form of public opinion polls or focus groups is rarely conducted by the media due to its high cost.

The main indicators of media effectiveness (circulation, audience coverage, number of views, and number of unique users) are usually overstated, without a single universally recognizable tool or metric to provide an objective picture. As a result, newspapers show inflated circulation numbers, and online media use various tools to overstate the number of views. The only exception is television, because there the measurement system has long

been in place and the market as a whole trusts the results, although there are constant doubts about the relevance of such studies.

Impulsive management practices can prevail, as evidenced by the decision not to broadcast advertising on television channel Khabar starting in 2018. As a result, this state-owned channel knowingly excluded itself from the competition.

Television audience measurements in Kazakhstan are conducted by Kantar TNS via people meters, and advertising agencies and advertisers accept the data. Regional media, until recently, could not aspire to large commissions, as there were no data (the number of people meters in the towns precluded gaining representative samples). In fall 2017, with the support of Internews, Kantar TNS undertook an audience study of 7 regional channels, which allowed ratings to be determined for regional nonstate television companies for the first time.

There is no authoritative circulation auditing service for print media, and as a result, their circulation figures are vastly overestimated. Online media routinely massage traffic numbers to attract advertisers, and bloggers similarly cheat. This year, Nur.kz and Gizmeteo.kz announced their withdrawal from the Zero.kz rating service, following in the footsteps of Kolesa.kz, Krisha.kz, Market.kz, and online platform OLX.

The authorities actively use advertising as a means of pressure and incentives. Thus, in managing bids for the placement of information materials (documents, decrees, etc.), they use principles fine-tuned over the years to exclude the undesirable. In particular, bid terms and conditions stipulate the required number of newspaper editions per week (there is only one publication that comes out three times a week). Market research by editors at the local level is extremely rare, especially recently. The most they can afford is a survey of

readers in a focus group. Polls on current topics do appear frequently in newspaper pages and on websites.

**OBJECTIVE 5:
SUPPORTING
INSTITUTIONS**

1.57

The creation of the Kazakhstan Media Alliance marked the biggest change in the realm of supporting institutions. The new organization's leader, Armanzhan Baitassov, identified three primary areas of work: representative functions, work on mediation, and the establishment of horizontal links between mass media. The journalism community met the new organization with some diffidence because of the state's markedly loyal posture toward it and a certain dilution of the conditions for membership. In their statement of intent, the organizers described their aim "to unite the workers of the mass media, publishers, cultural figures, politicians, public bodies, associations, and unions." However, the alliance has yet to deliver any significant results.

The Confederation of Associate Journalists of Kazakhstan, a member of the International Federation of Journalists, also emerged.

Against a backdrop of criminal cases against Matayev, the chair of the union of journalists, and his son Aset Matayev, the union has had to somewhat surrender its role. According to Assanbayeva, "Under pressure from local authorities, regional offices could not openly state their position in relation to the case, the highest-profile case in the history of Kazakhstan journalism."

Despite a long history of attempts, Kazakhstan

has never managed to create an independent trade union. In fact, the journalism community is fragmented and does not have a structure capable of taking on the protection of journalists' interests on an equal footing with the authorities. The situation for bloggers is exactly the same.

The main active business associations—the National Association of Television and Radio Broadcasters and the Association of Internet Providers—continue their work. However, as in previous years, NGOs, including Adil Soz, Legal Media Center, MediaNet, and Journalists in Trouble, proved most active in protecting journalists' rights. Their actions, appearances, open letters, and discussion of legal amendments made the world aware of the plight of arrested journalists and bloggers, and positively influenced the outcome of some court cases. Sometimes, though, the state uses NGOs as a screen: "to hide behind their authority, to legitimize legislation intensifying control over the media," according to Ascar Shomshekov, media manager at Ertis-Media.

However, cooperation between NGOs and universities strengthened. The Legal Media Center, in partnership with UNICEF, rolled out a teaching module on coverage of childhood issues in 10 of the country's universities. The new training guide, "Fact Checking as a Trend of Investigative Journalism: Opportunities and Prospects," was developed in both the Kazakh and Russian languages by the international journalism center MediaNet, with support from the Soros Foundation–Kazakhstan. The guide is being distributed free of charge to mass media workers and journalism students. The Legal Media Center also developed a manual and conducted a very in-demand comprehensive training for journalists on combating hate speech online.

Faced with an acute shortage of qualified personnel, many media industry representatives

complain habitually about feeble journalism education, accusing it of lagging behind market requirements. This year drew heavy commentary from public figures on a proposal to close all of the country's journalism faculties, except the one at Kazakh National University (KazNU).

Dorofeev believes that graduates have not learned the basics of the profession, or the core principles of journalism. They have not been instilled with ethical standards, and they do not understand how the mass media operate, given how media consumption has changed in recent years. With regard to the quality of journalism, one fact speaks volumes: The same professors who train journalism students train those studying PR, under a unified

Supporting institutions function in the professional interests of independent media.

SUPPORTING INSTITUTIONS INDICATORS:

- ▶ Trade associations represent the interests of private media owners and provide member services.
- ▶ Professional associations work to protect journalists' rights.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

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syllabus. In some higher-education establishments, it is even a combined specialty. There is no systemic effort to develop media literacy in schools without journalism programs.

Student media are merely educational versions of state-funded mass media, strictly controlled by the faculty administration. Too few practicing journalists are invited to participate in the training process. Important subjects, such as stylistics and literary editing, are conspicuously absent altogether. Kolokolova is sure that most students have no intention of entering the profession. Low salaries, lack of status in society, and the difficulties involved in mastering the profession adversely affect its popularity.

Assanbayeva feels that quality educational programs can grow and mature only on the basis of comprehensive mutual cooperation between universities and the media industry. Fortunately, new examples of productive cooperative efforts bode well for an improved outlook. ALMAU, a new brand of the International Academy of Business, in close cooperation with the leaders of the Kazakhstani media industry, is preparing to launch a master's degree in media management. In support of this effort, the Isker Media publishing house opened the Media Laboratory, or MediaLab, in September.

Kazakh media also benefited from the translation into Russian of UNESCO's new curricula on journalism. Ten journalism curricula covering the subjects of journalistic data, the basics of media economics (sustainability), inter-cultural dialog, coverage of science and bioethics, security issues for journalists, human trafficking issues, and others should help bring university education closer to meeting actual market needs. The University of Suleiman Demireli also began offering courses in News Literacy and Journalistic Data in the Kazakh language this year.

Many journalism faculties in Kazakhstan are actively seeking to acquire international accreditation, which the panelists hope will lead to more journalism training opportunities.

Short training course opportunities are growing as well. For the most part, they are financed by funds from international NGOs. However, there are also examples of courses provided by governmental or commercial bodies to increase journalists' knowledge on specialized topics (medicine, economics, etc.)—for example, the Unified Pension Deposit Fund (ENPF), whose advisory board includes prominent business journalists, the Fund for State Social Health Insurance, First Credit Bureau, Home Credit Bank of Kazakhstan, Rompetrol, and the Chinese Embassy of Kazakhstan. More and more attention is being paid to the skills of multimedia journalism and work in social media channels.

Kolokolova is sure that most students have no intention of entering the profession. Low salaries, lack of status in society, and the difficulties involved in mastering the profession adversely affect its popularity.

According to Askarov, today's media owners are not interested in specialized journalists but are betting on the concept of "universal journalists" able to cover a variety of topics. The extensive brain drain of personnel from journalism, especially business journalism, to press services and the PR departments of companies, banks, and government agencies continues. Consequently, media staffing capability in general, and business media in particular, is deteriorating, which is driving the transition to a business model without full-service editorial teams.

The infrastructure necessary for mass media resides in both private and public hands. The means of distribution for television and radio signals are in the hands of the state, and key players in the press distribution market—the national companies Kazakhstan Temir Zholy and Kazpochta—belong to the state. Printing houses belong to both private companies and state agencies, while cable operators and Internet providers are private (although the national company Kazakhtelecom owns the network infrastructure). However, the government has influence over all owners of media infrastructure, regardless of the form of ownership. Information technology is well developed, and bandwidth is high. The state does not regulate what tools to use or with which service provider media organizations should cooperate.

In 2017, newspaper kiosks were demolished in Almaty to give the city a new look, which negatively impacted media business.

Despite official claims of near-100 percent Internet penetration, the quality of connections in rural areas is not always strong. The popularity of mobile Internet use has grown significantly and is now the sole outlet for many.

At the end of the year, the government approved a state program called Digital Kazakhstan. It consists of four goals: 1) implementation of a digital Silk Road—the development of a reliable, affordable, high-speed, and secure digital infrastructure; 2) development of creativity in society—focused on increasing the digital literacy of the population and preparing IT specialists; 3) digital transformations in the economic sectors—the widespread introduction of digital technologies to improve the competitiveness of various sectors of the economy; and 4) transition to a proactive state, through improving the government's electronic and mobile systems and optimizing the provision

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of public services. Along those lines, the government's electronic website, e-gov.kz, is gaining popularity. It makes many services available online, including filing requests for information and lodging complaints and appeals. It also provides opportunities to participate in budget and draft legislative discussions.

List of Panel Participants

Olga Didenko, media lawyer, Internews-Kazakhstan, Almaty

Tulegen Askarov, financial journalist, president of business journalism center BIZ-Media

Gulmira Birzhanova, media lawyer, Legal Media Center (NGO), Astana

Ascar Aktleouv, journalist, Aktobe

Ascar Shomshekov, media manager, Ertis-Media, Pavlodar

Shavkat Sabirov, president, Internet Association of Kazakhstan, Almaty

Assel Dzhanabaeva, journalist, obk.kz, factcheck.kz, Almaty

Olga Kolokolova, editor-in-chief, *Nasha Gazeta*, Kostanay

Olga Kaplina, director, e-event.kz

Ashat Erkimbay, head, Minber (NGO)

The following participants submitted a questionnaire but did not attend the panel discussion.

Gulnar Assanbayeva, PhD, KIMEP, teacher, independent media expert, Almaty

Mikhail Dorofeev, editor-in-chief, informburo.kz

Moderator and author

Diana Medvednikova, director, Legal Media Center (NGO), Astana

The panel discussion was convened in Almaty on December 22, 2017.

KYRGYZSTAN



MEDIA SUSTAINABILITY INDEX 2018

Tracking Development
of Sustainable
Independent Media
Around the World



KYRGYZSTAN

AT A GLANCE

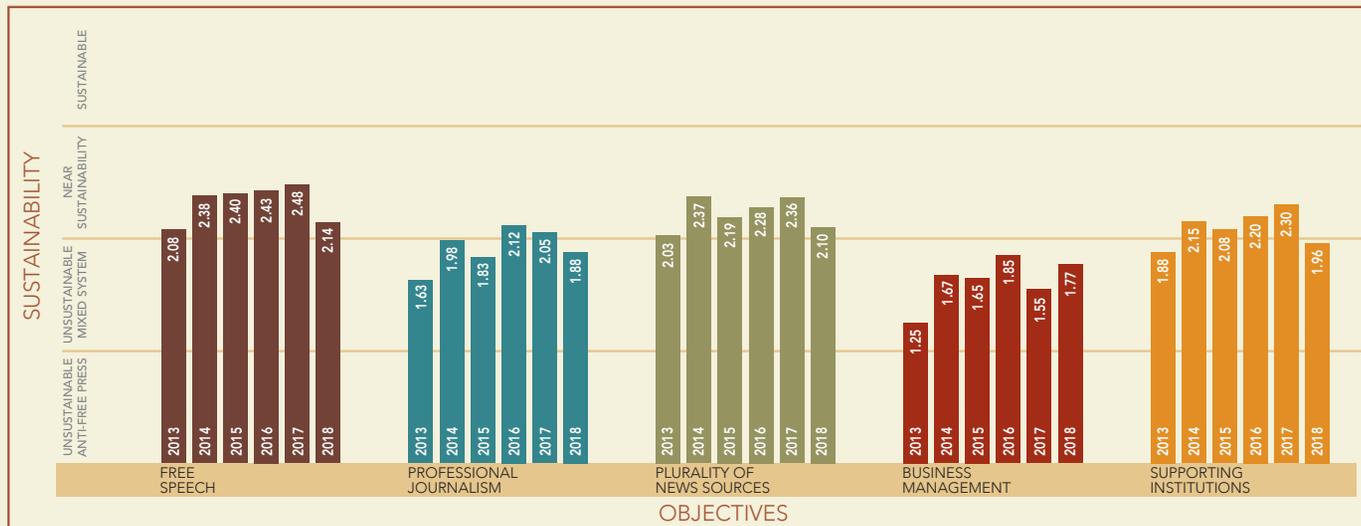
GENERAL

- **Population:** 6,140,200 (National Statistical Committee, 2017)
- **Capital city:** Bishkek
- **Ethnic groups (% of population):** Kyrgyz 73%, Uzbek 14.6%, Russian 5.8%, Dungan
- **1.1%, Uighur 0.9%, other 4.4% (National Statistical Committee, 2017)**
- **Religions (% of population):** Muslim 75%, Russian Orthodox 20%, other 5%
- **(2009 est., CIA World Factbook)**
- **Languages:** Kyrgyz (official) 73.2%, Uzbek 14.4%, Russian (official) 9%,
- **other 5.2% (2009 est., CIA World Factbook)**
- **GNI (2013-Atlas):** \$6.906 billion (World Bank Development Indicators, 2014)
- **GNI per capita (2013-PPP):** \$3,080 (World Bank Development Indicators, 2014)
- **Literacy rate:** 99.5%; male 99.6%, female 99.4% (2015 est. CIA World Factbook)
- **President or top authority:** President Sooronbay Jeenbekov (since November 24, 2017)

MEDIA-SPECIFIC

- **Number of active media outlets:** More than 1,500 registered media. Print: 159 active outlets, including 3 main dailies and 4 other major papers. Radio stations: 26. Television stations: 25 terrestrials, 3 local cable networks, 3 IPTV (Ministry of Justice, 2013)
- **Newspaper circulation statistics:** Top three by circulation: *Super Info* (private Kyrgyz-language daily with 88,000 circulation), *Vecherniy Bishkek* (private Russian-language daily with 45,000 circulation), *Avtoxid* (private Russian-language weekly with 12,000 circulation)
- **News agencies:** AKIpress (private), 24.kg (private), Kabar (state-owned), K-News (private), KyrTAG (private), Vesti (private), Kaktus Media (private), Kloop Media (private), Turmush (private), Region (private), KyrgyzToday.kg (private)
- **Broadcast ratings:** Top-three television stations: OTRK (state-owned), KTRK Musyka (state-owned), Pervyi kanal (Russian Federation)
- **Internet usage:** 2.08 million users (Digital in 2017 study)
- **Annual advertising revenue in media sector:** Television: \$16.5 million, Radio: \$2.7 million (January–December 2017 est., Expert Consulting Agency), Internet: \$500,000 (January–September 2013 est., Expert Consulting Agency)
- **Mobile subscriptions:** 7.49 million or 123% of population (digital in 2017 study)
- **Active social media users:** 600,000 or 10% of population (digital in 2017 study)

MEDIA SUSTAINABILITY INDEX: KYRGYZSTAN



SCORE KEY

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.



While Kyrgyzstan's MSI score for the business management objective increased slightly, all other objective scores experienced declines. This resulted in a deterioration of the country's overall media sustainability score from 2.23 last year to its current score of 1.97, moving Kyrgyzstan from "Near Sustainability" in 2017 to "Unsustainable Mixed System" in 2018.

The year 2017 was a turbulent year in Kyrgyzstan's political life, with the election to replace President Almazbek Atambaev consuming media attention and the government using the courts to take a more aggressive posture toward critical journalists.

The October 15 election boiled down to a contest between Prime Minister Sooronbay Jeenbekov, Atambaev's choice of successor, and Omurbek Babanov, a previous prime minister and former ally of the incumbent. Use of media played a major role in the dynamics of the campaign, with Babanov's candidacy gaining viability in large part through generous investment in advertising. Televised debates contributed to a vote viewed internationally as freer and fairer than the Central Asian norm. Jeenbekov was elected and took office in November in the first peaceful transfer of power in the history of independent Kyrgyzstan.

Several headline-making court cases targeting journalists and civil society marked a major step backward for media freedom and free speech. Defamation has been decriminalized in Kyrgyzstan, but a provision of media law entitled "Insult to Personal Dignity and Honor" offers means for authorities to punish media. High-level officials have stepped up their use of this tactic with the direct aim of silencing disagreeable journalists and the indirect effect of increasing self-censorship. Atambaev, Jeenbekov, and their allies in the ruling Social Democratic Party of Kyrgyzstan (SDPK) sued reporters, media outlets, and civil rights

activists, resulting in damage awards running into the millions of soms.

These suits have contributed to shaking Kyrgyzstan's reputation as Central Asia's only democracy, even as the country became the first in the region to join the Open Government Partnership (OGP), which encourages member states to promote transparency and use new technologies to improve public access to information.

The political turbulence spilled into Kyrgyzstan's foreign policy. During the campaign, Kazakhstani President Nursultan Nazarbaev met with Babanov and stated that Kyrgyzstan needed a young leader (Babanov was 47 at the time, Jeenbekov 58), which was interpreted as meddling in Kyrgyzstan's affairs. The subsequent falling-out between Atambaev and Nazarbaev led to a two-month closure of the border between the two countries. Relations thawed somewhat when Jeenbekov met with Nazarbaev during the Collective Security Treaty Organization summit in late November.

At this writing, the new president had not made any significant public statements on the course of Kyrgyzstan's foreign policy or its treatment of mass media. However, even before his election, he signaled his intentions toward the latter by suing news outlet 24.kg and journalist (and MSI panelist) Kabai Karabekov for KGS 10 million (\$147,000) in September over an article that cited allegations that Jeenbekov and his brother and fellow politician, Asylbek, had ties to radical Arab organizations.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

2.14

Kyrgyzstan's constitution and laws guarantee free speech and freedom of the press, but people in power routinely exploit the "dignity and honor" provision to muzzle critical voices. Use of the tactic reached new levels in 2017, said Elmurad Jusupaliev of Radio Azattyk, the Kyrgyz-language service of Radio Free Europe/Radio Liberty (RFE/RL). In the months leading up to the election, defamation cases were brought at the behest of the president, the prime minister, the presidential candidates, and the state registration service.

Dina Maslova, editor in chief of Kaktus Media, said the suits show an attempt to use legitimate institutions such as the courts, the prosecutor's office, and the president's office to "clean out the information field; they control all large media resources and try to eliminate the independent ones." Those institutions "are controlled by the president and knowingly deliver improper and unjust judgments, violating the norms of legislation and ignoring the statements of civil society and international organizations," she said.

Other panelists agreed that the cases were political in nature and that court processes are tilted in favor of the authorities. Media defendants must prove they did not have malicious intent in reporting or publicizing information, while complainants do not have to prove pain and suffering deriving from damage to their honor and reputation. Karabekov, now a columnist for Russian newspaper *Kommersant* and Maslova, both defendants in major 2017 lawsuits, said the speed with which judges dispatched the cases suggests they were decided before they went to court. Ydyrys Isakov, a reporter for Radio Azattyk

in Osh, agreed, saying that when the president or prime minister brings a defamation case, their victory in court is a given.

In March and April, the prosecutor general filed five suits on behalf of then president Atambaev against ProMedia, owner of the popular news website Zanoza.kg (now Kaktus Media), and its cofounders, Narynbek Idinov and Maslova. A Zanoza article by Idinov had quoted a speech by human rights defender Cholpon Jakupova that Atambaev claimed insulted his honor and dignity.

The Supreme Court of Kyrgyzstan upheld lower court verdicts for Atambaev in November and ordered the company and its founders to pay damages totaling KGS 27 million (\$396,000). They were given two months to pay, and Atambaev announced that he intended to pursue the awards to "teach a lesson" to Kyrgyzstani media to "get away from slander."

News service 24.kg was targeted in Jeenbekov's suit against Karabekov and in a case brought by SDPK over an article citing accusations by human rights activist Rita Karasartova of corruption in the ruling party's distribution of high-ranking government posts. At the time of writing, the latter case was still open. Radio Azattyk was sued in March over stories quoting opposition figures accusing Atambaev of corruption, but the prosecutor general dropped the case at the president's request after he met with RFE/RL's director.²

The government used other legal tools to harass critical media. The September television

channel was shut down in August 2017 after a Bishkek district court ruled that it broadcast extremist content. The broadcaster provided a platform for opposition figures and was affiliated with Omurbek Tekebaev, the former chairman of the Ata-Meken (Fatherland) party, who was sentenced earlier that month to an eight-year prison term on corruption charges he maintains are politically motivated. Karabekov and Isakov said the shutdown of the station was political, but other panelists were critical of September, saying it gave disproportionate airtime to opposition representatives and expressed biased opinions.

The Kyrgyz State Committee for National Security (SCNS) secured a court order to block Russian-language news website Ferghana based on an accusation that an article on relations between ethnic Kyrgyz and Uzbek users of social networks incited ethnic discord and hatred. A criminal case was opened against the reporter Ulugbek Babakulov, who fled the country in July 2017.

Maslova noted that 2017 also saw the first use of laws against inciting ethnic discord to prosecute social media users. Criminal cases were opened against users of Facebook and VKontakte as a result of SCNS monitoring posts and comments on the social networks. She said previously such incidents brought only administrative punishment for the users—for example, civil fines.

Mass media outlets are licensed by the State Agency for Communication (which was absorbed in 2016 into the new State Committee of Information Technologies and Communications) and are registered by the Ministry of Justice. The Ministry of Culture, Information, and Tourism issues permissions for channels to enter a multiplex and, under legislation enacted in October 2017, assess content. Some panelists suggested this measure could become an instrument of censorship, but

1 Titova, Alexandra, "Atambaev Does Not See a Peaceful Resolution of Conflict with Zanoza," Kloop. July 24, 2017. <https://kloop.kg/blog/2017/07/24/atambaev-ne-vidit-mir-nogo-razresheniya-konflikta-s-izdaniem-zanoza/>.

2 Kapushenko, Anna, "Prosecutor General's Office Withdrew One Lawsuit against Azattyk," Kloop. May 31, 2017. <https://kloop.kg/blog/2017/05/31/genprokuratura-otozvala-odin-isk-k-azattyku/>.

opinion was split. Almaz Ismanov noted that there are as yet no staff or mechanisms at the ministry for reviewing content.

Most panelists said licensing and registration procedures for TV and radio channels are generally clear and transparent, but some noted warning signs that the process is becoming politicized. Jalbyrak (Leaf), an Internet-TV service launched by officials of the banned September channel, has failed three times to secure registration, according to Ismanov. Sanjyra, the radio affiliate of NTS, a TV station owned by defeated presidential candidate Babanov, went off the air in November when its

Legal and social norms protect and promote free speech and access to public information.

FREE-SPEECH INDICATORS

- ▶ Legal and social protections of free speech exist and are enforced.
- ▶ Licensing of broadcast media is fair, competitive, and apolitical.
- ▶ Market entry and tax structure for media are fair and comparable to other industries.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- ▶ Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- ▶ Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

license was not renewed.³

Digital media outlets do not have to register as mass media and require registration only to get accreditation to cover elections. There have been attempts in recent years to equate news websites to mass media for regulatory purposes. Amendments to the law on elections, initiated by the Respublika-Ata Zhurt party and approved in July 2017, cover “Internet publications” that reach certain traffic thresholds as well as traditional media. Begaim Usenova, director of the Media Policy Institute (MPI), said such definitions should not be part of election law but rather in legislation on media and information technology.

Sherzod Yusupov, a regional reporter with Radio Azattyk, said there have been issues with registration of Uzbek-language newspapers. He said the principals of a planned new Uzbek outlet in Osh encountered registration hurdles and instead relaunched the newspaper *Akhborot (Information)*, which had closed in the wake of conflict between ethnic Kyrgyz and Uzbeks in 2010. Isakov said Azattyk has also experienced problems extending its radio frequency license because of changes in the mass media law limiting foreign ownership of Kyrgyzstani media to 65 percent of shares.

The State Committee of Information Technologies and Communications held an unprecedented auction in December to sell frequency spectrum. Two bidders bought radio frequencies for KGS 431 million (\$6.3 million). The committee said the auction bolstered the principle of transparency

3 Radio Free Europe/Radio Liberty, “Kyrgyz Officials Impound TV Station Property Owned by Opposition Politician Babanov,” Radio Free Europe/Radio Liberty, December 19, 2017. <https://www.rferl.org/a/kyrgyzstan-nts-tv-opposition-babnov-officials-impound-property/28927074.html>.

promoted as part of Taza Koom (Smart Nation), a national program launched last year to improve Kyrgyzstan’s digital infrastructure and openness.⁴

Conditions for entering the media market were generally unchanged, but panelists did note that as of the May 2017 switch to digital broadcasting, there were unequal terms between state-owned TV channels in a multiplex, which do not have to pay for channel delivery, and private channels, which do.

There were few reported physical attacks on journalists in 2017. The incidents that did occur largely revolved around the election. NTS reporter Mirbek Aitikeev was surrounded by a group of young men at a polling station in Osh on Election Day and pushed out of the building. Journalists from Turmush.kg and Kloop Media reported several instances of being prevented from shooting video at election sites, and panelists said law enforcement officers sometimes physically hinder reporters attempting to do their jobs.

For the most part, panelists said, lawsuits and threats have become the tactic of choice for deterring or pressuring journalists. The Prosecutor General’s Office and the security service are enlisted as tools in this pressure, with journalists who are viewed by authorities as troublesome invited to interviews with SCNS, prevented from leaving the country, or faced with seizure of their property through court decisions.

Kloop Media came under heavy pressure over its investigation into how a private website called Samara.kg, which was used by Jeenbekov’s campaign to manage voter data, was hosted for several weeks before the election on a government-run server, where Samara could potentially harvest reams of private information on voters. At his

4 “Taza Koom: Concept.” <http://www.tazakoom.kg/site/index>.

farewell press conference in November, Atambaev called the report a “provocation” that would be investigated by SCNS. One of the reporters of the story, Rinat Tukhvatshin, was questioned for three hours by the security service in December.⁵

Several panelists said bullying of journalists has also come to include smear campaigns on social networking sites, some promulgated by paid trolls. The “black PR” comes in comments sections rather than actual posts or articles, Ismanov said.

The Bishkek-based Media Development Center’s monitoring of election reporting found indications of state influence on mass media. On state-owned Kyrgyz Public Radio and Television Corporation (OTRK, sometimes KTRK) and EITR (the second national TV broadcasting channel), coverage of Jeenbekov was overwhelmingly positive and that of his main rival, Babanov, was overwhelmingly negative.⁶ NTS, owned by Babanov, heavily promoted his candidacy, but it has a much smaller audience than the public channels and had proportionally less impact. State channels, with the exception of regional public broadcaster Yntymak, regularly ran news stories that were indistinguishable from campaign materials, the report states.

Media law ostensibly guarantees public broadcasters’ editorial independence, safeguarded by steering councils, but several panelists said

membership of these supervisory bodies is controlled by the government. Daniyar Sadiev, a former director of Yntymak, said its council—which had been approved in 2015 by Jeenbekov when he was governor of the Osh region—was temporarily dissolved by the government in 2017.

Karabekov said authorities also use financial means to suppress and control mass media, limiting funding for public channels and seeking defamation awards from private outlets and their journalists that are far out of proportion to revenue and salaries. He called for legislative amendments to regulate the size of damage claims.

There are no legal limitations on Kyrgyzstanis’ access to news from abroad, but panelists mentioned several occasions when media outlets suffered consequences for referencing foreign media—a new phenomenon.

Makhinur Niyazova, a reporter with the independent Bishkek newspaper *Res Publika*, said social media have created new precedents in defamation cases. After SDPK lawmaker Dastan Bekeshev sued activist Mavlyan Askarbekov over an allegedly defamatory Facebook post, in January 2017, a Bishkek court ordered Askarbekov to post an apology on the social network and leave it live for a month.

Bekeshev has also proposed setting minimum compensation for media content that tarnishes a reputation, and he and two Respublika-Ata Zhurt lawmakers are co-sponsoring a bill now before the parliament that would expand government oversight of social media content. The measure would create a registry of social network users who have more than 1,000 followers and establish several rules for

their online conduct, including requiring them to use their real names, abstain from profanity, and fact-check information before posting or sharing it. Echoing the defamation law, such users would also be barred from disclosing private information deemed damaging to the honor, dignity, or business reputation of citizens and organizations.

Journalists’ access to public information is protected by law, with matters of national security providing the only legally permissible exception. The Taza Koom initiative and the country’s entry into the OGP are encouraging moves toward transparency, including greater access to information for the general public.

However, individual media that incur official wrath do hit roadblocks. SCNS removed Kaktus Media from its e-mail list for newsletters and invitations to official events; Kaktus reporters had to send requests for accreditation to attend events and were not allocated seats for smaller events at the president’s office. Niyazova said she has encountered similar problems. Panelists said outlets that show greater loyalty to authorities, such as news outlet AKIpress, get updates and information earlier than other media.

Despite open data commitments in the Taza Koom framework, some state bodies provide information slowly or not at all, several panel members reported. According to Maslova, the Health Ministry scolds doctors for providing information and comments to journalists and has begun requiring media to submit written requests for information. State agencies used to reply slowly because they lacked press secretaries, she said, but she now believes they stall intentionally. Ismanov said he could not get information from state entities on air quality and climate impacts for an environmental article he was working on; he turned to nongovernmental organizations (NGOs), which possessed

5 International Partnership for Human Rights, “Kyrgyzstan: Will the New President Break with His Predecessor’s Troubling Human Rights Legacy?,” International Partnership for Human Rights. December 22, 2017. <http://iphonline.org/kyrgyzstan-will-new-president-break-predecessor-s-troubling-human-rights-legacy.html>.

6 *Midterm Report of Monitoring of Mass Media During the 2017 Presidential-Election Period*, Media Development Center. http://medialaw.kg/wp-content/uploads/2017/10/PROMEZHUTOCHNYI-OTCHET_Monitoring-SMI_Vybory-2017.pdf.

and provided more information on the topic. He said freelance journalists have even more difficulty accessing information because state bodies require requests to include a letter from an editor.

Maslova noted that the law on public information was tweaked this year to increase penalties for distributing information this is marked “for official use only” and relates to state secrets. Kaktus received a letter from the Prosecutor General’s Office regarding an article that cited such a document, and the financial police asked that the story be taken down. “More and more, documents come with the ‘for official use only’ label, even if it does not seem necessary,” she said.

There are no legal limitations on Kyrgyzstanis’ access to news from abroad, but panelists mentioned several occasions when media outlets suffered consequences for referencing foreign media—a new phenomenon. During the election campaign, *Res Publika*’s accreditation for presidential press conferences was threatened after it reprinted an article from Russian newspaper *Novaya Gazeta*. A private citizen who had filed suit over an article by Babakulov also sued Kaktus Media when it published a Ferghana interview with the exiled journalist.

The government does not impose licensing or registration requirements for journalists to enter the profession. Problems of official recognition do crop up when it comes to securing accreditation to cover official meetings and important events, particularly for bloggers and freelancers. Karabekov said authorities use accreditation to hinder certain journalists’ work.

**OBJECTIVE 2:
PROFESSIONAL
JOURNALISM**

1.88

Panelists said most journalists in Kyrgyzstan opt for quantity over quality in their work and do not dedicate enough time to fact-checking. Heavy workloads were cited as a primary reason for this superficial approach. Even large, financially independent outlets such as Azattyk are short staffed, said Azamat Tynaev, head of the civic media support group Journalists. Regional journalists Jusupaliev and Isakov said they are asked by management to prepare one or two pieces a day; newsroom colleagues use the phrase “quick and dirty” to describe their work.

“We are aware of our drawbacks, but we are dependent on how the outlet looks to an observer. We have to seem dynamic and cover diverse topics,” Tynaev said. “There is no diligent journalism, but it does not mean that we do not know how it should be covered. We are limited by other factors.”

The pressure to produce led to spurious stories being widely disseminated. The following are examples the panel cited: In November, news site Vesti.kg reported without attribution that schools in Southern Kyrgyzstan were sending female students to gynecologists for virginity checks. The story was found to be fake, but not before it was picked up by several media outlets, including some in Kazakhstan. A story about tourists from the United Arab Emirates not wanting to swim in Issyk-Kul Lake was covered by multiple outlets; it was based on a post by a single Facebook user sharing her observations on the popular destination.

Still, Maslova said she see is seeing improvement in fact-checking, which she attributed to competition among news outlets. Another driving

force is that audiences now have a platform to comment on and question the quality of reporting on journalists’ social media pages. Elena Voronina, a columnist for Sputnik Kyrgyzstan, said outlets are adopting instruments such as long-form journalism and infographics, and starting to practice convergence journalism, using multiple platforms and types of media to tell a story.

A code of ethics for journalists has been in effect since 2007, but it has little impact. Media Development Center monitoring found widespread ethical lapses in reporting, most notably ethnic and regional bias, violations of privacy, and unsubstantiated and unsourced accusations. The center’s analysis of election coverage concluded that the “majority of published/broadcast stories in the mass media may be assessed as a manipulation, political advertisement, hidden campaigning, an appeal to vote for one or another candidate.”

Panelists did note improvement in the area of privacy, with audience pressure prompting outlets to blur faces when posting and publishing photos of children, crime victims, and people with disabilities.

Self-censorship is common among reporters and editors, most panel members agreed, but more prevalent at state-owned media. Topics journalists generally avoid for fear of an official or public backlash are Islam, relations between ethnic communities, and foreign affairs.

Ismanov dissented somewhat, citing hard-hitting coverage of some topics. Azattyk did a series of pieces about Raimbek Matraimov, former deputy chair of the State Customs Service, and his family’s extensive holdings in expensive real estate in Osh. Ismanov also cited questions raised by journalists about ownership of freight that was on a Boeing 747 that crashed near Manas International Airport, killing 39 people. He said such stories show self-censorship is not as prevalent as other panelists contend.

Journalism meets professional standards of quality.

PROFESSIONAL JOURNALISM INDICATORS

- ▶ Reporting is fair, objective, and well sourced.
- ▶ Journalists follow recognized and accepted ethical standards.
- ▶ Journalists and editors do not practice self-censorship.
- ▶ Journalists cover key events and issues.
- ▶ Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- ▶ Entertainment programming does not eclipse news and information programming.
- ▶ Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- ▶ Quality niche reporting and programming exists (investigative, economics/business, local, political).

He noted, however, that since ethnic tensions erupted into violence in parts of the country in 2010, Uzbek-language outlets have largely stopped covering social issues and focus instead on uncontroversial subjects such as entertainment and health.

Voronina said private or independent media cover socially significant topics, such as the rights of children, women, and sexual minorities, but without much depth. State outlets often ask for payment from activist groups to cover such issues, she said.

Panelists said national media cover key issues and events, but there is an imbalance between regional outlets and those based in Bishkek. Regional and ethnic-language outlets offer little coverage of topical political issues. An exception is the Uzbek-language program *Umut* on Yntymak, which delves into political and economic affairs, Ismanov said.

Media salaries generally correspond to the national average but are significantly lower than salaries in other white-collar sectors. In Bishkek, average pay ranges from KGS 15,000 to 20,000 (\$220–\$293), with the exception of Azattyk and the Kremlin-controlled news outlet Sputnik, where it can reach around \$1,000 a month. At Azattyk, that top level salary applies to those working on TV programs; website staff earn about \$600 to \$800. The channel's freelancers are paid KGS 40,000 to 50,000 (\$587–\$733), depending on their level of contribution, and receive gas money.

Reporters in the regions get about \$150 to \$200 a month, editors around \$500. Journalists at national independent broadcaster NTS earn about KGS 35,000 (\$513), but at TV channels in the regions, pay generally ranges from KGS 8,000 to 12,000 (\$117–\$176). At regional newspapers, journalists typically earn around KGS 5,000 to 7,000 (\$73–\$103). Sadiev, the former Yntymak director, said 40 percent of the channel's staff has left since early 2017, largely because of budget-related layoffs.

Panelists said pay for most journalists is not sufficient for a decent quality of life. To make ends meet, many reporters sell the same story to multiple outlets, with slight variations, or do public relations work on the side. To boost pay at their regular jobs, journalists must develop additional skills such as taking photos and recording and editing video.

Maslova said she has tried various pay policies at Kaktus; her current model eschews set salaries and instead bases remuneration on three indicators: quantity, quality, and number of views. This system takes into account that Kaktus's online news feed is mainly financed by advertising. For long-form and investigative articles, she relies on grants from international organizations to supplement what reporters earn from their main responsibilities.

There is a rudimentary stringer system in

Bishkek, Maslova said, but it is viewed warily. Some stringers are suspected of being in cahoots with the police and extort money from people they capture on video committing minor offenses such as traffic violations.

There is no monitoring of media content that assesses the relative shares of news and entertainment programming. Panelists said entertainment does not overshadow news and information shows. (Karabekov observed that many Kyrgyzstanis view politics as their entertainment—for example, deconstructing speeches by Atambaev.)

“We are aware of our drawbacks, but we are dependent on how the outlet looks to an observer. We have to seem dynamic and cover diverse topics,” Tynaev said. “There is no diligent journalism, but it does not mean that we do not know how it should be covered. We are limited by other factors.”

They said entertainment programs are too expensive for most outlets to produce, and the quality of those that are made leaves much to be desired. News is the most popular form of programming on Kyrgyzstani television, according to research company M-Vector's 2017 report on the public's media habits.⁷

The main state broadcaster, OTRK, offers a few channels with mainly entertainment and cultural programming, including Musyka, KTRK Sport, and Balastan (children's programming). In 2016, OTRK launched Ala-Too 24, the country's first 24-hour news channel.

7 M-Vector, *Media Research (8th Wave)*, M-Vector. 2017. <https://cloud.m-vector.com/index.php/s/TUBf31Y3Bti4crG#pdfviewer>.

Apart from the newspaper *Super Info*, there are no print outlets focused exclusively on entertainment, Tynaev said. Some bloggers cover entertainment and niche topics such as travel. Tynaev said there is a lack of ethics among food bloggers, who get gifts and discounts from restaurants in exchange for favorable reviews.

Panelists were ambivalent about the state of equipment at media outlets. All agreed that there is a shortage of professional gear and what is available is often outdated. Some said smartphones are sufficient to prepare most pieces, given current audience demands. Maslova said the rise of WhatsApp has habituated users to poor-quality video and photos, and they are willing to trade technical polish for speed in their news consumption. Tynaev agreed, saying “mobile” journalism is becoming trendy.

The only outlet with up-to-date equipment is OTRK. In southern regions, panelists said, news-gathering equipment and even basic workplace needs, such as office supplies and furniture, are lacking. Sadiev said Yntymak has one or two cars available for five camera crews and one restroom for a staff of 70. Ismanov said regional newsrooms do not provide Internet service for journalists.

Panelists were also divided on the matter of specialized reporting. Tynaev viewed the situation as improving, noting, for example, that there are more journalists focusing on medical topics. He also cited the financial news website Akchabar and the *Novye Litsa* newspaper, which features a section on green business. More journalists are doing investigative reporting, notably at Kloop Media. Elnura Alkanova, a young freelance reporter, made a splash looking into the finances of Liglass Trading, a Czech company that won a government tender to build a hydroelectric plant in the central Naryn region despite a history of losing money and little

experience with big infrastructure projects; the government later canceled the contract. Kaktus Media shed light on the ownership of a newly constructed trade center, Asia Mall, and its link to presidential candidate Babanov.

Several panelists noted that, given their low salaries, journalists do not want to engage in time-consuming and risky investigations; for pay purposes, a major investigative piece will be counted as a single article, no matter how long it is or how much time was spent on it. Investigation is a luxury affordable only with donor funding, panelists said.

**OBJECTIVE 3:
PLURALITY
OF NEWS**

2.10

The Ministry of Justice’s mass media registry, covering print, broadcast, and online outlets, is vast, listing more than 200 TV and radio companies, and more than 1,000 newspapers. The registry probably paints a somewhat illusory picture, as it does not reflect when outlets close, but panelists say Kyrgyzstanis have access to a wide variety of news sources, including new “digital families” of channels under public broadcasters OTRK and EITR. Still, there were troubling signs for media plurality in 2017, as the government clamped down on opposition-linked channels September and NTS.

The role of social media and messaging apps in news distribution continued to grow. Traditional outlets use direct messaging, a medium less likely to attract government scrutiny, to share news and information. Tools such as WhatsApp and Telegram were also used by partisan groups during the presidential campaign to promote, or denigrate, various candidates.

Topics that gain traction on social networking sites have spurred investigative journalists and human rights activists to action. A video in which the former chief mufti of Kyrgyzstan, Chubak Ajy Jalilov, talked about having two wives and advocated multiple spouses for men generated heated online debate and prompted activists to demand he be prosecuted for the crime of polygamy. The allegations of ties between Atambaev’s family and the plane that crashed near Manas Airport spread via social media and were picked up by traditional and online outlets.

While there are a multitude of places to get news, there is little difference in their content. NTS provides an example of forced “unification” of content. Prior to the presidential election, it was affiliated with and openly supportive of Babanov and thus delivered a very different angle on the news than did the dominant state-run and pro-government media. Following an attempt by authorities to seize the station’s property immediately after the election, NTS greatly changed the content of its news programs, becoming something like a twin of OTRK.

There are no legal barriers to access to local and foreign media, with the exception of Ferghana, which was blocked under a June 2017 court finding that it published material that sowed ethnic discord—not the first time the news site was restricted on those grounds.

Kyrgyzstan’s completion of the transition to digital television last year “provided an opportunity for the entire population to watch a wider range TV channels in better quality free of charge,” according to the M-Vector report. Analogue was switched off in May 2017, and 87.5 percent of the population has unimpeded access to digital TV. Fifty-three percent have more than 30 channels available, and 27 percent get more than 50, although variety and choice remain broader in urban areas.

Television remains the primary information source for Kyrgyzstanis but appears to be losing ground to online outlets. In the 2017 M-Vector survey, 62.5 percent of respondents said they watched TV for news, compared to 79 percent the previous year. The share of people naming the Internet as a key news source nearly doubled from 21.9 percent to 40 percent. Public trust in media remained steady from 2016 and was similar across TV, radio, online, and print, with trustworthiness scores on all platforms hovering around 6 on a 1-10 scale.

Most of the panel said public mass media cover politics in a biased fashion, but Ismanov argued that private outlets affiliated with the opposition also present skewed political news. The Media

Multiple news sources provide citizens with reliable and objective news.

PLURALITY OF NEWS SOURCES INDICATORS

- ▶ A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- ▶ Citizens' access to domestic or international media is not restricted.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.
- ▶ Independent broadcast media produce their own news programs.
- ▶ Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

Development Center's monitoring of election coverage found that Jeenbekov got far more coverage overall than other candidates, but that private channels such as NTS and Channel 7 gave considerably more airtime and positive mentions to candidates with whom they were affiliated (respectively, Babanov and Respublika-Ata Zhurt candidate Kamchybek Tashiev). Panel members said both state and private mass media serve the interests of the government or particular parties, not the public, and this becomes especially apparent during election periods.

Panelists were unanimous in the view that there are no independent news agencies in the classic sense in Kyrgyzstan. More than 10 domestic and six foreign online outlets identify themselves as information agencies, but they operate more like news websites, aiming to reach readers and viewers directly rather than producing content for other media. Among them, AKIpress and 24.kg function most like news services in supplying content used by other outlets. Tynaev mentioned an effort by Kurmanbek Mambetov, a former editor at newspapers *Slovo Kyrgyzstana* and *Vecherniy Bishkek*, to develop an investigative journalism outlet to produce and sell quality content to media outlets, but both the outlet and a related newspaper, *Ovyektiv*, are struggling.

Most media are understaffed, which limits production of their own content, especially news, panelists said. Even large outlets such as OTRK regularly use content from the news feeds of AKIpress, 24.kg, and state-run outlet Kabar, unedited. Niyazova said *Res Publika* has only three employees and is dependent on reprinting outside content, and panel members said news on radio derives entirely from other sources. Almost all regional TV outlets draw stories directly from blogs and social media.

Media ownership is opaque. At the websites of the Ministry of Justice and company search

portal OsOO.kg one can seek official data from an outlet's registration, but panelists said these records invariably list fronts rather than true owners. There is no verifiable information available on media control, even to journalists themselves. Ismanov said employees of private media sometimes do not know the identity of their true boss, especially at relatively new outlets such as the TV channel On1.

Panelists said regional outlets' coverage of hard news is on the decline. Maslova said the gap is being filled by WhatsApp and similar services, which have become popular means for local populations to spread news.

The largest minority group, Uzbeks, are served by what Sadiev and Jusupaliev described as "improving media" in their language. They cited the relaunch of the newspaper *Akhborot* and NurTV's airing of Uzbek-language programs. Jusupaliev added that improved relations between Kyrgyzstan and Uzbekistan have benefited the Uzbek-language Osh newspaper *Ush Sadosi*, which is now distributing 2,000 copies in Uzbekistan and plans to establish a bureau there.

Other panelists were more pessimistic about the state of minority media, asserting that Uzbek-language outlets eschew political topics to avoid clashes with the authorities. Religious issues are generally covered from the point of view of ethnic Kyrgyz, Ismanov said.

Religious matters are addressed in both traditional and online media—Chubak Ajy Jalilov's YouTube channel has more than 150,000 subscribers—as well as specialized outlets such as Ayan TV, which covers issues from an Islamic perspective, and *Umma*, a magazine that focuses on Muslim women. However, since religious topics are

increasingly sensitive in Kyrgyzstan, panelists said they are covered in less depth amid pressure from Kyrgyz nationalists and concerns about jihadism. Maslova said the media profile of nonbelievers is limited to groups on social networking sites.

National news and events overshadow regional issues, but there has been a trend in recent years toward broader coverage of certain regional matters. Information agencies and TV channels have started dedicating sections or blocks of time to the regions. It is worth noting, however, that the content differs: national outlets' regional coverage remains focused on politics and economics, whereas regional media largely feature stories that shed light on social and cultural aspects of local life. Panelists said regional outlets' coverage of hard news is on the decline. Maslova said the gap is being filled by WhatsApp and similar services, which have become popular means for local populations to spread news.

**OBJECTIVE 4:
BUSINESS
MANAGEMENT**

1.77

The panelists believe there are no profitable media outlets in Kyrgyzstan. The absence of reliable data on media finances makes it impossible to know for sure, but recent cases of poor management at Channel 5 and Piramida, which were shut down after piling up debt for years, would appear to support their view of the business challenges for Kyrgyzstani media.

Maslova also noted the seeming collapse of vb.kg, the online sibling of *Vecherniy Bishkek*, the nation's second-biggest newspaper (where she formerly served as Internet editor). In 2017, the company abruptly shut down the news site and dismissed the

staff; it now carries only aggregated content and is run by one or two employees. Its Bishkek office has been leased out.

A handful of outlets are considered to be at least self-sustaining, including *Super Info*, national TV channels NTS and Channel 7, and regional broadcaster OshTV. Again, this is speculation on the panel's part, as there is no reliable data on media finances.

Media in Kyrgyzstan have few sources of income, and advertising and distribution do not come close to covering costs. Private outlets are kept afloat by unknown owners. State-supported media took a hit in 2017 with amendments to the budget law requiring them to steer earnings from advertising and other sources into government coffers.

The change put multilingual regional broadcaster Yntymak in a particular bind. It was founded by the government and is legally considered public media, but it gets no state funding and now cannot put self-earned revenue into operations. Although Yntymak has historically received some international donor support, its future is unclear.

In some regions, local authorities boost state outlets' revenue through administrative resources and pressure. For example, Sadiev said state-owned newspaper *Ata-Zhurt* in the Leilek district sells 4,000 copies to state organizations through forced subscriptions. Other regional papers such as *Osh Janyrygy* and *Eho Osha* are in dire straits because of declining state support and have reduced staff to just an editor and a reporter, he said.

In lieu of state money, some regional newspapers have gone online-only and are focusing on local news in hopes of drawing local advertisers. Kbcity.kg, a Kara-Balta city portal that branched out of the *Vest'* newspaper, has managed to gain momentum. It has embraced convergence, with radio and TV channels along with the news website, but the volume of its broadcast content remains low.

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS

- ▶ Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- ▶ Independent media do not receive government subsidies.
- ▶ Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- ▶ Media receive revenue from a multitude of sources.
- ▶ Advertising agencies and related industries support an advertising market.
- ▶ Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- ▶ Broadcast ratings and circulation figures are reliably and independently produced.

Other outlets are exploring alternative revenue sources. The outlet 24.kg is organizing social events and occasionally conducting research, such as small-scale surveys and content analysis on social issues ordered by international organizations, Voronina said.

Generally, media have seen advertising revenue drop, panelists said—except during presidential campaign periods, when many outlets make most of their ad money. The biggest piece of the political-advertising pie went to national public broadcaster OTRK, which took in nearly KGS 47.5 million (\$700,000). For purposes of comparison, OTRK received almost KGS 447 million (\$6.6 million) from the state budget last year.

The private advertising market is dominated by Kazakhstani ad agencies. The largest one operating in Kyrgyzstan is Media Forum, which covers the

regions and, because of its dominant position, is able to command discounts of more than 50 percent from media outlets. According to Sadiev, having a good relationship with Media Forum helps outlets get advertising orders.

A broadcaster's political affiliation also helps attract advertising, Sadliev said. Channel 7—which is believed to be owned by Akmatbek Keldibekov, former speaker of the parliament—has a larger share of the advertising market than Yntymak and Channel 5, which have more viewers, according to M-Vector's research. Sadiev also cited the example of NurTV, a Channel 7 affiliate based in Osh that only launched in October 2017 but gets more advertising than Osh Pirim, which has been operating for four years.

There are a few companies measuring TV ratings in Kyrgyzstan, but panelists said they are considered unreliable because they do not use standard audience-measurement tools, such as people meters, and are ill equipped to quantify viewership properly.

Only a handful of companies purchase ads directly from media outlets; these tend to be big businesses such as mobile operator MegaCom, KyrgyzGaz (an affiliate of Gazprom), gold-mining company Kumtor, and commercial banks. A few major firms work through Bishkek-based agencies, including Samsung (which buys exclusively through Noosfera) and mobile operator Beeline (which uses Quattro Media).

Given the lack of accessible data on media finances, it is impossible to reliably determine what share of outlets' income derives from advertising and whether that proportion would be considered low. Panelists offered widely varied opinions based primarily on personal experience, aside from agreeing

that television tends to earn a larger share from ads.

Maslova said advertising accounts for 60 percent to 70 percent of income at Kaktus Media—a very high figure for the Kyrgyzstani market, judging by other panelists' input. (She said Kaktus suffered a dip after changing its name from Zanoza.kg and losing audience share but has since recovered.) The company works with three Bishkek agencies, Noosfera, Namba, and Quattro Media, and offers a 20 percent discount. It prepares a yearly business plan based on annual advertising contracts.

At the other end of the spectrum, Sadiev said advertising provides 20 percent to 25 percent of revenue at Yntymak and 20 percent or less at Osh Pirim.

Government pressure skews the advertising market, as authorities have control over market mechanisms on which media outlets depend heavily, panelists said. Glaringly, state-owned OTRK has a 20 percent share of the TV ad market, and unwritten rules direct advertising by government organs to a handful of mostly state-owned outlets. Other media are at a significant disadvantage. Even those considered economically viable—AKIpress, *Vecherniy Bishkek*, Kaktus Media, 24.kg—stay afloat mainly with the support of sponsors, notably politicians who invest in them. Azattyk and Sputnik get support from the US and Russian governments, respectively.

There are a few companies measuring TV ratings in Kyrgyzstan, but panelists said they are considered unreliable because they do not use standard audience-measurement tools, such as people meters, and are ill equipped to quantify viewership properly. Advertisers pay more attention to M-Vector's report, which includes data on the most popular TV and radio stations and most-visited websites, based on survey responses.

Most Internet media use Google Analytics to measure traffic. Some use SimilarWeb or domestic

services such as Net.kg. All these tools have faults, Maslova said. Google Analytics data is viewed as useful in seeking money from donor organizations but does not affect ad orders.

**OBJECTIVE 5:
SUPPORTING
INSTITUTIONS**

1.96

There are few trade or professional associations supporting media in Kyrgyzstan, and panelists said those that do exist are ineffectual. The long-dormant Association of Publishers and Distributors of Print Media was revived in 2017 but did no effective work. Digital Technologies LLC, established several years ago to represent 22 private TV and radio stations in the switch to digital broadcasting, did secure three frequencies—two in Bishkek and one in the regions—but did little else to protect members' business interests, panelists said.

The frequency arrangement hinders private broadcasters from achieving nationwide coverage, the head of Digital Technologies told Akchabar.⁸ And compared to the "social package" of state outlets on digital TV, private channels have outdated, subpar equipment for delivering their signal to transmitters and far fewer relay stations across the regions, resulting in poorer picture quality for consumers.

Panelists said the two main professional associations, the Union of Journalists and the Independent Union of Journalists of the Kyrgyz Republic, have been passive in the face of the legal assault on

⁸ Berdibaeva, Aziza, "Digital TV: About Pirated Content, Picture Quality, and Political Intrigue," Akchabar. March 3, 2017. <https://www.akchabar.kg/article/business/sanarip/>.

journalists and media outlets. The former essentially does not function, panel members said. The latter issued statements on behalf of media defendants in defamation cases but offered no tangible support. A fragmented media landscape dominated by outlets run by the state or other interest groups lacks solidarity and the organizational muscle to defend or assist journalists facing multimillion-som judgments. The only notable effort in this regard has been a crowdfunding campaign by the Committee to Protect Freedom of Speech, an organization established in 2016, to help defendants cover the damage awards to Atambaev in the Zanoza.kg cases.

Panelists said the two main professional associations, the Union of Journalists and the Independent Union of Journalists of the Kyrgyz Republic, have been passive in the face of the legal assault on journalists and media outlets.

Maslova, one of those defendants, said that the Adilet Legal Clinic, an NGO headed by her codefendant Jakupova, used to provide legal support to journalists, but eventually was overloaded with cases. Maslova said MPI is currently the only organization offering such aid. Most media support by NGOs comes in the form of training, research, and election monitoring, panelists said.

There was unanimous agreement that journalism education in Kyrgyzstan is in decline. Despite rapid changes in media technology, new disciplines are not being introduced, and panelists said instructional capacity is weak in terms of both quality and quantity. Tynaev said curricula are outdated and impractical. Voronina said the journalism department at Kyrgyz-Russian Slavic

University, where she teaches, is cutting back on courses. Some panelists view Manas University as still upholding high standards for journalism and adequately preparing the new generation of practitioners, but for the most part, short-term courses are necessary to fill the gaps in students' practical knowledge and skills.

Internews continues to offer courses for practicing journalists, but now does so mainly in the form of webinars. Topics covered in 2017 included fact-checking, ecological issues, data journalism, storytelling, and multimedia. Internews also launched a three-year media development program, with support from the US Agency for International Development, aimed at helping independent outlets produce their own content.

OTRK operates an education center that offers courses to regional journalists and journalism students, and sometimes brings in guest lecturers. Tynaev heads a media training center, the Studio of Practical Journalism, and both Yntymak and Kloop Media offer journalism courses in Osh.

The state has long had a grip on distribution of broadcast media via RPO RMTR, a branch of state-owned Kyrgyztelecom. In 2017, however, the company lost its monopoly as Digital Technologies began delivering the signals of its multiplexes.

The printing industry is centered in Bishkek; even regional newspapers are printed in the capital, Isakov said. State-run Uchkun and a printing press run by the Media Support Center are the most widely used facilities.

Kyrgyzbasmasoz, the weak state-run kiosk network, is used less and less for newspaper distribution. Many publications have all but stopped using the system, which panelists said is plagued by heavy debts and low sales, especially in the regions (where kiosks will only take two or three copies of regional papers so they will not have piles

of unsold copies to return).

Internet distribution has become politicized, panelists asserted. TV channels and news websites that air opposition views have experienced problems with Internet access and implemented backup systems. Sadiev said September (now Jalbyrak) was signed up with three Internet service providers because of recurrent issues, while *Super Info*, located in a building only meters away, did not have problems with Internet access. Azattyk also has three ISPs, for the same reason. Maslova said Kactus Media struggles with denial-of-service attacks on important national holidays such as Independence Day. Kloop Media has experienced similar problems.

Supporting institutions function in the professional interests of independent media.

SUPPORTING INSTITUTIONS INDICATORS:

- ▶ Trade associations represent the interests of private media owners and provide member services.
- ▶ Professional associations work to protect journalists' rights.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

List of Panel Participants

Ydyrys Isakov, regional reporter, Radio Azattyk, Osh

Almaz Ismanov, journalist, *Novye Litsa*, Bishkek

Elmurad Jusupaliev, journalist, Radio Azattyk, Osh

Kabai Karabekov, columnist, *Kommersant*, Bishkek

Dina Maslova, editor in chief, Kaktus Media Group, Bishkek

Makhinur Niyazova, journalist, *Res Publika*, Bishkek

Daniyar Sadiev, freelance journalist; former director, TV Yntymak, Osh

Azamat Tynaev, board chairman, Journalists NGO, Bishkek

Begaim Usenova, director, Media Policy Institute, Bishkek

Elena Voronina, columnist, Sputnik Kyrgyzstan, Bishkek

Sherzod Yusupov, regional reporter, Radio Azattyk, Osh

The following panelists submitted questionnaires but were unable to attend the panel discussion:

Almaz Esengeldiev, lawyer; senior program adviser, Freedom House Kyrgyzstan, Bishkek

Adel Laisheva, director, Center of Media Communications, Kyrgyz Public Radio and Television Corporation, Bishkek

Moderator and Author

Gulnara Ibraeva, media analyst, Bishkek

The panel discussion was convened on December 28, 2017.

TAJKISTAN



MEDIA SUSTAINABILITY INDEX

2018

Tracking Development
of Sustainable
Independent Media
Around the World



TAJIKISTAN

AT A GLANCE

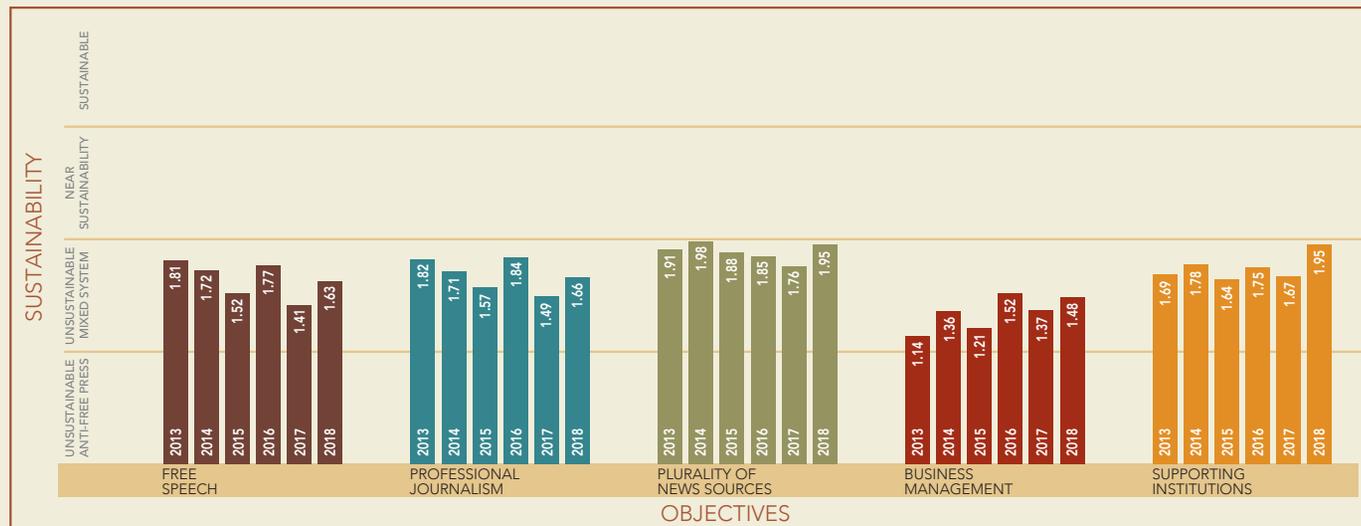
GENERAL

- **Population:** 8,965,000 (December 2017; Population Division, Department of Economic and Social Affairs, United Nations)
- **Capital:** Dushanbe
- **Ethnic group (% of population):** Tajik 85.4%, Uzbek 12.5%, Russian 0.5%, Kyrgyz 0.8%, other 2.1 % (2010 Population and Housing Census, Republic of Tajikistan)
- **Religion (% of population):** Sunni Muslims 90%, Ismaili Muslims 6%, other faiths 4% (State Committee on Religious Affairs)
- **Language:** Tajik (official), Russian (in the Tajikistan constitution as the language of interethnic communication)
- **Gross domestic product (GDP):** USD \$6.94 billion
- **GDP per capita:** USD \$774
- **Literacy rate:** Adult male 99.83%, adult female 99.72%, youth (15–24) male 99.86%, youth (15–24) female 99.89% (UNESCO Institute for Statistics)
- **President and Head of Government:** Emomali Rahmon (since November 6, 1994)

MEDIA-SPECIFIC

- **Number of active media outlets:** 367 newspapers (107 state, 260 nonstate), 239 magazines (110 state, 129 nonstate), 34 television stations (8 state, 26 nonstate), 30 radio stations (6 state, 24 nonstate) (Ministry of Culture)
- **Newspaper circulation statistics:** Largest independent (private) newspapers are: ASIA-Plus, USSR, Reklamnaya Gazeta, Faraj, and Samak. State newspapers are: Jumhuriyat and Sadoi Mardum.
- **Broadcasting ratings:** State TV: Jahonnamo and Shabakai Yakum (24-hour broadcasting). Digital broadcasting: Safina, Bakhoriston, Sinamo, Varzish, Shakhnavoz, and Dushanbe. Radio: In Dushanbe: ASIA-Plus, Khovar, Love Radio, and Imruz. In Sughd Region: SM-1, Tiroz, and Diyor.
- **News agencies:** 11 (1 state news agency and 10 nonstate agencies, although not all 10 are in operation). State-owned: Khovar. Nonstate: ASIA-Plus, Avesta, Tajikistan Times, Tajik TA, Ozodagon, Faraj News, and Sugd News.
- **Internet usage:** 4 million (December 2017, Association of Internet Service Providers of Tajikistan)

MEDIA SUSTAINABILITY INDEX: TAJIKISTAN



SCORE KEY

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.



Tajikistan's scores showed improvement across the board in this year's study. The country's media sector, however, remains hamstrung by modest economic growth, legal practices that do not meet international standards, low levels of journalism professionalism, an underdeveloped advertising market, and outdated journalism education leaves the country in the Unsustainable/Mixed System category.

In 2017, a number of events impacted Tajikistan's society, politics, and economy. At the beginning of the year, Rustam Emomali, the eldest son of President Emomali Rahmon, was appointed mayor of Dushanbe, the capital city. He turned 30 in 2017, which makes him eligible to put forth a candidacy in the next presidential election. The president appointed his third daughter, Ozona Rahmon, as head of the executive office of the president. She was also elected to the senate, Tajikistan's upper house of parliament.

In May, parliament approved amendments to the Law on Operational-Investigative Activities, which gives enforcement agencies the right to receive information on the websites that Tajik citizens visit. Parliament adopted these amendments due to the concern over the growing abuse of electronic communication. As announced at a meeting of parliament, more than 90,000 SMS messages are sent every day to residents from alleged extremists and terrorists with appeals to join their factions, and more than 80 percent of Internet users visit so-called "undesirable" sites run by extremist and terrorist groups.

Citing the threat of terrorism, the National Security Committee now requires a total re-registration of subscriber identification module (SIM) cards in Tajikistan. Authorities have observed border violators, especially armed drug traffickers, using SIM cards from Tajik mobile network operators. Their card use reached a peak in the fall of 2017. Now only those in possession of a Tajik passport can obtain a SIM card. By government decree, foreigners can only purchase SIM cards from a mobile company's main office and only for the period

of time stated in their visas or temporary registrations.

The past year marked the beginning of a marked rise in trade, economic, and cultural exchanges between Tajikistan and Uzbekistan. Since 1992, relations with the two countries often have been strained. However, with the death of Uzbekistan President Islam Karimov in 2016, the conditions have improved. For example, airline flights have resumed between the capitals of Dushanbe and Tashkent, and trade volume has increased. Uzbek authorities also have stopped expressing concerns about the construction of the Rogun hydroelectric power station, and officials reached an agreement to resume the export of natural gas from Uzbekistan to Tajikistan.

The pace of economic growth remains modest at best, and the income level of the population remains quite critical. According to official statistics from Tajikistan and Russia, the poverty level of the population is 41 percent and labor emigration from the country remains at a level of 850,000 to 1 million people. For Tajiks aged 18–50 years, labor migration is the main source of income, especially those living in rural areas. Most migrant workers are men but the number of women is growing.

Tajikistan's Committee for Family and Women's Affairs enforced a dress code for most of the year. The committee has advised that the clothing worn should be in "the national tradition" and not "alien." The measure is aimed at reducing the prevalence of Islamic black hijabs and headscarves. Clothing designs in the national tradition are being developed as work wear as well as for social occasions.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

1.63

The Tajikistan constitution guarantees freedom of speech, and parliament members have introduced reasonable laws on these freedoms. However, the laws also contain various directives and quasi-regulations. Many public servants and officials prioritize their enforcement over Tajikistan's constitutional laws, thus infringing on citizens' freedoms of speech and expression. For example, the Criminal Code (CC) of the Republic of Tajikistan contains criminal liability articles for insulting a representative of power (Article 330) and for publicly insulting the president of the Republic of Tajikistan (Article 137). As such, these regulations provide representatives of government bodies with special protection from criticism. The Paris-based international organization Reporters without Borders has criticized the state for its pressure on the Tajik independent press. The MSI panelists expressed the opinion that the government uses the pretext of countering terrorism to exert total control over private outlets, forcing them to sharpen self-censorship.

All the panel members agreed that Tajikistan has a low level of implementing laws and legislative acts. This affects the sustainability of the media, as state and judicial bodies constantly interfere with the enforcement system. Nabi Yusupov, director of the NGO Media Consulting, said that "formally, there are mechanisms to protect the freedom of speech. But in reality, their implementation is unrealized, because we journalists do not initiate lawsuits against officials. And the state, in the interests of protecting bureaucrats, ignores cases when journalists are in the right."

All legal protections in the sphere of mass media conform to international standards, but such laws exist purely on paper. Nuriddin Karshiboev, chair of the National Association of Independent Media of Tajikistan (NANSMIT) and director of the Tajik Press Council, said that laws restricting freedom are written and enforced more often, "In the last year, legislation has been tightened, and the criminal code Law on Operational-Investigative Activity has been amended to incorporate Internet surveillance." He added that correspondence, website traffic, and social media comments are all monitored under the guise of fighting extremism.

Legislative acts on broadcasting and telecommunications, especially on licensing, remain undemocratic. "The Licensing Council is still fully under the state-controlled Committee on Television and Radio Broadcasting, and it's a monopoly that issues licenses to just one or two TV channels once a year," according to Zinatullo Ismoilzoda, director of the Media Academy of Tajikistan and chair of the Union of Journalists of Tajikistan. He said that several electronic media companies that have been in the market for 10 to 15 years were not permitted to renew their licenses in 2017. Although each company's case is considered separately, Ismoilzoda said, "The committee's workings remain nontransparent. There is a fear that control is being lost and a mistaken belief that independent mass media are easier to keep under control in the north of Tajikistan (where there are currently twelve independent television stations) than in the capital and other regions."

Ismoilzoda also noted that not all applicants who want to start up a radio or television and radio station are freely granted a broadcasting license. "To obtain a license, you need to register with the Ministry of Justice as a limited liability company, and it then requests written confirmation from the

regulator about the availability of a license," he said.

In 2017, the government implemented changes to the procedures for registering a media outlet. Zebo Tadjibaeva, the executive director of *ASIA-Plus*, described her experience with registration, saying "Before, we could extend our registration in the Ministry of Culture. [Now,] they introduced changes whereby we first had to make a request; [but] no one knew which form to fill in, and as a result, *ASIA-Plus* was working for three months without registration documents. Then the National Security Committee (GKNB) decided that the Ministry of Culture itself needed to make the request, and if the GKNB then approves it, the ministry will put us on the register." In her opinion, all state agencies want to take control of the media's activities.

The economic situation of mass media is deteriorating, as profits from advertising and commercial activities shrink while costs of expendable items and typographical services increase. In the last two years, the newspaper and magazine circulations have dropped by 50–60 percent, according to newspaper editors on the MSI panel and based on a survey they conducted with colleagues throughout Tajikistan. Karshiboev commented, "In such circumstances, it would make sense for the government to develop a program of support for the media, irrespective of its form of ownership. This is the purpose of the Law on the Periodical Press and Other Mass Media." Receiving money from the state budget limits media freedom, but this assistance is an acceptable way to prevent mass media in crisis from disappearing, panelists said.

State TV stations provide a wide variety of programming. Independent channels cannot compete against state television, as their digital satellite broadcasting and modern equipment are provided at state expense. The government

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put significant effort into facilitating the transition process to digital broadcasting and considering the issues surrounding citizens' access to alternative sources of information. State TV has begun to broadcast via satellite, but many citizens in the country's regions lack clear access or cannot receive any Tajik television channels at all.

Journalists are being persecuted illegally. According to the panelists, this crime extends to journalists' relatives, with authorities exerting pressure on those who have left Tajikistan and even on elderly parents. With Facebook sometimes blocked in the country, Internet users post attacks

on journalists by means of proxy servers or anonymizers — although intelligence agencies vigilantly monitor this type of activity.

Panelists also reported that when important political events happen in Dushanbe, minibuses with blacked-out windows appear. These vehicles are fitted with several roof-mounted antennae that track telephone conversations and Internet traffic.

According to the panelists' observations, some segments of Tajik society believe that a free media sphere greatly benefits state and society, while other parts believe that the media themselves fuel the societal problems by pitting various strata against each other. As for the panelists, they believe that the authorities are to blame for promoting these divisions in public opinion. Journalists have a noticeable solidarity to protect the freedom of speech as well as help colleagues who have gotten into trouble.

In 2017, 10 journalists left Tajikistan, but only five of those were due to persecution and unsafe work in local reporting. "We need to make a clear distinction between those who really left for political reasons, and those who went for economic reasons," said Lola Khalikjanova, project manager at the Institute for War & Peace Reporting (IWPR).

The highest-profile case against a journalist was the December 5, 2017 arrest of Khayrullo Mirsaidov, an independent journalist from the Sughd Region and the leader of the Tajik national KVN satirical comedy troupe. Mirsaidov was prosecuted for embezzlement; incitement of national, racial, local, or religious hatred; forgery; and providing false testimony. The trigger for this arrest was Mirsaidov's appeal to President Rahmon, the prosecutor general, and the Sughd Region president. He had requested help for KVN's students by confronting the "corruption of Sughd Region officials." The Civil Society Coalition of Tajikistan, the International

Committee to Protect Journalists, Amnesty International, and Human Rights Watch all have called for Mirsaidov's release.

The director of the newspaper *ASIA-Plus* told the panel that she was called in by the State Committee for National Security and held for 12 hours over the headline "How we lost Samarkand and Bukhara," Tadjibaeva said. She noted that the pressure has affected the editorial staff's work, as evidenced by increased self-censorship in the publication. "Officials from the State Committee for National Security continue to dictate which topics can be written about and which ones cannot," she said.

Khurshed Niyozov, director of the Center for Journalistic Investigations and chief editor of *Faraj*, said that the legal system does not favor media. "Interestingly, not one of the infringements of the rights of independent media or journalists is investigated transparently or in full, and this is so there will be no precedent of punishment for those who persecute the authors of critically oriented publications."

Mahmudjon Dodobaev, director of SM-1 media company, observed that barriers on activity have worsened for regional independent media, and they face problems with print media registration and their legal statuses for taxation purposes.

The Unified Electronic Communications Switching Center, run by the state-controlled Communications Service (CS), also puts pressure on media freedom. "[Because] all Internet channels pass through this center, the overall transmission speed has decreased and the quality of communication has deteriorated," remarked Karshiboev. Although the law prohibits monopolization of the media, 92 percent of electronic media outlets in Tajikistan belong to the state.

The laws for libel and defamation were repealed in 2012. However, a law passed in

Legal and social norms protect and promote free speech and access to public information.

FREE-SPEECH INDICATORS

- ▶ Legal and social protections of free speech exist and are enforced.
- ▶ Licensing of broadcast media is fair, competitive, and apolitical.
- ▶ Market entry and tax structure for media are fair and comparable to other industries.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- ▶ Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- ▶ Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

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November 2016 makes the insult of the Tajikistan president in public media a criminal offense, punishable by up to five years in prison.

Access to information is one of the main problems for journalists in Tajikistan. The issue has become even more acute than in previous years, with authorities actively trying to prevent reporters from acquiring socially important information. "It is especially difficult for journalists who conduct investigations into violations of citizens' rights," said Khalikjanova.

Nabi Yusupov, director of the NGO Media Consulting, said that "formally, there are mechanisms to protect the freedom of speech. But in reality, their implementation is unrealized, because we journalists do not initiate lawsuits against officials. And the state, in the interests of protecting bureaucrats, ignores cases when journalists are in the right."

At the same time, the state media constantly receive information from security and law enforcement agencies. Many government authorities are still working through the state news agency Khovar. Prosecutors, anticorruption officials, and courts all publish their information to the agency's website without fail. The government has given major privileges to Khovar, issuing a decree that all Tajik ministries and departments must provide the state agency with answers to requests received from other media. "If you send a request and the agency does not answer you within three days, you can safely complain about it not responding within the time limits specified by law," Karshiboev commented.

Nosirjon Mamurzod, a lecturer in journalism at Kurgan-Tube State University and deputy editor of *New Khatlon*, said that the authorities in the Khatlon region provide information only if they have a written request. They never meet the legally specified deadline of three days, and often coordinate responses with their immediate supervisors in the capital. Kurbon Alamshoev, director of the NGO Kuhkhoi Pomir (Mountains of Pamir), said that the head of the Gorno-Badakhshan Autonomous Region has launched a Facebook page, where he shares news. "As for the press secretaries of other regional authorities, it is not even known whether they exist at all," he said.

Media expert Rajab Mirzo said that, according to the public foundation "Internet," 31 percent of ministerial and departmental websites are not updated and have no operational information, while some sites or links do not work. Panelists noted that the main way for journalists to obtain information continues to be through personal links within ministries and departments, and not from knowledge of the laws.

The presidential apparatus still filters the access of foreign journalists accredited in Tajikistan. Some reporters have long since ceased receiving invitations to the president's meetings with international delegations. "When the president comes to the regions, a narrow range of media is allowed to attend the meetings — only those on the presidential press service's list," said Mamurzoda.

Access to international news in Tajikistan is always open, due to the many radio, television, and Internet portals. However, a range of factors inhibits access. One of the most significant is the annual limit on the supply of electricity in the regions, from mid-October to mid-March. Another problem is the high cost of Internet service access (USD \$30 to \$150 monthly) relative to the population's income.

Satellite and cable television is used widely to obtain alternative information from abroad.

The journalism occupation is not subject to licensing and journalists do not need to have professional training to start working in the field. The new law on the media contains a clear definition of a journalist: a media employee who works on the staff of, or under contract to, a media organization and who is a member of the Tajik Union of Journalists. However, media workers often experience barriers to professional activity if they lack accreditation to cover particular events.

Tajikistan has eight higher-educational establishments where journalists are trained. However, upon graduation, they rarely are professionally prepared for or interested in working in the media.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

1.66

Experts on the panel agreed that professionalism among specialized journalists (political correspondents, parliamentary correspondents, etc.) has degenerated significantly in recent months. "The standard of quality of journalistic material has fallen," said Negmatullo Mirsaidov, editor of the newspaper *Varorud*, "This is associated with increased pressure on journalists and the media and the outflow of some professional journalists from the profession." Yusupov confirmed that "over the past two years, 50 percent of experienced journalists have left the profession for various reasons."

Journalism depends primarily on sourcing accurate information, which often proves difficult. "In Tajikistan, even independent experts

Journalism meets professional standards of quality.

PROFESSIONAL JOURNALISM INDICATORS

- ▶ Reporting is fair, objective, and well sourced.
- ▶ Journalists follow recognized and accepted ethical standards.
- ▶ Journalists and editors do not practice self-censorship.
- ▶ Journalists cover key events and issues.
- ▶ Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- ▶ Entertainment programming does not eclipse news and information programming.
- ▶ Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- ▶ Quality niche reporting and programming exists (investigative, economics/business, local, political).

apply self-censorship for fear of pressure and consequences in their relationships, and as a result, their numbers have fallen sharply,” said Karshiboev. Panelists noted that it is specifically this lack of an extensive expert community that reduces the standard of published material.

Even journalists at the popular newspapers *Ozodagon* and *USSR* often violate ethical standards. According to the panelists, in 2017 the Media Council received multiple complaints about print and electronic media, in particular regarding ethical issues, objectivity of publications, respect for privacy, and plagiarism.

The extent of media plagiarism has not changed and is still prevalent in all print and electronic media. According to Karshiboev, “Since the law on mass media does not extend copyright and other related rights to informational materials, there is nothing

to stop them being republished in other media. Of course, it is unethical to reprint the material of another author, signing it with a different byline.”

Independent media have progressed somewhat in the area of professionalism, but state media still practice at a low level. Television broadcasts do not present a balance of opinions, and usually reports are written in the first person. Most significantly, broadcasters are merely acting as mouthpieces for officials’ opinions. Tadjibaeva said that even those viewpoints are not reported accurately. “Many editors believe that interviewing is the simplest genre and send out young and inexperienced journalists, so the quality of interviews is appalling. For this reason, officials have stopped giving interviews.” Mirzo also remarked that almost all officials complain that their words are distorted and taken out of context. According to legislative standards, a person that consents to an interview has the right to read the text, but Tajik media do not always comply with this rule.

The public organization Media Council of Tajikistan, which includes 88 editorial offices of newspapers, magazines, electronic media, and other media companies, monitors the implementation of ethical standards in journalist activities. The council accepts appeals from interested parties, discusses cases at meetings, and makes decisions on remedial actions (though these are purely recommendatory). Subsequently, the council publishes its recommendations in media outlets. To date, the largest Tajik-language opposition newspapers, *Millat* and *Pike*, have not adopted the council’s code of ethics.

The panelists observed that self-censorship seems to have intensified in the aftermath of the attempted mutiny by ex-Deputy Defense Minister Abduhalim Nazarzoda, and the trial of the Islamic Renaissance Party of Tajikistan in September 2015. Self-censorship is spreading among journalists as

well as editors. Niyozov described his experience as *Faraj* editor: “Two or three times, we had to stop printing, as the National Security Committee demanded I remove an article. Only upon removal would the issue see the light of day.”

Tadjibaeva said that *ASIA-Plus* is forced to limit its subjects. “We have a list of people who, under no circumstances, can be criticized by advertisers and partners.” Zarina Ergasheva, editor of *Migrant*. tj, confirmed: “Often we are afraid to criticize state officials who serve as information sources, for fear of losing them as a source.”

Because intelligence services drip-feed information, thorough coverage of national security issues is impossible. Tajikistan’s National Strategy on Countering Terrorism and Extremism’s emphasizes working more closely with media and civil society, but information is still held back, and law enforcement and security do not favor partnerships. “Unfortunately, our special services are reluctant to contact and cooperate with the press, and they put forward their own version of how journalists should write, even though we could help them in the fight against security threats,” said Karshiboev. Khalikjanova added, “Events relating to national security issues are covered one-sidedly, with printed media doing a little better.”

Some events are covered only by bloggers, although their number is insignificant. Often the bloggers’ content is used by traditional media with no reimbursement. A very strong informational influence is social networks, where users publish various news, videos, and photographs. Often, after the publication of a post or a complaint on a social network, a news editor will ask a journalist to analyze the situation.

Wages are not keeping up with the rising prices and the national currency depreciation. “Virtually all editors and journalists are either moonlighting in

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other media and online publications or are taking on extra work of some kind and looking for incentives and gifts on the side,” said Niyozov. Mamurzoda agreed, saying, “In all parts of the Khatlon region, television journalists and news crews demand a fee in the form of money or food for shooting an off-site report or writing an article.”

Salaries are higher at independent media, but recently, pay rates for state and independent media have become more balanced. According to the State Committee on Television and Radio, state staff receive an average of USD \$130 to \$140 monthly. Employees of the state television Channel 1 receive more — between USD \$150 and \$250, plus up to a 20 percent bonus for advertisement sales. In regional media, advertising managers are in the best position, as those working in radio receive bonuses of 15 percent, and those in television, 20 percent. “On average, salaries in the ASIA-Plus media company range from [USD] \$350 to \$400, and the authors of advertising materials on the site receive bonuses from sponsors and business partners, based on views,” Tadjibaeva reported.

The media sphere has no balance between entertainment and informational programs. Entertainment programming holds sway on television as well as radio. As Ergasheva noted, “The proportion of information to entertainment programs used to be 40 percent to 60 percent; now it is 30 percent to 70 percent. The share of entertainment programs is 70 to 75 percent of airtime on state television, 60 percent on state radio, and more than 80 percent on private FM radio. The state does have a [24/7] news channel, Jahonnamo.”

Ergasheva also commented that viewers have been spoiled by satellite channels, so television stations have to entice them with entertainment programs, talk shows, and sports broadcasts. The under-35 television viewer segment in particular

prefers this programming and does not watch analytical or news programs. Tadjibaeva said that newsroom staffing is another part of the problem. “People want [drama], but there are not enough journalists who can write about show business, even though one can make quality content out of it.”

Media companies do not have adequate modern technology. The material and technical bases of state-owned media are much better than at the independent media. Problems remain also at regional media, where printing houses have to make do with outdated facilities. Each year, state television and radio channels modernize their technical base using state budget funding.

“An independent printing house that does not surrender to pressure from the authorities is needed,” Mirsaidov commented.

In general, print media equipment is obtained from international grant providers. Many of these donor organizations hold competitions for media awards and now give journalists multimedia equipment as prizes instead of money.

Regional print media reporters use obsolete equipment, and journalists buy Dictaphones and smartphones out of pocket. “State-run media in the Sughd Region are provided with equipment at the expense of the regional authorities; independent television stations in that region have themselves begun to invest in modern and more convenient equipment for production of content,” said Dodobaev. According to Alamshoev, modern technology is available to journalists of state-owned media in Khorog, but they have problems with the Internet, which is expensive and unstable.

The country still does not have any high-quality

niche media. Panelists said that one reason is that readers are unprepared to digest new content. “No demand exists yet for specialized journalism, as there are simply no customers for it,” Tadjibaeva said.

Fewer journalistic investigations ran in local media in 2017, and those that were undertaken mostly dealt with social issues. According to Niyozov, “Almost 90 percent of the investigations conducted by Center for Journalistic Investigations journalists were not published. That is because this requires [an in-depth investigation], and the person who originally contacted us then quickly reaches an understanding with the person about whom the investigation was ordered.” In addition, journalistic investigation is expensive. “Usually the editorial board is not capable of paying for such work,” Khalikjanova confirmed.

In Ergasheva’s view, another issue in this matter is protection for journalists, because they become at risk of attack in exposing the details of a case. In Tajikistan, editorial offices are not capable of protecting investigative journalists from physical or legal threats.

None of the printing presses in Tajikistan are free from government influence. This absence affects the livelihood of private media, as printers can refuse to print a newspaper containing a critical article that would potentially provoke authorities. “An independent printing house that does not surrender to pressure from the authorities is needed,” Mirsaidov commented.

Newsprint and other consumables for printing newspapers are largely in the hands of three or four businesspeople. One of the owners is Sharif Hamdampur, who also owns the Oila media corporation and is very close to the authorities, often still acting as a stringer for the customs service.

**OBJECTIVE 3:
PLURALITY
OF NEWS**

1.95

The quantity of Tajik information sources has increased in recent years, as many new radio stations and newspapers have appeared. But a number of outlets have problems with timeliness and objectivity.

Most publications and broadcast media have created their own websites for posting news for their audiences, and some have apps for mobile phone users. Every year sees an increase in the number of consumers using social networks and reading news on their smartphones. The practice of using chat rooms in place of SMS messaging is developing, as chat rooms are cheaper to use.

The country's approach to mass media is outdated and needs to be reformed, panelists argued. "The government's desire to protect the information space is not wholly effective, because that is impossible under the conditions of globalization. The influence of media from neighboring and foreign countries on Tajikistan's information space can be detected," according to Karshiboev.

In Khalikjanova's view, the Tajik sphere has the potential to serve all media consumers' needs. "We need a program to support the media regardless of the type of ownership," she said. "This step would help saturate the information market so that Tajik citizens would not need to turn to foreign sources to find information about events in the country."

People in the large cities of Dushanbe, Khujand, and Kurgan-Tyube have more information access, media variety, and financial security than residents in the remote regions. For rural Tajiks, the most accessible media are radio and television because newspapers appear irregularly and are

not affordable for many. Regardless of the level of economic well-being, or the geographic location, almost every household has a satellite dish and cable television.

According to the panelists' assessments, regional residents, especially in remote locations, cannot afford to buy newspapers because prices go up several times a year. The average price of one issue plus delivery is now \$0.45 to \$0.50. Tajiks in outer regions also receive information through electronic media, television, and radio. Mirsaidov commented that some independent local publications appear to have become more cautious than state publications, as they have stopped writing critical articles on important topics and events.

State and government mass media have a stronger impact on formation of public viewpoint, due to the higher number of central television and radio channels and larger runs of printed media. "The state media mainly reflect the pulse of the government of the country and the opinion of the populace on vital topics," said Niyozov.

According to Mamurzoda, the circulation of most newspapers is no more than 2,000 copies, while the number of residents in the Kurgan-Tube region is more than three million. "Therefore, the impact of the regional press on the sociopolitical processes in the country and public opinion is minimal," he said, "State media in the regions only publish materials about the activities of the central and local authorities or write about public holidays. Criticism is not allowed, and in addition, there is not a single daily newspaper in the Khatlon region."

Tajikistan has not yet created any public media, even though providing such outlets is one of the conditions of its membership in the World Trade Organization (WTO).

According to Zinatullo Ismoilzoda, private media produce their news in house, and mainly reflect

everyday life for Tajiks. Unlike the state-owned media that focus on national and international news, they focus on local and regional stories. Tadjibaeva confirmed, "Private media publish their own news and differentiate themselves from the state media by expressing an alternative opinion."

The state does not require registration to gain access to the Internet, and citizens have the opportunity to read and analyze information from foreign websites. Tajik law states that the blocking of a site or social network can only occur by a court decision, except for "undesirable" international sites that promote extremism and terrorism. But service providers report continually that national and foreign websites are blocked, and since 2012, sites have

Multiple news sources provide citizens with reliable and objective news.

PLURALITY OF NEWS SOURCES INDICATORS

- ▶ A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- ▶ Independent broadcast media produce their own news programs.
- ▶ Citizens' access to domestic or international media is not restricted.
- ▶ Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

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been blocked or restricted upon the direction of CS. Mirzo reported examples: “In 2017, the popular social-networking sites Facebook, Odnoklassniki [Classmates], VKontakte, and YouTube were blocked seven times. The sites of several local independent media such as *ASIA-Plus*, *Ozodagon*, *Faraj*, and *Avesta* were also blocked.”

Many faked users have created page-doubles of political figures, well-known opposition journalists, and human rights activists. Tajikistan has multiple pages belonging to radical Islamists and members of terrorist organizations such as ISIL.

Private publications have more diverse content than state outlets, but both are increasingly having to compete with social networks in order to broaden their reading audiences. Mass media organizations in the state-run and independent sectors have begun to launch social network pages, from where they can rapidly distribute their content. Readers turn more and more to sites such as Facebook, VKontakte, Odnoklassniki, and Twitter for their information. “Today’s users of information choose for themselves which sources of information to utilize — newspapers, magazines, FM radio, television, or the Internet — depending on their interests,” said Alamshoev.

According to the latest statistics from the Association of Internet Service Providers of Tajikistan, Facebook has more than 110,000 registered users in Tajikistan, and the daily number of Tajik visitors to Facebook is anywhere up to 150,000. However, these networks are not reliable sources, and their news stories can have a dichotomous tone. Readers have to look at where the story originated and by whom it was written.

Mobile apps are available for news feeds from outlets such as *ASIA-Plus* and Radio Svoboda, and are being utilized for communication. “Messaging services are now mainly used for conversations and

calls, while the Telegram app is becoming popular among advanced users,” said Ergasheva.

Any citizen with sufficient funds is able to access the Internet. According to the panelists, out of Tajikistan’s 8.5 million people, about 4 million users have access to the Internet, including by mobile devices. Despite its high price, Internet use is common in the large cities. Usage in the regions is much lower, due to the limited bandwidth and high cost for local residents. Depending on the provider, monthly rates for Internet access vary from \$50 to \$200. Such charges are beyond the financial reach of more than half of the country’s population.

“Today’s users of information choose for themselves which sources of information to utilize — newspapers, magazines, FM radio, television, or the Internet — depending on their interests,” said Alamshoev.

Eleven news agencies are registered in Tajikistan, but only seven are actually in operation. Those include the leading agency *ASIA-Plus* along with *Avesta*, *catoday.org*, *faraj.tj*, *tajikta.tj*, *pressa.tj*, *sugdnews.tj*, and the government agency *Khovar*. All the news agencies are affiliated with media companies. *ASIA-Plus* is owned by the *ASIA-Plus Media Group*, *rasa.tj* by the *Oila Corporation*, *Avesta* and *tajikta.tj* by the newspaper *Business and Politics*, and *sugdnews.tj* by *Faraj*. “In Tajikistan, there are three advertising agencies affiliated with the [state] Committee on Television and Radio Broadcasting,” *Ismoilzoda* said.

Tadjibaeva described her company’s services. “The agency *ASIA-Plus* shoots photographs and videos, and we produce infographics. In other words, we use all types of multimedia tools,” she said. *ASIA-Plus* gathers news from Facebook for at least

20 percent of its content and uses news from international news agencies, publishing via hyperlinks.

In order to survive, news agencies have begun to publish more advertising materials and press releases. Additionally, according to *Tadjibaeva*, *ASIA-Plus* has needed to make flexible arrangements with clients. “For many years now, we have allowed local newspapers to use our news for free. We have a few paid subscribers, and they receive bonuses in the form of news announcements and multimedia content. They can also post PR materials and press releases with us free of charge,” she said.

The panelists noted that media outlets still have almost no inter-regional exchange of information among their reporters. Centralized media usually take news from verified bloggers in the regions. The panelists also described a new program that improves statewide connections. With the support of the international NGO *Internews*, independent television and radio stations have created a tele-news bridge exchange. The participating outlets transmit information from all corners of the country and share programs with one another.

Dodobaev said that independent media in the *Sughd Region* broadcast their own news content, which is of higher quality than state media offerings. “When producing our news, we observe international standards, criteria, and ethical standards, which differentiates us in a good way from state television channels.”

According to the panelists, Tajik citizens today have little interest in who owns the media, and consider quality of information more important. The ownerships of most media are not secrets, and anyone can easily find this type of information. However, the media sector has some individual, commercially affiliated outlets with unknown founders and owners.

Tajik law limits the share of foreign capital to

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a maximum of 25 percent. As a result, attracting major foreign capital into the media sphere is out of the question. Tajik media do have a level of foreign investment, in the form of grants and technical assistance from international donor organizations and financial institutions.

To provide foreign news, state television channels use fragments from Russian television channels, Euronews, BBC, CNN, and Al-Jazeera. Today, almost all newspapers reprint free of charge the news from the world's leading and local news agencies.

The media tend to avoid any coverage of the family and private life of the president, prime minister, or local leaders in the regions. Also off-limits are coverage of corruption in the highest echelons of power, the activities of special services, and any business partners with whom a media company has an agreement. "These topics used to be written about in the newspapers and discussed openly, but now people are even afraid to speak out loud in their own kitchens," Yusupov said. Mirsaidov confirmed that "regional correspondents are afraid to write critical articles for the central newspapers, fearing pressure from the local authorities."

The state news rarely shows emergency incidents, clashes, terrorist attacks, or natural disasters. According to the panelists, few Tajik media provide coverage of problems, HIV/AIDS, topics of informal groups, or sexual and religious minorities.

In 2017, the number of national press outlets increased by two newspapers, with 22 print media now published in the Uzbek and Kyrgyz languages. Regional newspapers published in Russian are more popular than those published in Uzbek. Alamshoev said that the Gorno-Badakhshan Autonomous Region has only one newspaper, *Sarikol*, in the language of national minorities, and that only comes out every six to eight weeks. According to Mamurzoda, part of the problem is staffing. "There

is no one to write in the Uzbek language," he said. "There are no Uzbek-speaking journalists, so these regional newspapers are closing down."

Issues concerning ethnic minorities are covered in small reports and then only rarely. They mainly touch on the problems of Eastern Gypsies (Lyuli) living in the western and southern parts of the country, and Lokaitsi living in the suburbs of Dushanbe. Since the year 2000, national minorities have had no representatives in parliament or the country's government.

According to the panelists, national minority media in Tajikistan are free to develop without restrictions. However, in a blow to diversity, fluency in the official language of Tajik recently has become compulsory for all state officials and the deputies of the two parliamentary chambers.

Three state television channels broadcast analytical and news programs in Russian and Uzbek once per day on Channel 1, Safina, and Bakhoriston. Radio station Ovozi Tochik broadcasts once a day in Uzbek, Russian, and Arabic. Channel 1 and the national information channel Jahonnamo also broadcast news programming in Arabic and English. Khalikjanova said that stories about world events are propagandistic. "Most often, foreign news reports on the state television channels show negative news about murders or emergency incidents; that is, not from the point of view of usefulness, but from that of political engagement."

The Tajik government still mandates subscriptions to the state-owned media. To secure renewals, editors themselves or their deputies go out to the regions.

To date, none of the state-owned media nor electronic media have correspondents abroad or beyond the central and eastern parts of the country. Only one independent print outlet, *ASIA-Plus*, has a presence in Washington, DC and London. The state

news agency Khovar has its own correspondents in two cities, Moscow and Ankara.

The division of the media sphere into state and independent entities leads to a polarization of opinions and antagonism between journalists. In the panelists' view, a solution would be creating more neutral public national print publications, public television stations, and public radio companies. Founding all such media would require passing legislative acts, however.

OBJECTIVE 4: BUSINESS MANAGEMENT

1.48

The economic situation, an underdeveloped advertising market, and the lack of a fully-fledged market policy all lend an unfavorable outlook for the media. Tajikistan's media sphere ceased to be self-supporting in 2015. Only a high level of professionalism and competitiveness can make periodicals profitable, according to the panelists. "Advertisers have reduced their participation in the market, because of the economic crisis in 2017," said Khalikjanova.

Tajikistan's independent media do receive a large share of advertising from international and nonprofit organizations but still are unable to grow. They try to stay in the market by any means possible, including public relations contracts, increasing circulation, and arranging promotions, roundtables, and conferences. "Independent or private print media do not receive any state subsidies, although the Law on the Press and Other Mass Media contains a paragraph stating that the state can provide financial support to any media regardless of the form of ownership," Niyozov said.

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS

- ▶ Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- ▶ Media receive revenue from a multitude of sources.
- ▶ Advertising agencies and related industries support an advertising market.
- ▶ Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- ▶ Independent media do not receive government subsidies.
- ▶ Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- ▶ Broadcast ratings and circulation figures are reliably and independently produced.

Revenues and subscriptions from state-owned media are guaranteed. They receive funds from the state budget, and advertisers prefer state-owned media. In addition, state media have steady sources of budget supplements — compulsory subscriptions for state institutions, enterprises, schools, and universities; advertising; and paid announcements from state bodies, banks, and commercial companies with close ties to the government.

Since 2003, media advertising has been regulated under the Tajik law on advertising, which differentiates between state and non-state mass media. Advertisements from government agencies are placed only in government print media or aired on state radio and television channels. Media organizations work directly with advertisers, making no use of the potential of advertising agencies. For advertisement placement, clients usually establish

arrangements with those publications that have large circulations. *ASIA-Plus* has its own advertising sales department, which sets its own prices.

Advertisements in independent media fill 30–40 percent of print space and 10 percent of air time. For state media, the figures are 20 percent for print space and 30 percent for air time. Advertising agencies such as Tak, A-Media, Tamosho, O, and Bale work in Dushanbe, and all buy advertising from the same media organizations.

The panelists said that almost the entire advertising market has gone over to state television, which usually charges commercially nonviable prices and where the advertising revenue distribution system is opaque. According to official data, the 2017 advertising market was about \$7 million. Dodobaev argued, however, that unbiased statistics are not available. “In Tajikistan, there is no objective marketing assessment of the advertising market or estimate of the monetary amounts that are circulating in the advertising market,” he said.

The largest share of the advertising market is made up of pharmaceutical companies, pharmacies, and private medical centers, followed by Internet providers, banks, household appliance distributors, and mobile operators. Out of all the state enterprises, only the Tajik Aluminum Company (TALCO) and the airline Tajik Air use advertising. Many print media receive Internet and mobile communications services in exchange for print advertising.

Internet advertising has developed through the use of crawlers for data gathering. “A number of companies began to advertise in the social network Facebook,” Tadjibaeva said. She added that pricing for Facebook placements is cheaper than in Tajikistan’s print media: Advertising on Facebook costs \$7 a week but in print media it is \$27/week.

All four state television channels have advertising sales departments, as do the media

holdings of Oila, Charkhi Gardun, and Orieno-Media, and radio stations ASIA-Plus, Imruz, Vatan, Love Radio, and Khovar. Most of the commercials on state media are lifted directly from Russian, Turkish, or Iranian advertising and are merely dubbed into the Tajik language.

Regionally, print media have hardly any advertisements. Most advertising clients make use of outdoor banners and street billboards instead. Often companies generate publicity using event agencies, bypassing the mass media.

“Independent or private print media do not receive any state subsidies, although the Law on the Press and Other Mass Media contains a paragraph stating that the state can provide financial support to any media regardless of the form of ownership,” Niyozov said.

Newspapers are sometimes involved in “black PR,” a practice in which business competitors are pitted against each other. The newspaper prepares negative public relations materials about the competitors and then agrees not to print it for a price.

The total circulation of all newspapers produced in Tajikistan in 2017 did not exceed 120,000 — a 40,000 drop in circulation from 2016. “Readers’ interest in newspapers continues to decline, because many print media offer Internet sites and social network pages,” Mirzo said. Most regional newspapers appear irregularly, perhaps once or twice a month, because the local budgets they depend on have suffered during the financial crisis.

Regional state newspapers that remain profitable are *Diyori Tursunzoda*, published in the city of Tursunzade, with financial support

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from TALCO and a circulation of 3,500; *Hakikati Sughd* from the Sughd Region, with a circulation of 5,000; and *New Khatlon*, in Tajik and Russian, with a circulation of 8,000. “Before the crisis, the circulation of our newspaper *Faraj* was 8,300. Now it approaches 6,000,” Niyozov said. Its staff was reduced from eight to five journalists, and the advertising department works mainly on small contracts for up to \$700. Yusupov commented that some private newspapers increase their circulation by means of surveys and competitions.

Successful development as a media business is hampered continually by legal and bureaucratic obstacles, high taxes, increased scrutiny by fiscal and other regulatory bodies, and unauthorized inspections. The panelists noted that these checks usually occur after critical articles are published. They also said that some large companies pay the media for silence, so that nothing is written about these companies.

Tajik media rarely have formal management structures; usually the “management system” is just decisions made by the media director or company owner. Almost all non-state media are managed without business plans, marketing research, or strategies for capital investments. “Everyone tries to survive as best they can,” Tadjibaeva commented.

Panelists from the regions reported that during subscription campaigns, subscriptions go to the country’s state publications first, then to the regional and city newspapers. *Faraj* and *Sumak*, the sociopolitical newspapers in the Tajik language that are opposed to the authorities, only have 1,700 subscribers, with a circulation of 4,000–6,500 copies. This is extremely small compared to *Minbari Khalk*, the newspaper of the ruling People’s Democratic Party. It has a circulation of 40,000, more than 35,000 subscribers, and an annual subscription income of 3.3 million somoni (\$375,000). All print

media organizations regard circulation growth and profitability as evidence of popularity.

According to Karshiboev, the financial transactions of state radio and television channels are nontransparent. “They have a special account into which funds from advertising and other commercial activities are credited. This account is not audited,” he said. The panelists also pointed out that the Internet sites of the television Channel 1 and Safina are not in the .tj county domain, but are located offshore in Macau — giving the impression that this money is being laundered.

On the subject of marketing research, panelists noted that agencies mostly work at an amateur level, and the figures and other information they provide are not always reliable. “Once again, because of low wages, research companies do not always attract professional analysts, and their conclusions are adjusted to suit the needs of the customer, so the research is biased from the beginning,” said Yusupov. In addition, professional marketing is an expensive luxury that none of the media can afford.

Despite long-standing discussions among media stakeholders, Tajikistan has no independent audit-circulation body. The ratings and statistics of Internet page visits and users do not instill public confidence. Some sites count only the number of views and not the number of visitors, and apart from a few exceptions, media editorial offices do not analyze the traffic to their websites. However, site visits can be tracked from many statistical resources, and media managers and journalists understand all the criteria used for rating sites. Television and radio broadcasting companies compile their own ratings.

While all metrics for *ASIA-Plus* newspaper are open, not all Tajik media’s metrics are. “Thus, it is impossible to conduct research and compare the ratings of print media,” Tadjibaeva said. Circulations of printed publications are indicated in output data,

but in 2017, the numbers were inflated in order to retain advertisers.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

1.95

Tajikistan has several trade unions, the largest of which is the Union of Journalists. Its board includes the heads of other journalistic organizations, such as NANSMIT, the Media Council, and the Media Alliance of Tajikistan. All journalistic organizations provide legal advice to journalists, promote their professional growth, and offer retraining.

NGOs cooperate with journalists, but do not always protect them. Currently in Tajikistan, 17 branches of local NGOs related to various media issues are in operation. Thirteen journalistic associations and foundations and one creative union are also registered in the country.

Professional associations of journalists and other organizations try to defend freedom of speech, Ergasheva said, noting, “They make statements about infringements of journalists’ rights, but only international organizations listen to them.” According to the panelists, many media associations are powerless in the face of government actions, given that the associations cannot counteract them.

Several organizations deal with the protection of journalists’ freedoms. For example, the Independent Center for Human Rights constantly provides free legal advice and assistance to editorial staff and journalists on a project-by-project basis.

In recent years, professional associations have been established to protect journalists’ rights, ethical standards, and electronic media. The panelists

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said that these associations play important roles in the development of mass media resources through advisory information; legal assistance and protection; and educational participation in conferences, seminars, and training sessions.

Tajikistan has no business associations for journalists, however. The only association that might fit into this category is the Association of Television and Radio Broadcasters. This association was created by the Internews Network project and includes 19 television and production studios as members. The association has grant support but weak management, so it has not yet made significant progress in advancing media interests.

Karshiboev said that NANSMIT is composed

36 media companies and issues licenses to independent freelance journalists. He continued, "In 2017, we signed an official partnership agreement with Reporters without Borders. We are now the authorized representatives of this organization for Central Asia — Tajikistan, Kazakhstan, Kyrgyzstan, Turkmenistan, and Uzbekistan."

The panelists noted that all media organizations have a statutory duty to protect the freedom of speech and the independence of the media. However, of all the media associations, Mirsaidov said, "NANSMIT, in its defense of journalists' rights, is the one that responds most effectively to any problem in the media." The Union of Journalists, which now has 2,400 members, is much more passive, according to the panelists.

Despite limited financial resources, NANSMIT and its partners held several events in 2017 on digital security. Karshiboev said, "In connection with the restriction of information access and the fact that, under the pretext of combating extremism and terrorism, control over the media and journalists has increased — which includes tracking our correspondence and email accounts — we held two conferences and three training sessions on legal, digital, and physical security for journalists. This was with the support of the Embassy of the Netherlands and Reporters without Borders."

The Sughd Region Journalists' Club operates successfully in the city of Khujand and under NANSMIT's patronage. "There, on premises allocated by the city's mayor, journalists meet regularly to discuss any pressing issues or problems. Officials are also invited to attend," Dodobaev said.

According to the panelists, no professional association of journalists can truly work effectively if funding is from membership fees alone — associations must apply for project-related grants and be supported by partner organizations to improve

operations. Authorities also cautiously view media organizations upon registration, especially if a charter contains any item on the protection of journalists' rights.

With regard to unions for journalists or media workers, Karshiboev said that a trade union of media workers in the Khatlon region has been in operation for three years and has 150 members. In the Sughd Region and Dushanbe, union initiatives are still hindered by the absence of a good leader, panelists reported. They also said that media owners are resistant to development of unions and their defense of members' labor rights and social benefits.

Last year, the state created yet another obstacle for NGOs, under which even media companies must now account to the Ministry of Justice for grants received. At any time, the ministry may audit the monies to verify the grant's target spending.

Eight universities from around Tajikistan produce about 300 journalists annually. More than enough journalism students are graduating yearly, in the capital as well as in regional centers. But the panelists noted that less than 10-15 percent of graduates enter the profession, as most of them take jobs outside Tajikistan.

Even though journalism training programs in higher-education institutions are currently undergoing improvement, the present level of training is outdated and inadequate. The country does not have enough professional journalists that can teach at universities, especially at regional schools, and many universities do not encourage students to practice in the independent media. Commenting on his experience at *Faraj*, Niyozov said, "We are ready to hire graduates, but all of them have to be extensively retrained, and none of them want to receive what they regard as a low salary."

Ergasheva had suggestions for improving journalism education. "Attention needs to be paid to

Supporting institutions function in the professional interests of independent media.

SUPPORTING INSTITUTIONS INDICATORS:

- ▶ Trade associations represent the interests of private media owners and provide member services.
- ▶ Professional associations work to protect journalists' rights.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

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the training of personnel that all media require — not just independent and state media. This requires an increase in short-term thematic courses by specialization and include the involvement of local and foreign specialists,” she said. According to her, the Media Academy of Tajikistan ran 13 such courses and four mastery classes in 2017. Seventy-five journalists from state and independent media were trained.

At this time, journalism students can study abroad only on a private basis, with various programs in the United States, Germany, United Kingdom, Czech Republic, China, and Turkey. Students at public universities can only study abroad in the CIS countries — Russia, Belarus, Kazakhstan, and Ukraine — and the government sets quotas for workers in the Ministry of Education and Science. In the last three years, these quotas for training abroad have been restricted to just those specialties necessary for work in the economic sector.

Yusupov lamented that a prerequisite for international training opportunities is familiarity with the English or Russian language. “Within Tajikistan, almost all training and seminars are held in the national language. Many journalists do not speak Russian well, so they are unable to participate in courses or in training programs abroad in order to upgrade their qualifications,” he said.

Mamurzod noted that the journalism faculties at Kurgan-Tyube University and Kulyab University have two student production studios. Khujand State University, Tajik National University, and Russian-Tajik Slavonic University in Dushanbe also have working student radio and television studios that produce their own programs.

For students that want to work in printed media after graduation, very few school facilities are available. Tadjibaeva said that *ASIA-Plus* has a program to make up for this shortfall. “Every year,

at least 10 to 12 students intern at *ASIA-Plus* to gain practical experience. But in the last two years, not one of them has later come to work for us.”

Apart from Russian-Tajik Slavonic University and Khujand State University, schools do not offer courses in specializations. According to the panelists, Tajik media badly need multilevel preparatory training for analysts on economic topics, political science, and legal education, and would benefit from internships with colleagues in neighboring countries. The journalistic field is currently dominated by professionals from other disciplines: philologists, orientalist, historians, translators, lawyers, and economists. “About 70 percent of journalists working for both state and independent media do not have a journalism diploma,” Karshiboev said.

“Within Tajikistan, almost all training and seminars are held in the national language. Many journalists do not speak Russian well, so they are unable to participate in courses or in training programs abroad in order to upgrade their qualifications,” Yusupov said.

The most popular forms of training are mastery classes on Internet journalism, the operations of social networking sites, and webinars. All courses and mastery classes are free of charge, and access to them is not restricted. They are run by NANSMIT, Internews Network, and the Independent School of Journalism Tajikistan—21st Century (owned and operated by *ASIA-Plus* for training their own employees as well), and the public organization Khoma. NANSMIT, Internews, and the Deutsche Welle Academy also provide useful short-term and longer-term training courses on the safety of journalists in emergency situations, digital security,

environmental safety, investigative journalism, and multimedia coverage of border conflicts.

According to the panelists, convincing journalists from the state media to attend training seminars has been difficult, as state publication owners and editors do not yet accept international standards of journalism. With president Rahmon’s founding of the Media Academy of Tajikistan, however, government publications have begun to send their employees to the academy regularly.

Remote regions of Tajikistan do not have effective operating systems for print media distribution. The Association of Press Distributors, formed in 2012 with OSCE support, was intended to improve national distribution. However, it went bankrupt before it could accomplish its goals, due to internal conflicts among the print media owners.

The channels for print media distribution are still politicized. Kiosks owned by Tajikmatbut often do not sell issues of independent opposition newspapers. The panelists reported that at times, newspaper issues are completely withdrawn from kiosks after an outlet publishes a critical article. Only the government media have a centralized system for delivering their newspapers and magazines, through the state enterprise Tajikpechat. Independent print media are forced to distribute their circulation through private distributors. Newspaper collection depends on the seasonal conditions of the distributor’s region, however. As one panelist described, in Dushanbe and other large cities, elderly people sell newspapers and magazines to pad their modest pensions.

According to the panelists, the most popular newspapers in the country are *ASIA-Plus*, *Faraj*, *Samak*, and *USSR*. In Khorog, the most popular newspaper is still *ASIA-Plus*, which retails at six somoni (\$0.53), against a wholesale price of three somoni (\$0.27). Readers also prefer this newspaper

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because it is printed in Russian.

Tajikistan has 272 private printing houses and 37 state printing houses. Most of them are located in Dushanbe. Regional presses produce lower-quality products than those in the capital. Almost all independent media are printed at Oila media company's press, which is owned by Sharif Khamdampur.

According to the panelists, none of the private print houses can be considered truly independent, since they are susceptible to government influence. The government imposes political biases so that certain publications are left with no access to equipment. "It has been the practice for many years that if a newspaper does not suit the authorities, then none of the printing houses will print it," Karshiboev said.

Typography is a profitable business, and all the leading private printers purchase their own paper, plates, and film. The private printing houses in Dushanbe (Megatrend, Oila, and Mushfiki) have high-quality equipment. The printing house complex Sharki Ozod, owned by the executive office of the Tajik president, provides services at an affordable price but lower quality. Sharki Ozod and three or four additional companies supply newsprint and plates, and together set going prices. Private printing house rates are usually 5–10 percent higher than Sharki Ozod's, but the quality is slightly better, and the private houses have color printing facilities. And as Niyozov reported, "Sharki Ozod makes a lot of mistakes, and sometimes part of the print run is stolen from there."

Sources of equipment for the media are not politicized, but media face barriers with importing equipment such as transmitters for television and radio stations. "Import duties are very high for independent broadcasters, while at the same time, for state broadcasters, there are no restrictions on

buying equipment from abroad," said Dodobaev.

Not all independent television and radio stations have their own transmitters. If they do, they are usually low power — only up to 1.5 kilowatts. The state-owned CS and Teleradiocom have monopolies on frequency allocation and distribution channels. At any given time, the authorities can interrupt or close down the broadcasts of non-state electronic media, which rent their channels from the state.

Under the auspices of the state operator Tajiktelecom, the Tajik authorities created the Unified Switching Center (EKC) in 2016. EKC controls the incoming and outgoing traffic of international telecommunications services and the Internet. EKC's startup cost the country \$50 million. The authorities claimed that the EKC was established in the interests of security, to fight against terrorism and extremism.

In mid-January 2018, CS directed all service providers to run the Internet exclusively via the state data transmission network, which operates under the brand name Tojnet and belongs to the state-owned telecommunications operator Tajiktelecom. Prior to that, providers accessed the Internet through Kyrgyzstan and other countries. Mobile operators have expressed dissatisfaction with this regulation, as now they cannot purchase Internet access outside the country at the deeply cheaper rate they had. This has had a concomitant effect on the pricing structure; Tajikistan's Internet access is now considered to be the most expensive within CIS territory.

The authorities have stated repeatedly that all control measures in the field of telecommunications and the Internet are aimed at preventing the radicalization of society. But the panelists said that they believe that CS is pursuing economic benefits by becoming a monopolistic provider in the arena of Internet traffic. The authorities have obtained full control over Internet streams and

can now exert pressure on mobile companies and Internet providers.

Cable broadcasting is subject to compulsory licensing. The switchover to digital broadcasting has allowed cable operators to deliver more information from different channels. Currently, Tajikistan has six cable channels — two each in Dushanbe and Khujand, one each in Tursunzad and Kairakkum.

In the transition to digital broadcasting, the state television channels changed to another satellite. This shift prevents more than 20 percent of the country's inhabitants from being able to watch those channels. All the television and radio towers belong to CS and Tajiktelektradiocom; independent stations that have their own transmitters have to rent a state tower.

More than 300 websites are still blocked in Tajikistan. According to the panelists, the authorities engage in electronic tracking; IP address identification; bill scrutiny; hacking of social media accounts on Facebook, Odnoklassniki, Twitter, and VKontakte; and eavesdropping on conversations that opposition politicians and journalists have made on cellphones or via Skype and Viber.

Mobile networks are used for communication, Internet access, receiving SMS advertising, and streaming music. However, when electricity is turned off, mobile Internet communication, fixed Internet, and 3G and 4G transmitters are also switched off.

In general, the situation in the field of media development and freedom of speech has changed. The level of self-censorship has increased critically, and the professionalism of a number of media has faltered by publishing materials at the level of yellow press, in order to boost circulation. The Tajik authorities constantly restrict access to information, especially through the Internet, blocking the websites of opposition media and popular social networks in the name of national security.

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The panelists concluded that Tajikistan media can overcome their technical and professional underdevelopment with the assistance of international donor organizations, the advancement of media associations, the strict observance of media laws, and the emergence of political freedom.

List of Panel Participants

Kurbon Alamshoev, director, Kuhkhoi Pomir, Khorog

Mahmudjon Dodobaev, director, SM-1, Khujand

Zarina Ergasheva, editor, Migrant.tj, Dushanbe

Zinatullo Ismoilzoda, director, Media Academy of Tajikistan; chair, Union of Journalists of Tajikistan, Dushanbe

Nuriddin Karshiboev, chair, National Association of Independent Media of Tajikistan; director, Tajik Press Council, Dushanbe

Lola Khalikjanova, project manager, Institute for War & Peace Reporting (IWPR), Dushanbe

Nosirjon Mamurzoda, lecturer in journalism, Kurgan-Tube State University; deputy editor, New Khatlon, Kurgan-Tube

Rajab Mirzo, media expert, Khoma, Dushanbe

Negmatullo Mirsaidov, editor, Varorud, Khujand

Khurshed Niyozov, director, Center for Journalistic Investigations; chief editor, Faraj, Dushanbe

Zebo Tadjibaeva, executive director, ASIA-Plus Media Holding, Dushanbe

Nabi Yusupov, director, Media Consulting, Dushanbe

Moderator & Author

Lydia Isamova, media expert;

The panel discussion was convened December 3, 2017.

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**MEDIA
SUSTAINABILITY
INDEX**

2018

Tracking Development
of Sustainable
Independent Media
Around the World



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AT A GLANCE

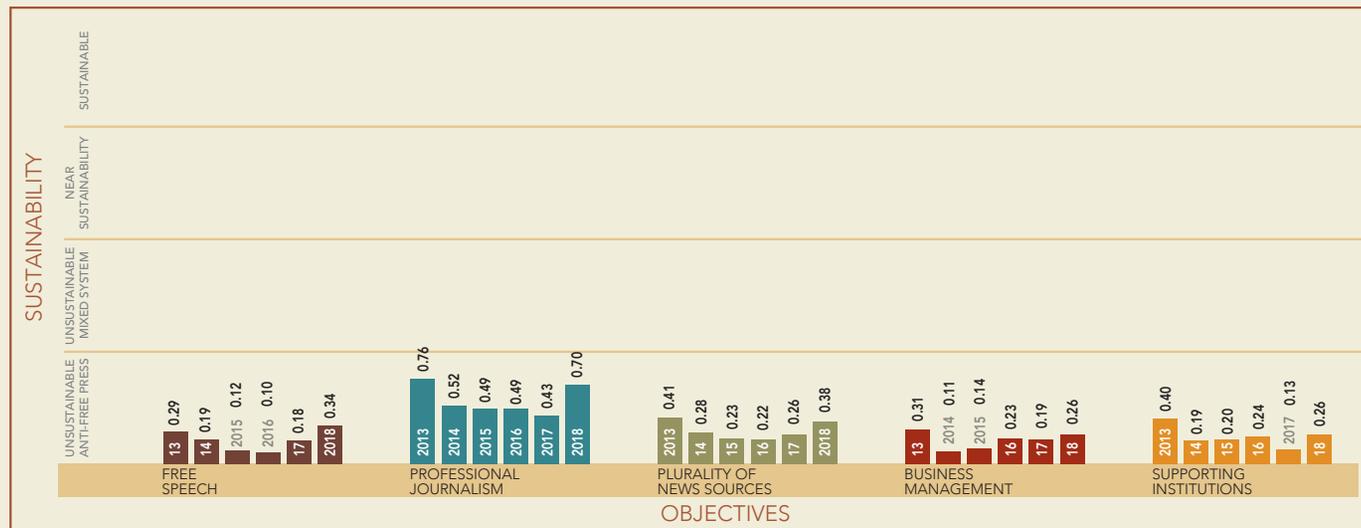
GENERAL

- ▶ **Population:** 5,351,277 (July 2017 est. *CIA World Factbook*)
- ▶ **Capital city:** Ashgabat
- ▶ **Ethnic groups (% of population):** Turkmen 85%, Uzbek 5%, Russian 4%, other 6% (*CIA World Factbook, 2003 est.*)
- ▶ **Religions (% of population):** Muslim 89%, Eastern Orthodox 9%, unknown 2% (*CIA World Factbook*)
- ▶ **Languages (% of population):** Turkmen (official) 72%, Russian 12%, Uzbek 9%, other 7% (*CIA World Factbook*)
- ▶ **GNI (2016 - Atlas):** \$36.18 billion (World Bank Development Indicators, 2016)
- ▶ **GNI per capita (2016 - PPP):** \$6,670 (World Bank Development Indicators, 2016)
- ▶ **Literacy rate:** 99.7% (male 99.8%, female 99.6%) (*CIA World Factbook, 2015 est.*)
- ▶ **President or top authority:** President Gurbanguly Berdimuhamedow (since February 14, 2007)

MEDIA-SPECIFIC

- ▶ **Number of active print outlets, radio stations, television stations, Internet news portals:** The exact numbers are unknown, but there are believed to be seven state-owned television stations; at least one state-owned radio station; as many as 28 national and local newspapers and magazines, including two “private” print outlets, at least one of which is widely considered implicitly state-controlled; and an undetermined number of Internet-based news entities, several of which are state-controlled. (*CIA World Factbook, International Telecommunication Union, NewEurasia Citizen Media, SalamTurkmen, World Telecommunication/ICT Development, World Bank*)
- ▶ **Newspaper circulation statistics:** There are no clear statistics. According to anecdotal data, the three main print publications by circulation may be *Neutralny Turkmenistan* (Russian- and English-language state-owned daily), *Turkmenistan* (Turkmen-language state-owned daily), and *Rysgal* (Turkmen-language, published irregularly, owned by the Union of Industrialists and Entrepreneurs).
- ▶ **Broadcast ratings:** N/A
- ▶ **News agencies:** Turkmen Dowlet Habarlary (Turkmen State News Agency, state-owned)
- ▶ **Annual advertising revenue in media sector:** N/A
- ▶ **Internet usage:** 785,000 users (15% of population) (2015 est., *CIA World Factbook*)

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SCORE KEY

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.



Turkmenistan's dire situation is reflected in the MSI scores for 2018. The overall score of 0.39 exceeds Turkmenistan's average and median since surveying of the country started in 2008—0.34 and 0.33, respectively—but remains deep in the “unsustainable/anti-free press” category. On the one hand, the panelists noted a modicum of general improvement continuing from last year. On the other, they confirmed the perverse condition of media in the country. As one said, “The weakness and failures of the government are being portrayed as its success. The less information, the better, so as to keep the people asleep.”

The desert of the real” is Jean Baudrillard's notorious description of contemporary media and the quality of psychology it engenders. Although written in 1981, it could very well be a description of Turkmenistan today. A level of information control that could fairly be called totalitarian has resulted in a media landscape utterly detached from reality, even as this desert republic of 5.6 million people undergoes an economic meltdown that some observers fear could lead to a humanitarian catastrophe.

Turkmenistan's authorities dominate every level of media, from telecommunications satellites all the way down to the smartphones of Ashgabat's wealthy socialites and even the gossip of pensioners in remote rural villages. Television satellite dishes—the population's only true lifeline to outside information—are being systematically destroyed under the pretext of “urban beautification.” Fear and self-censorship rule the nascent “Turkmenet” (Turkmen-language websites and Internet services). Authorities have been slowly mastering sophisticated Internet surveillance technology believed to have been imported from the West in recent years, according to the watchdog group Privacy International. The country's few Web users exhibit behaviors that indicate a sense of being watched by an omnipresent eye.

Meanwhile, a macroeconomic sandstorm has hit Turkmenistan. For years, the government has maintained

a monopoly over key goods and services, relied upon natural gas as its sole strategic revenue source, invested in grandiose prestige construction projects, and operated a vast social-welfare system to keep the population relatively inured from hardship. However, an ongoing dispute with neighboring Iran over gas prices, the loss of the Russian export market, and gross inefficiencies in the construction industry (long suspected of really serving as a massive money-laundering machine for the ruling elite) have combined with a persistent downward trend in gas prices to disturb the mirage. Citizen journalists on the inside and news agencies on the outside describe an economic collapse: mass layoffs, unemployment topping 50 percent, cessation of fuel subsidies, rationing of basic goods and services, long food queues.

State media are effectively the only media in Turkmenistan, and they acknowledge none of these problems. The official press glories in a “Golden Age” (the words appear in the name of the official government news service), shepherded by President Gurbanguly Berdymukhammedov, who was re-elected in a February 2017 vote universally viewed as a sham (he defeated eight government-chosen challengers with 98 percent of the vote). “Even if a deadly earthquake strikes, it won't be in the media,” one panelist said. “Nor will it be mentioned tomorrow or even a year from now, as this is ‘negative news.’”

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

0.34

From an all-time low of 0.10 in 2016, Turkmenistan continues to see marginal improvement in this objective, from 0.18 last year to 0.34. The uptick reflects improved, if wholly cosmetic, legislation on freedom of expression and the tentative advent of (necessarily anonymous) citizen journalism. However, it hardly masks the reality of the government’s total control over information and absolute suppression of free speech. The consequence for society, as one panelist put it, is that “self-censorship is an everyday practice.”

The main legislation pertaining to freedom of speech and, more broadly, the flow of information is the Law on Mass Media, passed in 2013. The measure is in line with international standards in word but ignored in practice—openly by law-enforcement and security agencies and quietly through untraceable and unprovable acts of intimidation against everyday people and journalists alike. Amid seemingly omnipresent censorship, “people rely on what their relatives, friends, or neighbors say is happening,” one panelist said. “There is no real media, so lies and fake news are making the rounds among the population.”

Citizen journalists and civic activists have been able to provide the outside world with glimpses of what this disjunction is like. Using a pseudonym to express opinions online, even positive ones, is ubiquitous. Citizen journalists have recounted numerous anecdotes about young male practitioners of Islam being pulled aside or detained by authorities and having their phones examined, often on no other basis than having discussed their religious beliefs online. Gossip and rumor spread by the so-called village women’s newswire (*obaryn*

ayallary novosti) takes the place of real information and is duly compiled by police and security forces into extensive dossiers. Citizen journalists report that everyday citizens can receive rewards for spying on their friends and neighbors on behalf of authorities and for purposefully feeding false information into the rumor mill.

Professional journalists’ freedom of speech, and their personal rights in general, are more openly transgressed. According to one panelist, the state has at times tolerated independent reporting, provided it does not touch on domestic political issues, especially corruption in government. Even critical content could be published, especially by young citizen journalists, “so long as it was from a ‘Turkmen perspective’ and not seen as foreign interference and subversion,” this panelist said. For instance, it was possible in 2014 for Soltan Achilova—a contributor to Azatlyk Radiosy, the Turkmen-language service of Radio Free Europe/Radio Liberty (RFE/RL)—to report on long lines for bus and train tickets. This tolerance, already vague and erratic, appears to have disappeared along with Turkmenistan’s natural-gas profits. When Achilova attempted to report in 2016 about similar problems at state-operated stores, she was detained. Since being released later that year, she has been assaulted numerous times by unknown assailants, most recently last summer. No one has ever been charged.

Attacks by strangers who promptly escape, never to be apprehended and prosecuted, is a favorite intimidation tactic of Turkmenistan’s authorities. The danger extends to journalists’ families. When another RFE/RL contributor, Khudayberdy Allashov, was arrested in December 2016 for allegedly possessing chewing tobacco, which is illegal in the country, his mother was taken into custody as well. They served two-and-a-half months in prison before being convicted in February

2017 and given three-year suspended sentences. There has been no news about Allashov and his mother since their release; presumably, they have since been living under police surveillance and are banned from using any communication tools.

Turkmenistan’s laws do not explicitly deny citizens the right to access and comment upon information from foreign news sources, and the country is not as hermetically sealed from external media as government critics and opponents sometimes portray. One panelist said that, per a special presidential decree, ministries and state media are permitted to consume select foreign news

Legal and social norms protect and promote free speech and access to public information.

FREE-SPEECH INDICATORS

- ▶ Legal and social protections of free speech exist and are enforced.
- ▶ Licensing of broadcast media is fair, competitive, and apolitical.
- ▶ Market entry and tax structure for media are fair and comparable to other industries.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- ▶ Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- ▶ Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

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publications, typically from Russia. State journalists have limited permission to browse external news websites, but only for content that is both related to Turkmenistan and positive in nature.

For the rest of the population, the rules of the game are clear: There is effectively a ban on the import of newsletters, journals (even scientific ones), magazines, and newspapers produced abroad. Suitcases, computers, phones, and flash drives are checked at the airport, and the trunks, cabs, and cargos of cars and trucks are checked at highway border crossings. If a person is caught importing any such material, he or she faces punishment.

The consequence for society, as one panelist put it, is that “self-censorship is an everyday practice.”

For many years, Turkmenistanis have relied upon a workaround for the foreign-media barrier: television receive-only satellite dishes (TVROs), which beam external content—principally from Russia, but also from Europe and Iran—directly into their homes. Exactly how many TVROs are in use in Turkmenistan has long been debated, but observers have regularly used terms like “ubiquitous” and “everywhere.”

It is unclear how technology that poses such an obvious and direct challenge to the regime’s absolute control over information has been entering the country; it is an issue badly in need of study by analysts. What is clearer is that citizens are deeply protective of their dishes. As TVROs tend to be large and must be placed in prominent locations, they have proven to be an easy target for government raids in the name of “urban beautification.” These raids have been met with scuffles and even organized protests, according to numerous reports

by citizen journalists, provoking intensified efforts by authorities in what might very well be a slowly growing vicious circle.

Meanwhile, a small but increasing number of Turkmenetizens are finding ways around technical bans imposed upon VPN and proxy servers. This holds some promise for gouging chinks out of the country’s armor of media control, but care must be taken in attempting to assess the long-term prospects of the Internet for cracking open this society.

The underlying infrastructure of the Turkmenet is unknown, but various clues over the years create an interesting, if still daunting, picture. It is believed that by ITU that 18% of individual Turkmenistani citizens and 13.6 percent of Turkmenistani households have some form of Internet access. Anecdotally speaking, most of those with access are either living abroad or clustered around Ashgabat, the country’s capital and telecommunications hub.

Internet access is extremely expensive. Chronicles of Turkmenistan, a multilingual news site operated by the Vienna-based Turkmen Initiative for Human Rights, reported that Turkmentelecom, the sole provider, charges TMT 950 (\$264) a month for unlimited Internet service with a connection speed of 1 Mbit/s. For those priced out of regular access, surfing the Web can still be done at Internet cafés, but these, unsurprisingly, are heavily controlled by the state. Users must register with a valid official ID, and the authorities track every online move they make, from visiting websites to writing emails.

The demographics of the Turkmenet are similarly fuzzy, though a rough sketch does exist. According to a 2016 analysis by George Washington University’s Central Asia Program, the online community, such as it is, appears to be made up largely of well-to-do youth in urban areas, including children of the ruling elite, although there is a significant component of students and labor

migrants living, studying, and working abroad. “The social-media environment is considerably smaller and more cloistered” than its counterparts in other Central Asian societies, according to the report, and the prevalence of elites renders the Turkmenet “a particularly limited representation of public opinion in one of the world’s most isolated societies.”

There appears to be a rise in use of Internet-based chat services and mobile messaging apps, such as WhatsApp and Line, to spread information about events or aspects of Turkmenistani law and bureaucracy. But, as one panelist noted, “chat rooms between people cannot replace the job that the press does. The information is not very reliable, and the secret police are regularly checking chat rooms, trying to track and identify the people who are active there.” Indeed, in 2016, airport authorities prevented a young Twitter user from boarding a plane. The individual was never provided an explanation but, according to one panel member, had likely been the victim of one of the regime’s many secret blacklists related to online activity.

Even critical content could be published, especially by young citizen journalists, “so long as it was from a ‘Turkmen perspective’ and not seen as foreign interference and subversion,” this panelist said.

Internet surveillance is readily facilitated by the Telecommunications Ministry’s effective monopoly over all forms of communications, maintained through formal and informal structures, including various state-owned enterprises and a shadowy 2012 agreement with Russian mobile-service provider MTS, the dominant force in the Turkmenistani mobile market. Even that dominance comes with

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the tolerance of the all-powerful ministry, with which MTS has had a fraught relationship. The company entered the Turkmenistani market in 2005, had its operations suspended in 2010, resumed operations in 2012, and was cut off again in September 2017. This last move came as a blow to MTS, as just one month earlier it had expanded its 3G network throughout the country. According to the telecommunications research company Telecompaper, as of January 2018, MTS Turkmenistan was in the process of refunding its former subscribers.

The cash-strapped regime seems to be sparing no expense in its pursuit of total control over the Turkmenet. Alternative Turkmenistan News (ATN) reported that in 2016, capping a years-long effort, the regime successfully launched a telecommunications satellite into orbit, with the sole purpose of monitoring mobile-phone activity in the country.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

0.70

The 2017 MSI's historically low mark of 0.43 for Objective 2 was the result of a deeper reassessment of what Turkmenistan's stagnation in all aspects of media sustainability signified about the mentality of the country's state journalists themselves. The diagnosis was not positive. Whether state journalists do have some grasp of what their craft really should be like, and have made their peace with the situation as it is, are matters of speculation. Regardless, the structure is too formidable for them to oppose it.

This year our panelists remain pessimistic. "It is difficult to talk about 'journalism' in Turkmenistan," one said. "Fundamentally, there isn't any, except for

a few daring 'underground' writers for exile media." Nevertheless, the score rose to 0.70, more in line with Turkmenistan's median performance in this area. There is some more insight this year into exactly how authorities monitor and exert what is often a tacit form of control over state journalists, as well as a sense of just how orchestrated Turkmenistan's entire public sphere has become.

As with higher past ratings for this objective, the score for this year is inflated by the quality of technical facilities and equipment for gathering, producing, and distributing news. This reflects the quality of the technology as such, not whether media professionals use it optimally—and they do not. Video and screen captures provided by citizen journalists demonstrate the inconsistent and often poor aesthetic quality of media content—from image resolution to the typography of newspapers—and belie the regime's ostensible efforts at technological modernization. Berdymukhammedov himself has often and openly criticized the low aesthetic quality of media products, but there is no genuine political will for change.

As for the content itself, the story remains the same as in previous years. Screens, pages, and airwaves are dominated by the president's exploits in all sectors of life and governance; entertainment, especially traditional music; and grossly exaggerated economic statistics. In general, the tone of reporting is emotionally ecstatic and very nationalist. State media are wildly inaccurate, to an extent that their reporting "borders on pure fabrication," as one panelist put it. Events warranting coverage are tightly orchestrated. "Nothing is left to chance," another panelist said. "When you see people attending a parade, they have been trained how to dress and what to say, and everything is according to a protocol."

What, then, is the goal of journalism for the

Journalism meets professional standards of quality.

PROFESSIONAL JOURNALISM INDICATORS

- ▶ Reporting is fair, objective, and well sourced.
- ▶ Journalists follow recognized and accepted ethical standards.
- ▶ Journalists and editors do not practice self-censorship.
- ▶ Journalists cover key events and issues.
- ▶ Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- ▶ Entertainment programming does not eclipse news and information programming.
- ▶ Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- ▶ Quality niche reporting and programming exists (investigative, economics/business, local, political).

authorities? As a panelist summed up last year, the Turkmenistani government does not consider journalism a tool of socialization, as do many authoritarian states, or a tool of education and oversight, as in democratic countries. Rather, it is considered a means to ensure a malleable population.

The government formally accredits only its own state-media employees, who do not dare question the government in their reporting. These state journalists are not wholly ignorant of international standards and forms of professional reporting. Some have taken part in state-organized visits with counterparts abroad in the name of media development, and many are able legally to access external news as part of their content-gathering routines. They could be considered complacent—or even complicit—in the deplorable condition of media in Turkmenistan, but that is a tough charge to make

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stick, given the conditions under which they work. Newsroom protocols are set by high-level officials according to the whims, real or perceived, of the president. Editors—who, like all other key state officials, are appointed by Berdymukhammedov—actively avoid topics that might attract negative attention from above.

One panelist noted the ubiquitous presence of the authorities in the form of “supervisors” from national-security bodies who are physically stationed inside media offices. These are essentially government minders akin to the Soviet-era commissar, and according to this panelist, they “literally check every single word before it is published or aired. That’s why there is hardly any live streaming, live talk shows.” The state is even believed to exercise control over journalists’ social benefits and housing.

“It is difficult to talk about ‘journalism’ in Turkmenistan,” one said. “Fundamentally, there isn’t any, except for a few daring ‘underground’ writers for exile media.”

There remains uncertainty about the pay levels of state journalists. Some panelists said it is low; others considered it adequate for living standards in Turkmenistan. “Reporters earn higher than teachers but lower than the police,” one asserted. In 2015, a panelist said salaries for journalists had been increasing by 10 percent annually for at least four years, but it is impossible to verify this, much less confirm whether the practice has continued during the economic downturn.

Even if hard numbers on media salaries were accessible, it would be difficult to compare them to compensation in other fields, as there are no reliable data on average monthly salaries in

Turkmenistan (some analysts believe them to be as low as \$150) or cost-of-living expenses. Whereas last year’s panel said pay levels were sufficient to discourage corruption, this year one member said corruption among journalists is “widespread” and “often endorsed by state officials as a ‘thank you’ for a good story.”

OBJECTIVE 3: PLURALITY OF NEWS

0.38

Turkmenistan’s score for Objective 3 is 0.38, following several years in the 0.25 range. One explanation for this fluctuation is the challenge panelists face in weighing the quality of “internal” (i.e., state) media vs. “external” (nonstate) media. Nonstate media are subdivided into “exile media” (operated by dissidents or former political insiders), “surrogate media” (such as RFE/RL’s Azatlyk Radiosy), and a scant few genuinely independent entities (such as ATN; the now-defunct, social-media-based SalamTurkmen; and NewEurasia Citizen Media, which is also dormant at present).

The main external media are Azatlyk Radiosy, Chronicles of Turkmenistan, ATN, EurasiaNet.org, and Global Voices Online. *The Diplomat*, an online magazine covering the Asia-Pacific region, is also important, and there are several Twitter feeds and blogs by experts and journalists from Turkmen, Russian, and Western backgrounds.

The following are confirmed internal or state media outlets in Russian, Turkmen, and English:

Major print publications and websites include *Neutralny Turkmenistan* (*Neutral Turkmenistan*, the main newspaper, named for the state’s official

foreign policy of “positive neutrality”); Altyn Asyr (Golden Age, the main website, named for the state’s official slogan); *Turkmenistan* (a large-scale national newspaper); *Nebit-Gaz* (official publication and website of the state-run oil and natural-gas industry); *Bneshnyaya Politika i Diplomatiya Turkmenistana* (*Foreign Policy and Diplomacy of Turkmenistan*, mouthpiece of the Ministry of Foreign Affairs).

The state also publishes *Diyar* (*Home*), a lifestyle journal, and a number of English-language circulars, including *World Literature, Standard, Quality and Security, Democracy and Law, and Culture and Tourism*.

There are several news websites believed to be run or otherwise affiliated with the government, including Turkmenistan.ru (oddly, a Russian government-owned site), Turkmenportal.com, Turkmeninform.com, Ashgabad.net, Infoabad.com, Arzuw.tm, and Gundogar-news.com (not to be confused with the exile-media website Gundogar.org). The default language of several of these outlets is Russian, not Turkmen. Before recently going defunct, websites such as Murgap.net and Krasnovodsk.net were also suspected of being government-affiliated.

It should be noted that the preceding is not a full taxonomy of all the print publications and websites, as the full extent of the state’s rather prodigious output remains unknown. In this respect, the words of the panelist who compiled this list are especially apt: “Such a visible abundance of media nevertheless does not lead to an improvement in the reliability and versatile delivery of information.” All media outlets in Turkmenistan continue to present only one point of view—quite literally. As revealed to the outside world in a 2007 blog post by American journalist Joshua Kucera, content produced by the Turkmen Dowlet Habarlary (Turkmen State News Agency) is recycled and repeated with conveyor

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belt-like monotony across multiple platforms.

It remains unclear whether this peculiarity is a product of formal policy, especially considering Berdymukhammedov's complaints about this very phenomenon. Some critics of the regime try to cast it as a relic from the Soviet era, but this is debatable. According to a 2010 article on the Central Asian citizen-journalism network NewEurasia, the media landscape may have been more diverse in 1991, at the dawn of independence—in part because, like the rest of the former Soviet republics, Turkmenistan came into nationhood fresh off the *perestroika* and *glasnost* era. At the time, NewEurasia reported, there were at least two independent print publications owned and managed by members of

Multiple news sources provide citizens with reliable and objective news.

PLURALITY OF NEWS SOURCES INDICATORS

- ▶ A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- ▶ Citizens' access to domestic or international media is not restricted.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.
- ▶ Independent broadcast media produce their own news programs.
- ▶ Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

the Turkmenistani intelligentsia: *Dayanch* (*Support*), a Russian- and Turkmen-language magazine, and the newspaper *Turkmen Ili* (*Turkmen Nation*). Unfortunately, these publications proved to be canaries in a coal mine. Muhammetmurat Salamatov, the publisher of *Dayanch*, was beaten by unknown assailants and then charged with using money from criminal activities to fund the magazine. Print runs of both publications were routinely confiscated, and their editors were constantly harassed. Eventually, they quietly faded away.

There are no laws in Turkmenistan that prohibit private, nonstate media. However, creating and operating a conventional outlet requires overcoming numerous bureaucratic and logistical obstacles that authorities exploit to stop anything but state media in its tracks. The very attempt to establish and register a private entity could invite suspicion and intimidation. In a surprising sign of potential progress, one panelist said an Ashgabat-based businessman managed in 2017 to secure a media license. However, the authorities have apparently prevented him from doing anything with it. (The identity of this individual, much less the conditions of his successful application, have not been shared with IREX.)

There are only two ostensibly private newspapers: *Rysgal* (*Welfare*, supposedly a publication for businessmen) and *Zaman Turkmenistan* (*Times of Turkmenistan*, purportedly a general newspaper). *Rysgal* is the more questionable of the two. It was launched in 2010 on instruction from Berdymukhammedov himself and trumpeted by the Turkmen State News Agency (in English, no less). It is officially owned by the Union of Industrialists and Entrepreneurs, a pro-government business association that is widely seen as another tool of the regime. "If there is a question about ownership, it is always safe to say one of the

president's relatives runs the business," one panelist said of putatively private enterprises. "It is very obvious, even if not transparent."

The Turkmen-language *Zaman Turkmenistan* is obscure. According to a 2009 article by RFE/RL's Central Newsroom—one of the only online references to it in English and the only to mention its ownership—it is "Turkish-owned." One panelist specified that it may have been owned by *Zaman*, a widely read Turkish newspaper that was affiliated with Hizmet, the Muslim spiritual movement led

"If there is a question about ownership, it is always safe to say one of the president's relatives runs the business," one panelist said of putatively private enterprises. "It is very obvious, even if not transparent."

by Fethullah Gülen, but was seized by the Turkish government in March 2016 and shut down four months later. Whether *Zaman Turkmenistan* has ever been affiliated with Hizmet is unknown (and it should be noted that the Gülen movement, especially its schools, was subject to crackdowns by Turkmenistani authorities in 2011 and 2017). Weirdly, according to *Zaman Turkmenistan's* website, the newspaper is headquartered in the same building as the country's postal service, Türkmenpoçta.

Tracking down the history of *Zaman Turkmenistan* is like sifting clues in a detective story. It appears to have been registered with the Library of Congress as far back as 2000, with a physical description added in 2015. One would expect a Turkmen-language circular with a once-powerful Turkish pedigree to figure prominently within the Turkmenet, yet as of this writing a chronological Google query unearths a single 2011 reference in an online social forum post about jobs. Since the 2009 RFE/RL article, only one

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other English reference turns up: In 2013, AzerTas, the state news agency of Azerbaijan, reported that *Zaman Turkmenistan* had posted an article on Azerbaijani President Ilham Aliyev's re-election. A Whois query reveals that *Zaman Turkmenistan* created its website in April 2016, a month after the Turkish *Zaman* was nationalized. In late 2016, the website became password-protected, but in early 2017 it became accessible again to the public.

Publishing general content, *Zaman Turkmenistan* claims to be a subscription-based print and online newspaper. However, the whole notion of subscriptions in Turkmenistan is a perverse one, as the government continues to enforce a genuinely Soviet-era practice of producing newspapers for specific ministries and industries and requiring their respective employees to purchase this content. For instance, those who work in the Ministry of Internal Affairs and the Ministry of Defense are required to subscribe to *Adalat (Justice)* and *Esger (Military)*, respectively, while those in the medical profession must purchase *Saglyk (Health)*. If a field does not have its own publication, those working in it must subscribe to one from another sector. In all cases, workers are required to pay the full cost of subscriptions out of pocket.

Russian is frequently the language of written news, often edging out Turkmen. Examples abound, including silly ones, such as *Turkmeninform.com*, which publishes in Russian and English but not Turkmen, despite having a Turkmen-language icon. When content is published in the Turkmen language, it is written in either the Soviet-era Cyrillic or independence-era Latin alphabets, but never in the Arabic alphabet used by Turkmen in Afghanistan, Iraq, and Iran. Although nearly 10 percent of the country's population are ethnic Uzbeks, since the late 1990s there has been no confirmed official press in their language.

The story is not entirely woeful. One promising development reported last year seems to be holding steady: State journalists appear to still be permitted by the regime to blog as a kind of hobby or exercise. They must stick to apolitical topics, such as music, football, cooking, recreational activities, or official news. State media have remained responsive to, and seem to share, grassroots interest in news regarding the Ahal-Teke, the famed Turkmen horse breed, and the government's attempts to promote it abroad.

It also bears repeating that there may be some hope in the Turkmenet, highly policed as it is. There is an encouraging amount of volunteerism among Turkmenetizens to gather and share information—whether about the weather, bureaucratic procedures, or how to go abroad for medical care—and indications that a growing number of everyday citizens working in low-skilled jobs abroad may also be feeding information back to their compatriots inside Turkmenistan. A wide gamut of internally suppressed content—such as Western and Russian films, user-generated news and commentary, and hip-hop music videos (the genre is officially considered “immoral” by Turkmenistani authorities)—is trickling into the country.

OBJECTIVE 4: BUSINESS MANAGEMENT

0.26

The history of bottom-of-the-barrel scores for this objective reflects the massively corrosive effects of absolute state control upon management culture.

Last year, the existing advertising market was the best factor for business management due to the rare appearance on some websites, and even on

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS

- ▶ Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- ▶ Media receive revenue from a multitude of sources.
- ▶ Advertising agencies and related industries support an advertising market.
- ▶ Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
- ▶ Independent media do not receive government subsidies.
- ▶ Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- ▶ Broadcast ratings and circulation figures are reliably and independently produced.

television, of private advertisements for nonstate goods and services. This year's bright spot is the existence of journalism degree programs, thanks to the incremental growth of training opportunities for state journalists under the auspices of the Organization for Security and Co-operation in Europe (OSCE). The rest of the indicators that contribute to business management, as in previous years, dangle close to zero. Simply put, there is not much of a story to tell about management in Turkmenistani media beyond the Orwellian picture of journalists minded by commissars who vet every word of content.

The smidgens of hope in 2015 for the barest degree of liberalization—including a market for advertisements and classifieds and the possibility of foreign investment—became mirage-like in 2016 and may have been proven entirely illusory in 2017. There

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is no independent financing of media. Whispers of foreign financial interest in the ad industry went silent.

“All media in Turkmenistan would not be able to sustain themselves should the state decide it no longer is going to finance them and if there were no more forced subscriptions,” one panelist explained. Several said that without compulsory subscriptions, no one would willingly consume the state’s monotonous media products.

With respect to management practices, there are none. State media do not appear to recognize the existence of, let alone engage in, common practices like developing business plans, conducting market research, or establishing personnel policies. Editors are appointed or dismissed by the president, who rewards loyalty over skill. The broadcasting sector has no ratings system, and there are no data on websites’ traffic. Newspapers proudly tout circulation assessments that are nothing more than the number of copies printed.

“All media in Turkmenistan would not be able to sustain themselves should the state decide it no longer is going to finance them and if there were no more forced subscriptions,” one panelist explained.

Interestingly, one panelist noticed a decline in stated circulation—that is, print run—for major publications. Figures reported by *Neutrally Turkmenistan*, arguably the flagship publication of state media, dropped from 49,140 copies in April 2012 to 38,642 in June 2017. Another significant publication, the monthly magazine *Diyar*, has seen circulation drop from 8,650 copies in 2014 to 7,430 copies in 2017. The panelist speculated that this could indicate the extent of layoffs, as the state does not compel those no longer employed by it to

continue their subscriptions.

Turkmenistani academic and media institutions do not offer classes to help strengthen research skills or even provide instruction in proper use of the news-gathering and production equipment, some of it state-of-the-art, provided by the state. Training, such as it is, is provided entirely by outsiders, whether Westerners or fellow post-Soviets.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

0.26

Turkmenistan’s score for Objective 5 is 0.26, up from 2017’s all-time low of 0.13 and roughly matching the median and average in this category. Scores for most indicators in this objective dropped; the overall number was pulled up by sizable (for Turkmenistan) improvements in measuring formal opportunities for journalism education and technology. Still, giving credit for or credence to such specific changes misses the forest for the trees on a grand scale.

Objective 5 concerns two key and often little-understood aspects of media development: the extent to which nongovernmental organizations (NGOs)—trade associations, activist and advocacy groups—either help or hinder journalists; and the resources available to any given media outlet—equipment, paper, printing facilities, physical and virtual distribution channels. This objective also covers the enormous role played by telecommunications infrastructure at all levels, from the country as a whole down through the newsroom and into citizens’ computers, televisions, and phones. As with the other four objectives, the problem in Turkmenistan is that total government control

distorts every aspect of Objective 5.

Civil society simply does not exist in Turkmenistan. The freedom of assembly crucial for the formation of trade associations and other NGOs is not illegal, but the government restricts this right in practice. The law requires of a would-be NGO that its founder be a citizen and that it register with the Ministry of Justice and the Ministry of Economics and Development. To do so, the organization must prove, by way of a list of names and addresses, that it has 500 members, a bar no group is likely to reach in a surveillance state. Even if an organization secures registration, its leaders are legally bound to notify the government of all planned activities and regularly to permit Justice Ministry representatives to “attend” events and meetings. Any activity by an unregistered NGO is punishable by fines, short-term detention, and confiscation of property. The scant few efforts by Turkmenistani citizens to jump these hurdles and register NGOs have been rebuffed by authorities, often using subjective criteria.

There are some pro forma structures established by the government for various industries, but apparently none that specifically represent media interests. There is no need for an association of media owners; the government is the only media owner. Two labor unions for journalists are known to have once operated, but it is unclear if they still do so. One, the Soviet-era Union of Journalists of Turkmenistan, was established in 1958 and re-registered in 1992 with a charter that included “the protection of journalists’ interests against state and public organizations, founders, and publishers of the media.” The other was the Shamshyrag Association of Journalists of Turkmenistan; its last known activities (two US-funded seminars for journalists and a public presentation about its membership’s activities) were held in Moscow in 2001.

Journalism training was reintroduced into

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Supporting institutions function in the professional interests of independent media.

SUPPORTING INSTITUTIONS INDICATORS:

- ▶ Trade associations represent the interests of private media owners and provide member services.
- ▶ Professional associations work to protect journalists' rights.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

university curricula in 2008 after a long prohibition. In 2014, Berdymukhammedov opened a new International University of the Humanities and Development in Ashgabat. Little is known about this institution beyond official Turkmenistani press releases. In the 2015-2016 academic year, it hosted two Fulbright Scholars from the United States, and in 2016 it sought to establish a relationship with South Korea's prestigious Sungkyunkwan University (whether such a relationship was ever formally established has yet to be confirmed). Courses are believed to be taught in English and a journalism degree is offered, but according to one panelist, the quality of the program is low: "Students spend most of their time at mandatory state events, like

preparations for the celebration of Independence Day. Rare foreign lecturers talk about Western standards of journalism, but the students cannot apply these skills in practice."

One positive development noted by panelists is the state's occasional willingness to permit students, instructors, and professionals to pursue training abroad, although the selection and vetting process for participants is unknown. In recent years, Turkmenistani representatives have taken part in at least two OSCE-sponsored media-training events in other post-Soviet states: a 2016 seminar in Belarus with Western and Russian experts, attended by faculty members from the International University and other institutions of higher learning; and a four-day "study visit" to Lithuania in 2014, where Turkmenistani state journalists met with Baltic counterparts. According to *Chronicles of Turkmenistan*, this latter trip was especially notable because it included a training in how to conduct live broadcasts and a lively debate about the difference between propaganda and journalism. Rita Milute, a Lithuanian broadcast journalist who conducted one of the training sessions, said the Turkmenistani participants agreed that propaganda and journalism are not the same but insisted that propaganda is a key feature of every media system.

The acquisition and operation of equipment for media is tightly controlled, and all known distribution tools are owned by the state. When the government wants to get its message out, the sheer power with which it can do so is breathtaking. Turkmenistan is immense but largely empty (70 percent of the country is desert); radio transmitters reach all its far-flung inhabited areas, while a vast kiosk network is on constant standby to disseminate whatever material the government desires.

Still, by nearly all accounts, Turkmenistan's telecommunications and information distribution

infrastructure is antiquated, crumbling, and concentrated in a few pockets of development, such as Ashgabat. "Channels of distribution are outdated," one panelist said. "Kiosks are plentiful throughout the country, but modern ways of distribution, such as via mobile platforms or social media, even websites, do not exist."

"Kiosks are plentiful throughout the country, but modern ways of distribution, such as via mobile platforms or social media, even websites, do not exist."

Observers say this may be exactly what the regime wants. Limited modernization, or none at all, strengthens rather than weakens control, precisely because it reinforces dependence upon the state and discourages the independent pursuit of information.

List of Panel Participants

IREX did not conduct an in-country panel discussion because of Turkmenistan's repressive environment. This chapter represents desk research, interviews, and the result of questionnaires filled out by several people familiar with the state of media in the country.

UZBEKISTAN



MEDIA SUSTAINABILITY INDEX

2018

Tracking Development
of Sustainable
Independent Media
Around the World



UZBEKISTAN

AT A GLANCE

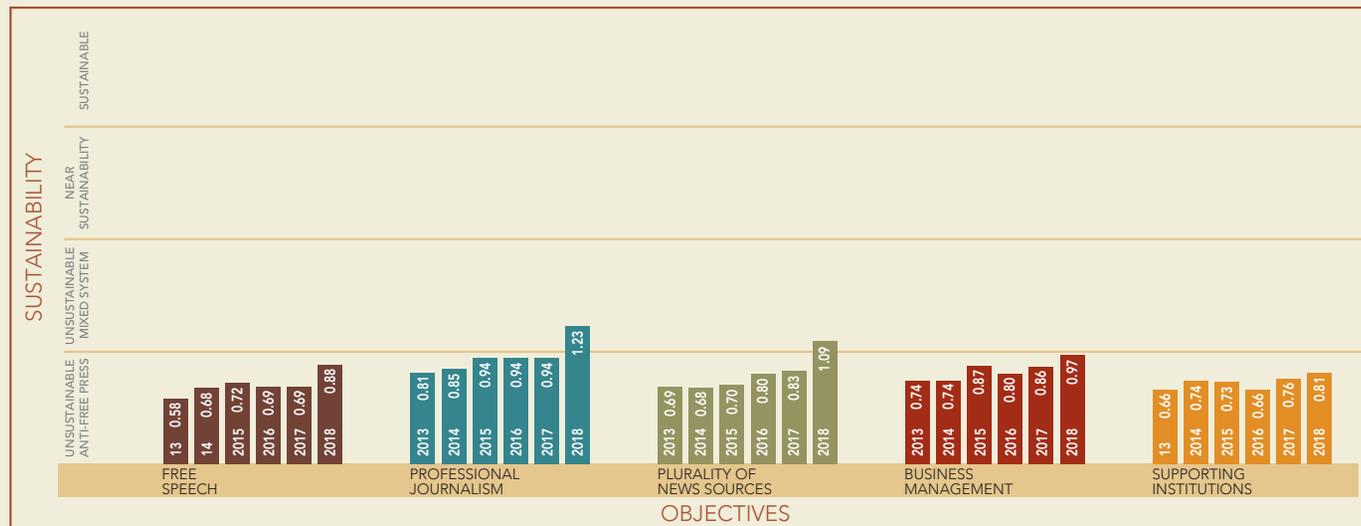
GENERAL

- ▶ **Population:** 32,653,000 (December 2017 est., Uzbek government)
- ▶ **Capital city:** Tashkent
- ▶ **Ethnic groups (% of population):** Uzbek 80%, Russian 5.5%, Tajik 5%, Kazakh 3%, Karakalpak 2.5%, Tatar 1.5%, other 2.5% (1996 est., CIA World Factbook)
- ▶ **Religions (% of population):** Muslim 88% (mostly Sunni), Eastern Orthodox 9%, other 3% (CIA World Factbook)
- ▶ **Languages:** Uzbek (official) 74.3%, Russian 14.2%, Tajik 4.4%, other 7.1% (CIA World Factbook)
- ▶ **GNI (2015-Atlas):** \$67.51 billion (World Bank Development Indicators, 2017)
- ▶ **GNI per capita (2015-PPP):** \$6,200 (World Bank Development Indicators, 2017)
- ▶ **Literacy rate:** 99.6%; male 99.7%, female 99.5% (2015 est., CIA World Factbook)
- ▶ **President or top authority:** President Shavkat Mirziyoyev (since Sept. 8, 2016)

MEDIA-SPECIFIC

- ▶ **Number of active media outlets:** Print media: 1,015; Radio Stations: 35; Television Stations: 65; Internet: 395 websites registered as media (Uzbek government, 2017)
- ▶ **Newspaper circulation statistics:** Total newspaper readership is estimated at 500,000; top publications include Khalk Sozi (state-run daily, reached 130,000 circulation in 2013), Narodnoye Slovo (state-run, Russian-language version of Khalk Sozi), O'zbekiston Ozovi (published by ruling party) (Library of Congress, Federal Research Division)
- ▶ **Broadcast ratings:** N/A
- ▶ **News agencies:** UzA National News Agency (state-owned), Jahon, Turkiston Press, Uzbek Telegraph Agency
- ▶ **Annual advertising revenue in media sector:** N/A
- ▶ **Internet usage:** 14.7 million users (2017 est., Freedom House)

MEDIA SUSTAINABILITY INDEX: UZBEKISTAN



SCORE KEY

Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.



Uzbekistan's MSI scores saw improvement this year, with increases throughout all objectives and with the largest gains in the scores for professional journalism and business management (Objectives One and Two, respectively). Despite these increases, Uzbekistan's overall country score leaves it at the low end of the MSI scale and far below internationally accepted standards for a sustainable media system.

Once-Repressive Uzbekistan Begins a Post-Karimov Opening," announced the headline of one of many articles published during the past year by Western media assessing changes brought to this Central Asian country after the death of its long-ruling leader, Islam Karimov. Indeed, Uzbekistan's new president, Shavkat Mirziyoyev, who came to power in December 2016 after serving more than 13 years as prime minister, has been steadily transforming the country.

In general, there has been a positive shift in Uzbek media during the past year. In October 2017, the capital city, Tashkent, hosted the Organization for Security and Co-operation in Europe (OSCE)-sponsored international media conference titled Open Journalism in Central Asia for the first time in many years in Uzbekistan. About 100 journalists, experts, and officials from all over Central Asia gathered to discuss pressing issues in local media markets. Television channels have made numerous attempts to openly discuss pressing problems in the country. Cautiously, online media have begun reporting on various topics once considered taboo. Social media users feel less intimidated expressing opinions on politically sensitive issues online as the use of Facebook and the messaging app Telegram as information sources grows.

Throughout the year, the government released several long-imprisoned dissidents and journalists, including

Muhammad Bekjon and Yusuf Ruzimuradov, who had spent a long 19 years behind bars for working on the opposition group's newspaper. Human Rights Watch, which resumed its work with Uzbek authorities in 2017, had long been calling for their release.

Yet many journalists and media experts interviewed for this year's MSI report believe that the media sphere, despite seeing some positive changes, is far from free.

Two journalists were arrested in the past year: along with a journalist arrested in 2016, they stand accused of writing articles for a website run by exiled opposition politicians and plotting to overthrow the government. One of the detainees reported that he was tortured during interrogations.

Furthermore, independent Uzbek media websites remain blocked. The state-owned communications company Uzbektelecom maintains a monopoly on Internet provision, while its connection speed remains one of the slowest in the post-Soviet region.

The authorities allowed the Uzbek service of BBC to post a reporter in Uzbekistan. However, other Uzbek media and supporting nongovernmental organizations that left the country after covering the bloody events of 2005 in the city of Andijan, when government troops killed scores of civilian protestors, have not been allowed to return.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

0.88

Uzbekistan has a number of regulatory documents governing the journalism profession that profess to protect free speech and access to information. The country's constitution bans censorship, while its Law on Media declares that all media shall be free and its Law on Defending the Professional Work of Journalists has provisions aimed at protecting journalists. However, the Uzbek authorities often openly flout these laws. "The problem is not in the insufficiency of laws, but in the failure of their implementation," said one local journalist.

Several contradictory provisions in the media legislation persist and may facilitate media censorship. While the constitution guarantees freedom of speech, it also states that freedom to collect and disseminate information may be limited if it is "directed against the existing constitutional system" and "in some other instances specified by law." Such vague, poorly explained terms appear in other laws regulating Uzbek media as well.

The Law on Mass Media allows for the prosecution of media for publishing and disseminating materials that appeal to "violent change of the existing constitutional order"—a stipulation used by Uzbek authorities against opposition members, independent journalists, and rights activists. It also prohibits publishing information "assaulting the honor and dignity of individuals, as well as the invasion of their privacy." Rights activists note that the latter has no place in a law specifically regulating the mass media, but it could fit in a narrowly drawn civil law relating to defamation.

The law also prohibits journalistic investigation

to "influence the course of the investigative and judicial process," making it impossible for media to report on violations during the investigation of politically charged cases, where convictions are often based on fabricated evidence.

In addition, while the constitution guarantees all citizens enjoy the same rights, the Law on Mass Media directly contradicts that, denying "persons who have a criminal record for an intentional crime" from founding a media outlet. The law further restricts the establishment of media organizations, banning registration of media if any of the founders live outside Uzbekistan. Many experts believe that this provision was specifically designed to deprive political opposition members, most of whom found asylum abroad, of the right to start a media outlet in Uzbekistan.

Journalists still feel intimidated by Article 46/1, added to the Code on Administrative Liability in 2016, which prohibits "illegal collection or dissemination of information about a person's private life, constituting his personal or family secret, without his consent." It can lead to a substantial administrative fine or, for the second offense, jail time up to six months. Journalists fear that this new provision aims to deter reporters from disclosing information about the family of the Uzbek president and his allies, or about the sources of their earnings and their spending on luxuries.

Authorities constantly violate a provision of the Law on Protection of the Professional Activities of Journalists that prohibits them from interfering in journalists' work. In December 2017, police detained reporter Sid Yanyshhev for talking to Tashkent residents whose property was being demolished by the government. Yanyshhev says he was taken to a police department and questioned aggressively for six hours and then released after being fingerprinted.

It must be noted that all media laws in

Uzbekistan include a provision stipulating that if rules in an international treaty signed by Uzbekistan differ from domestic laws, then the international agreement takes precedence. There are at least two such agreements: The Universal Declaration of Human Rights (joined in 1991) and the International Covenant on Civil and Political Rights (joined in 1995). Both documents ensure the right to freedom of expression, including freedom to seek and impart information and ideas through any media—regardless of frontiers. Yet there has not been a single case involving journalists when these provisions were enforced.

In August 2017, Mirziyoyev suggested a number of changes to the Law on Mass Media and the Law on Protection of the Professional Activities of Journalists; parliament is currently discussing the drafts. According to media experts, while these suggested amendments offer several improvements, they fail to address the controversial provisions mentioned earlier.

One of the main proposed additions is a clause to Article 5 of the Law on Mass Media, which states, "The state guarantees freedom of activity, access to information, property rights, protection of the mass media from unlawful decisions of government bodies, actions (inactions) of their officials." It also prohibits obstruction of mass media activities. One Tashkent-based independent journalist interviewed for this study expressed cautious hope, commenting, "This is definitely important. It should strengthen media organizations. However, it will not make much difference if it stays on paper and is never implemented."

Other media law amendments suggested by the president include a definition of online media, reduction of the registration period for media from one month to 15 days, and a seven-day limit for government organizations to respond to journalists' requests.

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A draft Law on Protection of the Professional Activities of Journalists does not abolish mandatory accreditation for journalists, but it details the process of accreditation and the rights granted to accredited journalists. Since 2006, a year after government troops gunned down scores of civilian protestors in the city of Andijan, the government has barred journalists without a Foreign Ministry license from professional activity. The corresponding decree was signed in 2006 by then prime minister Mirziyoyev, ending the careers of many journalists who worked for foreign media organizations such as Reuters, Associated Press, France Press, Deutsche Welle,

Legal and social norms protect and promote free speech and access to public information.

FREE-SPEECH INDICATORS

- ▶ Legal and social protections of free speech exist and are enforced.
- ▶ Licensing of broadcast media is fair, competitive, and apolitical.
- ▶ Market entry and tax structure for media are fair and comparable to other industries.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- ▶ Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- ▶ Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

BBC, Radio Free Europe/Radio Liberty (RFE/RL), Voice of America, and others forced to close their operations in Uzbekistan after reporting on the events in Andijan. Since then, only reporters uncritical of the Uzbek government have received accreditation. That is one of the main reasons journalists in Uzbekistan who have been covertly working for foreign organizations for more than a decade doubt that Mirziyoyev will ease control over mass media as president. “I find it hard to believe that a person who tossed all independent media out of the country will tolerate freedom of speech,” said an Uzbek media expert interviewed for this MSI study.

However, there are signs that this may change soon. In May 2017, Minister of Foreign Affairs Abdulaziz Komilov announced that the government had accepted the BBC’s request for accreditation. Later, the Uzbek BBC service posted a job opening for a reporter in Tashkent, although as of March 2018, there was no official word on whether the journalist would receive accreditation to work in Uzbekistan.

Other forms of censorship persist as well. In April 2017, journalist and former spokesperson for the president Sherzod Kudrathodzhayev launched a series of live television talk shows. Part of the newly established International Press Club (IPC), these shows discussed issues that included the forced labor of teachers and doctors. For his sharp questions to government officials, Kudrathodzhayev quickly gained fame—especially in social networks where IPC broadcasted its shows live.

However, in August 2017, IPC announced plans to suspend live broadcast of its talk shows. This decision, according to several independent media, came after a meeting between Uzbek Prime Minister Abdulla Aripov and television journalists. Reportedly, the prime minister criticized IPC’s work and personally scolded Kudrathodzhayev for “having gone too far.” The journalist later refuted these

reports though his Facebook profile.

Registration and licensing is required for all media in Uzbekistan. Suggested amendments to the Law on Mass Media include reducing the media registration period from 30 to 15 days. The Uzbekistan Agency for Press and Information (UzAPI), which has a reputation for corruption, oversees the registration of media organizations, publishing, graphic design, and advertising activity. The former director of UzAPI, Omonullo Yunusov, was detained in 2016 and accused of misappropriating \$60,000. His court hearing started in June 2017.

Uzbek journalists also raised concerns over controversial statements by the new head of UzAPI, Laziz Tangriyev. In an interview with Sputnik in August 2017, he spoke about the need to test individuals hoping to launch a media organization: “In Italy, for example, the editor in chief of a new newspaper, no matter it is private or state-owned, must undergo an 18-month training, then pass a state examination, and only then proceeds to work.”

In 2012, the government offered substantial tax benefits to media in general and decreased registration fees by half. (As of February 2018, initial registration and re-registration fees for media organizations stood at \$320 for television, radio, and news outlets, and \$266 for print and online media.) Blogs have been defined as media outlets since the amended media law in 2007, but so far, there is no information as to whether Uzbek bloggers, who are heavily self-censored, have been asked to register.

In 2017, Uzbek authorities arrested two journalists: Bobomurod Abdullayev, a sports reporter, and Hayot Nasreddinov, a well-known economist and blogger. Along with Akrom Malikov, arrested in 2016, they stand accused of plotting to overthrow the government and writing articles under aliases criticizing the government on a website run by exiled opposition politicians. If they are found guilty, they

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face up to 20 years of imprisonment.

Abdullayev's relatives told Human Rights Watch that since his arrest in September, security services have repeatedly tortured him, denied him his right to legal counsel of his choosing, and restricted visits with family members.

Malikov, a researcher at Uzbekistan's Institute of Manuscripts of the Academy of Sciences, had been detained in mid-2016, but information about his arrest came out only in 2017, when he was questioned in connection with Abdullayev's case. He was charged with extremism for allegedly writing stories under a pseudonym for the opposition People's Movement of Uzbekistan. In January 2017, he was found guilty and handed a six-year sentence.

However, the government also released several long-imprisoned reporters in 2017. Muhammad Bekjon, reporter of the opposition newspaper *Erk* (Freedom), was released in February after nearly 18 years of imprisonment. Bekjon, the brother of a prominent exiled opposition member, was jailed in 1999 for attempting to overthrow the government—charges that he claims were fabricated. In 2013, Reporters Without Borders awarded Bekjon its annual Press Freedom Prize.

After Bekjon's release, Uzbek authorities also freed journalist Jamshid Karimov, the late president Karimov's nephew and member of a rights activist group, who had been forcefully hospitalized at a psychiatric facility in 2012. Then in October 2017, they released the independent journalist Solijon Abdurakhmanov, who had served nearly his entire sentence of 10 years behind bars. Abdurakhmanov, known for his articles about law enforcement corruption, was imprisoned in June 2008 on drug possession charges—accusations often used against critics of the regime. His trial did not meet fair trial standards. In 2014, Abdurakhmanov's family wrote a public letter to then president Karimov to pardon

the journalist because of his deteriorating health; the letter went unanswered.

On the sidelines of the OSCE media conference in Tashkent in October 2017, the OSCE representative of Freedom of the Media Harlem Désir met with Uzbek officials and called for the release of all imprisoned journalists in Uzbekistan.

According to the law, everyone must be allowed to seek any information—using any legally allowable methods, including the Internet—unless they aim to undermine constitutional order. Nonetheless, Uzbekistan still blocks access to many independent

While the constitution guarantees freedom of speech, it also states that freedom to collect and disseminate information may be limited if it is “directed against the existing constitutional system” and “in some other instances specified by law.”

information sources. The Center for Monitoring Mass Communications, responsible for monitoring the content of Internet websites, reports its findings to the State Committee for Communications, Information and Communication Technologies, which is authorized to block the IP addresses of sites or articles.

Every year, global media watchdogs name Uzbekistan an “enemy of the Internet,” alongside the likes of China and Iran, for its tight control over the Internet. Uzbek authorities have long blocked the websites of the Uzbek service of RFE\RL (locally known as Ozodlik), BBC Uzbekistan, Amerika Ovozi (Voice of America in Uzbekistan), the information outlet Fergana, and other independent media based outside the country. However, Uzbek journalists note that in 2017, the authorities lifted blocks on certain

media websites for short periods of time.

In 2015, the Milan-based Hacking Team, a company that sells online spying tools to governments worldwide, confirmed that Uzbekistan spent more than €500,000 in recent years on remote control software. According to a Uzbek online security expert who talked anonymously to the Russian-language television channel *Nastoyashee Vremya* (Current Time) in 2016, Uzbek security services began using Italian-made spy software in June 2015—a month before the quality of Skype calls, file exchanges in messengers Viber and WhatsApp, and other Internet services deteriorated in the country. Most media consumers do not know how to bypass online censorship. However, according to journalists, the number of advanced users using VPNs, proxy servers, or sophisticated anonymity software such as TOR on a daily basis is increasing.

Media organizations with blocked websites have turned to social networks and messaging apps to disseminate and crowd source information instead. For example, *Ozodlik's* Facebook page, which has more than 400,000 followers, sees on average 3.5 million interactions monthly.

In 2017, no violent crimes were committed against media members that were related to their professional activities. Usually, the authorities depend on other measures, such as administrative and criminal prosecution, to control journalists. For example, in November 2017, local police of the Buka district (70 kilometers from Tashkent) detained rights activist Yelena Urayeva and two reporters: journalist Bettina Sengling from *Stern* (a German magazine) and Uzbek freelance photographer Timur Karpov who were monitoring forced labor in state-owned cotton plantations. They were released after several hours of questioning.

Legislation declares the protection of editorial independence, including from media owners.

However, in practice, this is never enforced. Therefore, most media, especially state-owned, cannot express independent opinions: they depend completely on the ruling regime. Over the past year, the new president publicly slammed state television channels on numerous occasions. At one point, in June 2017, he criticized the head of the National TV and Radio Company Khurshid Mirzohidov for poor work (he was later fired) and appointed popular singer Ozodbek Nazarbekov as a director of Yoshlar TV—one of the biggest television channels in Uzbekistan.

There are no official restrictions on entry to the journalism profession on the basis of gender, ethnicity, or religion—only on the basis of loyalty to the authorities, which remains one of the main conditions for journalists to work in state-controlled media. However, concern over Islamic extremism can lead to religious bias, according to a Tashkent-based reporter interviewed for this report: “It is almost impossible for a man with a beard or a woman in a hijab to get a job in a media organization.”

It is difficult, though, for foreign journalists to obtain accreditation. According to the Ministry of Foreign Affairs, the government accredited just 41 foreign journalists in 2017, mostly from progovernment Russian, Chinese, and Turkish media (31 in 2016). Today, the country hosts bureaus of six foreign media organizations: Arezu Radio TV (Afghanistan), Agency Khabar (Kazakhstan), Jingji Ribao (China), Agency Xinhua (China), TRT (Turkey), and BBC Monitoring (United Kingdom). The latter is not involved in reporting but monitors Uzbek media and translates selected materials.

The government does not control entrance to journalism schools.

**OBJECTIVE 2:
PROFESSIONAL
JOURNALISM**

1.23

Although the media gained a little more freedom in 2017, professional journalism standards in Uzbekistan remain poor—far below international standards. Experts interviewed for this year’s MSI report indicated numerous reasons for this, including the lack of full editorial freedom, fear of persecution, poor journalism schools, and low wages.

However, as pointed out by a local journalist, this does not mean that the country lacks professional journalists. “Qualified [journalists] have to self-censor. This is the only way to survive. You either leave the country, and try to work from exile, or stay at home and be part of the system,” says the journalist.

Self-censorship has grown more serious since 2007, when the government revised the Mass Media Law. The new regulations make owners, editors, and journalists from both state-supported and private media responsible for the content of print and broadcast media.

Since media companies are under the government’s watch, and independent journalists are often persecuted, many professional journalists have had to flee Uzbekistan over the years. Some are able to continue their work from foreign countries, and are heavily dependent on donors. Others had to change their profession. Those who remain in Uzbekistan are too afraid of the repercussions to practice fair and balanced reporting.

Alternative viewpoints are still rare in the media, especially on political and economic issues, which is why the live talk shows organized by IPC were seen as a major breakthrough in Uzbekistan’s media freedom in the past year. However, optimism

quickly faded after IPC suspended its live shows and changed their format following critiques by government officials.

As in previous years, the Uzbek RFE/RL and BBC services are the only major media offering balanced reporting on political topics, and they are not based in Uzbekistan. For instance, during the past year, local media did not cover the story on Mirziyoyev’s family members appointed to high-ranking government posts. Nor did they report on Mirziyoyev’s close ties with the Russian business tycoon Alisher Usmanov and the potential conflict of interest, even after he used the businessman’s personal plane for numerous official visits abroad.

At the same time, some local media cautiously started covering certain issues previously considered too sensitive. For instance, Kun.uz published a number of articles on the forced labor of budget workers, mostly teachers and doctors, in cotton plantations (in 2017, the government decided not to send university students to harvest cotton).

Entertainment content still dominates both state and private television. However, in mid-2017, the state-owned National TV and Radio Company, with Mirziyoyev’s support, launched a new 24-hour news channel, Uzbekistan 24—a move some officials said was the best thing to happen in Uzbek media in 2017. Blogger Yevgeniy Sklyarevsky, who participated in the opening ceremony of the channel, later wrote, quoting unnamed officials, that the new television channel would be free of censorship. Nevertheless, independent media connect the dismissal of Khurshid Mirzohidov, head of the National TV and Radio Company, with a documentary broadcast on Uzbekistan 24 that criticized the late president Karimov, who is still revered in Uzbekistan.

The blogging community in Uzbekistan is still small and does not have a specialized code of ethics. Rather, a general understanding of what

Journalism meets professional standards of quality.

PROFESSIONAL JOURNALISM INDICATORS

- ▶ Reporting is fair, objective, and well sourced.
- ▶ Journalists follow recognized and accepted ethical standards.
- ▶ Journalists and editors do not practice self-censorship.
- ▶ Journalists cover key events and issues.
- ▶ Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- ▶ Entertainment programming does not eclipse news and information programming.
- ▶ Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- ▶ Quality niche reporting and programming exists (investigative, economics/business, local, political).

authorities will and will not allow drives bloggers. However, several bloggers, especially those on Troll.uz, which is run by a Tashkent-based online activist, have initiated heated discussions on Facebook over some pressing issues in the country (mostly not political) over the past year. "Social media users are acting more freely than before. People are less afraid to criticize the authorities, at least online. And some local media have started quoting critical remarks by bloggers and social media users, which is a good sign," said a Tashkent-based independent journalist.

Journalism schools in Uzbekistan offer old programs that have changed little since the fall of the Soviet Union. Uzbek journalists have few opportunities to receive quality training or improve basic skills and are unable to use internationally accepted standards in their day-to-day reporting.

Uzbek media outlets rarely have their own codes of ethics, and the ones that do have codes violate

generally accepted standards. The most common violations among Uzbek journalists are favoritism and plagiarism, as well as the use of a single source of information. In 2017, the Prague-based, Russian language television channel Current Time published two reports showcasing systematic plagiarism and photo manipulation by the Uzbek state news outlet Uzbekistan National News Agency (UzA). The outlet neither responded to Current Time's inquiries, nor commented on its reports.

However, it must be noted that UzA, which has long been one of the main propaganda channels of the Uzbek government, produced a series of articles over the past year criticizing the current state of media in the country. In addition, it published critical op-eds by BBC and Voice of America reporters on its website. This, along with other improvements in freedom of speech, has boosted the media community's hopes. "I would describe this as cautious hope. The new president is trying to change some things in the country for better. Yet it is still one person deciding, not by popular vote," said one of the media experts interviewed for this year's report.

Low wages in the media industry largely explain the problem of journalists accepting bribes. According to most journalists, the average salary of a media professional in Tashkent is about \$150-\$200 per month (in other cities, it is less). Journalists in the private-sector print media earn more than their colleagues working for state-owned companies.

The National Television and Radio Company of Uzbekistan owns fairly advanced equipment and is capable of producing polished programs. Most local print media are still poorly equipped for the job, however, and most journalists are not trained in how to use new equipment. Journalists interviewed for this report note, though, that the lack of professional skills and fear of persecution affects the quality of journalism in Uzbekistan far more than the state of

the equipment.

There is very little investigative reporting, since most forms are deemed a threat to the government. There are independent media working on investigative reports, but they have to operate from outside of Uzbekistan. Local private media rarely work on this genre, and state-run investigations often toe the line with government propaganda.

Regarding the coverage of niche topics, almost all professional spheres in Uzbekistan, including education, health care, and military have their own specialized publications, which survive only because of forced subscription and state subsidies. *Economic Review* is considered a relatively independent magazine, yet it cannot publish objective articles on various economic issues.

Journalist Natalia Shulepina's blog Sreda.

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uz specializes in environmental issues. There is also *Uzinfocom*, a magazine devoted to computer technology and communication issued by the Ministry for the Development of Information Technologies and Communications.

Specialized groups in popular social networks, such as Facebook, Odnoklassniki, and Telegram partially fill the need for information on niche topics. Popular groups include Poterebileti Uz, where users discuss consumer rights, and Voditeli Tashkenta, a community of drivers.

**OBJECTIVE 3:
PLURALITY
OF NEWS**

1.09

Most journalists and experts interviewed for this year's report agreed that while the plurality of media sources has increased in Uzbekistan, there is a lot to improve in this field.

There are more than 1,500 registered media outlets, including 65 television channels, over 1,000 print media, and nearly 400 websites. According to Uzbekistan's Agency for Press and Information, the majority of registered media are privately owned, hence independent. However, in reality, they remain under the close watch of the authorities.

The government continues to block the websites of numerous independent media covering Uzbekistan. However, these media have been successfully bypassing online censorship with the help of social networks and messaging apps. For instance, the Uzbek service of RFE/RL's bureau in Tashkent was closed in 2006, but it currently has 400,000 Facebook followers and more than half a million followers in Odnoklassniki, a popular Russian social network. Both platforms report high engagement rates.

In general, Facebook became quite popular as an information source in Uzbekistan during the past year. Mirziyoyev launched a Facebook page and urged other officials in the country to do the same.

Online media in Uzbekistan, especially the top-visited Kun.uz and Daryo.uz, actively use Telegram, which gained popularity in the country after authorities partly blocked WhatsApp in 2014. The Telegram channel, run by Kun.uz, has nearly 300,000 subscribers.

In September 2017, Uzbektelecom, which has a monopoly on providing Internet to the country,

announced it was beta testing a new messaging app, Uzphone, aimed at competing with popular apps on the market. Some media experts see this as yet another government attempt to control the country's communications.

Internet penetration continues to expand. Uzbektelecom still has a monopoly on Internet provision; it acts as a gateway for all Internet traffic—distributing it among privately owned (yet government-controlled) Internet service providers. As in previous years, users increasingly access the Internet through mobile devices. In April 2017, the number of mobile Internet users reached a record high of 14.7 million.

Accessing the Internet requires registration with a provider that retains a scanned copy of the client's passport. The same is required to buy a SIM card for a mobile phone. Registration for the purchase of a satellite antenna is not required.

More than half of the country's 32 million people have access to digital television. Last year, the government announced that by the end of 2018, digital television will cover the whole country, and the analog signal will be disconnected. At the moment, the public's free digital package includes seven private and 13 state-run television channels.

Content is exchanged freely between private television and radio channels, regulated by the National Association of Electronic Media (NAESMI), a professional association of private Uzbek broadcasters founded in 2004. Today, it unites more than 50 private broadcast media. According to Firdavs Abduholikov, head of NAESMI, the association's goal is to establish an equal market for broadcasters and support regional broadcasters. However, media experts believe that NAESMI's true goal is to control the activities and content of broadcast media. Despite the stated voluntary nature of membership, NAESMI's members were reportedly

Multiple news sources provide citizens with reliable and objective news.

PLURALITY OF NEWS SOURCES INDICATORS

- ▶ A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- ▶ Independent broadcast media produce their own news programs.
- ▶ Citizens' access to domestic or international media is not restricted.
- ▶ Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

forced to join the association under the threat of losing their licenses.

Urban Uzbeks continue to enjoy more information diversity than their rural counterparts. By virtue of understanding Russian, many city residents watch Russian television channels via satellite antennas or through digital television. Russian television, such as Russia 24 and Perviy Kanal, which have become main propaganda channels for the Kremlin in recent years, are still quite popular in Uzbekistan. Both channels are included in packages of all private providers of access to digital television in the country.

In many regions, power outages remain a major obstacle to electronic and broadcast media access.

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The problem is particularly acute in winter, when some regions receive electricity for only four to five hours a day. With no cable Internet and low-quality mobile networks, people in rural areas receive their information mostly from government-controlled radio and television channels.

Officially, illiteracy is not an obstacle for media consumers in Uzbekistan, with near 100 percent literacy. However, the population's media literacy is quite poor. Many young Uzbeks are unable to differentiate objective reporting from state propaganda or fake news. They see independent Uzbek news websites, such as Ozodlik and BBC, as enemies of Uzbekistan—a result of the government's efforts to label them as such since 2005.

Ownership of private media is still not completely transparent. Media experts believe that it is not uncommon for government or security services officials to establish front companies to hide the true ownership of a media outlet. State media, on the other hand, tend to be more transparent.

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Four news outlets operate in Uzbekistan: UzA (state run), Jahon News Agency (run by the Ministry of Foreign Affairs), the independent news outlet Turkiston-Press, and Uzbek Telegraph Agency. All offer strictly official information that is never critical of the government.

Ethnic minority groups—such as Russians, Tajik, Kazakhs, and Koreans—have a small number of print media in their own languages, but their circulations

are quite limited. Moreover, such newspapers rarely bring up the most pressing issues of minority communities, as the government heavily controls ethnic and interethnic issues.

OBJECTIVE 4: BUSINESS MANAGEMENT

0.97

Media in Uzbekistan are rarely sustainable. With a severely limited spectrum of revenue sources, media outlets struggle to cover operational costs. Economic conditions within the country make it nearly impossible for media outlets to run efficiently or profitably. As the advertising market is still developing, private companies survive mainly on subsidies from their owners or grants.

Several journalists interviewed for this year's MSI study argue that corruption is also a major reason that media organizations fail to operate as efficient businesses. Transparency International's Corruption Perception Index 2017 placed Uzbekistan at 157 among 180 countries, scoring only 22 out of 100—meaning corruption is rampant in the country's public sector.

Corruption scandals involving media are not rare. In 2014, the independent Uzbek media reported on a wide-scale corruption scheme at the National Television and Radio Company, showing that almost half of its advertising revenue goes into the pockets of company officials. In 2017, the former head of the UzAPI, a government body in charge of registration and licensing media, was accused of misappropriating \$60,000.

Only a few entertainment print media and state-owned newspapers, such as *Nardonoye Slovo/Halk Suzi* and *Pravda Vostoka*, earn enough

to support their operations fully. A large portion of income for state-owned print media, which usually publishes official, often boring, information, comes from compulsory subscriptions by public institution employees across the country and people receiving state benefits such as pensioners and disabled people.

College and university students who receive state scholarships are also forced to subscribe to government-funded newspapers. There are only a handful of news-oriented private media outlets with relatively effective business models, such as the Russian-language news websites Gazeta.uz and Novosti Uzbekistana. However, the latter was forced to close its print version and go online in 2014, reportedly because of financial constraints.

In one new development, though, the problem of involuntary subscriptions to print outlets are now

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS

- ▶ Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- ▶ Independent media do not receive government subsidies.
- ▶ Media receive revenue from a multitude of sources.
- ▶ Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- ▶ Advertising agencies and related industries support an advertising market.
- ▶ Broadcast ratings and circulation figures are reliably and independently produced.
- ▶ Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.

being openly discussed in Uzbek media. On the talk program *Munosabat*, aired on the O'zbekiston television channel in June 2017, Karimberdi Turamurod, a journalist with the entertainment-oriented *Bekajon*, accused *Halq Suzi* of forceful subscriptions. The newspaper's deputy editor in chief Shuhrat Jabborov, also a guest on the show, refuted the journalists' accusations. "A newspaper, by its nature, is propaganda. It should propagate good things to people. And we do promote our newspaper in places. Do not confuse that with forced subscription," he said. The show initiated heated discussions on social networks, with many users confirming the existence of involuntary subscriptions to various state-owned print media.

The newspaper's deputy editor in chief Shuhrat Jabborov, also a guest on the show, refuted the journalists' accusations. "A newspaper, by its nature, is propaganda. It should propagate good things to people. And we do promote our newspaper in places. Do not confuse that with forced subscription," he said.

Uzbek language news websites, such as Daryo.uz and Kun.uz, and sports-oriented websites such as Stadion.uz and Uff.uz, have grown in popularity in recent years, boosting their revenue from advertising. Yet even the most popular websites in the country are far from self-sustaining, heavily relying on public funds, grants from international organizations, or direct subsidies from owners.

It is hard to tell if bloggers draw stable income from their activities in Uzbekistan. Popular blogs, such as Troll.uz, engaged in both commercial and state-sponsored activities in 2017. However, they do not disclose their income sources or levels.

The state-owned television channels Yoshlar (Youth) and O'zbekiston still have the most geographical coverage and draw top prices for advertisements. For example, one minute of prime time on Yoshlar can cost \$4,900, according to a pricelist provided by advertisement outlets.

Marketing research on the media is extremely rare. State media does not feel the need for it, since they are funded and controlled by the government, and it is often too costly for private print media. Their editors and founders struggle constantly to meet market needs. Nevertheless, experts express hope that with the expansion of Internet penetration and digital television, marketing research will become more affordable and easier to conduct.

In 2016, Tashkent Advertising Association, which unites almost all big advertising outlets in the capital city, undertook the only openly conducted research on the media market in recent years. The survey compared the popularity of three media platforms: television, radio, and Internet. It reportedly polled more than 1,700 people, mostly between the ages of 20–45 years; their locations were undisclosed. The survey showed more than 95 percent of respondents used the Internet every day, while 53 percent watched television at least once a day. Many journalists doubt the accuracy of these results.

In May 2017, the newly founded National Media Council of Uzbekistan, which includes major broadcasters, providers of digital television services, and advertising outlets, announced that beginning in 2018, the London-based consultancy group Kantar would measure television audiences in the country. The joint Uzbek-Turkish research and consulting group SIAR conducted the last such metrics in 2009.

**OBJECTIVE 5:
SUPPORTING
INSTITUTIONS**

0.81

Despite the relative easing of control over mass media during the past year, truly independent media support groups still do not exist in Uzbekistan. Currently, there are only a few local organizations that represent the interests of media organizations, owners, and editors, and all depend heavily on the government.

One, NAESMI, was founded in 2004 and unites dozens of nongovernmental television and radio stations. According to the Uzbek service RFE/RL, the group, run by government loyalist Firdavs Abduholikov, maintains near-total control over private broadcasting media.

In 2013, NAESMI suspended its activities for several months following the arrest of Abduholikov, allegedly in connection with then president Islam Karimov's eldest daughter Gulnara Karimova, who was accused of extorting nearly \$1 billion from telecommunication companies. A year later, after charges against Abduholikov were reportedly dropped, the group resumed its work.

NAESMI's main functions include providing grants for upgrading technical equipment and organizing free information exchanges and news reporting between member broadcast companies. Given its close ties with the government, NAESMI also controls and even determines the editorial policy of its member outlets.

All media company staff members belong to the Creative Union of Journalists. Even though the union does not promote its members' legal interests, journalists are obliged to pay monthly dues, deducted automatically from their salaries. The union organizes an annual professional

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competition called Oltin Qalam (Golden Pen) to reward the most loyal journalists.

After the Andijan tragedy, the Uzbek government closed down nearly all foreign-sponsored nongovernmental organizations working in the country. Organizations that offered support to media and journalists were also forced to cease operations. Since then, Uzbek reporters could only receive professional training that meets international standards abroad. The Open Society Institute, the US Department of State, Internews, the OSCE Academy in Bishkek, and other major donor organizations frequently fund these courses. Dozens of independent journalists underwent such trainings in neighboring Kyrgyzstan and Kazakhstan, risking

Supporting institutions function in the professional interests of independent media.

SUPPORTING INSTITUTIONS INDICATORS:

- ▶ Trade associations represent the interests of private media owners and provide member services.
- ▶ Professional associations work to protect journalists' rights.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

persecution upon their return.

However, local journalists interviewed for this report hope that change will come soon. They have reason to believe so: In July 2017, Komilov announced the government was open to resuming cooperation with Human Rights Watch, which had been forced to close its Tashkent office in 2010. Following the government's statement, Steve Swerdlow, a Central Asia researcher at Human Rights Watch, visited Uzbekistan several times, each time openly calling on the authorities to release imprisoned dissidents and journalists.

The quality of journalism education in Uzbekistan remains poor. The Uzbekistan National University and the State University of World Languages both offer journalism training, but in general, their curricula are heavily theoretical, and they lack practical experiences for students.

Uzbekistan has a relatively well-developed printing and distribution industry, but the government, through the Uzbekistan Press and Information Agency, controls much of it. Print media are distributed through the companies Matbuot Tarqatuvchi and Matbuot Uyushmasi via subscriptions or kiosks. "There are many printing houses, but since there is no independent print media in the country, their presence does not in any way affect the situation with freedom of speech, which today exists exclusively on the Internet," said one Tashkent-based journalist.

Internet service providers have no alternative to Uzbektelecom, which has blocked dozens of websites critical of the government, to obtain Internet access.

Internet connections in Uzbekistan are among the slowest in the former Soviet Union. In November 2017, the Speedtest Global Index report, conducted by the Seattle-based Ookla, ranked Uzbekistan 127 out of 130 countries based on speed of fixed

broadband Internet (5.81 Mbps) and 119 based on mobile Internet speed (6.47 Mbps).

In his address to the parliament in December 2017, Mirziyoyev promised that Internet speed in Uzbekistan would become 2.5 times faster by the end of 2018. For that, he said 2,000 kilometers of fiber optic communication lines would be placed and more than 4,000 new mobile communication support stations would be built, although he didn't provide additional details on the scope of the effort.

"There are many printing houses, but since there is no independent print media in the country, their presence does not in any way affect the situation with freedom of speech, which today exists exclusively on the Internet," said one Tashkent-based journalist.

All journalists and media experts interviewed for this year's MSI agree that for the foreseeable future, the Internet, as the country's least-controlled media platform, will remain a crucial tool for ensuring freedom of speech in Uzbekistan. Young people in the country have been increasingly turning to mobile messaging apps, especially Telegram, for consuming and disseminating information.

List of Panel Participants

IREX did not conduct an in-country panel discussion because of Uzbekistan's repressive environment. This chapter represents desk research, interviews, and the results from questionnaires filled out by several people familiar with the state of media in the country.