

EUROPE & EURASIA



MEDIA SUSTAINABILITY INDEX 2019

Tracking Development
of Sustainable
Independent Media
Around the World



USAID
FROM THE AMERICAN PEOPLE



MEDIA SUSTAINABILITY INDEX 2019

The Development of Sustainable Independent Media in Europe and Eurasia

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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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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 2019 edition of the Media Sustainability Index (MSI) for Europe and Eurasia. 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 the influence of government funding of the media sector, social media platforms that draw advertising revenue away from their countries, and the ubiquitous practice of self-censorship. Panelists across several countries also highlighted issues that have been discussed in previous MSI studies, including: propaganda and fake news, polarization of the media, and lack of transparency in media ownership.

The MSI, now in its 18th year and final year, has been one of the world's most trusted recurring studies of media health. IREX originally developed the MSI to provide an international development approach to measuring media sector performance. Looking beyond issues of free speech, throughout its history the MSI aims to understand the degree to which news and information from both traditional and non-traditional sources serve its audience reliably. With the previous edition of the MSI, IREX developed the Media Sustainability Explorer (which can be found at <https://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 have also provided 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 have informed the media community, civil society, and governments of the strengths and weaknesses of the sector.

Since 2001, however, the way that information is produced, spread, consumed, and used has changed dramatically. As a result, IREX undertook a multiple year process to review approaches to working with information and media sectors and has developed a new methodology that takes into account lessons learned from many years of implementing the MSI, changes in the media and information spheres over the past two decades, and opportunities for measuring and diagnosing the challenges and opportunities

that modern media systems create. With this new approach, IREX will aim to capture a modern era where many people around the world are simultaneously producers, transmitters, consumers, and actors of the information that shapes their environments and their lives.

The 2019 edition of 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 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.

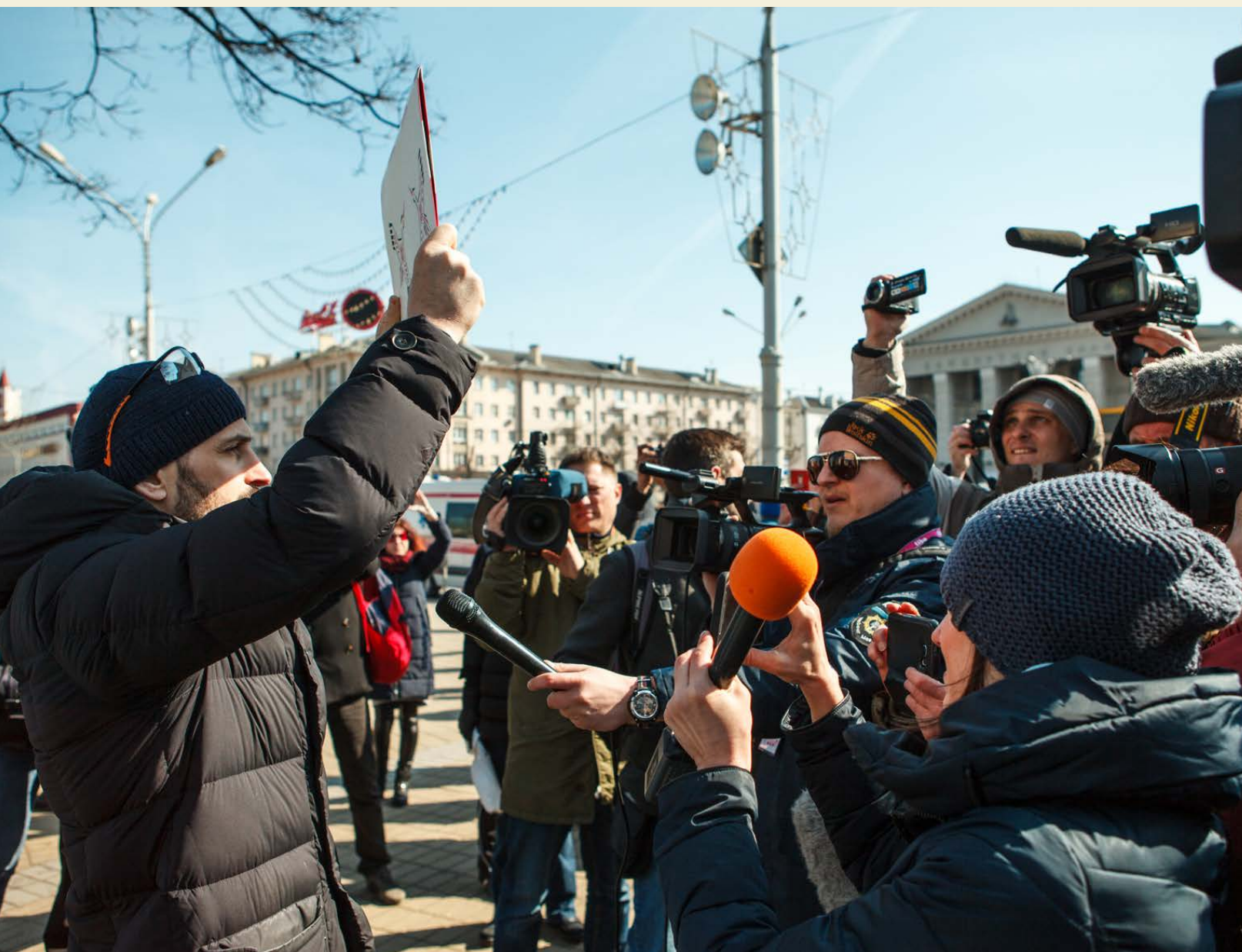
We hope you will find this report useful, and we welcome any feedback.

Sincerely,



Linda Trail
Managing Editor

EXECUTIVE SUMMARY



The 2019 Europe and Eurasia Media Sustainability Index (MSI) saw another improvement in the combined average score for the 21 countries studied: In 2018, the combined average score was 1.84, and in 2019 this increased to 1.86. In comparison with the previous year's study, there were modest gains at the regional level in Objectives 1 (Freedom of Speech), 2 (Professional Journalism), and 3 (Plurality); the largest increase happened in Objective 5 (Supporting Institutions), which moved from 1.99 in 2018 to 2.04 in 2019. Objective 4 (Business Management) saw a slight decline, reflecting the financial and economic challenges media across Europe and Eurasia continue to experience.

At the country level, Armenia moved into the highest ranking position (by overall score) of all countries studied by the MSI with an overall score of 2.60--powered by, in the words of the chapter's author, "[a] momentous revolution, dubbed 'velvet' by its leader, Nikol Pashinyan, [that] changed the Armenian political landscape, turned the media world upside down, and made 2018 a truly unprecedented year in Armenia's modern history." Following Armenia, the top five highest ranked countries included Kosovo (2.53), Albania (2.49), and Montenegro and Romania (tied at 2.45). A per objective score examination for 2019 shows:

- ▶ **Armenia:** Considerable improvement across all MSI objectives
- ▶ **Kosovo:** While Kosovo is ranked second to Armenia this year, it showed a decline in its overall score from 2018. Scores for Objectives 1, 2, and 4 decreased, while scores for Objectives 3 and 5 saw improvement.

- ▶ **Albania:** Albania's overall score improved; it experienced increases in Objectives 2, 3, 4, and 5, and a decline in Objective 1.
- ▶ **Montenegro:** There were increases in Objectives 1, 2, 4, and 5, with a considerable loss in Objective 3.
- ▶ **Romania:** There were moderate increases for Objectives 1, 2, 4, and 5, with the score in Objective 3 remaining static from 2018 to 2019.

At the other end of the rankings were Belarus (1.46), Serbia (1.45), Azerbaijan (.94), and Uzbekistan (.72). Turkmenistan's score of .33 leaves it as the lowest-ranked country, a position it has occupied since its inclusion in the MSI study in the late 2000s. Notably, while Uzbekistan's overall score increased in the 2018 study reflecting a degree of reform in the country after the death of long-time President Islam Karimov in late 2016, it showed a decline this year. One MSI panelist attributed this decrease to "the relative freedom of the media gained after 2017 [revealing the] many problems in media standards and the level of professionals in the field of journalism."

North Macedonia and Armenia saw the largest overall score increases this year when compared to 2018. North Macedonia saw improvement across all objectives studied by the MSI, which the panelists partly attributed to a much-improved situation with media freedom and freedom of expression. Although North Macedonia's score of 2.26 places it in the Near Sustainability MSI classification, its media sector is still challenged by financial constraints that have resulted in newsrooms constantly downsizing, a degree of politicization among media outlets, and a limited advertising market. As noted above, Armenia's across-the-board score improvements

were fueled by significant political events in the country, which gave journalists an extraordinary opportunity to improve their professional abilities. However, it is likely too soon to assess fully the new government's commitment to, and support of, a robust media sector.

Russia and Uzbekistan saw the largest decreases in their overall scores. As the Russia chapter author noted, "Russia does not meet the majority of the MSI indicators for sustainability. Authorities place no restrictions on entry to the media market or to the journalism profession, but the unfavorable political and economic situation has eroded the quality of Russian journalism and proliferated state propaganda." Despite the advent of media outlets in Uzbekistan covering previously sensitive issues--such as forced labor, torture carried out by law enforcement, and corruption--censorship is still thriving in the country. The government continues to constrain the media sector through an assortment of formal requirements (such as accreditation) and informal levers, such as rejecting licenses for media outlets with no explanation.

What's Inside the 2019 MSI and 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 influence of government funding of the media sector, social media platforms that draw advertising revenue away from their countries, and the ubiquitous practice of self-censorship.

While our discussion below will concentrate on the concerns mentioned above, as in previous MSI studies the issues of fake news and propaganda,

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polarization of the media, and lack of transparency of media ownership continue to impact media sectors throughout the region. Various chapter authors provided some insight into the effects of these ongoing issues.

- ▶ **Propaganda and fake news:** In Russia, some panelists commented that propaganda is now perceived as the norm and that journalists who engage in propaganda receive media awards. In Ukraine, there is a plethora of manipulative news sources and media, primarily online and social networks, that are expected to rise further. The Kazakhstan chapter noted that some journalists create and spread fake information in pursuit of sensationalism, while others copy the propaganda sent to them by government bodies.
- ▶ **Polarization of the media:** In Georgia, political divisions exacerbated by the 2018 presidential election weighed on the standards of major media, as one of the largest national television stations became a mouthpiece for the ruling party while the largest pro-opposition channel was unrelentingly critical of it. In North Macedonia, many outlets, including those that previously were staunch supporters of the previous government, have re-aligned their editorial policies in favor of the current government.
- ▶ **Lack of transparency in media ownership:** The Bulgaria panel noted that media are required to disclose their owners, but those names are often fronts for others who actually control the outlets. Some Bulgarian print media are registered in foreign countries (which is prohibited for broadcast media) or are also formally owned by front figures, while most online media have hidden and unclear ownership. In Belarus, print media publish ownership information on their

first or last pages, but websites and blogs are not required to do so. The lack of clarity on ownership often makes it difficult to evaluate how the owners influence editorial policies.

Again this year IREX has compiled a summary of panelist and chapter author recommendations organized into several themes: 1) Improve the legislative environment; 2) Safeguard the independence of public broadcasters; 3) Improve access to public information; 4) Strengthen provisions for journalists' safety; 5) Improve media sector self-regulation; 6) Bolster media and information literacy levels; and 7) Modernize journalism education. IREX hopes these will be useful to MSI users.

While scoring charts providing all scores for 2019 can be found at the end of this section, we encourage readers to delve into the [Media Sustainability Explorer](#) to analyze data from all 18 years of the Europe and Eurasia MSI, compare Europe and Eurasia MSI data trends across time, and examine specific countries and regions.

Government funding of the media sector

Throughout the region, media outlets struggle for advertising revenue in a highly competitive market. In some cases, there are more media outlets than the market can realistically support (for example, North Macedonia and Moldova). However, in many countries in the region, shifting advertising models for legacy media have led to increased reliance on government funding.

In more repressive countries such as Azerbaijan, Belarus, Russia, and Turkmenistan, direct and indirect funding from the government has been a main source of income. For example, the Belarus chapter cited the distorting influences of governmental subsidies to state-owned media coupled with

political repression of, and dependence on donor funding for, most independent media. Independent media outlets accept support from foreign donors at some peril, as all foreign aid not registered with the authorities is considered illegal. In Russia, as another example, MSI panelists also noted a heavily distorted market: Advertising revenue is scarce and monopolized, political and legal risks for media are vast, and access to foreign investment is constrained. While one panelist observed that media outlets supported by the state are more likely to survive, the chapter also noted that only four agencies sold 95 percent of Russian television advertising in 2016. Since major advertisers tend to ignore small regional media, those outlets are left to their own devices to attract advertising revenue. However, if there is a glimmer of a silver lining, the dire operating environment has pushed media companies to try different income models, including using paywalls for content and crowdfunding, which has seen some success: Mediazona raised RUB 1 million (\$15,665) from its audience, and The New Times managed to raise RUB 25 million (\$391,625) to pay a fine through crowdfunding in four days.

Even in freer operating environments, however, government funding of the media sector, combined with diminished advertising revenue, undermines the independence of the media sector. The Kazakhstan chapter discussed how the government's media financing is done within the framework of social service procurement, which impacts objective coverage of events. While there are some media organizations that avoid taking government funding in the name of editorial independence, the vast majority regularly receive financial support from the state. Authorities then leverage this support to exercise influence among editors on which topics can and cannot be covered.

Further west, a similar market distortion has



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been evolving in Serbia for several years. Media projects in the public interest--co-financed by local, provincial, and state governments and geared towards providing content that serves the broader interests of Serbians--have become an integral part of the media financing model in the country and are key to the survival of many media organizations. In 2018 alone, local, provincial, and national governmental bodies published a combined 161 calls for bids. At the national level, government contracts to media tend to be awarded to "friendly" organizations, and the procurement process is not transparent; government grants are similarly distributed. A panelist in Serbia observed that the state advertising process is "clearly used as a way to control the media."

Social media and advertising revenue

In Serbia, as in many countries studied by the MSI, social media platforms are siphoning advertising revenue away from legacy print and broadcast media, and most of it goes to foreign-owned platforms accessible in the country, such as Facebook, Instagram, YouTube, and Google. As the Armenia chapter stated, "Facebook keeps tearing advertising dollars away from Armenia's market, offering a more efficient, traceable, measurable advertising platform."

A May 2018 survey in Bulgaria found that Facebook and Google take 50 percent of the country's online advertising market and that investment in mobile ads is growing more quickly than other kinds of online spots. Similarly, the Moldova panel discussions noted that platforms such as Google and Facebook are increasingly efficient actors in the country's market since they provide audience targeting based on demographic criteria. This sentiment was echoed throughout the region—including Romania, Kazakhstan, Kyrgyzstan,

and North Macedonia. In Tajikistan, a panelist observed that many advertisers have begun posting ads on Facebook and VKontakte, a Russian social network, adding that advertising on these social media networks "costs only \$7 a week; our rate is \$27 a week." The Bosnia & Herzegovina chapter noted that the online sector has been growing in terms of reach and revenue, but it is not in a position to compete with global and cheaper advertising services, such as Google or Facebook ads.

Panelists in Armenia and Ukraine cited the impact of political advertising in social and, more broadly, online media. In Ukraine, politicians buy banner ads with Google's AdSense tool and target reliable news sites, overwhelming them with aggressive slogans for or against certain politicians. Readers unfamiliar with AdSense are susceptible into thinking the media organization chose to display these banner advertisements. During parliamentary elections of December 2018 in Armenia, candidates and political parties advertised heavily on Facebook.

While it is clear that social and online media advertising is rising, international platforms benefit from any advertising growth in the countries, rather than the local media outlets and markets. To account for this, Ukraine's advertising industry changed its measurement methodology, removed search engine advertising gained by Google, Facebook, and other tech giants from the media market, and factored in only banner advertising, digital video, and sponsorship into digital media advertising. Since this trend shows no sign of reversing, one panelist in Kyrgyzstan suggested that international companies and social networking sites--such as Google, Yandex, and Facebook--should pay value-added tax because they receive direct payments for advertising from Kyrgyzstani users. Such "Google taxes" were introduced in Russia and Belarus in 2016 and 2017.

Self-censorship

The issue of self-censorship was repeated throughout many of the MSI chapters this year. Notably, the Armenia chapter discussed a new element driving self-censorship: public pressure from social media users (through online verbal abuse) on reporters and bloggers to avoid certain topics and people, and to eschew criticism of the current government. The panelists cited a respected media outlet that decided not to publish a story on the country's new government—not because it was afraid the government would retaliate against it, but rather due to public pressure.

Despite this potentially new pressure point nurturing self-censorship, MSI panelists across the region cited the main causes for it as fear of official reprisal, the financially precarious operating environment for media, and formal (and informal) editorial policies and pressures.

In repressive operating environments, self-censorship is driven by fear. For example, the Azerbaijan chapter noted that nearly all in-country media practiced some form of self-censorship in 2018. Journalists are systematically questioned or interrogated by the police and prosecutor's office, causing fear that leads to self-censorship. Under different pretexts, people are persecuted and even imprisoned for expressing their thoughts on social media. In Turkmenistan, since all local media outlets are state-owned, journalists and editors are unconditionally expected to support and promote the state ideology under threat of losing their job and persecution. Limited political freedom in Tajikistan fuels concerns about offending certain political forces or of crossing a red line that may result in the closure of a media outlet. Thus, almost all the country's media express the same position as the authorities, and the space for pluralism is narrowing every year. In Belarus, panelists acknowledged that

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some media organizations avoid publishing stories on certain sensitive topics, while noting that it can be difficult to assess whether this resulted from legitimate editorial decisions.

In Ukraine, the panel observed that self-censorship is entrenched throughout Ukrainian media and largely depends on owner's priorities in economic and political areas. While there was an acknowledgement of the connection between self-censorship and the silencing of certain topics to financial interests, reprisals, or low professionalism, journalists avoid covering certain topics so they cannot be accused of separatism or treachery to Ukraine. The panelists observed that self-censorship is more ingrained in municipal, locally funded media.

Similarly, in Kazakhstan reporters, editors, and owners point out that self-censorship by journalists and even by publication owners is a primary problem. Reporters know the limitations of their editorial leadership on covering certain individuals and topics, and editors are fearful when considering coverage of social and political issues. In the words of the chapter author, "Any unguarded word can lead to complaints from officials and lawsuits, which could result in losing work and ruining the media company. So reporters whitewash, preferring to cover safer, noncontroversial topics."

The issue of self-censorship is not limited to Eurasia. Throughout the European countries included in the MSI, panelists noted its pervasive influence on editorial decisions and reporting. In Albania, self-censorship among journalists has become customary. Job insecurity and pervasive links between media owners and political and business interests pressure journalists to limit what they say and write. In North Macedonia, panelists also saw self-censorship as a continuing issue, with the precarious nature of their employment a strong avenue of pressure. While North Macedonia's law on

media offers legal protection for journalists who are forced to report an issue from a certain point of view or are urged to not cover an issue, the panelists knew of no documented cases of journalists invoking that legal right or of seeking protection for invoking the right. Panelists there also cited media owners as the greatest threat and as the force behind self-censorship, since most owners are far more concerned about their other business interests.

A panelist in Romania stated that journalists "...are afraid they will lose their jobs, but they also do not want to have any conflicts with persons or institutions they feel are connected with the owners or have an influence in areas that could affect their profession." However, the Romania panel also noted the role that editors and others in high management positions have in self-censorship.

Recommendations

Again this year, IREX 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.

Improve the legislative environment:

Bosnia & Herzegovina: Government bodies should engage in and take the responsibility for developing better media policies. In particular, relevant authorities, including ministries of communication and transport, should engage in increasing transparency of media businesses, including transparency of ownership and funding.

Kazakhstan: Decriminalize libel and insult and review criminal liability of similar actions defined in the country's criminal code (for example, libel against certain categories of officials: judges, deputies, etc.). Establish restrictions on state (government) ownership of media resources and enterprises in the related sphere (for example, in advertising, printing, in the area of television and radio broadcasting, etc.).

Moldova: The central authorities should continue and encourage the work of the Working Group on Improving Media Legislation in order to achieve all the objectives set, which would contribute to ensuring a proper legal framework for media activities.

Ukraine: Improve legislation on the transparency of media ownership and ensure its proper implementation.

Safeguard the independence of public broadcasters:

Bosnia & Herzegovina: Establish guarantees for independence of public media (including entity and state broadcasters and media founded by municipalities, cities and cantons). Their funding and the appointment of key personnel should be placed at arm's length from political bodies. Moreover, a solution for independent funding (through license fees or an equivalent manner) of the three public service broadcasters should be urgently delivered, and the digitalization process should continue, despite the ongoing political polarizations.

Kosovo: End direct financing from the state budget for the public media. State funding is affecting its editorial and institutional independence. A new mechanism that is based on public subscription fee should replace direct state funding.

Montenegro: Ensure the long-term political neutrality and professionalism of the national public broadcaster. It must not become a political

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battleground and its management should be protected from politically motivated reprisals and dismissals, as this media company is of vital national interest.

Ukraine: Introduce legislative guarantees to guarantee the independence of the public broadcaster and its management, as well as a more transparent and apolitical way to fund the public broadcaster.

Improve access to information:

Bosnia & Herzegovina: Invest in improving public data archiving and make public documents and information easily available, as a precondition for open government and full implementation of the Freedom of Information Act. The procedures for complaints should be improved, including penalization of officials and institutions when they fail to deliver information of public interest.

Moldova: Central and local authorities should abandon the pernicious practices of not providing information to the media on time and of justifying delays by invoking the laws on petitioning and on protecting personal data.

Tajikistan: Ensure equal access to official information sources for all media outlets, regardless of their form of ownership.

Strengthen provisions for journalists' safety:

Bosnia & Herzegovina: Police and judiciary should ensure that attacks and pressures on journalists are well and timely investigated, as well as penalized based on criminal law provisions. Professional associations, media outlets, and the wider community should react and consistently support journalists exposed to pressures and attacks.

Bulgaria: Violence against reporters should not be tolerated, and cases of physical attacks against

journalists should be investigated. Perpetrators of violence against journalists should be brought to justice, not only in criminal cases, but also in cases when journalists are attacked for their professional work. Additionally, cases of interference of government bodies such as the police, tax authorities etc. in the work of independent reporters and media outlets should be investigated and prevented.

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

Montenegro: The Government of Montenegro, with the support of the media community, must put more effort into solving the cases of attacks on journalists, including those from previous years. National and local authorities should foster an environment that is welcoming, and not threatening, to a free press, and investigative journalism in particular.

Improve media sector self-regulation:

Moldova: Under the aegis of the Press Council, the media community should supplement, update, and adopt a new code of conduct which should include professional rules to be assumed by all types of media, including online media. All journalists and media outlets, including those in the Transnistrian region, should be encouraged to sign and comply with the amended, updated code of conduct.

Montenegro: In the name of accountability, media outlets and journalists should set up a self-regulatory body with the power to enforce the existing code of ethics.

Ukraine: The media industry needs to introduce a unified press card by self-regulatory bodies. This will facilitate identifying true and regular journalists

and enhance compliance with professional and ethical standards.

Bolster media and information literacy levels:

Armenia: Raise media literacy in as many layers of society as possible.

Bosnia & Herzegovina: The growing role of unmonitored content shared on social media and other platforms poses more demands for improving media and information literacy (MIL) education. Civil society should continue their engagement in these issues, and state institutions should introduce more MIL education into formal curricula on all education levels.

Kazakhstan: Introduce mandatory teaching of media literacy basics in schools and universities.

Moldova: Media NGOs and central authorities should continue to develop and engage in fact checking and media literacy activities to counter propaganda messages and to stimulate critical thinking about media consumption.

Modernize journalism education:

Armenia: Develop a quality, modern journalism school at the undergraduate and graduate levels that would be equipped with modern equipment and provide hands-on experience, with experienced professionals from the field and systemized methodology.

Kazakhstan: Develop well-established criteria for determining the effectiveness of journalism education. The transformation of journalism education must meet current requirements of media employers: To obtain knowledge of new information technologies for their practical use, and to develop skills to analyze the entire spectrum of political, economic, cultural and social changes and ensure their balanced and ethical coverage by the media.

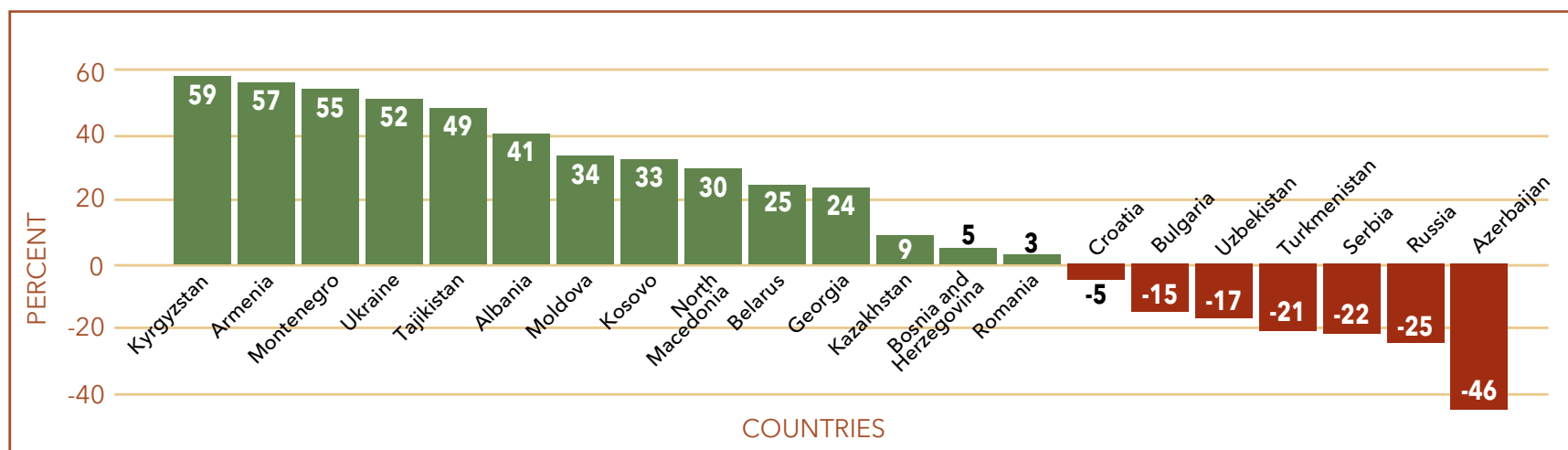
Kosovo: The public university should invest in

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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.

Montenegro: The media should establish closer links with academia, NGOs, and professional education centers in order to develop hands-on training for journalism students, as well as continuing vocational training for all journalists.

PERCENT CHANGE IN MSI 2001-2019: 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 2019: OVERALL AVERAGE SCORES

<div><div></div><div>Turkmenistan 0.33</div></div> <div><div></div><div>Uzbekistan 0.72</div></div> <div><div></div><div>Azerbaijan 0.94</div></div>	<div><div></div><div>Serbia 1.45</div></div> <div><div></div><div>Belarus 1.46</div></div> <div><div></div><div>Russia 1.49</div></div>	<div><div></div><div>Kazakhstan 1.54</div></div> <div><div></div><div>Tajikistan 1.65</div></div> <div><div></div><div>Bosnia & Herzegovina 1.74</div></div> <div><div></div><div>Bulgaria 1.89</div></div>	<div><div></div><div>Kyrgyzstan 2.05</div></div> <div><div></div><div>Ukraine 2.09</div></div> <div><div></div><div>Georgia 2.25</div></div> <div><div></div><div>North Macedonia 2.26</div></div> <div><div></div><div>Croatia 2.31</div></div> <div><div></div><div>Moldova 2.31</div></div> <div><div></div><div>Albania 2.49</div></div> <div><div></div><div>Montenegro 2.45</div></div> <div><div></div><div>Romania 2.45</div></div> <div><div></div><div>Kosovo 2.53</div></div> <div><div></div><div>Armenia 2.60</div></div>				
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 2018

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

MEDIA SUSTAINABILITY INDEX 2019: FREE SPEECH

				<p>▼ Bulgaria 2.02</p> <p>▢ Bosnia & Herzegovina 2.24</p> <p>▢ Ukraine 2.38</p> <p>▢ Kyrgyzstan 2.39</p> <p>▢ Croatia 2.44</p> <p>▲ North Macedonia 2.44</p> <p>▢ Georgia 2.48</p> <p>▼ Kosovo 2.52</p> <p>▼ Moldova 2.52</p> <p>▲ Montenegro 2.61</p> <p>▢ Albania 2.71</p> <p>▢ Romania 2.78</p> <p>▲ Armenia 2.96</p>			
▢ Turkmenistan 0.35	▢ Uzbekistan 0.82	▼ Belarus 1.08	▢ Tajikistan 1.63				
	▼ Azerbaijan 0.88	▢ Kazakhstan 1.38					
		▼ Russia 1.44					
		▼ Serbia 1.47					
0-0.50		0.51-1.00		1.01-1.50		1.51-2.00	
UNSUSTAINABLE ANTI-FREE PRESS		UNSUSTAINABLE MIXED SYSTEM		NEAR SUSTAINABILITY		SUSTAINABLE	

CHANGE SINCE 2018

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

MEDIA SUSTAINABILITY INDEX 2019: PROFESSIONAL JOURNALISM

		<div>▼ Belarus 1.62</div> <div>▲ Kazakhstan 1.62</div> <div>▲ Bulgaria 1.64</div> <div>▢ Tajikistan 1.70</div> <div>▢ Ukraine 1.84</div> <div>▼ Croatia 1.97</div> <div>▲ North Macedonia 1.97</div> <div>▲ Kyrgyzstan 1.99</div>	<div>▲ Romania 2.18</div> <div>▼ Georgia 2.23</div> <div>▼ Moldova 2.26</div> <div>▲ Montenegro 2.30</div> <div>▲ Albania 2.33</div> <div>▼ Kosovo 2.41</div> <div>▲ Armenia 2.60</div>				
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 2018

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

EXECUTIVE SUMMARY

MEDIA SUSTAINABILITY INDEX 2019: PLURALITY OF NEWS SOURCES

		<div>▢ Serbia 1.51</div> <div>▢ Kazakhstan 1.53</div> <div>▼ Belarus 1.60</div> <div>▢ Bosnia & Herzegovina 1.80</div> <div>▲ Russia 1.87</div> <div>▢ Tajikistan 1.88</div>	<div>▢ Kyrgyzstan 2.13</div> <div>▢ Bulgaria 2.16</div> <div>▢ Ukraine 2.36</div> <div>▢ Georgia 2.43</div> <div>▲ North Macedonia 2.46</div>	<div>▲ Croatia 2.51</div> <div>▢ Moldova 2.59</div> <div>▢ Romania 2.62</div> <div>▼ Montenegro 2.67</div> <div>▲ Albania 2.69</div> <div>▢ Kosovo 2.72</div> <div>▲ Armenia 2.76</div>			
▢ Turkmenistan 0.31	▼ Uzbekistan 0.75	▢ Azerbaijan 1.01					
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 2018

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

MEDIA SUSTAINABILITY INDEX 2019: BUSINESS MANAGEMENT

		<div><div><div>🇷🇸 Serbia 1.10</div><div>🇺🇦 Ukraine 1.48</div></div><div><div>🇷🇺 Russia 1.11</div><div>🇧🇦 Bosnia & Herzegovina 1.33</div><div>🇰🇿 Kazakhstan 1.21</div><div>🇦🇷 Azerbaijan 0.77</div><div>🇧🇪 Belarus 1.26</div><div>🇹🇯 Tajikistan 1.35</div></div><div><div>🇬🇪 Georgia 1.57</div><div>🇰🇾 Kyrgyzstan 1.59</div><div>🇧🇬 Bulgaria 1.70</div><div>🇦🇱 Albania 1.98</div><div>🇲🇰 Macedonia 1.76</div><div>🇲🇩 Moldova 1.77</div><div>🇰🇷 Kosovo 1.96</div></div></div>					
🇹🇲 Turkmenistan 0.21	🇺🇲 Uzbekistan 0.69						
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 2018

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

MEDIA SUSTAINABILITY INDEX 2019: SUPPORTING INSTITUTIONS

<div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><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CHANGE SINCE 2018

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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.

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

2019

Tracking Development
of Sustainable
Independent Media
Around the World



ALBANIA

AT A GLANCE

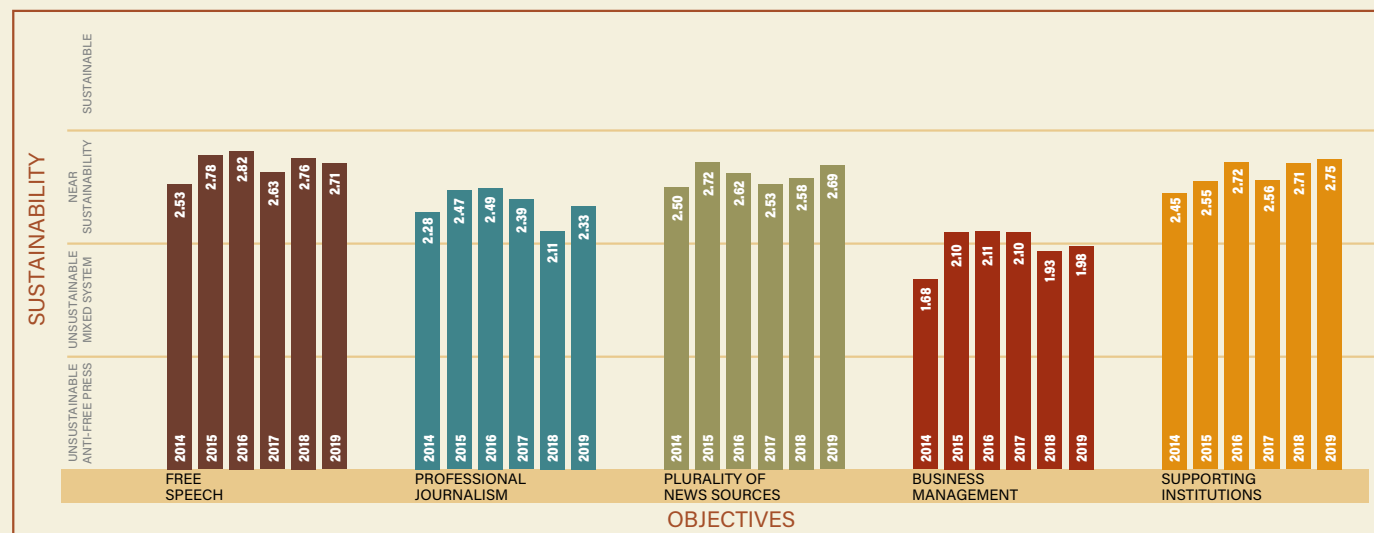
GENERAL

- **Population:** 3,057,220 (*CIA World Factbook*, 2018 est.)
- **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% (*CIA World Factbook*, 2011 est.)
- **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% (*CIA World Factbook*, 2011 est.)
- **Languages:** Albanian 98.8% (official), Greek 0.5%, other 0.6% (including Macedonian, Roma, Vlach, Turkish, Italian, and Serbo-Croatian), unspecified 0.1% (*CIA World Factbook*, 2011 est.)
- **GNI (2017-Atlas):** \$12.42 billion (*World Bank Development Indicators*, 2017)
- **GNI per capita (2017-PPP):** \$13,050 (*World Bank Development Indicators*, 2017)
- **Literacy rate:** 97.6% (*CIA World Factbook*, 2015 est.)
- **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: 22 dailies (Albanian Media Institute, 2017); Radio Stations: 1 national, 51 local, 4 community (Audiovisual Media Authority, 2018); 1 public, in 5 channels, plus 4 local programs; Television Stations: 1 public broadcaster and its thematic channels, 5 national digital platforms and TV stations, 56 local TV stations, 2 satellite, and 100 cable (Audiovisual Media Authority, 2018); Internet News Portals: N/A
- **Broadcast ratings:** N/A
- **News agencies:** Albanian Telegraphic Agency (public)
- **Annual advertising revenue in media sector:** €37 million (*Monitor*, 2018 est.)
- **Newspaper circulation statistics:** 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.

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.



Albania's MSI objectives on free speech, plurality of news sources, and supporting institutions nudged up a bit, while the objectives on journalism professionalism and business management fell. Albania's overall score improved only slightly, from 2.44 in 2018 to 2.49 in 2019. The only objective to see even a small decrease was on guarantees of freedom of expression, mainly due to a proposal in parliament to regulate online media. Among the challenges facing the country's media sector, panelists cited media outlets divided along political lines, declining ethical standards, lack of transparency in media ownership and funding sources, and self-censorship.

Albania's paralyzing political warfare continued throughout 2018. The opposition Democratic Party boycotted parliament and rallied repeated protests, accusing the government of widespread corruption. The Democrats allege that law enforcement and the judiciary have been captured by organized crime and that groups involved in the country's lucrative but illegal cannabis trade bribed or intimidated voters in the 2017 elections, with the government's cooperation. The Socialists, who came to power in 2013 after eight years of Democratic rule, agree that corruption permeates some state institutions, but they say they are the real reformers.

Interior Minister Fatmir Xhafaj resigned in October, with Prime Minister Edi Rama urging Xhafaj's successor to pick up the pace of ongoing judicial and other reforms. The opposition had tarred Xhafaj with charges of involvement in drug trafficking, based on his brother's 2002 conviction in Italy in a drug case.

Rama and President Ilir Meta, formerly from the opposition Movement for Socialist Integration, have locked horns repeatedly, with Meta taking the unprecedented and arguably unconstitutional steps of refusing to appoint some of Rama's chosen

cabinet ministers. Their dispute might have gone to the constitutional court, but almost all of that court's judges have been removed after failing a new anti-corruption vetting process. The court of appeals is barely functional for the same reason.

Adding to the political protests were angry confrontations between police and residents of the country's impoverished north on toll charges for a new highway stretching from Albania's capital of Tirana to Pristina, Kosovo. In addition, residents of outer Tirana neighborhoods protested plans to demolish their homes to make way for a new ring road; artists and civil society activists protested the demolition of the national theater building, saying corrupt building practices are running roughshod over cultural heritage; and massive student protests, over tuition and other fees, as well as dim career prospects and corruption, led to a reshuffle of the cabinet in December.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

2.71

The Albanian constitution and relevant laws protect freedom of speech and expression. The panel praised the country's legal environment, with some exceptions, but noted problems with enforcement.

Undermining otherwise robust legal protections for the press is a proposal to regulate online media by having them register with the telecommunications agency. In addition, the legislation would give the regulatory Council of Complaints, which hears grievances from the public about broadcast media, the power to fine or even suspend online media. "This shows a willingness by state institutions to interfere with the media sphere. When I compare the situation to last year, it's clearly worse," said Aleksandra Bogdani, an investigative journalist. Sentiments like those moved panelists to lower their assessment of this indicator, although some argued that because the proposals were still pending, a downgrade would be premature.

All of the five national digital multiplex licenses were granted in 2017, and last year saw no particular developments regarding licensing procedures. The media industry in Albania faces no undue tax or regulatory burdens. Indeed, sales of media equipment and newspapers are exempt from value-added tax (VAT). In addition, a few panelists said tax collectors are sometimes more lenient toward the press than toward other businesses. Entry into the media market is free, with no insurmountable obstacles to launching an outlet. Overall, the panelists agreed that the legal framework is favorable for media businesses.

There were several reports of assaults and

attacks on reporters in 2018. In the most serious case, someone shot at the home of reporter Klodiana Lala's parents late at night while her children were there. Lala, who covers courts and crime for News 24 TV, said the attack was linked to her work. Several days later, a local journalist was allegedly threatened by the owner of a café who was asking the media not to report on an explosion at his business. "The cases have increased, while threats are even more numerous, especially in the case of investigative journalists," said Aleksander Cipa, head of the Union of Albanian Journalists. The authorities often react promptly, but the perpetrators are rarely discovered. "Many cases have been closed without being thoroughly investigated," said Dorian Matlija, executive director of Res Publica. "There's solidarity and public reaction, which is good," Cipa said. "Institutions give lip service, but when it comes to finding the perpetrators nothing happens."

"The cases have increased, while threats are even more numerous, especially in the case of investigative journalists," said Aleksander Cipa.

The panelists agreed that public broadcasters do not cater to the government and do allow access to opposition viewpoints. Journalists for these outlets do not enjoy privileged access to events or officials.

The panelists had subtle disagreements over laws meant to protect the editorial independence of public media. Suggesting that enforcement, not wording, was the problem, well-known journalist Lutfi Dervishi said, "If we have a look at the law, the statute of the public broadcaster, and the editorial principles approved by this media, they are technically of a high standard." But journalism professor Iris Luarasi criticized the law's mechanism

for public media appointments, saying it parcels out the posts among political parties rather than encouraging a search for the most qualified candidates.

Several panelists said public media are raising their standards but still have a way to go. Major improvements in quality and independence will happen only when the public Radio Televizioni Shqiptar (RTSH) is funded by its audience and no longer relies on government support, the panelists said. That prospect is far off, however, given the low license fee that Albanian households pay for the public broadcaster.

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.

The panelists decried the political nature of appointments of media regulators, who are beholden to their patrons. As a result, Dervishi said, members of these bodies make decisions for political, rather than professional, reasons. He noted that the appointment of a general director for the public broadcaster was delayed because three rounds of voting were deadlocked along party lines.

A weakness in Albania's legal framework on free speech is its failure to fully decriminalize defamation—it is a criminal offense punishable by fines of up to \$28,000, which is extreme by Albanian standards. In addition, even though the legislation places the burden of proof on the plaintiff, “in reality, in court the defendant has to prove everything,” said Matlija, a lawyer. In arguing for complete decriminalization, Matlija said judges do not always make a distinction between commentary and reporting, and journalists do not have sufficient time to gather evidence to vindicate their work. In general, the panelists said that although the legal framework is sound, judges do not always respect the spirit of the law regarding freedom of expression.

Remzi Lani, director of the Albanian Media Institute, put some of the blame on journalists themselves. He said the defamation law was loosened in 2005 with the understanding that the media would police themselves to uphold professional standards, which has not happened.

Albania has a strong public information law that government agencies increasingly ignore. “The law started out really well, even in its implementation, but now it has started to regress, as there’s no punishment for those who don’t provide information,” Bogdani said. Matlija said the Commissioner on Data Protection and Access to Information has become less effective, as institutions have found new ways to avoid replying. In 2018, 71 percent of requests filed through an online platform received an answer, but

only 46 percent of those received all the information requested, according to a study by Res Publica, a non-profit legal services organization focusing on human rights and democracy development. The average response time doubled from 13 days in 2017 to 26 days in 2018.

No particular outlets have privileged access to officials, information, or official events, although many of those events—such as news conferences, where no questions are permitted—are of little use in newsgathering. On the other hand, elected officials or expert government employees routinely make themselves available for interviews. All media and journalists have access, technically, but the information provided is controlled by officials, which sometimes makes the role of the reporter redundant.

Entry into the journalism profession is not regulated in any way, with no particular credentials required. The panel also agreed that domestic media have unrestricted access to sources of international news, with usage fees the only obstacle.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

2.33

Albanian media claim to be independent, but they are clearly divided along political lines. Ornela Liperi, editor-in-chief of business and finance magazine *Monitor*, said that “links between media owners and interest groups to politicians” have hurt reporting standards, especially at large television stations.

With a few exceptions, professional standards are lacking in Albanian media, but not because the country’s reporters are particularly corrupt or incompetent. Instead, the panelists blamed staff

shortages, crushing workloads, and pressure from other actors. For example, the country’s four biggest banks are among the largest advertisers. They are also under investigation by the anti-monopoly agency for anti-competitive practices, but it is very difficult to find this story in Albanian media. “I believe that in all media, without exception, the financial source is considered ‘untouchable’ and is promptly served by the media they support, including the largest media in the country,” said Valbona Kurti, editor-in-chief of TV Klan’s investigative Stop program.

“Quantity prevails over quality. There’s a shortage of staff, of editors, and of time to do a quality job,” Dervishi said. In addition, one panelist said journalists often cover routine or ceremonial events while ignoring stories of public interest.

The panel also decried the frequent practice of airing public relations material disguised as news. “I don’t think reporting is honest or objective, especially on television, and in particular when it comes to news on the municipality of Tirana,” Liperi said, “The stories are often prepared by public relations people and are presented as news, which is a serious violation of journalistic standards.”

Ethical standards are steadily declining, hurried along by the ascendance of online media. “All you need is for one website to publish a story, whether it’s true or false, and everyone else publishes it without confirmation, without any changes, and without citing it. It’s the worst kind of copy-paste news or fake news,” Kurti said. Media’s frequent use of social networks as sources of information, without proper checks, is also undermining reporting standards, the panelists said.

Media in Albania have a written, voluntary code of ethics, but self-regulation has been a bust. Dervishi said professionalism will remain elusive while the media have trouble accessing information or exercising editorial independence.

"We can't expect standards from media that aren't independent," he said.

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).

Self-censorship among journalists has become the norm. Job insecurity and pervasive links between media owners and political and business interests pressure journalists to watch what they say and write. "Self-censorship of journalists and staff in the media exists due to lack of stable labor contracts and pressure from owners and managers. This is even more visible in local media," said Arben Muka, a former journalist who monitors programming at the national broadcast regulator. Anila Basha, director of the Newsbomb website, said self-censorship was particularly obvious in 2018. She mentioned that the violent protests in the northern town of Kukes over the toll highway quickly disappeared from the nation's television screens

"due to economic influence and interests." The well-connected company chosen to collect the toll is a frequent winner in government tenders.

Still, the panel said it is rare for news and events to be completely ignored in the media. "Given the political bias, what's not covered by one outlet will be reported on by competitors. I don't know of any issues that don't come to light, even though the purpose might not be related to journalism, but political. However, information doesn't remain a secret; it becomes public," said Alfred Lela, director of the online magazine *Politiko*. A few panelists said it is difficult to find negative coverage of big advertisers, businesses, and corporations.

Most journalists in Albania receive meager pay, and some live with irregular paychecks. Online journalists are especially poorly paid, according to Cipa, of the journalists' union, and Luarasi, the professor. Luarasi said the illegal, sub-minimum wage (ALL 26,000 [\$232] per month) of many news websites makes their reporters vulnerable to corruption. The panel said there is a huge gap between a few editors, directors, and journalists and the rest of media employees. Lani called it "a media aristocracy on one hand, and a media proletariat on the other." At the same time, according to trade union data, media companies continue to keep one set of books for the tax collector and one for themselves. Some continue to deduct social contributions from journalists' salaries without actually paying those contributions to the government. "We have denounced this continuously, but no one seems to care very much," Cipa said.

The panel said news and political shows continue to outnumber entertainment programs, thanks to several all-news channels and the prevalence of current-affairs and political talk shows almost every night. In fact, Lani noted, political programs seem to be crowding out entertainment.

Other panelists said that although movies are rarely broadcast in prime time, the main television stations invest in entertainment programming.

"I believe that in all media, without exception, the financial source is considered 'untouchable' and is promptly served by the media they support, including the largest media in the country," said Valbona Kurti.

Most media make an honest attempt to cover all sorts of topics, especially social issues, crime, the economy, health, and culture. Investigative reporting has grown more formidable, especially at online media, such as the Balkan Investigative Reporting Network (BIRN), but also on several television programs, such as *Fiks Fare* on Top Channel, *Stop* on TV Klan, and *Boom* on Ora News.

In general, journalists and their outlets have the equipment and technology necessary for newsgathering, although national media tend to have more and better technology than their regional counterparts. That gap will likely close, however, with the ongoing, nationwide switchover to digital broadcasting, when local stations will either upgrade their equipment or use public digital transmission networks.

OBJECTIVE 3: PLURALITY OF NEWS

2.69

With literally hundreds of television and radio stations and newspapers, and a boom in online media, Albanians have access to plentiful news sources. A few panelists said the surfeit of news websites helps ensure that all news and

information eventually comes to light, but it has also fueled fierce competition to get a story first and get the most clicks, with standards an afterthought, Liperi said.

The panelists stressed that quantity of information wins out over quality, especially as more journalists scour social media for story tips and information. “There are numerous sources of news and information available to citizens, but they have to distinguish between objective and biased information, or between the truth and fake news,” Kurti said.

Albanians face no legal or technical hurdles in accessing the Internet, foreign media, or any other sources of information. The government does not block access to any online or traditional media. Internet penetration is constantly on the rise, along with people’s use of social media, especially Facebook. There are no market restrictions for Internet service providers, but the panelists said a proposal to require online media to register and to allow regulators to block those that violate ethical norms is a threat to media freedom in the country.

“There are numerous sources of news and information available to citizens, but they have to distinguish between objective and biased information, or between the truth and fake news,” Kurti said.

The public broadcaster’s reform and transformation into a reliable television channel that serves the public interest has proved challenging over the past 20 years. Nonetheless, some panelists said it now offers a wider array of quality programming. “Since I closely follow the programming on offer, I

can see that there is a more concerted effort—not just in quantity, but also in terms of quality—of some of the programs,” Muka said.

The panel also said the public broadcaster aims for balance in its newscasts these days. “One day I was following the protests on TV, and only the public broadcaster was broadcasting them at that moment,” Lani said. “That might seem trivial, but it’s definitely a change compared to previous years, where it was focused mainly on reporting government protocol.”

Along with the praise, however, the panelists said RTSH still has much work to do to fulfill its public mission. “I can see that the situation is clearly improving in many aspects, but it’s still in a fragile state and it still has a long way to go,” Matlija said.

Officially, the public Albanian Telegraphic Agency is the country’s only news agency. Many other portals or news sites, however, refer to themselves as news agencies. All media are free to use domestic or foreign news providers. All widely use international agencies, albeit usually without proper attribution or credit.

Almost all traditional media in the country produce their own news, while online media frequently copy news from one another, without bothering to verify it. The panelists decried the prevalence of public relations material—from political parties and figures, as well as from businesses—being passed off as news in many outlets.

Owners of traditional media are listed in the searchable database of the National Business Center, even as the sources of media funding remain hidden from the public, the panelists noted. “It’s easy for the public to see who owns most media and how this is reflected in the media’s editorial line,” Lela said. But owners of online media have no obligation to register or identify themselves. Most online media do not publish their address,

information on their staff, or any other identifying information. Albania’s media are becoming concentrated in fewer hands, especially after ownership restrictions for national broadcast media were lifted in 2016, and the five national digital licenses were granted to three owners.

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.

Albanian media are not restricted or discouraged from reporting on touchy issues related to minorities, ethnicity, gender, or sexual orientation. Although the media cover many such topics, the reports are often superficial. The panelists noted that public broadcaster RTSH relatively recently began broadcasts in minority languages on its second channel. Cipa, the union chairman, said

many minority groups in Albania have launched their own online media. For example, in the southwestern region of Himara alone, with its large Greek-speaking community, there are 13 minority-owned online media outlets, Cipa said. On the other hand, the government continues to have no policy of supporting minority, or any other, media.

Media in Albania cover local, national, and foreign news, but most coverage focuses on politics and other developments, mainly in Tirana, limiting regional coverage to political activities or crime reporting. "There's an obvious emphasis on covering politics, and often this means coverage of real life in the country is neglected," Liperi said.

Two main companies measure television ratings, but the data's reliability is disputed, due to the methodology used, the small sample size, and the fact that their results usually differ. "The main television stations do receive audience data, even though we know that the way these data are collected is problematic," Kurti said. The results of the surveys are not released publicly. "The fact that the data are not public means a lot. The media have an interest in making them public, as an incentive for self-improvement," Luarasi said.

Similarly, there are no published data on circulation of newspapers, which is deemed very low, nor do online media publish numbers on page views.

OBJECTIVE 4: BUSINESS MANAGEMENT

1.98

Business management practices in Albanian media are too opaque to allow any assessment of their efficiency. In addition to the many outlets that were already operating, last year

an all-news channel launched, and another is set to start broadcasting soon. Although the country's wealth of media outlets could be a sign of dynamism, the panelists said they doubted the weak advertising market could support so many. "It doesn't make much economic sense to invest in opening new, quality television stations in an already oversaturated market," Liperi said. According to reports in *Monitor*, only the few major television stations run their businesses efficiently and make a profit, albeit sometimes from advertising by their owners' other businesses. "If we consider that advertising has been decreasing and the media numbers growing, and that not many media do have a positive balance, it leads us to think that media don't operate efficiently as a business," Dervishi said.

Funding sources for Albanian media are hardly transparent. The budgets and balances of broadcasters and some registered online media are available in the database of the National Business Center. However, the origin of funding sources is not available, and the panelists cast doubt on the veracity of the data on the official balances. Even though data on advertising show that the market is rather small, the panelists said there are diverse sources for funding media, including commercial and public advertising, subscriptions, newsstand sales, and support from their owners' other businesses. The media's dependence on these sources, however, has given them undue influence on editorial policy. In this way, marketing and editorial staff are formally, but not practically, separate.

There are no official figures for the size of the advertising market, but Monitor put recent annual ad revenue around €40 million (\$45 million), with a

tendency to decrease by a few percentage points each year, Liperi said. *Monitor* estimated that the ad market shrank by six percent in 2017 to €37 million (\$41.6 million), but the decline seems to have slowed in 2018. According to the magazine, television attracts more than 70 percent of ad spending, and even the growth of advertising in online media seems to have slowed in 2018. As in most of the world, print media in particular struggle to secure enough advertising to fund their operations.

Liperi said about 40 percent of advertising spending is channeled through agencies, which tend to handle the biggest advertisers, giving agencies influence especially on television channels, the panelists said. But the real clout belongs to the big advertisers, which include telecommunications companies and banks.

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.

The national government does not subsidize media, and its advertising funds have dropped in the past several years. The panelists agreed that state advertising funds play a small role in the market, but they said these funds are not awarded through transparent and fair procedures. Instead, the government gives the money to advertising agencies or event planners, which, as private companies, are not obligated to disclose how they then disburse the funds to media outlets. All of this makes it difficult to draw conclusions about whether the funds influence media editorial policies. The distribution of public funds is even less transparent and more clientelistic in local government, according to Shkelqim Bylykbashi, owner of 4 Plus TV in the west-central town of Lushnje.

“If we consider that advertising has been decreasing and the media numbers growing, and that not many media do have a positive balance, it leads us to think that media don’t operate efficiently as a business,” Dervishi said.

The major media companies, mainly television stations, and major advertisers conduct market studies and audience research. Audience measurements, however, are widely mistrusted. Liperi said large, reputable research agencies do not find the small Albanian market worth their time. Other panelists said an obvious solution would be for multiple outlets to pay for better quality, joint research, but the national character is a barrier to that. “This isn’t only about the small market. It’s also about our culture, where everyone wants to be first and no one accepts second place,” Lani said.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

2.75

Although publishers and media owners are free to form trade groups, there is only one. The marginally effective Association of Electronic Media rouses itself in times of need rather than functioning as an ongoing concern. With its focus on the business side of the industry, last year the association and several owners and directors of private television stations pushed to allow private broadcasters to receive a portion of the proceeds from the nationwide television license fee that funds the public broadcaster. The proposal has not yet been introduced in parliament. A year earlier, the association had unsuccessfully sought to block legislation requiring broadcasters to offer free or discounted advertising time to political campaigns.

Several professional associations for journalists are registered in the country, but most are dormant. The most active is the Union of Albanian Journalists, which defends the labor rights of its members and draws attention to violations of press freedom. The union has a considerable national presence and local branches. The Association of Professional Journalists has also been more active recently, issuing statements regarding infringements of press freedom.

The Albanian Media Institute and civil society groups offer short-term training programs, which rely on donor funds and can be difficult for journalists to attend. “There should definitely be more training, but even when we do the current courses, we have to keep shortening the training period each day, as journalists have to produce the news for the day and do the training, which makes

it difficult for them,” said Lani, of the media institute. Media bosses themselves seem to care little about these courses. “Media operators don’t have training programs for their own journalists and aren’t particularly interested in these, and as a result only the short-term training enabled by donors is available,” Dervishi said.

Bylykbashi said most training courses take place in Tirana, putting reporters elsewhere at a disadvantage, but Luarasi and Bogdani, whose organizations host journalism trainings, disagreed. “We’ve had a different experience, where we offered training for local journalists in their cities, but sometimes they didn’t show much interest,” Bogdani said.

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.

ALBANIA

The panelists agreed that although there are training opportunities for journalists, they can have only limited success when media outlets' staffs are being cut and many media owners do not care about public-interest journalism.

Several civil society groups primarily concerned with human rights also monitor the freedoms of speech and press. Lately, their statements tend to have little influence, although these groups played an important role in liberalizing Albania's defamation law and drafting an open information law. A group of civil society organizations have spoken out against the proposed registration and ethics requirements for online media.

"There should definitely be more training, but even when we do the current courses, we have to keep shortening the training period each day, as journalists have to produce the news for the day and do the training, which makes it difficult for them," said Lani.

Degree programs in journalism are available at the country's public universities, while private institutions offer communications studies. The panelists said universities need to teach students more practical journalism skills, including via internships. "The media community expects working journalists from the department of journalism, and the curriculum doesn't entirely meet this need," said Valbona Sulce, a member of the public broadcaster's steering council.

No laws or regulations limit the media's ability to buy equipment or operate printing houses. Printing facilities, distribution networks, and related infrastructure are privately owned and available

to all media, without politicization or government interference. Although newspaper kiosks are run by monopolies, no newspapers are frozen out of newsstands. Meanwhile, Internet penetration has increased rapidly, and the panelists said there are no technological barriers to access to any media source. "Supporting infrastructure is rather developed and meets media needs. It's a business and isn't affected by politics or the limitations that might come from it," Kurti said.

Panel Participants

Aleksandra Bogdani, journalist, Reporter.al, Tirana

Shkelqim Bylykbashi, owner, 4 Plus TV, Lushnje

Aleksander Cipa, chairman, Union of Albanian Journalists, Tirana

Genc Demiraj, owner, One TV, Vlora

Lutfi Dervishi, freelance journalist, Tirana

Valbona Kurti, editor-in-chief, Stop, TV Klan, Tirana

Remzi Lani, director, Albanian Media Institute, Tirana

Alfred Lela, director, Politiko.al, Tirana

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

Iris Luarasi, lecturer, University of Tirana, Tirana

Dorian Matlija, executive director, Res Publica, Tirana

Arben Muka, director of programs, Audiovisual Media Authority, Tirana

Valbona Sulce, member, RTSH steering council, Tirana

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

Anila Basha, director, Newsbomb.al, Tirana

Moderator & Author

Ilda Londo, research coordinator, Albanian Media Institute, Tirana

The panel discussion was convened on December 20, 2018.

BOSNIA & HERZEGOVINA



MEDIA SUSTAINABILITY INDEX 2019

Tracking Development
of Sustainable
Independent Media
Around the World



BOSNIA & HERZEGOVINA

AT A GLANCE

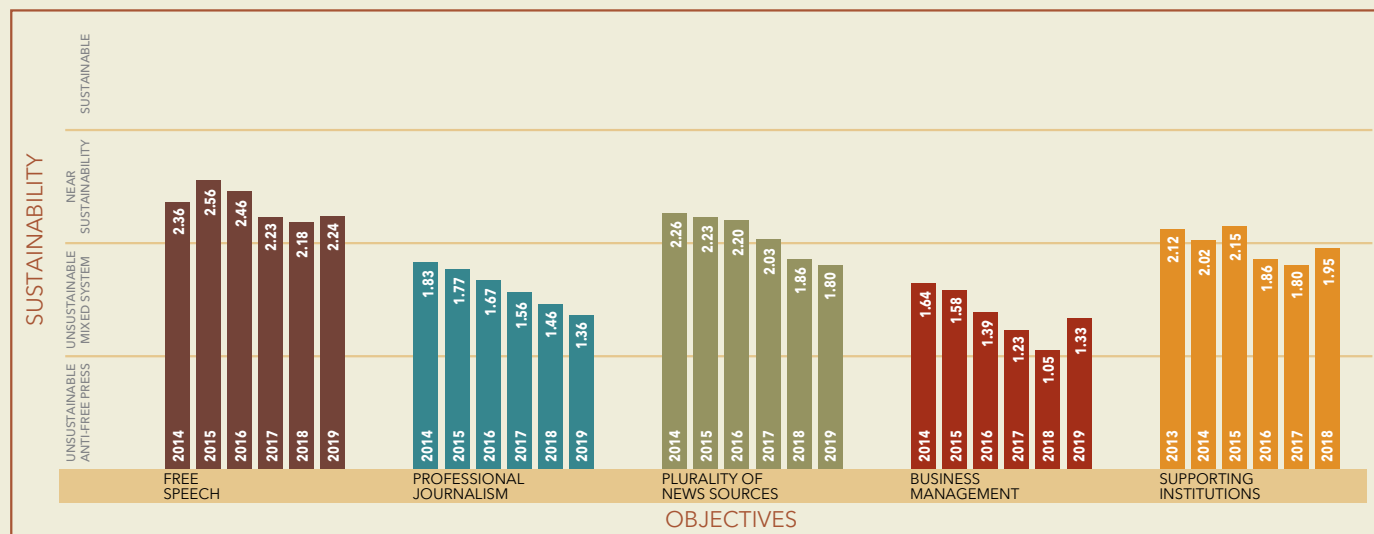
GENERAL

- **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, Croatian, Serbian, and others (Population Census 2013)
- **GDP \$18.17 billion** (World Bank Development Indicators, 2017)
- **GNI per capita (Atlas Method):** \$4,940 (World Bank Development Indicators, 2017)
- **Literacy rate:** 97.18%, Male 99.21%, Female 95.24% (Population Census 2013)
- **President or top authority:** Members of B&H presidency: Milorad Dodik (since November 20, 2018), Željko Komšić (since November 20, 2018), and Šefik Džaferović (since November 20, 2018)

MEDIA-SPECIFIC

- **Number of active print outlets:** Print: 8 daily newspapers, 181 periodicals (magazines, publications of diverse content) (Press Council of B&H, 2018); radio stations: 140; television stations: 41 (in terrestrial network), plus 51 broadcasters in other networks (CRA of B&H, 2018)
- **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 (10.35%), Nova BH (6.85%), OBN (6.72%) (audience share 2017, Fabrika)
- **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, 2018)
- **Annual advertising revenue in media sector:** 22.09 million Euro in 2018; television: 60%, print 7%, out-of-home 14%, radio 7%, online 12% (est., Fabrika)
- **Internet usage:** 3,064,072 or 86.77% of population (CRA of B&H, 2017)
- **Mobile subscriptions:** 3,404,085, i.e. 97.42 % of population (CRA, 2017)
- **Social media users:** 1,500,000 or 42.8 % percent of Facebook users (Internet World Stats, 2017). Facebook is by far the most used social network, but Instagram is increasingly used among younger citizens.

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.

Scores for all years may be found online at <https://www.irex.org/msi>



B&H's media sector struggles to thrive, with main impediments to progress centering around a weak economic environment for media, a lack of quality and diversity in media content, political interference in editorial policies, and impunity for pressure and attacks on journalists. Of the five objectives studied in the MSI, professional journalism and business management were the lowest scored, and B&H's overall score of 1.74 places it in the "unsustainable mixed system" classification.

Bosnia and Herzegovina (B&H) remains, besides Albania, the only country in the region without European Union (EU) candidate-country status. In February 2018, B&H finally submitted answers to the European Commission's questionnaire. However, it needs to submit answers to an additional 655 new questions aimed at clarifying some issues in the questionnaire.

Leading political party representatives' discussions over amendments to the election law have failed, even though in 2016 the Constitutional Court deemed parts of it unconstitutional because of unequal representation in the House of Peoples of the Federation of B&H.

The general elections in October 2018 consolidated the position of the Alliance of Independent Social Democrats (SNSD) in the Republika Srpska (RS), while the Party of Democratic Action (SDA) remained in power in B&H. Željko Komšić of the Democratic Front Party won the election for the Croat representative in the presidency of B&H, which consists of one Bosniak, one Croat, and one Serb. Komšić defeated Dragan Čović of the Croatian Democratic Union of Bosnia and Herzegovina (HDZ) with the majority of Bosniak votes, prompting Croats to accuse Bosniaks of marginalizing Croats, furthering calls for the creation of a third entity. (B&H has two administrative units called entities: Federation of B&H and RS. Croatian leaders advocate for a third entity, which they claim would guarantee better protection for the rights of Croats in B&H.) Both before and after the elections, the

political and media landscapes were full of divisive rhetoric, accusations, and nationalistic narratives. The often tense talks with representatives of neighboring countries and allegations of influence from Russia and Turkey within B&H have aggravated this behavior. Things culminated with media reports on the activities of paramilitary pro-Russian groups in the RS and a May visit from Turkish President Recep Tayyip Erdogan for a pre-election rally held in Sarajevo.

Milorad Dodik, president of the SNSD party, was elected as the Serbian member of the B&H presidency. Since his inauguration, he has continued with inflammatory and secessionist rhetoric, claiming to represent the interests of the RS primarily.

Since March 2018, protestors have gathered daily in Banja Luka to demand that police and prosecutors disclose information about the death of 21-year-old David Dragičević. Police in RS initially deemed his death an accident, but Dragičević's parents insist he was killed and that the police covered up the case. The Pravda za Davida (Justice for David) movement has brought together thousands of people from all over B&H and morphed into protests against corruption and the ruling parties in RS and B&H.

In 2018, the country became an important transit route for migrants from the Middle East, Asia, and Africa attempting to reach the EU. The number of migrants and the lack of logistical and financial support from higher administrative levels prompted protests in the Krajina region.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**
2.24

There are fairly good formal guarantees of freedom of speech in B&H, and the score for freedom of speech remains highest among all five objectives. The country registered some improvements, primarily regarding demands for legislation to increase transparency of media, in addition to aligning court practice in libel cases with international standards.

Laws in B&H guarantee media freedoms and include freedom of information legislation, defamation, and communications laws. However, legislation on the transparency of media ownership and advertising is still lacking. Civil society organizations drafted laws on the transparency of media ownership and advertising at the end of 2018, but these drafts still need to go through parliamentary procedures. The Criminal Law of RS from 2017 envisages punishment for those who “order or conduct censorship, deprive or limit the access to information or the freedom of informing” (Article 161). Last year, there were concerns that the law on electronic media, which B&H needed to adopt in 2016 in accordance with the Stabilization and Association Agreement that regulates relations with the EU, might limit the Communications Regulatory Agency’s (CRA) authority. The law is still being drafted, and this year, the Ministry of Communications and Transport and CRA made progress in their negotiations. “There is a working group that includes representatives of ministries and the CRA, and so far, we have not encountered any problems [...] Our suggestions are accepted,” said Helena Mandić, the assistant director of the broadcasting sector of CRA. “For now, it is a small

step forward.” She is, however, suspicious of what will happen once the adoption of the law proceeds beyond the engagement of the working group.

The selection process for the members of the CRA Council, which leads the CRA in strategic issues, has been politicized. The CRA Council members’ mandate expired at the end of 2017, and the council has not yet appointed new members. The ad hoc commission that should conduct the appointment procedure and shortlist the candidates has yet to be confirmed, and proposed members might change with the newly established government. The previously proposed members of the ad hoc commission included three representatives of associations (and three representatives of relevant authorities, in accordance with the law), but the panelists argued that there was a conflict of interest. “One of them is a representative of the Association of Radio Stations of RS, which is a clear conflict of interest. The other is a representative of telecom operators,” explained Borka Rudić, secretary general of the Association of BH Journalists.

“There are a lot of cases in which the courts are using the practice of the European court and citing its rulings,” Mehmed Halilović explained, “Rulings against journalists are fewer than before.”

The professional public views the licensing of radio and television stations, led by the CRA, as nondiscriminatory and legitimate. The CRA does not use licensing as a means of limiting media pluralism or criticism of those in power. The government does not require licensing for other media sectors.

The media environment, however, makes it possible for certain platforms to operate without minimum transparency and accountability. For

example, numerous news portals appeared during the 2018 election campaign, many with clearly biased reporting. Some of these platforms do not adhere to the self-regulatory norms, which is overseen by the Press Council of B&H. Media do not receive tax breaks, although some panelists believe that with print media struggling with sustainability, they should receive some state support.

In the past year, journalists have been exposed to harsh attacks and were poorly protected. According to data from the Association of BH Journalists, there were 55 registered instances of attacks and pressure against journalists, including 11 verbal threats and political pressure, seven physical attacks, and 22 labor disputes and workplace harassment. Some examples include the verbal attacks and threats to journalist Marko Divković and cameraman Enes Muratović of Sarajevo-based BHT1, as well as a physical attack on Nedžad Latić, the editor-in-chief of the *Bosnia Times* (also based in Sarajevo), in February 2018. In April, Asim Kamber, an SDA delegate in the House of Peoples, verbally attacked Aida Štilić, a correspondent of FTV from Bihać. Later, in July, reporter Kemal Softić of Klix.ba in Sarajevo and Al Jazeera cameraman Mirsad Bukvić were physically attacked while covering a protest.

A brutal physical attack in August, linked to RTV BN journalist Vladimir Kovačević’s reporting on protests over the mysterious death of David Dragičević in Banja Luka, qualified as attempted murder. The Banja Luka protests have morphed into demonstrations against the government in RS. While one of the accused assailants remains on the run, the second attacker, Marko Čolić, was arrested in September and remained in detention in the following months.

Perpetrators are, however, rarely punished. Rudić indicated this is mainly because of a lack of

engagement from the Prosecutor's Office. While the Ministry of Justice of B&H has been considering amending the Criminal Law to ensure better protection for journalists, so far, there have been no concrete steps taken. The panelists, however, noted that public debate became more vibrant in the past year and that the public's awareness over attacks against journalists, as well as solidarity among media workers, has been rising. In a number of towns across the country, people held protests after the attack on Kovačević. But Rudić noted that the protests also show a strong polarization within the journalism community based on political affiliations.

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.

The financial situation of the three public broadcasters Radio-Television of Bosnia and Herzegovina - (BHRT, based in Sarajevo), Radio-Television of the Federation of Bosnia and Herzegovina - (RTVFBiH, based in Sarajevo), and Radio-Television of Republika Srpska (RTRS, located in Banja Luka) has not been resolved and, in fact, is still deteriorating. "The situation has never been more difficult financially. The system of financing the public broadcasting system is completely shattered," Rudić said. "RTRS is financed in one way, and FTV and BHRT are financed in a completely different way." Licensing fees for BHRT and FTV are supposed to be collected through electricity bills, but many citizens refuse to pay them. In RS, fees are still collected through landline telephone bills. The RS government increasingly allocates more funds to the entity's broadcaster. RTRS is becoming more dependent on the RS government, and poor distribution of fees between the three broadcasters has brought BHRT to its worst financial crisis so far.

The appointments of directors, editors in chief, and members of managing boards for the public broadcasters are highly politicized. For example, the strong political ties of the director of RTRS are well-known. Meanwhile, the appointments of the new director and members of the managing board of FTV have been blocked for years, while the appointment of the new editor-in-chief of BHRT faced strong criticism for being based on political, rather than professional, rationale. Furthermore, when Marko Radoja, editor of information programs at BHRT, asked the presenters of this channel not to wear the symbolic flower that memorializes the Srebrenica genocide, which he said was an attempt to preserve neutrality, he faced criticism, requests for his dismissal, and 200 threats via e-mail and social media. Local public media are also under political control through direct funding from public budgets

along with politicized appointments and pressures. Panelist Irma Jusufbegović, formerly of RTV Visoko, admitted, "We [RTV Visoko] have indeed been under different pressures and directives in the last several years."

B&H was one of the first countries in the region to decriminalize defamation, and defamation laws are considered well defined. However, defamation lawsuits are frequently misused as a way of pressuring or intimidating journalists. Media expert Mehmed Halilović believes some progress has been made in judicial practice, however. "There are a lot of cases in which the courts are using the practice of the European court and citing its rulings," he explained, "Rulings against journalists are fewer than before." He noted that while certain politicians, such as Milorad Dodik and Nikola Špirić, always used to win defamation cases against journalists, this is no longer the case. In January 2018, the Constitutional Court of B&H overruled previous court decisions against the Banja Luka daily *Press*, helping to establish that the burden of proof for defamation should be on the prosecutor, that when disclosing information the public's interest should be considered on a case-by-case basis, and that public figures should be more tolerant to criticism than private citizens. In mid-2018, the Center for Investigative Reporting in Sarajevo and journalist Selma Učanbarlić won a lawsuit against medical doctor Emir Talirević after he insulted and defamed them on Facebook. The Sarajevo Municipal Court's first-degree decision is a precedent and could be a warning to those who increasingly insult and threaten journalists on the Internet and social networks.

While freedom of information laws in B&H are well defined, their implementation is flawed and inconsistent. Public data "are not proactively published, and they neither exist in

machine-readable formats nor are published on websites and are not available upon request,” said Leila Bičakčić, director of the Center of Investigative Reporting (CIN) in Sarajevo. She also added that public bodies do not provide information on a nondiscriminatory basis and that CIN is one of the media outlets to which public bodies are inclined to provide less information. Some panelists also fear that the Agency for the Protection of Private Data, in line with the EU’s General Data Protection Regulation, might trend more toward restricting data of public relevance.

The media in B&H do not have any government restrictions concerning access to and the use of media sources. Copyrights are poorly protected, and the practice of republishing without citing the original news source is widespread, particularly in the online sphere. Despite this, journalists rarely resort to the Law on Authorship and Related Rights, in part because “the expenses are larger than you could expect to gain,” explained Dejan Jazvić, editor-in-chief of the Federal News Agency (FENA, based in Sarajevo).

The government of B&H does not impose any official requirements or licensing procedures on journalists. This year, journalists from N1 TV and BNTV received accreditation to enter the palace of the president of RS, which they had been denied since 2012. Still, some journalists were banned from attending certain events—for example, Balkan Investigative Reporting Network (BIRN) journalists could not attend Turkish President Erdogan’s rally held in Sarajevo in May 2018.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

1.36

The quality and credibility of journalism in B&H have been judged to be consistently poor over recent years. Political interference in media content is generally high, and media continue to be divided along ethnonational and political party lines. This political bias was particularly apparent during the election campaign and citizen protests in 2018.

Reporting in B&H is largely incomplete and one-sided, often lacking multiple and diverse sources of information. Coverage of the 2018 election campaign often showed favoritism toward certain political parties (particularly those in power), while marginalizing the opposition. The following was said during the results presentation of the media monitoring study conducted by the Association of BH Journalists, Boram (a public relations company), and Coalition Pod Lupom (a group of six NGOs organized for independently monitor election processes): “The three most frequently presented political subjects in the analyzed media content are the SDA, SNSD, and HDZ political parties, while the new subjects in the political scene in B&H have considerably fewer opportunities and appearances in the media. Large and established parties already in power have had the largest media coverage, which is also explained by the fact that their members are holders of public office.”

Inflammatory speech was also a feature in media coverage during the election season, and Pod Lupom recorded a total of 58 cases of media coverage involving potential hate speech; incitement toward ethnic, religious, racial, or other intolerances;

the use of inappropriate symbols; or calls for violence.¹

The watchdog platform analiziraj.ba points to media bias in reporting about the Pravda za Davida movement, noting that some media in RS, including the public broadcaster RTRS, have consistently tried to discredit the movement and portray its members as destructive to RS. Coverage of migrants was equally unprofessional and hostile, and spread false news about migrants’ attacks on citizens and the alleged deaths of people after conflicts with migrants. Smaller local web portals in particular engaged in such reporting, but this type of unprofessional reporting on refugees and migrants was also seen, for example, in an article on migrants in Sarajevo published May 6 by the news site Dnevni avaz (Daily Voice, based in Sarajevo). The Press Council of B&H reacted by reminding journalists of their obligation to report professionally and in accordance with the Press and Online Media Code of B&H.

Professional standards in B&H are long established, but their implementation is limited. The Press and Online Media Code sets professional norms for print and online media, but the reach of the council is limited since it does not have the authority to impose sanctions. Some media do not endorse self-regulatory principles or even publish basic contact information that would allow the Press Council to mediate. However, the CRA can impose sanctions if its established ethical norms are violated. For example, during the election campaign in 2018, CRA fined Alternativna televizija (Alternative Television, based in Banja Luka) for violating the Code on Audiovisual Media

1 “Report of the Coalition,” Pod Lupom. 2018, p. 24. <http://podlupom.org/v2/bs/dokument/drugi-preliminarni-izvjestaj-o-dugorocnom-posmatranju-iz-bora-2018-i-posmatranju-izborne-kampanje/276>.

Services and Radio Media Services, as well as the Election Law of B&H, and it issued warnings to Sarajevo-based Hayat TV and BHRT for violating the election law and regulations on paid advertisement. In 2017, the CRA registered 73 violations of rules and procedures. Still, the CRA responds mainly to complaints it receives and does not regularly monitor broadcasted material.

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).

Self-censorship and censorship are generally believed to be widespread. In 2018, the management and governing board of the cantonal television station Television Sarajevo (TVSA), forced the editor to apologize publicly to the Izetbegović family after publishing animations that were allegedly offensive toward the country's first president, Alija Izetbegović. The fact that the management of the station investigated the editor's

actions demonstrates the influence the SDA party wields over the governing board of the station. Employees from the public broadcaster of the Una-Sana Canton (RTV USK, based in Bihać) also experienced political pressures. Prime Minister Husein Rošić directly threatened RTV USK journalist Melita Mujadžić after she reported about the illegal dismissal of the director of the broadcaster. At RTV Visoko, years of financial pressures culminated with the bankruptcy of the broadcaster. The company laid off six employees under reportedly questionable circumstances. Pod Lupom recorded 10 cases of pressures on the media from political actors during the election campaign. The political party HDZ established a website for "garbage news," where they highlighted what they considered inadequate reporting.

While information provided by media might be incomplete, poorly researched, and sometimes tendentious, most major events receive at least some coverage, and some bloggers contribute to the diversity of presented views. Concerns were raised by some civil society actors, including Association BH Journalists, over a September 2018 statement by the Court of B&H that criticized some media reporting on criminal cases, in particular war crimes, as often unprofessional and inaccurate. The statement urged relevant institutions to "regulate the rules on media reporting in relation to criminal proceedings with a legal text." Critics fear that such regulation could be misused to limit media freedoms and are in favor of improving journalism education instead of imposing new regulations.

The majority of journalists in B&H are underpaid, and their social status is far from prestigious. The average salary of journalists is very low and amounts to \$420 per month. Monthly salaries at local public media range from \$247 to \$620 per month, while those at public service

broadcasters command salaries up to \$867. Journalists are often under direct political and financial pressures, particularly at public media outlets that are directly financed by public budgets, where they are told who they can and cannot report critically about as well as funding pressures resulting from local governments dissatisfied about outlets' reporting or management. News and entertainment content are balanced, but there is still a tendency toward infotainment and a lack of specialized reporting—for example, on health and science issues. "It happens often, even on some of the public broadcasters, that politics is served in entertainment packages, and politicians are presented as the stars of reality programs that fight and argue," said Vuk Vučetić, an assistant professor at the University of East Sarajevo. As in previous years, the panelists question the depth and quality of news content.

The quality of equipment for the production and distribution of news varies from the high-quality equipment of leading private media outlets to the largely outdated equipment at the public broadcasters and the majority of the small and financially weak media outlets.

Outlets with specialized reporting exist, but mostly international donors fund them. CIN, Žurnal (based in Sarajevo), and BIRN are the leading outlets for investigative journalism. Specialized reporting is, however, scarce at the majority of other media outlets.

"It happens often, even on some of the public broadcasters, that politics is served in entertainment packages, and politicians are presented as the stars of reality programs that fight and argue," said Vuk Vučetić,

**OBJECTIVE 3:
PLURALITY
OF NEWS**

1.80

Limited resources, political affiliations, and growing commercialization of media outlets hinder media pluralism. This objective fell slightly from the 2017 MSI study, with the lowest scores assigned to representation of diverse interest, pluralism and public interest role of state or public media, and transparency of media ownership.

There are many media outlets in B&H, with three PSB radio and TV stations, three nonprofit radio stations, 38 television stations, 140 radio stations in terrestrial broadcasting, 52 broadcasters in other distribution networks,² eight daily newspapers, 181 different magazines and periodicals,³ and hundreds of online media sites. Pluralism of information and viewpoints, however, remains limited, and it is especially scarce at individual media outlets. As a result, citizens are likely to be exposed to a highly limited range of viewpoints. The panelists point to both ethnic and political party media bias. For example, Rubina Čengić, a journalist from Radio Otvorena Mreža (based in Sarajevo but available on nine frequencies across B&H), said, "You will never find anything positive about SDA in Avaz." Citizens are increasingly relying on mobile technology and online sources, most of all on Facebook, for information, which might contribute to pluralism, but with the proliferation of fake news and misinformation, this concerns panelists. Although the

2 Data of the CRA, <https://www.rak.ba/brdcst-license-holders>.

3 List of the Press Council, <https://www.vzs.ba/index.php/vijece-za-stampu/printani-mediji-u-bih>.

blogging community remains confined to just a few politically relevant blogs (Frontal.ba, news.net, etc.), their influence and reach are gradually increasing.

Financial constraints and the ethnopolitical fragmentation of media audiences, not government restrictions, partly limit citizens' access to the media. Print readership in particular is declining, and print outlets mainly compete for online audiences. The print daily *Dnevni avaz's* website is, for example, one of the most visited online platforms in the country.⁴ TV outlets are still the most widely consumed media sources, but Internet use is constantly growing, with an Internet penetration rate of approximately 87 percent in the country.⁵ In addition, according to Internet World Stats, in 2017, 42.8 percent of the country's population were Facebook users, with outlets 24h.ba, *Dnevni avaz*, and Al Jazeera Balkans having the largest Facebook audiences.⁶

Thanks to financial difficulties and political interference, public broadcasters also lack pluralism in content. The public service broadcaster has been long critiqued for the lack of diversity and quality (technical and in substance) of its programming, in addition to accusations of political bias. The CRA confirmed favoritism of RTRS toward the ruling party SNSD and the president of the RS after monitoring the broadcaster in 2017. Panelists cited, as an example, the lack of media coverage of the Pravda za Davida protests as an indicator of the RTRS's continued support of SNSD. The CRA has not

4 Currently first on the Alexa list of visited websites in BiH, <https://www.alexa.com/topsites/countries/BA>.

5 "CRA Annual Report 2017," April 2018. <https://docs.rak.ba/documents/868836fb-c34c-47ab-abf7-c5d875f8eeda.pdf>.

6 "Statebakers' Facebook Stats—Media in BiH," SocialBakers. <https://www.socialbakers.com/statistics/facebook/pages/total/bosnia-and-herzegovina/media/>.

monitored the content of other public broadcasters at this point.

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.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.

The independence of local public media, in particular the 12 TV stations and 61 radio stations in terrestrial diffusion and seven broadcasters in other networks, is limited as well. Because these outlets have nearly complete financial dependence on local governments, they cannot secure editorial independence. Media bias was particularly evident during the 2018 general election. Monitoring conducted by the Association of BH Journalists showed favoritism towards the ruling political parties along with a heightened focus on the them and their representatives while marginalizing the political opposition and experts. Rudić also believes that

political influence on the content of cantonal media, such as RTV USK, is generally increasing.

While there are eight news agencies in B&H, their pluralism is generally considered limited given that most of them are directly affiliated with particular political actors. Two news agencies are public and funded by entity governments, two are affiliated with religious communities, one is owned by the Turkish government, and three are private, one of which is also considered closely affiliated with a leading political party. Bigger media outlets usually subscribe to local agencies but not to foreign ones. As indicated in the 2018 *Media Sustainability Index*, FENA has reduced its price to approximately \$120 per month for written content, but many media outlets simply use agency news without subscribing to them or copy and paste news from other outlets without citing them as sources.

The majority of private media do not have sufficient journalistic capacities. Many online platforms produce little original content, choosing instead to simply take news from other sources. The majority of broadcasters and print media produce some original content, but the quality and political relevance remain limited. A small number of media offer quality content, and the blogging community, although still underdeveloped, continues to offer needed alternative standpoints on sociopolitical issues.

Media ownership structure in B&H is diverse but often indirectly involves particular political and business affiliations. The state does not adequately promote pluralism, in part because ownership transparency is underdeveloped and there are no specific limitations regarding the concentration of media ownership. However, the Law on Competition of B&H generally prohibits concentration that overly distorts competition or creates or strengthens the dominant position of a company or individuals. So

far, no major cases of media concentration were identified. Information on nominal media owners is available for a fee in as many as 14 registries across the country (and partly on the website pravosudje.ba), but information on indirect owners and final beneficiaries is difficult to obtain. This information, as a rule, is not actively published, and citizens are likely to see only a small part of the picture.

A lack of transparency is particularly severe in the online sector, with many platforms not registered as businesses and not publishing contact information or the names of people responsible for the site. These platforms are often founded with the aim of promoting a particular political agenda, and some panelists observed a ballooning of those sites in the buildup to the 2018 elections. "One owner makes one million sites, and they all transmit the same news. By the content of the news, you can see who owns it," Mandić said. By contrast, the CRA has the information on direct and indirect owners of broadcast outlets. Although it intended to publish the data at the beginning of 2017, the Agency for the Protection of Personal Data issued an opinion that this violated the Personal Data Protection Law. In November 2016, Parliament mandated the Council of Ministers of B&H to submit a proposal for a law on transparency and concentration on the ownership of media, but the council failed to do so. Civil society organizations have long been advocating for such changes, and one recent initiative involved drafting a media transparency law.

Reporting on different social groups and identities is highly limited, and this indicator is among the lowest rated in 2019. Minority media do not exist, and the community media sector, with only four nonprofit radio stations, brings little diversity. Public broadcasters are obligated to devote 10 percent of informational programming (four percent of the entire weekly program) to national minorities

and other vulnerable groups, and to provide content in the languages of national minorities. Panelists indicated this content is not broadcasted in part because of financial issues and a lack of interest. Public media content is only rarely adapted for audiences with hearing disabilities, mainly with sign language on the weekly news on BHT1 (*Govor tišine* [Language of Silence]). Panelists said that while coverage of major issues, such as lesbian, gay, bisexual, transgender, queer (LGBTQ) topics, have somewhat improved, there is a lack of constant and strategic inclusion of particular identity groups in both regular and specialized reporting. There are several media that offer content on and for minority groups, including Roma and LGBTQ (e.g. portal-udar.net, Diskriminacija.ba, and LGBTI.ba), but they are funded by foreign donors and their sustainability is uncertain.

"One owner makes one million sites, and they all transmit the same news. By the content of the news, you can see who owns it," Mandić said.

Different media cover news ranging from local to international. The larger media, including public broadcasters, however, have less reporting on local communities, and their coverage is mainly confined to political variety programs, such as Srpska Today (Srpska Danas) on RTRS, or Federation Today (Federacija Danas) on RTVFB&H. Local media focus more on local issues, but the quality and depth of information and, in particular, editorial independence when reporting on local government, is questionable. Several bigger media consider state- and entity-level issues to be covered better, while information on international issues stems from the reporting of foreign media outlets.

**OBJECTIVE 4:
BUSINESS
MANAGEMENT**

1.33

Business management in the media sector of B&H received the lowest score among the five objectives, showing that most media are in a difficult financial situation and overly dependent on a few major sources of funding. Still, the score increased by 0.28 compared to last year, which can be attributed to the increase in funding opportunities provided by some international donors.

Just a few media outlets in B&H operate as efficient companies. With the overall value of the advertising market dropping in recent years and down to \$18 million in 2018 (as estimated by the advertising agency Fabrika), the media sector is increasingly dependent on funding from public budgets and international donors. While some organizations employ highly qualified professionals in management, journalism, and other segments of their work, others do not have the resources or determination to do so and focus instead on minimizing the costs.

Only a few large private media outlets and international broadcasters have achieved a long-term sustainability. The public bodies on all administrative levels also provide considerable funding for media, including the regular funding of public media and grants for both private and public media. The criteria used in funding procedures are often imprecise, and procedures lack transparency, which makes it possible for the ruling parties to make arbitrary decisions and subsequently interfere with editorial policies. While RTV Visoko and RTV Istočno Sarajevo went bankrupt this year, many media, including the state-level public broadcaster

BHRT, are still operating, despite financial losses and considerable debts. The financing of public news agencies has been more stable, with Press Agency of Republika Srpska (SRNA) being funded via a grant from RS and FENA funded directly from the budget of the Federation of B&H.

The lack of alternative sources of revenue forces the majority of media to be overly dependent on public funds, a few donors, and several major advertisers, including local advertisers closely allied with major political parties. There are even fewer sources of revenue in local communities since major advertisers largely do not conduct business with media with smaller coverage areas. Bloggers and freelancers sustain themselves by working for a variety of media outlets. "We spend more than we earn; we can barely make ends meet; we don't have health insurance. It is a disaster," said blogger Jelena Kalinić. While some online media function as community outlets, the public policies in B&H have not been supportive of community broadcasters. Under CRA regulations, community radio stations cannot pursue advertising revenue, and over the past few years, only three such media have survived.

In the last five years, the advertising market has dropped by around 40 percent, and in 2018, it hit a low of \$18 million. Larger clients advertise their products and reach the country's public through television broadcasters from neighboring states and specialized channels. "A lot of money has also gone to digital media and social networks," Senad Zaimović said, director of the marketing agency Fabrika. In addition, a lack of transparency in advertising pricing and, according to Zaimović, the widespread reduction in the prices of ads, particularly by public media, weaken the market. Print media primarily depend on online platforms or the other business ventures of their owners to remain afloat. Zaimović also noted a drastic fall in the

viewership of some television stations in 2018, particularly Hayat, previously one of the most-watched stations. The online sector has been strengthening in terms of reach and revenue, but its services are low priced, and it is not in a position to compete with global and cheaper advertising services, such as Google or Facebook ads.

The media also receive revenue from public companies that are largely owned by the government, including the telecommunication companies BH Telecom and HT Eronet. BH Telecom, for example, allocated roughly BAM 10 million (\$5.8 million) for advertising in 2017. The selection of the media in which they place their advertisements has been questioned and criticized for its lack of transparency, unclear criteria, and possible political

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.

bias. The procurement of advertising services can easily be misused for particular interests. For example, one criterion for advertising procurement, newspaper circulation, is open to manipulation given that there is no actual reliable data, and no one checks the numbers submitted by outlets. Some public companies reportedly violated the Law on Public Procurement by naming in advance the media outlet that the contract should be awarded to (as was the case with the Lottery of B&H). Civil society organizations have drafted a law on advertising that addresses some of these issues, but it has yet to go through parliamentary procedures.

Finally, international donors remain an important source of revenue for many outlets in B&H. Even more financially stable outlets, such as Radio Sarajevo, battle for additional revenue from foreign grants. "If they excluded projects given by international organizations, they would be ready to shut down," Zaimović said. The panelists indicated that stronger donor support in 2018 contributed to the sustainability and diversity of B&H media.

"We spend more than we earn; we can barely make ends meet; we don't have health insurance. It is a disaster," said blogger Jelena Kalinić.

Audience research exists, but most media do not have the resources or the commitment to commission it. The use of audience data has, however, been more common in the strategic development of the TV sector, while the majority of radio stations, print, and online media use free tools and their own estimates for business planning.

Agencies such as Ipsos and the German companies GfK and ABC have conducted audience studies. Ipsos is currently providing data on radio

and print media usage but reports that interest from outlets for this data is low. Most online media rely on Alexa, Google Analytics, and internal audience measurements or estimates and do not use services such as DotMetric that provide more sophisticated demographic data. The TV measurement system suffered a series of controversies, including a ruling in 2016 from the Competition Council that showed the company Audience Measurement provided the same measurement services for different prices. Zaimović said there has been slow progress in terms of quality audience measurement.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

1.95

The score for supporting institutions increased slightly (1.95 compared to 1.80 last year), reflecting minor steps forward in the support for both journalists under attack and journalism education. However, only one journalist association remains active, and universities and informal education insufficiently teach practical journalism skills. In addition, the digitalization process has stalled.

Media associations are free to register and function without government restriction. However, panelists confirmed that the existing industry associations (the Association of Private Electronic Media, the Association of Electronic Media, and the Association of Radio Stations of RS) are largely inactive and remain fragmented, failing to promote the common interests of media owners and managers. The Association of the Media Industry, which had a key role in the previous TV measurement system, has remained mostly

inactive over the past several years. The Press Council of B&H convenes print and online media publishers, mainly for the purpose of self-regulation of content. Online media are also now establishing an association.

Among the three journalist-specific associations, two (the Association of Journalists' of B&H and an association established at the University of Mostar) are believed to be largely inactive. The Association of BH Journalists remains engaged, boasting 590 active members, with chapters in various cities.⁷ The association issues statements in defense of journalistic freedom and organizes trainings. Panelists particularly value the legal and professional assistance provided to media workers. Rudić noted that the Association of BH Journalists recently received financial support from the Independent Media Empowerment Program, funded by USAID, to help defend journalists under pressure and attacks. The Association of BH Photographers was established in December 2018 and is too new to determine its future prospects for engagement in media sector issues. There is still strong skepticism about trade unions and their credibility and efficacy. The Union of Graphic Workers, Publishers, and Media Workers of B&H was excluded from the Confederation of Independent Trade Unions of B&H, while the Trade Union of Media and Graphic Workers is one of the branch unions within the trade unions of the RS. Trade unions also operate within some of the public broadcasters. For example, the Union of Employees of the Radio and Television Service of B&H has issued statements about the difficult positions of employees, criticized the appointment of the managerial board, and identified

⁷ The members exceeded 700 last year, but the members that did not pay membership for two years were excluded. Source: E-mail communication from December 26, 2018.

recent failures of management. Local public media trade unions can also be vocal when media workers' rights are violated.

The nongovernmental sector in B&H includes numerous organizations but only a few that actively support freedom of speech. These organizations, including Your rights (Vaša prava in Zenica, Civil Society Promotion Center (Centar za promociju civilnog društva in Sarajevo, Women's Network B&H (Sarajevo), and Sarajevo Open Centar, mainly react with statements of support of media in instances of attacks and pressure against journalists. However, many local communities outside of the main towns and cities do not have similar civil society organizations to protect the local press.

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.

Some CSOs also contribute by providing media research and advocacy. For example, the consortium involving the Association of BH Journalists, Mediacentar Sarajevo, JaBiHEU, and the Press Council of B&H recently drafted laws on media ownership transparency and on advertising. Mediacentar has lately focused on policy analysis of media funding from the public sector. With these projects, there is an increased awareness of who the decision makers are and an increased involvement of CSOs in the dialogue on the needed legislative and regulative changes. Still, public policies have yet to be changed.

Ten higher education institutions offer instruction in journalism—public universities in Sarajevo, Banja Luka, Tuzla, East Sarajevo, and Mostar (two universities) and at private institutions in Travnik, Banja Luka, Međugorje, and Brčko. A few thousand young and aspiring journalists enroll each year,⁸ arguably more than the industry can absorb. Vučetić indicated, however, that interest in studying journalism is declining. The quality of education has been criticized, particularly with regard to the lack of practical courses and experience. Panelists did, however, mention important improvements. "Our university journalism program has even signed contracts with a large number of local and public broadcasters. It has a signed contract with news agency SRNA. It is also planning to establish student radio," said Vučetić. There has also been the addition, Vučetić noted, of media literacy education. The Faculty of Political Science in Banja Luka

8 Unkić, Hilma. "More than 2,500 journalism students enrolled in the last five years" ("Više od 2.500 studenata upisalo novinarstvo u proteklih pet godina"), Mediacentar, July 26, 2017. <http://www.media.ba/bs/magazin-novinarstvo/vise-od-2500-studenata-upisalo-novinarstvo-u-proteklih-pet-godina>.

recently added investigative journalism as a two-semester course.

Many of the short-term workshops and trainings provided by nongovernmental organizations are highly praised, but with the reduced support of international donors, there have been only a few such trainings per year. Mediacentar hosts several per year, which in 2018 included training on digital media production, followed by an internship at leading media outlets (CIN [Sarajevo], Radio Free Europe, Bljesak [Flare, Mostar] and Nezavisne novine [Independent Press, Banja Luka]), supported by the Civil Rights Defenders; training on the empowerment of women through media, supported by the United

"Our university journalism program has even signed contracts with a large number of local and public broadcasters. It has a signed contract with news agency SRNA. It is also planning to establish student radio," said Vučetić.

Nations Development Programme; trainings about reporting on gender-based violence, supported by UN Women; and a training for trainers on media literacy, supported by the EU. Other training included the Academy for Journalists, which focused on the role of media in promoting peace and tolerance, organized by the Association of BH Journalists. Media managers rarely promote participation in these trainings, and low salaries discourage education abroad. Some panelists also point to the lack of cooperation between CSOs, media, and journalism faculties. By the end of 2018, Mediacentar established a platform for online learning (kursevi.media.ba), with initial modules focused on mobile journalism, data verification, basic journalism

techniques, and reporting on gender-based violence.

There are no restrictions on importing and purchasing materials needed for media production. Although some printing companies have been criticized for the lack of paper quality or are believed to be politically affiliated, their services are not offered on a selective basis. Contracts are based primarily on finances, and media can choose among a multitude of printing houses.

There is no political control over the means for distributing media content, but panelists expressed concerns about the growing dominance of the United Group in both the distribution (through Telemach B&H and other companies in the region) and production of content (mainly through the regional television station N1 and the recently founded Nova BH). "All of that is under the ownership of one corporation, which has several daughter companies that do the same thing and are gaining the control over the entire market," Mandić said. "They also have an advertising agency," Zaimović added. Such a position enables an illegitimate means of attracting customers, both through favoring its own programs and applying overly high prices of its channels for other distributors. Previous decisions from the Competition Council of B&H suggest that United Media is misusing its dominant position by applying different conditions in the distribution of its sports channels.

At the end of 2017, there were 71 Internet providers, and Internet penetration reached around 87 percent, according to the annual CRA report. Seven telecommunication companies provide mobile services, with the largest being BH Telecom, Telekomunikacije Srpske, and Hrvatske Telekomunikacije. A smaller company, IZI mobile, ceased its work in 2016, claiming the larger companies prevented fair competition. Mobile penetration in B&H reached 97 percent at the end

of 2017. There is no political control over the distribution of mobile media or the choice of software and platforms.

The process of digital switchover has been blocked, despite the strategy for the switchover being adopted nearly a decade ago and most of the technical preconditions having been met. RTRS has failed to assign two members of the commission for public procurement of equipment for the next digitalization phase. CRA representatives have mentioned a possibility of establishing a new multiplex independent of the public service broadcaster, which would enable digital broadcasting for private media, but it is not certain that this will be done. Information and communication technology services have been developing across the country, even in rural areas, and include video on demand and service packages with TV, Internet, and telephony. Still, there have been some citizen complaints about the speed of mobile Internet, and a 4G network has not yet been established.

List of Panel Participants

Helena Mandić, assistant director of the broadcasting sector, CRA of B&H, Sarajevo

Senad Zaimović, director of Fabrika, Sarajevo

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

Emir Habul, journalist and editor, BHRT, Sarajevo

Mehmed Halilović, independent media law expert, Sarajevo

Boro Kontić, director of Mediacentar, Sarajevo

Leila Bičakčić, director, Center for Investigative Reporting, Sarajevo

Irma Jusufbegović, former journalist at RTV Visoko, Visoko

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

Rubina Čengić, journalist, Radio Otvorena Mreža, Sarajevo

Jelena Kalinić, blogger, Sarajevo

Vuk Vučetić, assistant professor at the Department of Journalism, University East Sarajevo, Sarajevo

Moderator

Anida Sokol, researcher of Mediacentar, Sarajevo

Authors

Sanela Hodžić and Anida Sokol, researchers of Mediacentar, Sarajevo

The panel discussion was convened on November 23, 2018.

BULGARIA



MEDIA SUSTAINABILITY INDEX 2019

Tracking Development
of Sustainable
Independent Media
Around the World



BULGARIA

AT A GLANCE

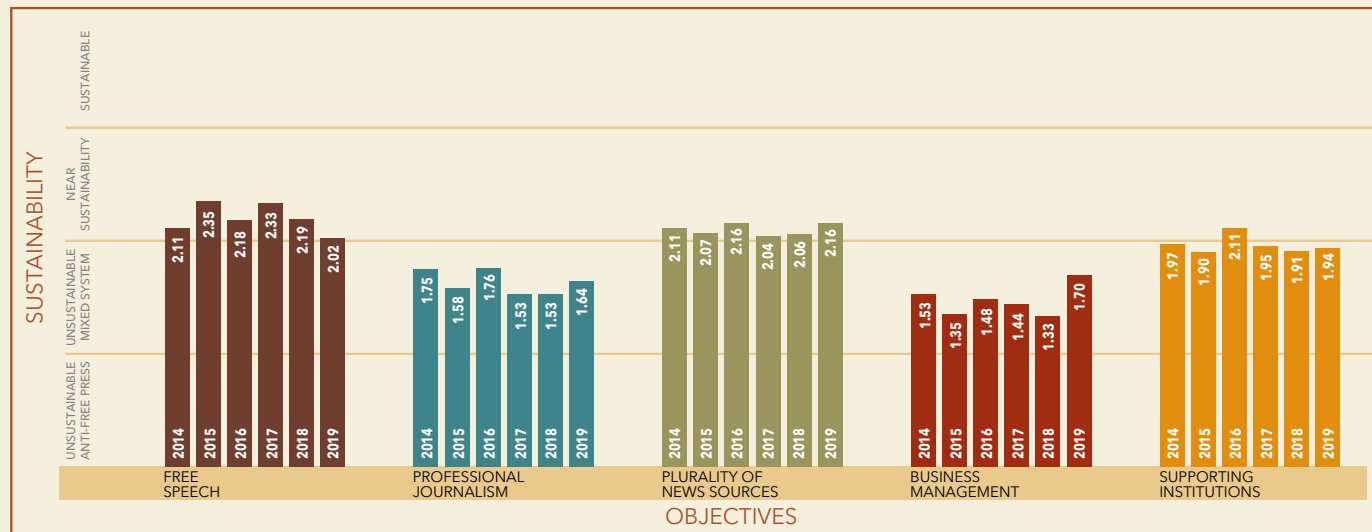
GENERAL

- **Population:** 7,050,034 (CIA World Factbook, July 2018 est.)
- **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): \$53.69 billion (World Bank Development Indicators, 2017)
- **GNI per capita:** (2016 - PPP): \$17,880 (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:** 245 newspapers, 603 magazines (National Statistical Institute, 2017); Radio stations: 85 (Council of Electronic Media, 2018); Television stations: 113 (Council of Electronic Media, 2018)
- **Newspaper circulation statistics:** 196,288 total (National Statistical Institute, 2017); certified individual newspaper circulations not available
- **News agencies:** Bulgarian News Agency (state), Focus News (private), BGNes (private)
- **Broadcast ratings:** bTV: 24.27% share, Nova TV: 21.65% share, BNT Channel 1: 4.03% share source: Nielsen Admosphere Bulgaria, October 2017
- **Internet usage:** 72.1% of households (National Statistical Institute, 2018)

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.



While participants in the Bulgaria MSI discussion have continued to give low grades to the media environment across all five objectives, Bulgaria's overall score increased from 1.81 in last year's study to 1.89. Despite this modest gain, the country remains in the unsustainable MSI classification. Objective 1 (freedom of speech) saw a decline, reflecting a general weakness of the rule of law and uneven application of laws and protections that do exist, among other factors. Additionally, as Bulgaria's media scene is a patchwork of outlets used to advance owner interests and handicap rivals, professional standards suffer. Journalists increasingly practice self-censorship to protect themselves from political, corporate, and criminal pressure.

The year of 2018 began with Bulgaria taking the helm of the European Union (EU) for a rotating six-month term. Among its priorities was to advance Western Balkan countries' links to the EU and their eventual membership in the bloc. By midyear, just after relinquishing the EU presidency, Bulgaria had refused to ratify a Council of Europe convention meant to combat domestic violence. In the fall, an investigative reporter was murdered in the northern city of Ruse, leading to speculation that she was killed in retaliation for her work. That speculation ended, however, when police in Germany arrested a Bulgarian man who confessed to the crime as a random attack. In November, Bulgarian authorities arrested high-ranking officials and accused them of selling false documents to people from nearby non-EU countries. The intent was to enable them to obtain Bulgarian passports, with which they could live and work in any EU country. A short time later, a deputy prime minister stepped down after weeks of protests spurred by his insults of activists for the disabled.

The summary above reflects the environment in which Bulgarian journalists work. It's a country making fitful progress, held back sometimes by a decades-old history of corruption and often wracked by political protests. Moreover, Bulgaria has seen a steep decline in media freedoms since it joined the union in 2007. In just over a decade, it has plummeted from 36th to 111th place in Reporters Without Borders' ranking for freedom of the media.

In its most recent annual report on judicial reform and organized crime in Bulgaria, the EU said the country's deteriorating media environment has particular obstacles with transparency, accountability, and the public's access to reliable information. Further, the 2018 European Media Pluralism Monitor, conducted by the Centre for Media Pluralism and Media Freedom, concluded that pluralism in Bulgarian media was imperiled by highly concentrated media ownership, media owners' improper influence, and an unregulated system for placing state advertising. The Monitor also cited the dangers of "soft censorship and self-censorship; manipulation of editorial content; media market deformation; use of EU funds for buying media compliance and paying for smear campaigns against political opponents."

In 2018, Bulgarian politicians continued to try to grab the reins of public media. Vezhdi Rashidov, chair of parliament's Culture and Media Committee, suggested consolidating the three public outlets (Bulgarian National Television (BNT), Bulgarian National Radio (BNR), and the Bulgarian Telegraph Agency (BTA)). Journalists and other media professionals have repeatedly rejected the idea, fearing that that structure would be more vulnerable to government control than three separate public entities, each with its own governance structure.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

2.02

Freedom of speech is protected by the Bulgarian constitution and legislation. The constitution states that “the press and other media are free and not subject to censorship.” Nevertheless, the country suffers from a general weakness of the rule of law and authorities do not always apply these norms and protections.

European legal standards have been incorporated into Bulgarian media law, but the law is often circumvented or even changed to favor powerful interests, said panelist Nelly Ognyanova, a professor at Sofia University. What is more, bodies that would traditionally defend the integrity of media law are themselves compromised. “The independence of the judiciary is problematic, which makes the judicial protection of media freedom problematic,” Ognyanova said.

Panelist Stoyana Georgieva, editor-in-chief of the Mediapool news website, summed up the problem in this way: “The media have become both a victim and an instrument of sham democracy — a victim because they have been neutered by oligarchic interests, and an instrument because many now serve these interests, misleading society.”

Politicians and other public officials often pressure journalists and block access to information. According to Georgi Lozanov, a senior editor at the BTA News Agency, Bulgarians have come to question the value of free speech, thanks to a conservative-nationalist attack on liberalism. “We’ve come to the point where the unenviable place of Bulgaria in the international charts of freedom of speech is being blamed on the organizations that make them,” he said.

These issues have eroded citizens’ confidence in the media. A September 2018 study by the respected Alfa Research agency found that only 10 percent of Bulgarians trust journalists and 63 percent do not believe the country’s press is independent.

Panelists noted that despite the clear conflict of interest, some parliament members that own media properties sponsor media-related legislation. One of the most brazen is Delyan Peevski, a member of the Movement for Rights and Freedoms. Peevski owns the *Monitor*, *Telegraph*, *Politics*, *Meridian Match*, and *Borba* newspapers and holds sway over others. Last year, he pushed through parliament a law requiring media properties to disclose their sources of funding aside from their own business activities. The law’s reach is highly selective: it does not require disclosure of the business model behind his own media empire (funded largely by government advertising) but targets the business model of his competitors, who now must declare donor grants and individual donations. In its most recent annual assessment of media independence, Reporters without Borders called Peevski “the most notorious embodiment” of the “aberrant state” of Bulgarian media.

Among the many examples of improper influence on the Bulgarian media, panelists cited the case of Anton Todorov, a parliament member from the ruling GERB (the Bulgarian acronym for Citizens for European Development of Bulgaria) party, and his live interview on the highly rated Nova TV. Under tough questioning from journalist Victor Nikolaev, Todorov told Nikolaev that he would be yanked off the air if he did not ease up, just as one of his journalist colleagues had been. The resulting outcry led to Todorov’s resignation from parliament.

Panelist Ilia Valkov, a reporter for the Club Z website, said that media owners also use their

properties to attack rivals or to court favor with the government.

Broadcasters in Bulgaria must be licensed by the Council for Electronic Media (CEM). The president appoints some of the council’s members, and parliament chooses others. According to the panelists, there is a widespread belief that the appointment process is politicized.

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.

Television and radio programs distributed via cable and satellite are subject to a much looser registration process, as they do not use publicly administered broadcast frequencies. In 2017 and

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2018, 21 new cable radio channels were licensed, nearly all by the handful of private networks that own the majority of Bulgaria's broadcast radio stations. These large companies have rushed in to fill the void created by the independent, local broadcast radio stations that have closed or been sold.

Panelists said that the government places no significant political restrictions on licensing. Notably, the opposition Bulgarian Socialist Party received a license for a cable TV channel, which went on the air in 2019. While political parties are not banned from establishing their own broadcast media, the practice so far has been limited to smaller nationalist parties such as Ataka (Attack), which owns the Alpha channel. CEM closely monitors Alpha and has sanctioned the channel repeatedly for hate speech and promoting ethnic intolerance.

Market entry and tax laws for media are fair and comparable to other industries. The media receive neither specific taxes nor tax benefits. Broadcast radio and television stations pay reasonable license and registration fees to the CEM, and they pay fees to telecommunication companies that broadcast their signals. However, because the broadcast media market is relatively small and crowded, there has been little interest in launching new channels lately. Experts on the television advertising market have said that Bulgaria's national scale can support only the three current nationwide channels.

Though officials find various petty ways to harass journalists, occasionally reporters are the targets of serious violence. Reporter Hristo Geshov was attacked in May in front of his house in broad daylight, for his investigation of officials in the small northern town of Cherven Bryag misusing public funds. Before the attack, Geshov had received veiled threats, including the comment "Rest in Peace" posted on his Facebook page. Additionally,

two journalists were arrested and briefly held near the western town of Radomir in September. Bulgarian reporter Dimitar Stoyanov from the Bivol investigative website, and Attila Biro, his Romanian colleague from the RISE investigative project, were looking into the misuse of EU funds, based on documents Bivol had received. After their first story was published, Bivol received a tip that the organizations involved in the transactions were getting rid of their computers and destroying documents. Bivol reported the tip to Bulgaria's anti-corruption police. But the reporters, unconvinced the authorities would act, went with a lawyer to the field outside Radomir where the papers were being burned, and police took them into custody. Finally, Ivo Prokopiev, owner of the *Capital* weekly and Dnevnik website, is being prosecuted for money laundering in what Reporters Without Borders called "judicial harassment." Prokopiev said he is being punished for a report in *Capital* about alleged misappropriation of state property by a business owner close to the government.

Bulgarian law treats libel and defamation as criminal offenses "of a private nature," meaning that cases are brought by a plaintiff, not a prosecutor. Libelous or defamatory claims made via the media or about public officials in relation to their positions are punishable by fines of BGN 5,000 to BGN 15,000 (\$2,900 to \$8,600).

In a landmark case in 2000, the Supreme Court of Cassation ruled that if journalists have checked their facts using available and accessible sources of information, they should not be deemed to have acted with malice or negligence and should not be found guilty of libel. The same ruling said that public figures may be subject to a higher level of public criticism than private citizens.

Libel plaintiffs may also sue under civil law for damages. Most such lawsuits are brought by local

government officials against local reporters covering corruption or mismanagement. Panelist Vessislava Antonova, a *Capital* reporter, cited two such cases. One involved the mayor of Cherven Bryag against Hristo Geshov (whose attack is mentioned earlier) for an article exposing the alleged misuse of city funds, and the other was brought by a Blagoevgrad's City Council member against Marieta Dimitrova for an investigation into alleged abuse of national energy efficiency funds. Courts have generally ruled for reporters in such cases, but the proceedings can be lengthy and expensive, and powerful people often use lawsuits to intimidate local media.

For more than a decade, Bulgaria has had a freedom of information law that meets international standards and has generally been enforced. In early 2019, however, parliament broadened the legal definition of personal data that could be protected from freedom of information requests. The ruling has made media use of personal information subject to regulators' scrutiny.

"The independence of the judiciary is problematic, which makes the judicial protection of media freedom problematic," Ognyanova said.

Panelist Petko Georgiev, director of the BTC ProMedia Foundation, said the interpretation of personal data in the new law, which was pending at the time of the 2018 panel discussion, reaches beyond its stated purpose. He said the intent is to align Bulgarian law with the EU's General Data Protection Regulation (GDPR), but it might pose a danger to journalists. Antonova noted that a lawyer for the Access to Information Program, a leading transparency group in Bulgaria, had warned that

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violations are defined too generally in the law and could lead to censorship.

Authorities do not restrict access to international news or news outlets. Media and citizens can freely use the internet to gather information about international events. Media access to international news agencies is limited only by ability to pay the subscription fees. Most professional media pay for photographs and video content and use proper attribution.

The law allows anyone to work as a journalist or study journalism, and reporters are not subject to licensing to carry out their jobs. Freelancers and bloggers are not denied access to events for lacking journalism credentials. However, covering state institutions is subject to accreditation. The number of accreditations a media organization may obtain is limited, but that has not been used as a means to restrict media coverage. Freelancers and bloggers must apply in advance to cover particular events at state institutions and can usually get a temporary accreditation. According to media analyst Nikoletta Daskalova from the Media Democracy Foundation, access to the journalism profession is free, but national and local officials favor or freeze out certain journalists based on whether they think the journalists' outlets are friendly or hostile.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

1.64

Given that Bulgaria's media scene is a collection of outlets used to advance owner interests and handicap rivals, professional standards suffer. Journalists increasingly practice self-censorship to protect themselves from political, corporate, and criminal pressure.

Panelists said that propaganda is often presented as news in Bulgaria. "An aggravating circumstance in the country is the living social memory of communism, when journalism was officially replaced by propaganda," said Lozanov of the BTA News Agency.

Georgieva, of the Mediapool news website, said that only a handful of independent media try to practice honest and objective journalism with verified sources. "The majority of the print media, most of which are owned or controlled by Delyan Peevski, and their websites conduct open propaganda campaigns against politicians, public figures, magistrates, publishers, journalists, and civil society activists who criticize the government or expose the links among oligarchs, people in power, and the judiciary," she said.

Ognyanova corroborated by saying, "The media surrounding ... Delyan Peevski spread rumors about people whose views are critical of ruling figures like Peevski himself, or of the unlimited power of the prosecutor general." She also cited the program "More from the Day" on public broadcaster BNT1 as "an example of a campaign against critical voices on the public media screen."

Anna Tsoleva, a Nova TV presenter who left the airwaves last year, told the *Dnevnik* website a month before her departure, "Every day, efforts are underway to make journalism a dirty and disreputable profession. There are people who call themselves journalists who are in fact peddlers of propaganda. These so-called journalists are on retainer for the powerful of the day. They twist the truth and have no problem with flat-out lying."

Official circulation figures are not available, but a survey by the Media Links agency in 2018 found that Peevski's *Telegraph* was the country's most-read newspaper. Roughly 15 percent of Bulgarians over 18 said they had read it at least once in the past year.

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).

Bulgaria has a media ethics committee that receives complaints, but its work has had no appreciable effect on the field. According to the committee's latest available report¹, the most common transgressions include discrimination against minority groups, inaccuracies in the print media, and violations of privacy.

Ognyanova said that "there are still many violations," but noted that standards are respected by broadcast media, which are regulated. Valkov said newsroom layoffs have made it more difficult

¹ <http://mediaethics-bg.org/wp-content/uploads/2016/11/%D0%9E%D0%A2%D0%A7%D0%95%D0%A2-%D0%B7%D0%B0-%D0%B4%D0%B5%D0%B9%D0%BD%D0%BE%D1%81%D1%82%D1%82%D0%B0-%D0%BD%D0%B0-%D0%9D%D0%A1%D0%96%D0%95-%D0%B7%D0%B0-2016-%D0%B3.pdf>

to check information, and now “copy-paste journalism is at its height.” Still, Lozanov said, national broadcast media are more serious about standards than the proliferation of websites that are obvious propaganda vehicles. A similar, and growing, problem is reporters’ use of social media posts as unverified information sources.

Self-censorship often determines what reporting sees the light of day, as the Association of European Journalists – Bulgaria noted in its October 2017 report on freedom of the press². “Self-censorship is a constant companion and part of reality for many media and journalists. Economic uncertainty is an important factor in this respect,” said panelist Katerina Buyuklieva, director of the Media Connection ad agency. The problem is especially acute in regional media, which make money by publishing announcements and advertising from local governments.

“Every day, efforts are underway to make journalism a dirty and disreputable profession. There are people who call themselves journalists who are in fact peddlers of propaganda. These so-called journalists are on retainer for the powerful of the day. They twist the truth and have no problem with flat-out lying,” Tsoleva said.

The labor market for journalists in Bulgaria is in serious crisis, with an overabundance of low-quality media paying meager wages. Journalists are loath to

stick their necks out to oppose editorial decisions or defend professional principles.

Panelists said that media either do not cover certain stories and personalities, or cover them solely in a misleading or negative light. Lozanov said that journalists at most outlets could lose their jobs by violating this unwritten rule. “The risk is not so much in entirely excluding events and problems from media coverage, as in discounting their significance,” he said, adding that citizen journalism, typically blogs or social media posts, tends to fill in the areas ignored by traditional reporting outlets.

Panelist Ivan Radev of the Association of European Journalists said that the profession is not respected, salaries are low, and reporters live in economic insecurity. According to a survey by his organization, the average monthly pay for a reporter is BGN 1,000 to BGN 1,500 (\$580 to \$870), around the national average (BGN 1,190, \$650). Further, he said, media members make little investment in training and professional development. People are leaving the profession, and most journalism school graduates opt for careers in public relations or communications.

Current affairs programming and analytical journalism is eclipsed by entertainment formats. “Serious journalism is increasingly giving way to so-called infotainment, especially in the electronic media,” Valkov said. The morning talk shows of national TV channels, long devoted to politicians and political issues, have turned to crime reports and lifestyle formats.

A conflation of journalism and entertainment has further eroded standards. For example, the highly rated *Lords of the Air* on Nova TV and *Slavi’s Show* on bTV present entertainment content but often take on the functions of investigative or current affairs programs. They air superficial commentary alongside serious topics. Recently, for instance, the

Slavi’s Show host was roundly criticized for being unprepared and asking shallow, softball questions in an interview with Prime Minister Boyko Borisov. “We’ve reached a point where the anchor of a satirical show, Slavi Trifonov, has been blasted by media critics for not asking the right questions in his interview with the prime minister, rather than for pretending to be a political journalist,” Lozanov said.

Panelists said that Internet access is not a problem for journalists or their consumers, but strained budgets put the latest equipment and technology out of reach for many media. Digitization of public media archives is one task that remains undone for the lack of technology.

As funds dwindle throughout the media sector, many outlets give up covering certain beats. Public media still support more specialized reporting, but even their beat reporters sometimes lack the necessary skills or knowledge. The same reporter might cover crime, politics, energy issues, or protests in Roma neighborhoods. As a result, reports can lack the depth that a knowledgeable niche reporter can bring, and they are more prone to inaccuracies.

Genuine investigative reporting is rare and is often ignored by those with the power to implement reforms. Panelists said that the few investigations that do appear in pro-government media are usually spurred by a controlled leak of information to achieve a certain political or commercial objective — perhaps to target an opposition figure or harm a competitor.

² <http://www.aej-bulgaria.org/wp-content/uploads/2017/10/Голямото-завръщане-на-политическия-настик-2017.pdf>

**OBJECTIVE 3:
PLURALITY
OF NEWS**

2.16

Bulgarians have unrestricted access to a good variety of media, whether cable, online, broadcast, print, domestic, or foreign. In addition to traditional media, more than 2 million Bulgarians are on Facebook. “The number of media channels is very large for the size of the Bulgarian market,” Buyuklieva said.

Access to media is affordable, even for consumers on social assistance, panelists said. Most households have Internet access and subscribe to a cable operator, and thus receive a huge variety of channels. Television is the most consumed medium in Bulgaria, with people usually spending more than three hours a day watching. The most trusted news source is public radio, and Facebook is the most widely used social network. *Telegraph*, owned by Peevski, is the most popular and cheapest daily newspaper.

However, a variety of media has not translated into a variety of viewpoints. “The large number of media outlets does not mean pluralism – most are tabloids and sensationalistic media,” Ognyanova said. Georgieva said the most-watched and thus most influential outlets, the private Nova and bTV, along with state-owned BNT, all follow editorial lines friendly to the government and big advertisers “and thus represent no threat to the centers of power.”

Foreign media are not censored, but the language barrier prevents some consumers from taking advantage of them. As a result, not everyone in the country enjoys equal access to information, panelists said.

Public television fails to offer a variety of views. Instead, it frequently features politicians from the

ruling majority. “The content of the state/public media changes very slowly and doesn’t meet the needs of the audience. That’s why it’s losing viewers and it’s no longer a serious factor in shaping public opinion,” Buyuklieva said.

BNT was once an independent-minded channel, but panelists said the government brought it to heel with the 2017 appointment of General Director Konstantin Kamenarov. He is close to a high-ranking member of the ruling GERB party. Upon his appointment, Kamenarov made obvious, pro-government changes and hired journalists linked to the Peevski media group. They included Program Director Emil Koshlukov, who hosts a daily talk show promoting the government’s point of view.

Large news agencies focus primarily on government events and viewpoints. BTA is funded by the state, and comments by parliament’s Media Committee Chair Vezhdi Rashidov suggested that people in power consider the agency their exclusive outlet. Further, Ognyanova said, “BTA gets paid for its information. This in practice calls into question its public character.” The other big agency in the market, Focus, receives a steady flow of European funds and subscriptions from state institutions.

Private television stations produce their own news programs, while self-produced news is disappearing from radio. The first private national radio station, Darik, and a few smaller stations do their own newscasts. However, about 80 percent of Bulgarian radio stations play only music.

Media are required to disclose their owners, but those names are often fronts for others who actually control the outlets. Some print media are registered in foreign countries (which is forbidden for broadcast media) or are also formally owned by front figures. Most online media have hidden and unclear ownership.

The owner of the Nova Broadcasting Group, the

Swedish Modern Times Group (MTG), last year tried to sell it to an investment company owned by Czech billionaire Petr Kellner. The €185 million (\$208.5 million) deal fell through due to objections from the anti-monopoly regulator. Antonova, of *Capital*, said that sources told her magazine that Kellner had been nudged by someone acting on behalf of the government to include a Bulgarian partner in the deal for Nova TV, and when Kellner refused, the regulator vetoed the sale. Observers are speculating that the Bulgarian partner in question was business owner Kiryl Domuschiev, who reached a deal to buy Nova in early 2019.

“Regional journalism is disappearing. Information from Facebook posts is increasingly used as news stories. Citizen journalism is replacing traditional reporting, but at the expense of professional media standards,” Valkov said.

bTV’s owner, Central European Media Enterprises, has long been suspected to be shopping it around.

In addition to owning several newspapers, Peevski controls the two largest printing houses in Bulgaria. One prints the newspapers believed to have the highest circulations – *Telegraph*, *Monitor*, *24 Chasa*, *Trud*, and, until November 2018, *Standard*.

Peevski is also widely assumed to be the owner of TV Channel 3. While the channel formally belongs to the Media Investment Organization Co., it follows closely the editorial line of Peevski’s newspapers. In addition, he is considered the actual owner of the second-largest radio group in Bulgaria, BSS, which broadcasts popular music stations such as The Voice, Veselina, Vitosha, and Magic FM.

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.

Bulgarian media have persistent blind spots about some social issues and minorities, especially people with disabilities. Media in minority languages struggle and tend to go bankrupt. In 2014, Bulgarian National Television cancelled its Turkish-language broadcasts after 15 years, as Bulgarian Turks preferred to tune in to broadcasts coming directly from neighboring Turkey.

Bulgaria has no media in Romani, and only a few in Turkish. As an example of where the media have failed a vulnerable population, panelists cited the controversy last year over the country's impending ratification of the Council of Europe convention on violence against women and domestic violence, better known as the Istanbul

Convention. The topic polarized public opinion and was the subject of hate speech, including by politicians and opinion leaders. Antonova said that an analysis of articles in the country's most popular online media found frequent misrepresentation of the convention promoting a "third gender." She said that this likely contributed to Bulgarians' refusal to ratify.

News from outside the capital is becoming rare. "Regional journalism is an endangered species," Radev said. "National media focus on local or regional stories only if they're about crime, violence, or some tragedy." According to Valkov, shrinking newsrooms means a narrower variety of news and reports. "Regional journalism is disappearing. Information from Facebook posts is increasingly used as news stories. Citizen journalism is replacing traditional reporting, but at the expense of professional media standards," he said.

The public BNT2 channel used to have a regional focus, but new management converted it into a cultural channel. Some panelists cited research published last year by the journalism department of Sofia University that shows Bulgarians are losing interest in news from abroad.

**OBJECTIVE 4:
BUSINESS
MANAGEMENT**

1.70

Bulgaria's private media are generally well-managed, and the country has a robust advertising market, according to panelist Buyuklieva. Bulgarian media have multiple and diverse sources of income: advertising, advertorials, subscriptions, donors, and nongovernmental organizations, plus revenues from cable operators, events, and ads from Google.

Bulgaria has no single, objective source of information about advertising budgets, which leads to confusion. The Bulgarian Association of Communication Agencies (BACA) put the size of the market in 2017 at a near-record BGN 370.3 million (\$215.76 million), 8 percent higher than the previous year.

BACA sources said that television advertising in 2017 reached BGN 220.2 million (\$127.95 million), about 59 percent of the total advertising market. But the Pierrot 97 advertising agency said television took 79 percent of ad spending in 2017. Print came second, with just six percent of the market; followed by radio and online, each with four percent, according to Pierrot 97.

On the other hand, a survey published at the first Communication Industry Forum in May 2018 estimated the size of the online advertising market as BGN 75.1 million (\$43.64 million), which would give it a significantly larger slice of the pie than either BACA's or Pierrot 97's single-digit estimate. That survey said Facebook and Google take 50 percent of the online advertising market and that investment in mobile ads is growing faster than other types of online spots.

Buyuklieva said the advertising market is solidly developed and structured, and the media manage their advertising content well. She said that prices for television advertising are affordable and managers of the largest TV stations actually try to limit the amount of advertising, especially in prime time, to avoid annoying audiences.

Growth in the advertising market is healthy, though not spectacular. The market is expanding by varying levels in television, online, and radio. However, in 2017 print ad spending fell by 17 percent to BGN 15.1 million (\$8.77 million), according to BACA. Telemarketing and product positioning are also well-developed in Bulgaria.

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.

BACA predicted that the advertising market would grow by nearly nine percent in 2018, with similar growth in television; and online advertising, especially on social networks and mobile telephony, would grow by 16 percent.

Retailers, pharmaceutical companies, food producers, furniture retailers, fast-moving consumer goods, and cosmetics companies are the biggest advertisers. International advertising agencies such as Publicis One, Dentsu Aegis Network, Ogilvy Group Bulgaria, and Havas Group – Bulgaria operate in the Bulgarian market.

Large media conglomerates, such as the Nova Broadcasting Group and the bTV Media Group, have diversified their portfolios to include broadcast and online channels. They enjoy stable revenue streams, including advertising, subscriptions, and sponsorships. Revenues are on the rise for bTV

and Nova, according to filings with the Commercial Register.

Print media are another story. Most newspapers and magazines do not sell enough ads to support themselves. The exceptions are the widely read *Telegraph* and *Weekend*, which get significant revenues from sales, and some specialized publications making money from niche advertising. Some publications, including the respected *Capital* weekly, have diversified sources of revenue but still need the support provided by the America for Bulgaria Foundation. Many others survive on a mix of opaque corporate funding and indirect government subsidies, mainly from EU structural funds.

In its latest annual survey, Reporters Without Borders said that public funds are used to keep the media in check: “The government’s allocation of EU funding to certain media outlets is conducted with a complete lack of transparency, in effect bribing them to go easy on the government in their reporting or refrain from covering certain problematic stories altogether.”

Ognyanova also commented that there is no official effort to ensure that the public media use government funds to create content in the public interest, rather than a guaranteed specific editorial viewpoint.

Public broadcasters BNT, BNR, and BTA depend on their annual appropriations from the state budget. Regional media rely on local politicians and local businesses, especially in smaller cities. Panelists agreed that other public funding for announcements or advertising, whether from national coffers or EU funds, is allocated by ministries and government

agencies to pro-government media. “A typical example is state support for tabloid media, even for those with anti-European articles,” Ognyanova said.

Ognyanova also commented that there is no official effort to ensure that the public media use government funds to create content in the public interest, rather than a guaranteed specific editorial viewpoint.

Large media groups use professional market research to formulate strategic plans, boost advertising revenue, and tailor content to their audiences. Smaller and regional publications cannot afford market research and instead depend on a few local advertisers, which notably shape the content and often the editorial line of local media.

Although it has a relatively small TV audience, Bulgaria is home to two ratings agencies: GARB, which works with bTV; and Nielsen Admosphere Bulgaria, which works with Nova. Each measures all networks’ audiences, but they often arrive at different conclusions, to the frustration of advertisers.

The media have no reliable figures on print circulation — which is not audited, and is considered one of the best-kept secrets of the print media. As the print industry could not agree on models to support it, the audit bureau of circulation closed in 2010. The Commission for Protection of Competition has acknowledged a lack of relevant data on print circulation.

The online audience is measured by Gemius, with metrics for Google, Facebook, and other social media sites also available separately. Advertisers buying from agencies have access to all of this data.

**OBJECTIVE 5:
SUPPORTING
INSTITUTIONS**

1.94

Two of Bulgaria's stronger media associations are the Union of Publishers, which unites some mainstream print media and hosts the media ethics commission, and the Association of Bulgarian Broadcasters, which protects the interests of the radio and television industries.

Journalists have the Union of Bulgarian Journalists; however, it supports the government, and its current chairperson is a former informant for the communist secret police. "If this organization doesn't change its policy, its days are numbered," Ognyanova said. Lozanov said there is little solidarity among Bulgaria's benighted journalists because they cannot afford to alienate media owners. "With few exceptions, the professional organizations don't function," said Radev, of the Association of European Journalists – Bulgaria (AEJ).

Ognyanova said that journalism teachers are paid poorly and some still approach academics in a Soviet manner. But she added that "there are many professors who work in good faith and with dedication. When there are motivated students, the combination produces a good result."

Some non-governmental organizations promote professionalism and work to protect the rights of journalists, but they tend to labor in obscurity and their impact is limited. Among them are AEJ, the Bulgarian Helsinki Committee, and the Access to

Information Program. "AEJ is an active nongovernmental organization of a new type; proactive and in support of journalists," Ognyanova said.

Journalism education in Bulgaria remains more theoretical than practical, and most universities lack the equipment to provide hands-on training. Georgiev, of the BTC ProMedia Foundation, said that the low number of prepared young reporters is a worsening problem for media outlets. Ognyanova said that journalism teachers are paid poorly and some still approach academics in a Soviet manner. But she added that "there are many professors who work in good faith and with dedication. When there are motivated students, the combination produces a good result."

The University of Sofia participates in the EU's Erasmus and Erasmus + exchange programs, which help expose many journalism students to other media environments and different levels of professional standards. Ognyanova said that many enrollees want to study journalism, but most go into public relations upon graduation.

AEJ conducts training programs to help journalists update their skills, learn specialized reporting, and discuss ethical issues. Last year, AEJ produced a handbook on ethical coverage of child abuse. Most of AEJ's work is funded on a project basis by the America for Bulgaria Foundation, which puts into question the sustainability of its efforts: once the project is over, the training programs and publishing will end.

Bulgarian media have unrestricted access to technical equipment and newsprint. The printing house that handles most newspapers is owned by a foreign company with unknown shareholders—potentially problematic for newspapers. No press outlets have reported being denied print service because of their political editorial line.

Distribution of print media is precarious

because Peevski controls the biggest distribution company. In 2017, for example, the publishers of the satirical *Prass-press* (which targets Peevski, among others) started hearing complaints on social media that readers could not find any copies. The publishers learned that much of their initial print run of 10,000 had vanished, and only a few newsstands in central Sofia had received one or two copies from the distributors. In all, fewer than 1,000 copies had been distributed across the country, with large cities like Varna and Plovdiv receiving no more than 15 copies. *Prass-press's* owners were left searching for other means of distribution, via their own network of fans at bookstores, cafes, and libraries. It is still absent from newsstands owned by Peevski's company.

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

B U L G A R I A

Bulgaria has a quality communications infrastructure. According to Bulgaria's National Statistics Institute, overall Internet household penetration in the country is 72 percent. According to research by *The Economist*, Bulgaria ranks 17th globally for Internet inclusiveness (measured in accessibility and cost of an Internet connection, the amount of information produced within the country, and the cultural acceptance of the Internet). Still, Bulgaria has a visible digital divide, with a relatively large portion of its population not online and the price of a connection out of reach for some.

Mobile devices are widely available and access to media content through them is highly developed. Mobile phone networks with 3G technology are accessible nearly throughout the country, panelists said.

List of Panel Participants

Miroluba Benatova, journalist, Nova TV, Sofia

Katerina Buyuklieva, director, Media Club ad agency, Sofia

Nikoleta Daskalova, researcher, Media Democracy Foundation, Sofia

Marieta Dimitrova, editor in chief, Blagoevgrad News, Blagoevgrad

Petko Georgiev, director, BTC ProMedia Foundation, Sofia

Stoyana Georgieva, editor in chief, Mediapool news website, Sofia

Nelly Ognyanova, professor, Sofia University, Sofia

Joana Levieva-Sawyer, journalist, Bulgarian National Television, Sofia

Georgi Lozanov, senior editor, BTA News Agency, Sofia

Ivan Radev, board member, Association of European Journalists, Sofia

Iliia Valkov, reporter, Club Z website, Sofia

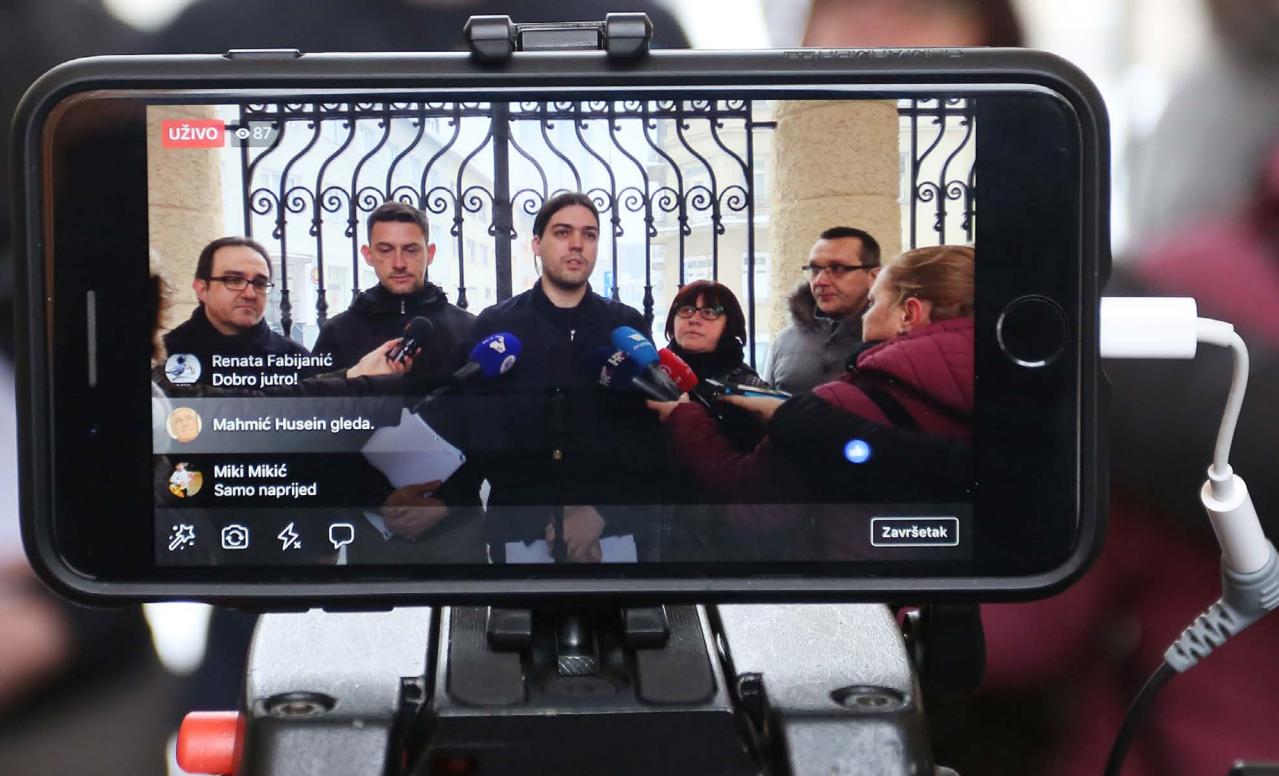
Ivaylo Vasilev, producer, Bulgarian National Radio, Sofia

Moderator and Author

Vessislava Antonova, reporter, *Capital* weekly, Sofia

The panel discussion was convened on December 7, 2018, in Sofia.

CROATIA



MEDIA SUSTAINABILITY INDEX 2019

Tracking Development
of Sustainable
Independent Media
Around the World



CROATIA

AT A GLANCE

GENERAL

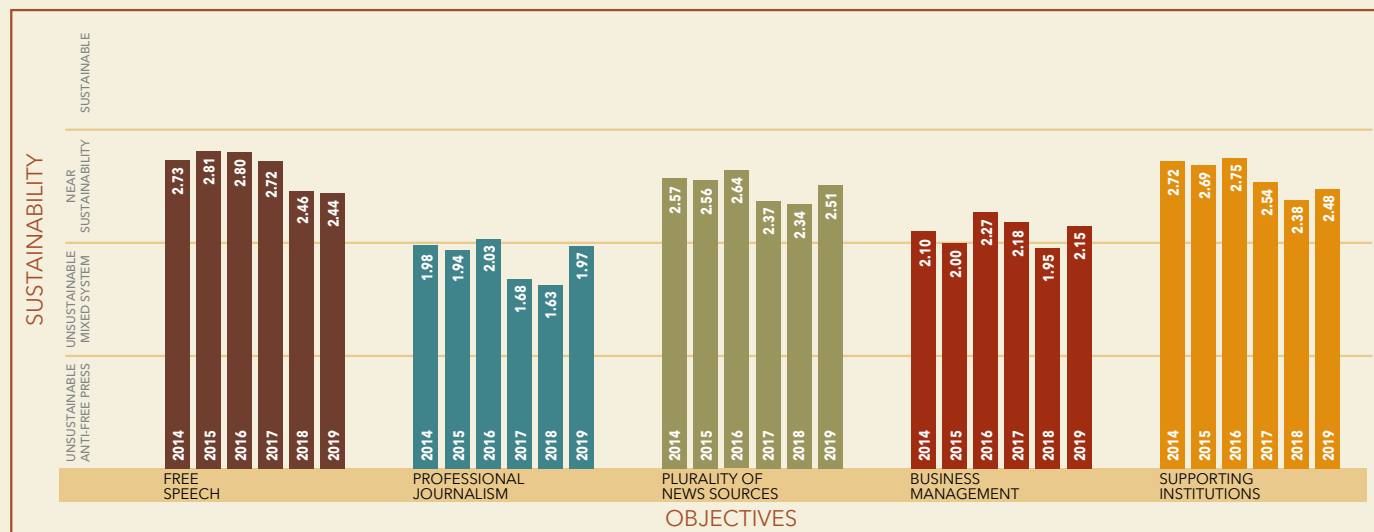
- **Population:** 4,124,500 (December 2017 est., Croatian Bureau of Statistics)
- **Capital city:** Zagreb
- **Ethnic groups (% of population):** Croat 90.4%, Serb 4.4%, other 4.4% (including Bosniak, Hungarian, Slovene, Italian, Czech, Roma, etc.), unspecified 0.8% (2011 census, Croatian Bureau of Statistics)
- **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 (2017, Atlas):** \$54.76 billion (World Bank Development Indicators, 2017)
- **GDP (2017, PPP):** \$102.1 billion (2017 est., *CIA World Factbook*)
- **GDP per capita (2017, PPP):** \$24,700 (World Bank Development Indicators, 2017)
- **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); Prime Minister Andrej Plenković (since October 19, 2016)

MEDIA-SPECIFIC

- **Number of print outlets, radio stations, television stations:** 11 major daily newspapers; five major political weeklies; 152 radio stations, six of which are national; 31 television channels (free-to-air), 12 of which are national; 331 "electronic publications" (websites; as of December 2017),¹
- **Newspaper circulation statistics (total circulation and largest paper):** The total circulation of daily papers is estimated at 280,000 copies a day, the top three being the tabloid *24sata* (circulation 50,000), *Večernji List* (circulation 35,000), and *Jutarnji List* (circulation 28,000); the highest circulated political weekly is *Globus* (7,000 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 \$340 million
- **News agencies:** HINA (public), Media Servis (private), IKA/Croatian Catholic News Service
- **Internet usage:** 3.39 million; 82.2% of population (November 2018 est., Croatian Bureau of Statistics)

1 This is only a part of the operational electronic publications. Although registration is mandatory, not all electronic publications are registered.

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.

Scores for all years may be found online at <https://www.irex.org/msi>



Croatia's overall score saw an increase this year, rising to 2.31 and placing it in the Near Sustainability MSI classification. While Croatia's status as an EU member state helps to ensure freedom of speech and media freedom, the country still struggles with full implementation of these EU standards, and libel has not been decriminalized. Although it has been more than a decade since the collapse of the financial market in the country, Croatia's market still has not fully recovered, and the effects of it still devastate the media sector. Declines in advertising revenue have forced many media into survival mode, which has affected everything from pay standards for journalists to editorial independence to increasingly blurred lines between native advertising and genuine media content.

At the end of 2018, one verdict reminded the media community in Croatia that the path to freedom of expression is all but elusive. A satirical television show was ordered to pay 12,000 Croatian kuna (about \$1,800) to Velimir Bujanec, a notorious far-right television anchor, for "exaggeration" and "disrespect of the facts." The verdict inevitably raises some grave concerns. Has disillusionment resulted in Croatia's scores not meeting expectations set in the years prior to its European Union (EU) ascension? How much have global trends impacted the country? Although journalism and media cannot be reduced to quantifications, statistics, and graphs, they all indicate a persistent crisis in the sector, affecting all aspects, including financial performance and trust in the media.

The year was particularly newsworthy, marked by the collapse of crony capitalism in the country. Ivica Todorčić, founder and former owner of Agrokor corporation—the crony capitalism "godfather," so to speak—returned from a 12-month exile in the United Kingdom to spend only 13 days in jail—a bit more than

a day for each billion dollars embezzled. The Adriatic shipyards, once the backbone of Croatian industry, disintegrated. The country also failed to acquire 12 modified, albeit 30-year-old, Israeli F-16 fighters.

The media focused primarily on why the United States administration refused to greenlight the deal, rather than the fact that the Croatian government agreed to pay \$500 million for aircrafts the US Congress, when considering to approve or reject the deal, estimated to be worth just \$130 million. The country's population continued to decline, with emigration reaching a record high. There was a rare burst of optimism with the country's second-place finish in the FIFA World Cup in July, though it was quickly spoiled by political controversy when, during a celebration in Zagreb, the team captain invited to the stage a notorious right-wing singer, which sparked immediate controversy. Finally, as mentioned, 2018 saw the further deterioration in almost all measurable media indicators, from the sold circulation to the size of the professional journalists' community.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**
2.44

Considering the constitutional provisions and regulatory framework guaranteeing free speech, Croatia should deserve a high score in this area. The key requirement in the EU accession process for any candidate country is a full alignment of its legal framework with the *acquis communautaire*, the body of common rights, regulations, and obligations that constitute EU law. Free speech and media freedom are one of the pillars of the *acquis*. “By joining the EU, Croatia has accepted the primacy of the *acquis* over national legislation,” explained Emil Havkić, a leading Croatian lawyer and an expert in media legislation. “It has also accepted the superordination of the European Convention on Human Rights in our national legislation,” he added.

But the *acquis* has not become the daily practice for media professionals; nor has their implementation become standard in the years since Croatia became an EU member state (in July 2013). “There is an obvious gap between the legal standards and their implementation, and the gap is becoming ever deeper,” said Saša Leković, a freelance investigative reporter and, until his 2018 resignation, president of the Croatian Journalists’ Association (CJA). “It is not only about this gap. It is also about different interpretations of the same legal provisions essential for free speech by different judges. Higher-level courts usually correct inappropriate verdicts, but the long and exhausting proceedings contribute to a feeling of uncertainty and exposure to arbitrary decisions,” added Boris Rašeta, a journalist with the daily *24sata* and columnist for the minority-language weekly *Novosti*.

Croatia is an EU member state, which largely eliminates the possibility of annulling the *acquis* by any “emergency” declaration. Drago Hedl, an investigative reporter and a contributor to the online Telegram, said, “There could be no such thing as ‘a state of emergency.’ However, the heavy interference of the executive branch into the judiciary, especially at the local level, often coupled with an ultraconservative interpretation of certain legal norms, indicates selective and deficient rule-of-law standards.” Violations of freedom of speech are often going under the radar of the public. “Twenty years ago, any serious violation would have provoked an instant reaction,” said Ante Gavranović, a media expert and the president of the CJA in the 1990s. “It seems that a certain fatigue, or even disillusionment, prevails nowadays.”

Media licensing and registration processes are in line with international standards. Licensing applies only to media that use the limited public good (frequencies), while print media and web portals are required only to register with the responsible authorities. Historically, the transparency of the licensing allocation process has been a turbulent one. The 1990s saw the process politically controlled, followed by relatively high transparency standards four to five years ago. The past two years, however, have raised concerns, largely due to the objections about the transparency of the selection process of new appointees, who are close to the ruling party, to the regulatory body, the Electronic Media Council (EMC). “The frequency allocation process is predominantly fair,” said Željko Matanić, the long-serving general secretary of the Association of Local Media (HURIN), “We may have objections, but even when it comes to mistakes, I do not see them as politically motivated.” Milan Živković, a media expert and former advisor to the Minister of Culture, added, “This is probably because there are no more

attractive frequencies to be allocated.” In general terms, the panelists agreed that licensing and registration, although not completely transparent, do not limit or restrict the diversity of the media spectrum.

The market entry and tax structure for the media are fair and comparable to other industries. Aside from licensing and registration, there are no other legal or capital requirements greater than those in the non-media business sectors. “We may say that the tax structure is more favorable to the media sector than to other industries,” said Gavranović, referring to the fact that daily papers pay the super-reduced VAT (value-added tax) rate of five percent when the standard rate is 25 percent. “The super-reduced VAT rate should be applied to all the media sectors, including electronic media—not only on the daily papers. Only then would it be considered a sincere government attempt to support the media industry,” Hedl argued.

Croatia struggled with Indicator 4 in this objective: Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare. “If there were a rating below ‘0,’ I would give it to this indicator,” said Leković. “The only reason to not do this is because journalists are not being killed in this country, unlike in some EU member states,” said Hedl. “There has not been a single month without a serious incident. Cynically, we could say we have gone from being expelled from our newsrooms at gunpoint and beaten with baseball bats to being paid for burying stories,” Hedl continued, referring to a recent case when MP Franjo Lucić offered him money not to publish a story on his financial embezzlements. This largely exemplifies the type and nature of the pressures on media professionals: it is less about criminal gangs or militant groups and more about still very impermeable networks of politicians and business

lobbies at the local level. But violence does exist. “The number of attacks on journalists is on the rise, year after year,” Leković said, “Even when police act promptly, the slow reaction of the judiciary system makes the process not only irrelevant, but sometimes even ridiculous.”

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.

The EU *acquis* does not prescribe one single model of governing public service media (PSM), including how to best protect editorial independence. The variety of circumstances in which PSMs operate in Europe has resulted

in numerous regulations and sub-regulations in defining their position and independence in promoting the public interest. “We have tried many different governing models suggested by the EU experts,” said Tena Perišin, a professor of television journalism at the University of Zagreb and former journalist and editor with the public service broadcaster, “But the fact is that it is much more about the democratic culture in the country in general than about governing models.” Rašeta added, “Our politicians, regardless of affiliation, have never truly abandoned the concept of state TV. They think that the ruling party should run the public service broadcaster.” Havkić noted that recent amendments to the PSM Act have “basically reintroduced the political control over the public service broadcaster” by limiting the power of the Programming Council. “As the result, the PSM has become aligned with the ruling political interest to a level unprecedented since the ‘90s,” said Lamija Alečković, a television journalist and editor.

Libel and the new legal term “vilification” (introduced in 2014 and defined as “systematic defamation”) have not been decriminalized. The plaintiff has a choice to extend a criminal case into the civil code on the same issue, which has had a chilling effect on both editors and journalists. “A certain inversion of standards is in place,” said Havkić, “Legal standards should require a higher burden to prove libel against public officials. Instead, courts in Croatia tend to do the exact opposite: namely, to consider the authority of the function as the key element in defining and proving the case of libel.”

The right of access to information is nominally guaranteed, but often is harder in actual practice. “The process of purchasing F-16 fighters has once again shown that some media are more preferred by the government than others,” said Jelena Berković,

executive director of nongovernmental organization (NGO) GONG. She explained that media that are more “friendly” to the government will have information leaked to them. Hedl added, “Information is accessible, but it often takes an elaborate network of contacts to get it.”

“The number of attacks on journalists is on the rise, year after year,” Leković said, “Even when police act promptly, the slow reaction of the judiciary system makes the process not only irrelevant, but sometimes even ridiculous.”

The access and use of local and international news are open and unrestricted. The only limitation comes from the affordability of some of these sources, which is a result of the market, not the legal and regulatory framework. Although intellectual property standards have been observed more in recent years, the “copy and paste” approach to news content—directly lifting content from other sources without attribution—remain common.

No license is needed to enter the journalism profession. The government does not interfere or restrict any area of work, including entrance to journalism schools. The accreditation process is largely fair and indiscriminate, though key information is not usually available at press conferences.

**OBJECTIVE 2:
PROFESSIONAL
JOURNALISM**

1.97

While there are active pockets of good journalism in Croatia, the indicators of professional standards in journalism have been in decline long enough that it can almost be considered an irreversible trend, rather than just the consequence of a temporary industry crisis. Although the panelists reached a consensus regarding the degradation of standards, they emphasized a lack of universal fixes. “A growing number of journalists do not check the information they present. They don’t care about the background research or about consulting all the parties relevant to a story,” said Leković, “They are only recycling the information found somewhere else.”

“New ways of consuming the media make the monetization of quality content very difficult, which is reflected by a constant decline in financial performances and, as a consequence, the decline in professionalism in media,” explained Rašeta. “However, in its more representative embodiments, journalism in Croatia is still professional and engaged,” he added. Alečković addressed another major indicator in this objective. “Some media, including, unfortunately, the public service broadcaster, have perverted the standard of ‘giving voice to all sides.’ There is no ‘other side’ in matters of fundamental human rights, for example,” she said, “This is just used as an alibi for inviting representatives of extreme opinions and giving them the limelight of the mainstream media.”

Most of the major media outlets have adopted ethical standards. For years, the code of ethics developed by the CJA has been a point of reference

for many professional associations in transitional countries, so the score for this indicator—journalists follow recognized and accepted ethical standards—should have been relatively high. However, Hedl noted, “The gap between the professionals who adhere to high ethical standards and those who do not care about them at all is such that both ‘0’ and ‘4’ could be a proper score for this indicator.”

In a desperate need for income, leading outlets incorporated native advertising almost immediately after international players introduced it. “We can’t change a global trend,” said Gavranović, “However, it seems that media publishers are deliberately making the line between advertising, public relations, promotion, and genuine media content ever blurrier. This is confusing for audiences. This approach could earn the media additional advertising revenue in the short run, but thinking strategically, this will only decrease the public trust in media and their monetization potential.” Plagiarism is a matter of daily practice. Articles using a lot of professional and financial resources are quickly copied and pasted onto web portals, and often on public television as well, while rarely being attributed.

Hedl noted, “The gap between the professionals who adhere to high ethical standards and those who do not care about them at all is such that both ‘0’ and ‘4’ could be a proper score for this indicator.”

It looks as if conformity has replaced self-censorship to a large degree, which is based on the improbability of placing a story, as perceived by the journalist himself/herself. However, there is no such list of people and institutions in which editors would decline critical reporting. “If you work at a

local media outlet, then the likelihood of having a mayor on the ‘don’t-touch list’ is relatively high. If you work at a national media outlet, then it could be, say, the prime minister. However, the same prime minister could be a target of carpet-bombing from some other media outlet,” said one panelist. Although the protocol varies from outlet to outlet, journalists working in mainstream media usually know the “untouchable” people or issues. “I am more concerned about the practice of burying stories, or about the missing context in reporting, than about self-censorship,” said Leković.

With more media platforms available and many professional and uncompromised media in a relatively small market, it is virtually impossible to sweep any issue under the rug. There are no “forbidden issues.” There are no issues media do not choose to report. “There are many issues that all the media cover, they all report about them, but this is not a guarantee that they report on the key aspects of those subjects,” Leković said. Hedl added, “The freedom to report on even the most sensitive issues exists, and there is no need to question it. However, there is an obvious lack of background information and context in reporting.” He continued, “Without the context, without the investigative reporting into the matter, even the substantially important issues are reduced down to yet another scandal.” Indeed, the number of “scandals” is such that there is always at least one more on the horizon before the previous or the current one is properly explained to the audience. “One may think that the government itself is deliberately producing scandal after scandal or leaking attractive information to the media, but harmless to the government, in order to ‘close’ some vexing problems and remove them from the public radar as quickly as possible,” Rašeta said. In a brief exchange, the panelists identified five major issues that emerged in the past 12 months, each of them

worthy of tectonic consequences. Despite that, there were almost no consequences, save the resignation of one minister.

Long gone are the times when media professionals belonged to the middle class, even to the upper part of it. "I am almost ashamed to discuss this issue," said Matanić, "The fact is that estimates for 2018 say that the average salary for journalists is some 10 to 15 percent lower than the average salary paid in Croatia." This is barely enough to keep journalists slightly above the threshold of the functional poverty. "In a way, this is also a very tangible and concrete demonstration of how much society respects journalism as a profession," said Živković, "The immediate consequence is a further erosion of the professional standards in journalism."

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).

"My understanding is that audiences can get information when they need it," said Božić. "The plurality of sources allows for easy access to information." To be more precise, "easy" means consulting multiple sources of information and filtering the news from intentional or unintentional disinformation. While it can be cumbersome, the information is still available, and the need for news still exists. The success of the news channel N1 TV is undeniable proof of that. Within a short period, this news channel, although available only on cable networks, managed to reach audience rating figures comparable or even superior to well-established national terrestrial television channels. Commercial broadcasters are legally required to produce news programming, but beyond that, leading private national television channels understand that in the Croatian market "news sells."

The facilities and equipment for gathering, producing, and distributing news are, generally speaking, modern and efficient. Although some local media may not have the most modern equipment, this is not considered an obstacle in their daily practice.

When it comes to the mainstream media, niche reporting, including investigative or business reporting, is essentially extinct. Specialized weekly niche supplements to the daily papers are now a distant memory. However, a vibrant web scene is slowly recovering the concept of specialized reporting. "A number of specialized web portals covering public finances and business matters in general have been launched recently," said Božić, "Along with other specialized portals, they will hopefully soon fill the gap left by the expulsion of niche reporting from the mainstream media."

OBJECTIVE 3: PLURALITY OF NEWS

2.51

Statistics show the plurality of media sources in Croatia is not an issue. The country boasts a population of just four million people, yet is served by 152 radio stations, 31 domestic television channels, 11 daily newspapers, five political weeklies, and 331 registered web portals (and an unknown number of non-registered ones). In broadcast and print media, the market has been already saturated, with limited space (or a need) for new investments.

However, the quantity of news sources does not necessarily reflect content quality or multiple viewpoints. "Let us put aside the statistics," said Živković, "The government is suffocating the nonprofit sector, severely restricting the financial support to it, and still hesitates to introduce the concept of community media. Local media either depend on a handful of enthusiasts or are controlled by local authorities. Network news spreads information to larger audiences, but they don't contribute to the plurality of views." Although social media outlets allow citizens easy access to news, they are still used primarily for networking and consuming entertaining content. Still, the plurality of news sources allows for the public to be informed, though perhaps not aware of multiple perspectives.

Free access to domestic and international news sources was a specific feature of the former socialist regime. International broadcasters, such as the BBC World Service or Voice of America, have never been jammed. Since the early days of the Internet, access to cyberspace and other Internet features (including voice over Internet protocols and social networks) have been unrestricted. The only issue stems from

the affordability of these services. The Internet and Internet protocol television (IPTV) packages are more expensive than in other EU member countries.

With a programming schedule opened to western-produced films and serials and quality domestic production since the late 1960s, state television in Croatia had a good starting point during the transition period after long-time communist regimes fell in the 1990s. But the systematic purge during the early days of the war in Croatia (1991 to 1995), coupled with the adoption of the concept of "state TV," as opposed to public service media, has taken its toll. A relatively liberal period from 2000 to 2015 was not enough to introduce and institutionalize fully a true public service media model. Leković explained that politicians on both sides consider control of the public service broadcaster part of the bounty for winning an election. "Even with good intentions, all amendments to the public service laws have resulted only in variations in the subtleness of efforts to keep a firm grip over the public service broadcaster," he added. The affiliations of the politically appointed editors and managers at the public service broadcaster burst to the surface in 2015, giving the ruling party disproportionate coverage, both in terms of time and bias, and giving radical political opinions a platform and, to an extent, "legitimacy." As a result of this blatant political bias, the public service broadcaster's flagship news formats have been reduced to an almost negligible audience share.

Only one news agency in Croatia meets the definition of a news agency. The Croatian Informative News Agency (HINA) is legally defined as a "public service," although it is only partially financed from public funds. The agency offers a nondiscriminatory, professional, and reliable wire service to its clients at generally fair prices, although the panelists disagreed on this point. "Affordable" is not a term

I would use in this context," said Matanić, "What is 'affordable' to big, national media outlets isn't necessarily affordable for a small, local radio station that is struggling to even pay for utilities." This is also the main reason why most radio stations in Croatia opt to use the network news provided by the Media Service Agency—a private commercial company that offers radio stations national and international news in exchange for airtime for commercials—thus applying the "news for airtime" barter model.

"The Croatian media scene is pluralistic enough to give each audience group its preferred content, even if that requires an active search of sources," Rašeta said.

HINA provides print, audio, video, and online services. Generally speaking, the agency's regular and occasional clients cite HINA as the source of the information presented. There are no restrictions whatsoever for using international agencies (such as Reuters, the Associated Press, and Agence France-Presse); however, most are too expensive for the majority of Croatian outlets, including the major national daily papers.

Private media produce their own news. As mentioned, most local radio stations use syndicated news for national and international coverage while producing local news themselves. But this should not be considered a reflection of audience demand or an editorial policy that prioritizes news production. Commercial broadcasters in Croatia are obligated to produce their own news by law. Although local audiences have a variety of news at their disposal, this legal provision has, at least in the opinion of some panelists, some unwilling consequences as well. "The law stipulates that news production should represent at least 10 percent of the daily outputs of

commercial broadcasters. That made sense, say, 20 years ago, when local radio stations produced six or eight hours of programming, but it is a real burden nowadays when most of the radio stations are on the air 24/7," explained Matanić, "Instead of focusing on quality news output, local radio stations are constantly in search of any information that may fall under the category of 'news.'" However, national terrestrial and cable television stations have been investing significantly in news production, having identified it as audience-worthy, especially given the dramatic fall of the audience share of the public broadcaster. Some of them (like the CNN affiliate N1) have basically taken on the role of the public service broadcaster in providing the audience with fair, unbiased, and accurate news. Although the major national daily papers have abandoned their local editions, the sheer number of local news portals and local broadcasters with mandatory news production offer a fair supply of local news.

All media outlets are obligated to disclose their ownership structure, or any significant changes in it, on an annual basis. For electronic media, all data regarding ownership are available on the website of an independent regulator. Print media have to report their ownership structure to the Croatian Chamber of Economy, the data of which become public record and appear in the annual registry of media owners published in the Official Gazette. Although this legal structure is in place, it does not preclude subtle or overt pressure on editorial policies by businesses and political groups, particularly at the local level.

A dedicated news outlet can always find a source that covers social issues of a specific interest, including those concerning gender, ethnicity, social conventions, religion, or sexual orientation. But these issues are increasingly relegated to specialized or niche outlets. "I haven't seen a report on public TV for years on, for example, LGBTIQ issues other than

in a predominantly negative context," Jelena Berković said. "The Croatian media scene is pluralistic enough to give each audience group its preferred content, even if that requires an active search of sources," Rašeta said. Mainstream outlets are becoming more conservative, led primarily by the public service media which openly promote the political agenda of the ruling party. Minority-language media have a long tradition in Croatia, with some specific legal provisions when it comes to accessing public financing that has helped some of them become relevant far beyond just their respective minority communities.

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.

OBJECTIVE 4: BUSINESS MANAGEMENT

2.15

It has been more than a decade since the collapse of the financial market in the country, which stormed the media industry and reduced the volume of advertising to such an extent that the market still has not fully recovered. The crisis took publishers and media organizations by surprise, but a lesson has been learned. "We may discuss the quality of media output nowadays compared to, say, 2007 or 2008, or the number and skills of media professionals, but the fact is that all major [media companies] are still there," said Alečković. Most of them are in survival mode, a stark contrast with the early 2000s, when they were serious profit makers. Still, owners consider these outlets worthy enough to keep them afloat. "Big media systems are, in general terms, sustainable," said Gavranović. "The real problem is with local media. Many of them are only operating still thanks to the financial support from their local governments." Ultimately, the financial crisis and its decade-long impact spared no sector, reducing public services—including education, healthcare, and the media—to a bare minimum, devastating services that were taken for granted.

Media outlets in Croatia receive revenue from multiple sources, although at least some of these sources have undue influence over editorial policy. Many panelists see financial support from local governments to local media as a kind of vicious cycle. "The reason why these media are still on is what prevents them from doing what they, as local media, should do," said Leković. Public support to local commercial and especially nonprofit media

is a well-known concept in the EU member states, but it obviously takes a more mature democracy and better procedures to make it fully functional. "In many cases, it's on the mayor to decide which media will be supported by public money. If he or she likes certain media, they will get the support. If the mayor doesn't like it, they won't get the money. It is so arbitrary that it is devastating editorial standards in many local media," said Matanić. "In some cases, local governments are directly paying local media for 'covering local news.' What else should one expect from this type of arrangement other than pure propaganda?" said Hedl. The panelists did positively mention the Fund for the Pluralization of Media, which receives three percent of the mandatory tax for funding public service media. The Fund, established in 2003, has had an important role in supporting quality content in local commercial media while escaping, to a large degree, political control. However, the panelists noticed that a dedicated EU fund of \$5.5 million for supporting nonprofit and community media in Croatia has not been open yet. "Are there any political interests behind it, or is it a matter of negligence?" asked Živković, "The net result is an almost exhausted nonprofit media sector and a further delay in establishing a community media concept."

Advertising has been a regular feature in Croatian media since the late 1950s, when several acclaimed artists created ads for fashion, beauty products, and toiletries. The moderator remembers advertisements in the most influential news magazine in Croatia in the late 1960s and early 1970s, featuring luxury products such as Chris-Craft yachts, top international cigarette and spirit brands (prior to the ban on advertising these products), top car makers, and American soft drinks. McCann, for example, opened its office in Croatia in the mid-1980s, followed by other global players,

including Grey and BBDO. In short, the advertising industry has a long history in the country.

“Big media systems are, in general terms, sustainable,” said Gavranović. “The real problem is with local media. Many of them are only operating still thanks to the financial support from their local governments.”

“Relevant advertisers want their target audiences. They do not have political preferences; they only serve their clients,” explained Krešimir Dominić, the planning and development director at Komunikacijski Laboratorij agency. However, the collapse of the biggest advertiser in Croatia, Agrokor Group, which dominated the market for years, has had profound consequences to the advertising sector. “The biggest spender is no more. That actually increased the power of the few remaining big advertisers, making media more dependent on them,” said Dominić. Although the public service broadcaster is advertising-restricted (up to four minutes of advertising per hour of broadcasting during prime time), the pricing policy seriously affects the commercial media sector. “The public service [media] has a guaranteed budget. It would be only fair to introduce a ban on advertising on it, giving commercial media more space to survive in the market,” said Rašeta. Advertisements are produced professionally, following global trends. “We didn’t invent native advertising,” said Gavranović. “But we introduced it in our market almost instantly.” This includes advertising agencies selling stories, as opposed to traditional forms of advertising. Because media are so desperate for advertising revenue, they accept many forms of advertising.

For the first time in many years, print

advertising revenue has dropped below 50 percent of the overall income of legacy media. “This is the result both of the migration of advertisement to other media platforms and a substantial increase in the cover price of daily papers,” explained Gavranović. “Generally speaking, we are following global trends.”

Croatia has adopted EU standards in regulating commercial advertising in broadcasting. Commercial broadcasters are allowed up to 12 minutes of advertising per hour of programming, while advertising on the public service broadcaster is restricted to nine minutes per hour during standard times and up to four minutes during prime time, which is from 6:00 pm to 10:00 pm. However, only a few commercial broadcasters are actually capable of filling their programming with the allowed minutes of advertising. Nonprofit radio stations are allowed to sell up to three minutes of advertising per hour, although they should reinvest the money earned in production and other content-producing costs. Aside from public sources, some of these stations also receive funds from international (mostly EU) sources as project-based grants.

“Government subsidies” is a broad term that includes many different forms of direct or so-called indirect support to the media sector. For example, the reduced VAT rate should be considered a “subsidy,” although it is indirect because it affects the whole media sector, not only select media outlets or projects. The subscription fee that goes to the public service broadcaster (collected in the form of a tax on television sets) is also a type of government subsidy, as is the Fund for Pluralization of Media. In some neighboring countries, including Serbia, governments use advertising to support government-friendly media or punish those that have been too critical. Controlling more than 60 percent of the advertising market, the Serbian government

is able to use advertising to exert its influence over the media sector, unlike in Croatia, where government-generated advertising is far less. Still, there is no absolute immunity. “Why should the state oil pipeline advertise in the media, other than to promote a certain political interest?” asked Živković. However, editorial pressures still exist, primarily in the preferential allocation of funds by local governments.

Mandatory EU standards also regulate this sector in order to establish a fair distribution of public money, if and when it goes to the media, and a fair distribution of government-generated advertising campaigns and awareness actions. There is also a stipulation that requires public companies to spend a minimum of 15 percent of advertising budgets in local media. Although this requirement still has not been fully implemented, it at least shows the intention of lawmakers.

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.

The level of sophistication of the advertising market would have been impossible without market research and different forms of media measurement, tailoring media to the needs of audiences, particularly national media. Local media have more limited options in that regard, as market surveys are usually too expensive. However, when it comes to local radio stations, the automation of the process, playlists, and news have limited the ability to address the needs of audiences, reducing most of them to a single format, differing only in music.

The audience ratings, circulation figures, and other media measurement statistics are reliable and independently produced, with no influence by political or other interests. The data are collected and analyzed by leading international providers (such as AGB Nielsen) and used by advertising stakeholders on a daily basis.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

2.48

Croatia's scores for Objective 5 have been relatively high for years—and for good reason. Trade associations in Croatia (primarily the Association of Local Media, the Association of Publishers, and the Association of Commercial Radio and TV Stations) have effectively promoted the interests of their members. The CJA is marking its 109th anniversary; it is one of the oldest professional organizations of its kind in Europe. The current regulatory and self-regulatory environment, as well as the level of media freedom in Croatia, would have been unimaginable without the active engagement of the CJA, which often serves as a role model for professional associations in transitional countries

and emerging democracies. Alongside the CJA, NGOs have also defended and promoted human rights and media freedoms in the country. Quality short-term journalism training and degree programs have existed. For example, the International Centre for Education of Journalists, run by the CJA, has provided quality training and networking for hundreds of journalists from emerging democracies.

Sources of newsprint, printing facilities, channels of distribution, and technology have been apolitical and market-driven since the first Media Sustainability Index (MSI) panel in the early 2000s. Still, most indicators in this objective are declining. The panelists agreed on the main reason for this trend: supporting institutions have not adapted to profound changes in global and local media and the societal environment in a timely manner. "Many of them only just realized the new millennium has started," Gavranović said.

The panelists did not reach a consensus on the effectiveness of trade associations. All sectors are covered (local and national; commercial and nonprofit; and print and electronic media), but there is an apparent lack of synergy in their activities. "Our media legislation is 10 or, in some cases, even 15 years old. This by itself tells a lot about the effectiveness of trade associations," said Matanić. Živković, adding that some trade associations are "very effective," but mostly in advocating for the particular interests of only some sub-industry groups. "The Association of Publishers managed successfully to introduce a super-reduced VAT rate on daily papers but didn't advocate for the same for weekly papers. They were focused only on their own, very particular financial interest," said Živković. Other panelists think the main reason for the lack of synergy is a lack of strategy. "It would be easier

to work within a defined framework and a defined media strategy," said Matanić. "That would also allow for more synergy in the trade associations' activities."

An organization with more than a century of active participation in public life deserves respect. However, in the case of the CJA, it is more than just paying tribute to the institutional continuity. The CJA had an immensely important role in 1990s, when the main pillars of freedom of speech, as well as the professional standards of journalism, had to be established in an environment shaped by war, criminal transition, and authoritarian political will. At that time, the CJA was much more than a journalists' association; it was one of the main promoters of human rights in general. "The CJA has improved its performances in the protection of freedom of speech and exposing violations of media freedom," said Živković. Hedl considers the CJA critical support in his everyday work, citing the security of knowing there is an organization that will advocate for him if and when it is needed.

The CJA also supports journalists with pro bono legal advice. In 2015, it introduced the Freedom of Expression Center, which monitors media freedom issues in Croatia. A team of 25 experienced lawyers, university professors, and volunteers are available 24/7 to journalists who have been threatened or whose legal rights have been obstructed, offering free legal advice and representation to its members. This is where Alečković sees a potential problem. "The CJA reacts promptly on any violation of media freedom," she said. "However, it's reacting to a problem that is already there. I have not seen recently activities from the CJA working to prevent violations of freedom of speech, or promote higher professional standards." Gavranović served as president of the CJA during the turbulent 1990s and managed to preserve the association's unity amid divisions along political, ideological, and ethnic lines.

"In the 1990s, we had a clear set of goals. We knew where the threats to media freedom were coming from," he said. "It is much more complex now. Media freedom is challenged again, but these challenges are a consequence of the global crisis of the legacy media sector and profound changes in media production and consumption." In retrospect, what is the association's biggest failure? "I would say, not paying due attention to the education of journalists," Gavranović said.

"Even when training is free, journalists hesitate to ask editors and owners for a few days off. Sometimes I think journalists ask themselves whether their jobs would still be there after the training," said Leković.

The CJA has a number of sub-branches, representing all major sectors of the profession. The association also cooperates closely with international professional associations, including the European Federations of Journalists. Membership is fee-based, which represents a major source of the CJA's income. There are no legal restrictions when it comes to registering or participating in any professional association.

The close relationship in the work between NGOs and independent media in promoting media freedom was for years a distinctive feature of the journalism scene in Croatia. This helped in the successful transition from the authoritarian 1990s to an era that established concepts of free speech and press freedoms. "NGOs are still actively supporting media freedom," said Hedl, "But relations are no longer black and white, as they were in the '90s. People are disillusioned. Confronted

by a largely dysfunctional social system, media freedoms do not score as high as, say, 20 years ago." The panelists also pointed out a relatively new phenomenon of ultraconservative NGOs, which have captured significant media coverage and social relevance. "We have to explain processes, which takes understanding and a certain background. Conservative NGOs usually do not offer complex explanations; rather, they use catchy and often inflammatory rhetoric. Some of them, such as veteran and religious organizations, are trying to impose themselves as arbiters of social and political issues that go well beyond their nominal interests," said Berković.

There has not been any substantial improvement in the quality of journalism education and short-term training. With experience as both an active journalist/editor and a university professor, Perišin thinks that, given the circumstances, Croatia has good journalism degree programs. "The problem is that only a few of our best students can make it to the larger newsrooms. Media cannot absorb the number of graduates," she explained. Short-term training programs, once a strong feature of the CJA, are now very rare. "Even when training is free, journalists hesitate to ask editors and owners for a few days off. Sometimes I think journalists ask themselves whether their jobs would still be there after the training," said Leković. Božić added, "There are no mentorships in newsrooms. One should not expect even the best graduates in journalism to start working immediately without guidance and a certain period of learning-by-doing."

Since the late 1990s, sources of media equipment, newsprint acquisition, and printing facilities are apolitical and market-oriented. The surplus of supply over demand works in favor of media organizations and has reduced any potential out-of-market influence to a minimum.

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.

For years, the same applied to print distribution. However, the collapse of the Agrokor business conglomerate, which included newspaper distribution, has affected this important media segment. "Any increase in the margin of profit for distributors would result directly in cutting jobs in newsrooms," warned Gavranović. The Association of Publishers is actively preparing a new distribution model, favoring the public postal service as the new owner of distribution. However, the plan has yet to be finalized. Access to transmission channels, IPTV and cable platforms, and the Internet is open and regulated by international standards.

Mobile phone operators usually advertise their "premium" packages around Christmas and

C R O A T I A

the end of the year. Although advertisements may make it seem as if the information and communications technology infrastructure meets the needs of the citizenry and media industry, Croatia has poor Internet speed, and it is expensive. "Croatia is at the bottom of the EU when it comes to Internet speed and at the very top in terms of cost of service," said Živković.

Panel Participants

Lamija Alečković, television journalist and editor, Zagreb

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

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

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

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

Emil Havkić, lawyer, media law expert, Zagreb

Drago Hedl, journalist and investigative reporter at Telegram website; publicist, Osijek

Saša Leković, freelance investigative reporter; former president of Croatian Journalists' Association, Fažana

Željko Matanić, Association of Local Media (HURIN), Zagreb

Tena Perišin, television journalist and editor; professor of journalism, University of Zagreb, Zagreb

Boris Rašeta, journalist at *24sata*, columnist at *Novosti*, Zagreb

Šantić Neven, journalist, editor at Daily News web, Rijeka

Živković Milan, media expert, Zagreb

Moderator & Author

Davor Glavaš, independent media consultant, Zagreb

The panel discussion was convened on December 20, 2018.

KOSOVO



**MEDIA
SUSTAINABILITY
INDEX**

2019

Tracking Development
of Sustainable
Independent Media
Around the World



KOSOVO

AT A GLANCE

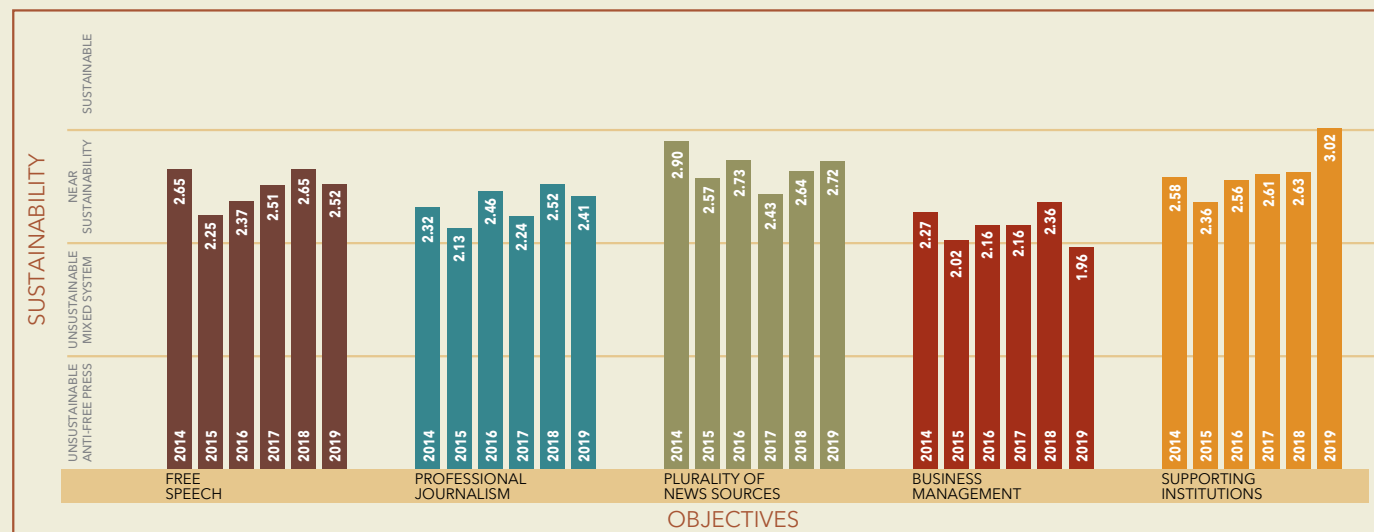
GENERAL

- **Population:** 1,907,592 (*CIA World Factbook*, July 2018)
- **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)
- **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)
- **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*, 2011)
- **GNI (2017—Atlas):** \$7.15 billion (World Bank Development Indicators, 2017)
- **GNI per capita (2016—PPP):** \$11,020 (World Bank Development Indicators, 2017)
- **Literacy rate:** N/A
- **President or top authority:** President Hashim Thaçi (since April 7, 2016)

MEDIA-SPECIFIC

- **Number of active media outlets:** Print: 5 daily newspapers, radio stations: 82, television stations: 20 (Independent Media Commission, 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:** 88% of households have Internet access (Index Kosova, December 2015)
- **Annual advertising revenue in media sector:** There is no available data.

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.

Scores for all years may be found online at <https://www.irex.org/msi>



Kosovo's overall score for the MSI dropped slightly this year, in comparison to its overall score of 2.56 in the previous year's study. Despite this decline, Kosovo remains in the "near sustainability" classification.

The 2019 chapter for Kosovo shows drops in the scores for the freedom of speech, professional journalism, and business management objectives, and moderate increases in plurality of news and supporting institutions.

Panelists noted that while Kosovo enjoys good diversity in media, the steady shift away from traditional print media to the online environment has seen ethical standards diminish.

In February 2018, Kosovo celebrated its first decade as an independent state. Ten years earlier, members of Kosovo's Parliament signed the declaration of independence from Serbia. Major countries in the European Union (EU)--such as Germany, the United Kingdom, France, and Italy-- as well as the United States, were among the first nations to recognize Kosovo as an independent state. However, Kosovo has yet to become a member of the United Nations (UN), as it is still not recognized by two-thirds of UN member states, including Russia and China. In November 2018, Interpol rejected Kosovo's application for membership, prompting the government of Kosovo to blame Serbia for a "wild campaign" against Kosovo's membership. In return, the Kosovo government decided that all goods imported from Serbia will be subject to 100 percent tax. This decision caused a further deterioration in the relations between the two countries.

International political actors, such as the United States and EU, have called on the two countries to resume their political dialogue and find a long-term solution. Dialogue between Serbia and Kosovo has been ongoing since 2011 under the auspices of the EU, the ultimate goal of which is to normalize relations between the two countries. However, thus far the talks have shown only modest results. As such, a deadline has been set to end the dialogue and reach a legally binding agreement between Serbia and Kosovo in the first half of 2019. Kosovo's president, Hashim

Thaçi, proposed redefining state borders as a permanent solution to bring peace and stability between the two countries. Whether that means an exchange of territories and inhabitants is unknown; the president's office has failed to respond to such questions and to all inquiries from the media about the president's plan.

As a result of these still-unresolved tensions between Kosovo and Serbia and the looming deadline to end talks between the two countries, media coverage of the EU-supported dialogue was dominant in Kosovo throughout 2018 and was at the expense of coverage of other important issues such as sociopolitical events, the economy, minority and marginalized groups, and human rights. While 2018 witnessed a number of threats against journalists and media professionals, the year also saw the appointment of a special prosecutor to investigate crimes against journalists, which was a culmination of journalists' associations' efforts to prompt the government to take action to protect journalists. Another major achievement in 2018 was the adoption of the law on whistleblowing, which is good in content but a challenge in implementation. Overall, access to public information remains difficult despite the existence of a law that guarantees it. Other challenges in the media sector relate to the lack of transparency in media ownership, failure to fully adhere to professional standards in reporting, and scarcity of financial resources.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

2.52

The Kosovo Constitution guarantees freedom of expression, and there are a number of laws that regulate and defend this right. Laws are generally consistent with EU and other internationally accepted standards for free speech protection. A special law regulates the protection of journalists' sources, but panelists feel that the law is not fully implemented. Panelists cited a few cases when a source of information became public, thus discouraging other whistleblowers from coming forward with information. In one case, a Kosovo police officer was fired after he was under suspicion of having leaked information about a criminal act to the media involving the son of a high-ranking official.

At the end of 2018, the Kosovo Parliament adopted the Law on the Protection of Whistle-Blowers. This law establishes rules on whistle-blowing, including procedures, rights and protections, and the obligations of public institutions and private entities regarding whistle-blowing. Panelists consider the law advanced, but they fear judicial inefficiency will serve as an obstacle to its implementation. Considering the high levels of corruption and nepotism, as well as the fact that the public sector and government remain the biggest employers in the country, ensuring the safety and protection of whistle-blowers remains a challenging task. Last year, a police officer was dismissed under suspicions of leaking information about the involvement of the son of the director of the Kosovo Intelligence Agency in a criminal act. Also, during 2018, there was a dangerous attempt by the Kosovo Assembly to adopt a media law, which, according to panelists,

would restrict the freedom of media. It is still unclear what the content of such law would have been since the discussion was only at the conceptual level and no draft on media law was ever presented. Nevertheless, panelists believe that no specific law on media is necessary.

The licensing of television, radio, and cable providers is managed by the broadcast media regulator, Independent Media Commission (IMC). As the terrestrial broadcast spectrum is fully allocated, currently the IMC is only licensing non-frequency content providers which broadcast through cable networks. This licensing process is very simple, with minimal criteria. Panelists see this as a problem because it has led to a rapid increase in the number of TV channels, a large number of which lack proper infrastructure, face insufficient human resources, and produce poor media content. The IMC has failed to make the switchover from analog to digital broadcasting, despite an existing deadline that passed in 2015. A board of directors, whose members are appointed by the Kosovo Assembly, manages IMC. Panelists believe the selection process is based on party preferences rather than merit. Printed media and Internet-based media outlets, on the other hand, are not subject to a licensing process but must register with the relevant authorities.

Market entry for the media is the same as for all other businesses. They are not subject to any special tax, except certain fees that are required for electronic media, such as the license fee collected by the IMC, a frequency fee collected by the Regulatory Authority of Electronic and Postal Communications, and the transmitter maintenance fee collected by the Kosova Terrestrial Telecommunications Network. Although there is a value-added tax (VAT) exemption for media, there are some ambiguities in the law such as the

procedures for claiming VAT reimbursement for equipment bought from local vendors rather than directly imported. Media organizations are exempt from VAT in the import of equipment, but not purchases in the domestic market.

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.

Crimes against media professionals occur primarily in the form of threats and physical assaults. In 2018, Kosovo saw a considerable number of crimes against journalists and media professionals; investigative journalists, in particular, are more prone to threats. These crimes are mostly condemned

by journalists' associations, which have repeatedly asked for the appointment of a special prosecutor to investigate the threats and crimes against journalists exclusively. In 2018, a prosecutor was finally appointed. In addition, the Kosovo office of the Organization for Security and Cooperation in Europe organized a campaign that aimed to raise awareness about the safety of journalists in Kosovo. Panelists partly blame the political elites for the increasing hostility toward media. Similar to global trends, Kosovo has seen decreases in public trust and in the credibility of journalists, and political elites are increasingly using rhetoric to delegitimize the media. They attempt to place media within specific political camps or try to characterize credible and professional media as producers of "fake news." Kosovo's president has used the term "fake news" on more than one occasion in an attempt to refute reports about him and his statements. In a TV debate on the show Rubikon, the president even repeatedly called the reporter a liar. Nevertheless, libel and similar acts of defamation are not criminal offenses in Kosovo, and civil liability for smears and insults are regulated by a special law in which the burden of proof is on the defendant.

In 2018, Kosovo saw a considerable number of crimes against journalists and media professionals; investigative journalists, in particular, are more prone to threats.

While the law protects the editorial independence of the public broadcaster, the reality is much different. Radio Television of Kosovo (RTK), as the only public broadcaster, continues to be subject to political pressure, particularly by the ruling parties. The key problem in this regard is the failure to find a sustainable way to finance the public broadcaster,

as RTK is still financed by the state budget, jeopardizing its editorial and institutional independence. In 2018, the Kosovo Parliament approved a new draft law on RTK, which includes a mixed-financing mechanism, mainly from subscriptions--€2.50 [\$2.80] per household to be collected through electricity bills and a small percentage (0.4 percent) of the state budget. However, the new bill did not ultimately pass, and it is expected to return to Parliament in 2019.

At the end of 2018, the Kosovo government passed a new regulation on the government public communication service. The main goal of the regulation is to ensure that the work of government institutions is open to the public. However, despite legal protections, access to information remains a worrisome issue. Certain influential media with nationwide coverage are more easily granted access to information and documents. For smaller media, the same access, or even interviews with public officials, usually takes longer and requires more insistence. Overall, journalists struggle to obtain official information on important topics, especially on the content of public contracts. Another issue that must be addressed is the manner in which journalists are credentialed to access government offices and Parliament. Media outlets are required to send the names of the journalists (generally a maximum of two, depending on the size of the media) at the beginning of the year. However, those names cannot be replaced within the course of that year, so if a journalist changes jobs or is otherwise unavailable, then the outlet no longer has access to that particular institution.

Media outlets' access to and use of local and international news and news sources are not restricted by law. Outlets reprint and retransmit international news subject to copyright laws. Lastly, entry into the journalism profession is free, and the

government imposes no licensing, restrictions, or special rights for journalists.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

2.41

With a shift from print to online media, ethical standards have largely deteriorated. Journalists do not always check and verify the information, and often, especially among online media, outlets simply copy one another. There is a widespread belief that the mere purpose of online journalism is to publish content in so-called real time. Such an approach has significantly damaged professional standards and has led to single-sourced and unverified content being published continuously. Online media platforms, as such, are increasingly becoming avenues where single statements and quotes by political and public officials are published as the "latest news" or "latest developments."

Panelists also remarked that online journalism has the tendency to refer to all online media as "online portals." This phrase refers to the technicality of the platform, not the form or genre of journalism. As such, it makes it more difficult to distinguish between one source and another, because using the catch-all term "online portal" does not acknowledge the diversity of the format, such as online newspapers, online news agencies, or online magazines. Still, the growth of the Internet has paved the way for the increase of much smaller, more independent, and professional media outlets in recent years. These outlets have more journalists covering specific beats in a more in-depth manner.

Journalists have repeatedly stressed that their

community continues to work in poor working conditions and for low wages. A lack of contracts remains a problem for journalists and creates an atmosphere of professional insecurity. In 2018, a number of journalists and cameramen publicly denounced the TV channel Tribuna for failing to pay several months of wages, taxes, and pension contributions.

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 media continue to flood the media scene, although the total number of them remains unknown. Ownership transparency is still low. Many people have no information on who the owners of outlets are or who works in editorial offices. However, because of direct funding from the state, RTK is influenced by policy interventions. RTK's independent trade union has reacted several times,

criticizing RTK's leaders for mismanagement of finances and overstaffing through unfair competition and nepotism. Nonprofit media organizations continue to embrace a higher level of editorial independence, even though only a small number of total media outlets are nonprofit outlets. With more financial sustainability, these media organizations have greater freedom to report without fear of any political or economic revenge. One such example is Kallxo.com, an online media outlet that has become a member of the International Fact-Checking Network.

Written ethics codes exist, and most media have their own internal written ethical codes. Also, if they are members of the Kosovo Press Council, which the majority of mainstream outlets are, both print and online media are required to abide by the council's code of conduct automatically. Broadcast media are also required to abide by the code of ethics imposed by the IMC, as well as their own internal codes.

Self-censorship remains common. A large number of media organizations have ties to political or business entities, and their journalists and editors are expected to respect such relationships, with the implication that certain topics are off-limits. Journalists have stated that editors and owners tend to influence their work if the article deals with sensitive issues, including political or economic topics. Reporters generally know in advance what they are "allowed" to report.

Most journalists cover events or key issues. Reporting on some events can result in negative consequences for journalists or editors—a problem that tends to affect public media more than private. Whether a journalist is prohibited from covering an event generally relates to the editorial policies of the outlet and the interests, often political or economic, that affect the outlet. Events that are not covered

by mainstream media are usually covered by blogs, citizen journalists, or on social media.

Pay levels for journalists and other media professionals are not high enough to discourage self-censorship and retain qualified personnel within the media profession, especially within private and local media. Many media organizations are composed of young journalists who have little experience and are paid poorly. There is a striking salary difference between employees of public and private media, with salaries in the public media considerably higher compared to private organizations.

Still, the growth of the Internet has paved the way for the increase of much smaller, more independent, and professional media outlets in recent years. These outlets have more journalists covering specific beats in a more in-depth manner.

Entertainment programming does not eclipse news and information programming. Facilities and equipment for gathering, producing, and distributing news are modern and efficient, and quality niche reporting and programming exist, including investigative, economic/business, and local and political reporting. Some journalists specialize in certain areas, and there are some distinguished journalists who report on specific issues, especially the rule of law, economic developments, and health care.

**OBJECTIVE 3:
PLURALITY
OF NEWS**

2.72

Overall, Kosovo possesses good media diversity, as there are many outlets in various media formats, such as print, broadcast, and online media. The variety of news sources allows people to check one against the other. However, the plurality in number does not necessarily guarantee a plurality of perspectives within the media. The mainstream media is highly influenced by and oriented toward political elites rather than focusing on policies and issues. In 2018, coverage of the Kosovo-Serbia dialogue has dominated, as opposed to issues regarding the sociopolitical and economic well-being of citizens. Coverage of human rights issues and minority and marginalized groups is even weaker. There is, however, an increasing interest in media coverage of more issues pertaining to gender equality and how women are affected by discrimination in political, economic, and social spheres, although editorial offices within newsrooms often lack an understanding of these institutional and social barriers and their effect at the micro level. This lack of knowledge about lived experiences also applies to reporting on ethnic communities. For example, the Kosovo-Serb community is mainly covered through the prism of Kosovo-Serbia relations, while reporting on the Roma community is through the lens of poverty. Other non-majority populations, such as the Turkish and Bosniak communities, are either completely absent or covered only when some extraordinary issue is being voted on in Parliament.

Citizens' access to domestic or international media is not restricted by law, economics, or other means.

People can choose to use or access any media or platform without impediment. The government does not restrict the use of media or websites, except in cases where the court or security mechanisms report that a web page or other platform is at risk of being used for propaganda, such as encouraging people to join terrorist groups. Since public media are funded by the state budget, journalists and editors working in there feel they must serve the ruling parties' interests, as opposed to the public good, based on political pressures and financial dependence. Most of the reporting in public media is spent on government activities.

With regard to the transparency of media ownership, the Press Council has introduced some changes in its governing documents to attempt to ensure that citizens of Kosovo have information on who owns media outlets in the country.

There are several independent news agencies that gather and distribute news for media outlets, but there are still no news agencies that report in Serbian. Because of subscription fees, however, not all media organizations can afford to buy these services. Some media also have access to international news agencies, including Reuters, the Associated Press, and Agence France-Presse.

Most private media produce their own news, as do local and minority media, which specialize in covering events around their own communities. With regard to the transparency of media ownership, the Press Council has introduced some changes in its governing documents to attempt to ensure that citizens of Kosovo have information on who owns media outlets in the country. The council made it

obligatory for members, which is limited to print and online outlets, to have an Impressum published in their outlets, which contains information about the outlet, including its owners, editorial structure, and staff details. Moreover, all prospective members need to have such information published to be considered for membership in the council. These changes were introduced in 2017.

A wide range of social interests is reflected and represented in the media, including minority-language information sources. The media also provide news coverage and information about local, national, and international issues.

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.

**OBJECTIVE 4:
BUSINESS
MANAGEMENT**

1.96

Overall, the financial situation and business sustainability of the media has not improved from past years. Public media rely entirely on the state budget, while the private media rely primarily on advertisements or subscription fees, such as with cable providers. There are several media that operate as nongovernmental organizations and depend mainly on grants from donors. Kosovo has seen an increase in donor support for independent media and journalism in recent years, largely as a response to the need for increased media literacy, but also to combat the deluge of fake news and fake media outlets.

The European Union in particular has increased its funding for Kosovo media development. Donors also give money to help build the online skills and capacities of the younger generation of journalists in hopes of countering fake news and increasing issue-based reporting. In a significant change, private media are also now able to apply for donor funding, another effort to widely increase the capacities, skills, and infrastructure of the mainstream. These efforts aim to diversify income and means of content production.

Kosovo Serb private media outlets are generally small, are mostly established as NGOs, and have a maximum of 15 people. Few of them have business plans for short- and medium-terms. Their biggest problems are sustainability and lack of educated journalists and technicians, said the panelist. He also added that marketing for Kosovo Serb media outlets is almost non-existent. According to him, this is due to weak local economy and lack of will from Albanian businesses to take part in Serbian-speaking

media marketing programs. As a result, Kosovo Serb media are almost fully dependable on international donor support.

The government has no subsidies for the community media. The only exception is RTK 2, which is a public television in Serbian language with guaranteed funding from the Kosovo state budget.

Kosovo continues to suffer from a lack of market research, which would help identify audience trends and patterns. Moreover, a lack of industry research leads to individual media being able to either manipulate or exaggerate their own analytics. There is no systematic and credible independent market research; the absence of this 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.

There is no systematic and credible independent market research; the absence of this prevents media outlets from using such data to better position themselves in the market.

While there are advertising agencies that media outlets can rely on, many outlets need to engage professionals or companies with knowledge of online and social media marketing tools, particularly those professionals and companies that also understand the importance of maintaining high-quality production. The quality of commercial spots has improved, and all commercial spots must comply with the code of ethics established by the IMC. International companies operating in

Kosovo, such as banks and insurance companies, tend to produce better ads in comparison to local companies.

Business plans are mainly done by the public broadcaster RTK, while private media are not legally required to have them. This is also true for marketing. While private media is not generally required to publicize marketing information, public media is required to make audit reports publicly available.

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**

3.02

The Association of Kosovo Independent Electronic Media, which works to protect the interests of most broadcast media, represents private media in the country. Other professional journalist associations also exist and strive to protect journalists' rights and promote quality journalism, both in the Albanian and Serbian communities. The Association of Kosovo Journalists (AGK) is the predominant journalism organization in the country and focuses on monitoring instances of attacks against journalists and condemning such acts. The group often organizes protests and demonstrations to demand a safer environment for journalists, conducts trainings for journalists, and produces research about the country's media environment. In 2018, the AGK elected a new leader in a transparent and competitive process.

Another major organization is the Press Council of Kosovo, whose mission is to ensure that its members (print and online media) uphold ethical standards. Its original intent was to serve print media, but now 90 percent of its members are online outlets. As such, the council is currently reviewing its statute and rules of procedure, and working to tackle emerging issues within online media, such as correction guidelines, the right to complain, photo copyrights, and video content.

Still, workers' rights are not always guaranteed, and in 2018 many of the issues—including a lack of contracts, lack of respect for existing contracts, and other violations—entered the public consciousness, partly because of research from the Association of Journalists. There is an increase in the number of journalists willing to unite around their cause and

speak up, as was the case with TV channel Tribuna.

Both public and private universities offer journalism degree programs, and there appeared to be an increase in the number of graduates entering the industry in the past couple of years. This is also linked to the continuously growing number of online media outlets in need of journalists. However, journalism departments at the University of Pristina continue to lack the technical infrastructure to prepare students with practical, professional skills. In 2018, Kosovo received a grant from the US Embassy¹ to help support local universities through the establishment of the Media Innovation Lab. Meanwhile, private colleges are better equipped technologically.

In recent years, there has been an increase in more innovative and creative programs and workshops in journalism, usually focusing on specific issues, field-based training, or ethics-based approaches. There is, however, a lack of training in the use of online and digital tools.

There are short-term training and in-service training institutions also offered by local media such as BIRN, Kosovo 2.0, or local civil society organizations. In recent years, there has been an increase in more innovative and creative programs and workshops in journalism, usually focusing on specific issues, field-based training, or ethics-based approaches. There is, however, a lack of training in the use of online and digital tools.

Sources of media equipment, newsprint, and printing facilities, as well as channels of media

distribution (e.g., kiosks, transmitters, cable, Internet), are apolitical, not monopolized, and not restricted. There is no government pressure to control or monopolize media distribution, just as there is no government restriction on importing and purchasing materials that the media and journalists need to do their work. The only constraint is financial. Information and communication technology infrastructures (ICT) sufficiently meet the needs of both the media and citizens. 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 ICT infrastructure in the country meets the needs of the media industry.

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.

¹ U.S. Embassy in Kosovo, "University Support Grants Program." <https://xk.usembassy.gov/universitysupport/>

List of Panel Participants

Kreshnik Gashi, editor, Balkan Investigative Research Network, Pristina

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

Ardita Zejnullahu, executive director, Kosovo Association of Independent Electronic Media, Pristina

Anamari Repic, journalist, RTK 2, Pristina

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

Flutura Kusari, media law expert, freelance

Gazmend Sylja, news director, Klan Kosova TV, Pristina

Goran Avramovic, editor-in-chief, Radio Kim, Cagllavic

Gentiana Begolli, president, Association of Kosovo Journalists

Serbeze Haxhiaj, investigative journalist, Pristina

Moderators

Jeton Mehmeti, policy analyst, GAP Institute, Pristina

Antigona Lucaj, researcher, GAP Institute, Pristina

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MONTENEGRO



**MEDIA
SUSTAINABILITY
INDEX**

2019

Tracking Development
of Sustainable
Independent Media
Around the World



MONTENEGRO

AT A GLANCE

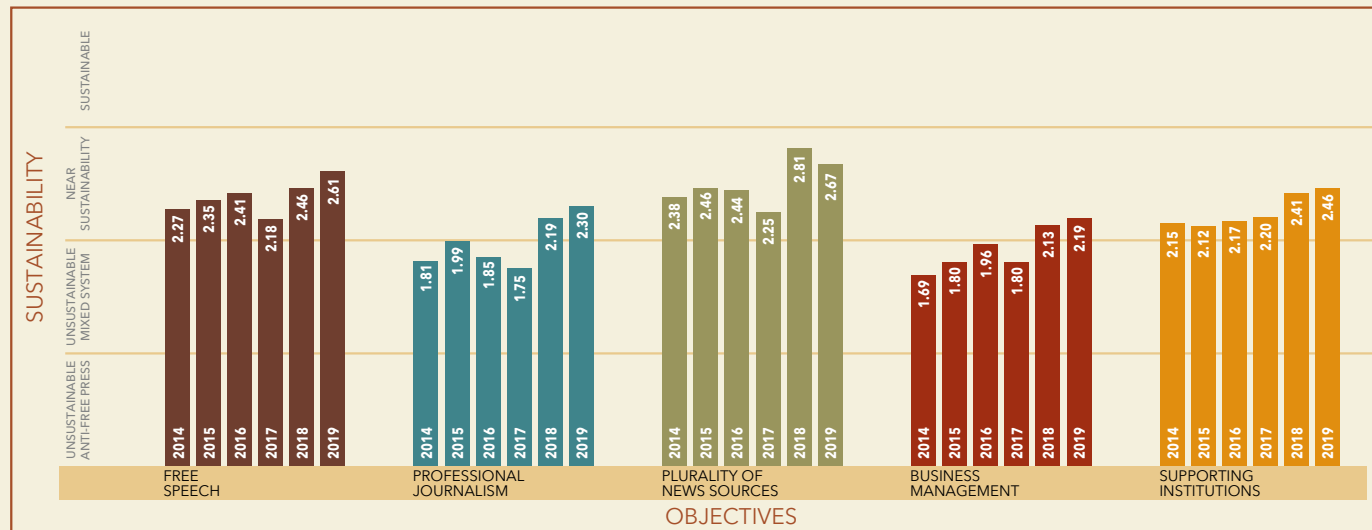
GENERAL

- **Population:** 620,029 (Population census 2011)
- **Capital city:** Podgorica
- **Ethnic groups:** Montenegrins 45%, Serbs 29%, Bosniaks 9%, Albanians 5%, other (Muslims, Croats, Roma) 12% (Population census 2011)
- **Religions:** Orthodox 72%, Muslim 19%, Catholic 3.5%, other 0.6%, unspecified 3%, atheist 1% (Population census 2011)
- **Languages:** Serbian 43%, Montenegrin (official) 37%, Bosnian 5%, Albanian 5%, other 10% (Population census 2011)
- **GDP (2017):** €4.299 million (\$4.901 million) (Montenegro Statistical Office)
- **GNI per capita (2017):** €7,049 (\$8,036) (Montenegro Statistical Office)
- **Literacy rate:** 98.5% (Population census 2011)
- **President or top authority:** President: Milo Đukanović (since May 2018)

MEDIA-SPECIFIC

- **Number of active print outlets, radio stations, television stations:**
- **Print:** 4 dailies, 1 weekly, 30 monthlies (est.); radio stations: 53*; television stations: 19*; cable operators: 5*; news websites: 10-15 (est.) (*Agency for Electronic Media of Montenegro)
- **Newspaper circulation statistics:** Vijesti (2,900, private), Dan (6,000, private), Dnevne Novine (1,900, private), Pobjeda (2,600, state-owned) (estimates by Direct Media Ltd.)
- **Broadcast ratings:** (audience share, November 2018)
Nova: 12.37%
Vijesti: 11.25%
Prva TV: 11.72%
RTVCG 1: 10.48%
RTVCG 2: 2.46%
Others (satellite, local, regional) 51.72% (Direct Media Ltd.)
- **News agencies:** MINA (private)
- **Annual advertising revenue in media sector:** €10 million to €11 million (estimate by Direct Media Ltd.)
- **Internet usage:** 71.27% (International Telecommunication Union, 2017)

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.



The Montenegrin media landscape continues to be riddled with low ethical and professional standards and manipulated by political and commercial influences. Private media, especially, are struggling to survive as they cannot adequately compete with state broadcasters for advertising revenue. Plurality of news is Montenegro's highest scoring category at 2.67 due to the ever-increasing number of media outlets and sources, however much skepticism remains as not all of these media outlets are producing high quality content. Montenegro sits in the middle of the near sustainable category with an overall score of 2.45.

Montenegro held presidential and local elections in early 2018. In the presidential contest, the winner was Milo Đukanović, leader of the Democratic Party of Socialists. This party has had a lock on power since 1990. Đukanović was nominated by a coalition of pro-Western parties and has served as either prime minister or president of Montenegro since 1991, with a few brief interregnums. The opposition managed to unite behind its candidate, Mladen Bojanić, only late in the campaign. Đukanović defeated Bojanić in the first election round and won a five-year term.

Local elections, which took place in 14 of the country's 24 municipalities, cemented the power of the ruling pro-Western and pro-European parties at every level. The vote rendered irrelevant the opposition parties, most of which still resist Montenegrin independence and receive support from conservative and nationalistic political forces in neighboring Serbia and Russia.

In the economy, according to [MONSTAT](#), Montenegro's impressive GDP growth from 4.5 percent to 5 percent masks unsustainable trends. The public debt is near 70 percent of GDP, unemployment sits at around 14 percent, and the average net monthly wage is approximately €510 (\$581). At the same time, the public sector employs some 33 percent of all workers, while 120,000 pensioners are supported by only 190,000 workers.

Last year once again saw little improvement in the media environment. Private media continued to struggle while political conflict led to two top managers being ousted from the public broadcaster, Radio-TV of Montenegro (RTCG). The RTCG Council, which is dominated by the ruling coalition, instigated the firings. By law, RTCG receives 0.3 percent of the Montenegro annual GDP. It pulls in a large audience and its programming carries social and political weight among consumers.

In addition, some private media continued to clash with one

another. Until TV Pink was recently sold to the foreign-held TV Nova, Montenegrin authorities used it as a propaganda weapon against private anti-government and pro-opposition media. These heated political and media conflicts further degrade the public discourse and undermine media self-regulation. The influence of political and commercial interests is destroying the Montenegrin media sector by tainting journalistic ethics, lowering professional standards, compromising accountability, and requiring key media managers to constantly calibrate their political or propagandistic line. This dismal scene was punctuated in May by the shooting of Olivera Lakić, an investigative journalist for Vijesti, by still-unknown attackers.

Private media in Montenegro have long been at a severe financial disadvantage compared with public outlets, and they face serious structural impediments to development. National and local public broadcasters receive public money as well as the lion's share of advertising, making it difficult for strapped private media to compete. Montenegro has about 150 media outlets chasing an advertising market that Direct Media Ltd in Podgorica estimates to be worth about €11 million (\$12.5 million).

As a result, Montenegro's private media bleed staff and revenue. Last year, fewer than 2,000 people worked in media — down from about 2,700 in 2016 — at an average salary below the national level. Although numerous training programs exist, mostly offered by foreign donors, practical education for journalists still lags behind the real-world needs of media companies.

Montenegro's media also lack effective advocacy organizations. They have no strong business media association, professional journalist association, or respected media trade union. The country's striking media pluralism has not translated into quality programming, so professional standards continue to sink. These shortcomings hinder the country's democratic aspirations and cloud its prospects for eventual European Union membership.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

2.61

Media regulations and legal safeguards for freedom of press and speech largely comply with international standards. Montenegrin media legislation features international legal instruments, and the national legal framework is aligned with the European Convention on Human Rights and Fundamental Freedoms. These regulations ensure that decisions and precedents of the European Court for Human Rights are applied in court disputes.

While Montenegro's media laws meet international standards, safeguard press freedom, and pose no obstacle to the development and operation of media, officials inadequately enforce the laws. In the public's view, media might officially be free, but many shirk the responsibility that such freedom confers on them.

Prosecutorial and judicial bodies have requested legal sanctions against some media and journalists in recent years. Charges have included publishing information from investigations and inappropriately criticizing judicial bodies. These cases have not gone far, as civil society and the academic community have protested them as draconian restrictions on coverage of criminal investigations and court processes.

In 2018 two working groups, supported by international experts, analyzed and proposed amendments to the Law on Media and the Law on the National Public Broadcaster. The Law on Media had not been amended since it was passed 16 years ago. The experts agreed that it needed updating to account for the penetration of online media and other digital content as well as to bolster

media self-regulation. On the other hand, parliament passed amendments to the law strengthening the government's influence on RTCG.

Aneta Spaić, a professor of media law, asserted that key media regulations meet international standards for human rights and press freedom and explained that "the problems that are occurring are not related to legal norms, but rather to their enforcement or difference in their interpretation."

Analyst and researcher Duško Vuković held a different view and said that implementation "has a certain level of continuity and sustainability." He did stress that media laws need to incorporate better the views of a broader constituency — presumably representatives of academia and civil society — and promote media literacy.

Jadranka Vojvodić, deputy director of the Agency for Electronic Media, said the Law on Media has firm guarantees in place for freedom of speech. But she asserted that the law should be changed to include detailed regulations on the "responsibility of editors in their media outlets, transparency of media ownership, the issue of financial support to media coming from public funds, [and] the issue of self-regulation and accountability of media for what they publish."

Print media in Montenegro do not need to be licensed, although they must register like any other type of business. On the other hand, electronic media — including television, radio, and online — are licensed by the Agency for Electronic Media. Authorities have never used the licensing requirement to shut down any media outlet, but this system is woefully lacking, according to *Vijesti* journalist Mila Radulović. She said that Montenegro needs a central media registry with full information on ownership.

According to Vuković, the licensing problems do not stop there. Staff appointments at the agency

have become politicized, favoring likely yes-men for the government, he said. Other panelists said that the regulator should do more to level the playing field between electronic media and cable operators, which are licensed by the Agency for Electronic Communications.

In addition, panelists said that the Agency for Electronic Media should pay more regulatory attention to the issue of foreign cable channels broadcasting in the Montenegrin market. These channels are taking advertising revenue away from domestic outlets without paying the taxes in Montenegro that domestic operators must pay.

Aneta Spaić, a professor of media law, asserted that key media regulations meet international standards for human rights and press freedom and explained that "the problems that are occurring are not related to legal norms, but rather to their enforcement or difference in their interpretation."

With the exception of print media—which is taxed at a VAT rate of seven percent rather than the standard 21 percent — the media industry in Montenegro enjoys no special privileges compared to other industries. In all other aspects, private media companies are subject to the same regulations as all companies. Registering a business is relatively simple, and most private media are limited liability companies, usually with a small group of founders. Media remains a privately held industry, with no media companies issuing public stock. Founders of these media companies tend to be driven by narrow, commercial interests. Media companies themselves

are not generally not granted more tax breaks than other sectors.

Montenegro decriminalized libel in 2011, making it a solely civil matter, and laws protect reporters' sources and the freedom of speech. Most panelists agreed that the authorities have done a poor job of safeguarding media members from physical threats.

The last two decades have seen numerous attacks on journalists, many of which are still unsolved or partially solved. Last year *Vijesti* journalist Olivera Lakić was shot in the leg by a still-unknown assailant, in an attack that was roundly condemned by the government, civil society, the general public, and the European Commission. In late 2017, the Constitutional Court upheld journalist Tufik Softić's complaint that police and prosecutors had not conducted an adequate and timely investigation into two attacks he suffered, including a bombing. In a landmark ruling, the court awarded him €7,000 (\$7,980).

The government's failure to apprehend perpetrators led pro-democracy and human rights groups to propose a new law. The regulation would grant journalists a legal status equivalent to an officer of the state, such as a police officer or judge, thereby legally mandating more severe penalties for their attackers. The proposal was rejected by the authorities. Spaić said, "We should think very carefully and strike a balance between the need to protect journalists and at the same time make them accountable for their reporting. This would mean increased protection but also increased accountability."

The Law on the National Public Broadcaster protects RTCG's independence and leaves it free to develop its own programming. The law also requires that RTCG journalists work in the public interest and without political interference. They cannot be fired or otherwise punished because of their opinions as

long as they act in line with professional standards and station rules.

Those protections were tested in 2018, when the government replaced members of the RTCG Council, in order to secure control of the nine-person body. The council then fired RTCG General Director Andrijana Kadija and TV Director Vladan Mićunović. These dismissals were widely seen as interference by the ruling political parties and a threat to RTCG's independence and professionalism.

In light of that controversy, Vuković called these legal protections a "dead letter on paper." He said the changes to the council and the subsequent firings were done illegally and were "a clear indication that the government does not tolerate editorial independence."

For seven years, libel has not been punishable by imprisonment, but journalists still can be subject to civil proceedings and ordered to pay fines if found guilty. Experts and the general public still debate the wisdom of decriminalization, especially with established democracies (including Austria, Germany, and the United States) still having criminal penalties for libel on the books. Fueled by misinformation and distortion, Montenegrins are increasingly calling for re-criminalization of libel.

Montenegro has an adequate Freedom of Information Act, but it is obeyed selectively. Some national and local agencies are responsive and meet their deadlines for handing over information, while others drag their feet, panelists said.

Access to international and local news and media has long been unhindered, and in this respect Montenegro is an open-media society. The government places no legal or physical limits on the flow of news, and it does not censor media sources. The Montenegrin media space is quite liberal, enabling free access and use of local and foreign sources and information.

In Montenegro, journalists need not be licensed. Media companies set their own standards for recruitment and government rules and officials play no role. The most commonly required credential for an aspiring journalist is a university degree.

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:
PROFESSIONAL
JOURNALISM**

2.30

As in previous years, 2018 saw no significant improvement in journalists' professional standards, the quality of their reporting, or the reliability of their sources. Panelists said that the fundamental problems are that media reflect the polarized political environment, and they are used to further their owners' financial or political interests. "Media in Montenegro are very much divided between those critical of the authorities and those supporting it," said Milan Radović, a member of the RTCG Council. "In this environment, news on any given event gets spun and politically colored, depending on which media reports it."

The prevailing assessment of the panel was that standards for the quality of reporting, objectivity, and reliability of sources are lacking in Montenegrin media. Those pressures, along with the precarious financial state of most media, often lead journalists to compromise their own credibility. "The capitalist market undermines professional journalism, as media owners use their properties to promote themselves," Vuković said. "Media owners are focused on profit, thus turning journalism into a type of commerce. In this kind of environment, the sense of public interest is lost."

Rajka Raičević, a journalist with the Dan daily tabloid, offered a measured defense of her profession. "I can't talk about other media, but Dan insists that whenever we cover certain topics we try to get positions on both sides of the issue. In our daily, reporters must have at least three sources to confirm the veracity of their reporting."

A code of journalistic ethics was introduced

in Montenegro in 2016. Representatives from the profession's self-regulating body worked with staff from Dan, *Vijesti*, and *Monitor* to draft the code. It states that journalists must work in the public interest and that their credibility relies on their honesty, integrity, and skill. The code meets contemporary standards for fair and credible journalism. The first of its 12 principles states, "The journalist's duty is to honor the truth and persistently seek the truth, always bearing in mind the public's right to know and the human need for fairness and humanity."

However, panelists said the country's media often fall short of those standards. Jadranka Rabrenović, a journalist with the Pobjeda daily newspaper, said that code violators face no penalties. "As a result, we see a serious lack of professionalism in the media sector," she said. "This often happens with electronic media who, without naming the sources, simply repackage the news taken from print media."

Almost all panelists said it will take some time before these professional standards become second nature to Montenegro's media, especially considering that most media have no single body they recognize as the arbiter of standards and professionalism.

Journalists in Montenegro, especially in public media, have long labored under the burden of self-censorship even though the country is a pluralistic democracy. "Self-censorship is present in most of the media for different reasons, but mainly due to political and commercial ones," Rabrenović said. Weak unions and meager bargaining power make the situation worse. Panelists said the issue of self-censorship is often neglected in discussions of the state of Montenegrin media.

Montenegro's media cover all the key events and issues in their country, but that is not the

whole story, according to the panelists. "Generally speaking, we can't have a situation when some key event that is of public interest gets ignored, but often the same event is portrayed differently by different media," Vuković said. Radulović said the selective reporting happens especially with security-related news. Each outlet's angle on a particular story is usually dictated by its editorial policies and by its owner's political and business interests.

Print and electronic media both report on all relevant events. In recent years, online journalism through social networks (YouTube, Facebook, Twitter, and Instagram) has made a strong showing.

**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 general, journalists' salaries in Montenegro remain stuck below the national average, and those working for major private media do make more than their counterparts at other outlets. Predrag Zečević, editor-in-chief of the Analitika

news website, said meager salaries are pushing journalists into other professions and are making it difficult to attract young people with university degrees into the media sector. Although journalists have long been poorly paid, the ballooning number of outlets and the consequent decline in quality over the past decade have exacerbated the problem of depressed wages and have discouraged entry into the field. Given this vicious cycle and the current economic trends, standards are not likely to improve.

“Media in Montenegro are very much divided between those critical of the authorities and those supporting it,” said Milan Radović.

Montenegro’s long political and social transition included the commercialization of the media industry. The result is dominance of more lucrative fare — such as entertainment, musical, and sports programs — to the detriment of news and educational cultural shows. Some private media, such as TV Pink, rely heavily on entertainment programs, which often are vulgar and banal. Other private media — including Vijesti TV and the Vijesti, Dan, and Monitor publications — focus on news. Prva TV, Antena M, and Pobjeda frequently spotlight identity issues and attempt to demythologize foreign nationalistic and hegemonic forces that seek to influence Montenegrin society. RTCG is a news leader and often produces quality cultural programs as well as documentaries.

The digitalization of media in Montenegro is entering its final stage. Influential nationwide TV stations are going digital, and therefore traditional TV and radio broadcasters have upgraded their technical infrastructure. RTCG has announced an €11 million (\$12.5 million) public tender for the

procurement of equipment for digitalization.

With all media connected to the Internet, journalists suffer no limitations on online information-gathering or communications. Technical capacities and equipment for collection, production, and distribution of news are in good shape at most of the leading media. In recent years media companies have invested significant funds in modernizing their services.

Aside from RTCG, most media outlets still lack the budget, staff, or expertise to conduct specialized or investigative reporting. Vijesti TV, Antena M, Pobjeda, and Dan undertake this reporting to some extent. “I think that in this respect, the best situation is at RTCG, because our television channel has an investigative editorial team that has already won significant awards both in the region and Europe,” Radović said.

Developing and training specialized and investigative reporting teams will be a long, expensive process for Montenegro’s cash-strapped media, panelists said, but it is key to boosting the profession’s reputation and credibility.

OBJECTIVE 3: PLURALITY OF NEWS

2.67

Montenegro has a great variety of media, and the number grows each year. Of the more than 100 outlets registered with the Agency for Electronic Media, 40 are websites, 35 are commercial radio stations, 12 are commercial television stations, 14 are local public radio stations, and four are local public television stations. Print media statistics are unreliable, but for years Montenegro has had four national dailies (Vijesti, Dan, Pobjeda, and Dnevne

Novine) as well as one political weekly (Monitor).

Print media circulation continued to decline in 2018 while website traffic grew. The major news websites, Vijesti, CDM, Analitika, and Antena M, draw more than 200,000 registered visitors per day combined.

The number and types of media give residents of Montenegro a real choice. Further, all the websites are optimized for mobile phones, helping them to extend their reach. However, media variety has not translated to media quality, especially considering that only a handful of media have the staff, expertise, and technical resources to produce their own news or to partner with international media. “People can get information from various sources, but that doesn’t guarantee the reliability of that information,” Radulović said.

Rabrenović said that given the differing viewpoints in Montenegro’s various media, “whoever wishes to have an overview of the entire political situation should be reading all four dailies and watch the news programs of different television stations.” She also expressed skepticism of news found on social networks.

Montenegrins have no legal and very few technical obstacles in getting information electronically from domestic or foreign media. Consumers can choose their own Internet service providers and cable operators, which have networks covering about 90 percent of the country. Cable television costs a household about €12 to €15 (\$13 to \$17) per month and has largely replaced satellite television. Unlimited Internet access costs about €22 (\$25) per month.

The government places no legal or administrative barriers to using the Internet or any social media networks. Consumers enjoy unfettered access to foreign news via their cable packages or the

Internet, and the country's power supply is mostly uninterrupted and does not impede access. The illiteracy rate, about 1.5 percent of the population, is negligible.

The panelists overwhelmingly agreed that public media at all levels are under pressure from those in power, as they rely on national and local budgets for funding. "The content of public media depends on who exactly has the political majority in public media management bodies," Rabrenović said. "This goes equally for the national public service, RTCG, and local public services that are under control of local authorities." She conceded that "public media broadcast programs of public interest," but so do commercial outlets — especially if they receive public funds to do so, she said.

Raičević underscored that "there is an inseparable link between the authorities and RTCG management." This perception was reinforced last year when the RTCG Council dismissed RTCG's top managers over a disagreement on editorial policy. Raičević praised a proposal, currently under debate, which would split the RTCG Council into two bodies that handle oversight and programming separately.

Montenegro's media outlets tend to use news agencies less than in previous years. The country's sole news agency, MINA, has little influence on the market. Only the more dominant and financially stable media buy from regional and global agencies. Raičević said that agencies have lost ground to news websites and posts on social networks — although the questionable information on social networks is no substitute for news from a reputable agency, she said.

All the major commercial television and radio stations try to produce their own news programs, but few are successful and some lack the capacity to do it well. The Vijesti and Prva TV channels have their own news operations, along with news

radio Antena M. Vojvodić said that usually radio stations do not produce their own news and instead broadcast news from other sources. She confirmed that most commercial television stations with national reach produce their own news but said that often the aired content is not high quality. Local broadcasters are far less likely to produce their own news. Social network posters and bloggers produce their own types of news, with much of it unreliable, according to the panelists.

All companies, including media, must register with the Central Registry of Companies. The registry website provides the public with basic information about company ownership structures, but many media observers suspect that those named in media company filings are not the real owners.

The panelists were somewhat split on this issue. Radulović said, "There's no transparency of ownership of media companies, because most true owners are hidden behind proxies — although official data on ownership do exist, and they're even posted on competent bodies' websites." Spaić said that the current system ensures transparency but is not perfect and has room for improvement. She suggested establishing "a unique national registry of all media companies; a registry that would cover all the media —[broadcast], print, and online."

The government's anti-trust watchdog has never identified a case of improper concentration of media ownership, according to the panelists.

Most panelists agreed that Montenegro's media do not reflect society's full spectrum: ethnic minorities, civil society movements, and vulnerable populations, encompassing people with disabilities, the elderly, the LGBTQ community, and the chronically ill. The panelists acknowledged that public broadcasters still aim to be open to different segments of society, regardless of pressure from the ruling parties. For example, RTCG has broadcasted

programming in the Albanian language for several years, and recently, in the Romani language. In addition, some private media — including Antena M radio and the Vijesti, Prva, Teuta, and Boin television channels — produce content for social minorities. Boin in Tuzi, and Teuta in Ulcinja, both located near the Albanian border, lead the way among commercial stations in offering Albanian-language programming.

But Boin TV's Sandra Bojaj said that local broadcasters' precarious economic situations threaten these services. "Local media are experiencing financial sustainability issues. The same applies to our TV station, which broadcasts its entire programming in the Albanian language. 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.
- ▶ 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.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.

dwindling advertising market threatens the viability of media. That's why I think that media broadcasting in minority languages should receive some state support."

As it happens, lawmakers have proposed changes to the Law on Media that would introduce a "pluralism fund" to help Montenegro's strained media serve local markets and minority communities. The fund would finance media that broadcast programs in the Albanian and Romani languages, provided certain conditions are met. However, the panelists raised questions about the independence of media that would receive funds, and whether the country could develop a pluralistic and competitive democracy with such media.

Rabrenović said, "whoever wishes to have an overview of the entire political situation should be reading all four dailies and watch the news programs of different television stations."

Most Montenegrin media broadcast news of local, regional, and international importance. The public is not deprived of information on events happening within Montenegro or on the international stage. Strong media pluralism, online journalism, and social networks all contribute to broad accessibility of various domestic and foreign information sources.

OBJECTIVE 4: BUSINESS MANAGEMENT

2.19

Most of Montenegro's numerous media outlets struggle to survive financially. The country has one media outlet per 5,000 people and

an advertising market worth about €11 million (\$12.5 million) annually. Public media are the exception. Radović said that RTCG is financially stable, thanks to an annual appropriation of €14 million (\$16 million) from the national budget. With 750 employees, it has the largest staff of any Montenegrin media outlet. On the other hand, he said, RTCG earns only about €500,000 (\$570,000) in advertising revenue annually.

According to Vuković, Montenegrin media outlets manage to survive— not due to their success in attracting commercial income, but because of other sources of funding, including domestic and foreign grants, recapitalizations, or loans from their owners. But Samir Rastoder, editor-in-chief of the local Radio Petnjica, said that most often these types of help go to major national media, leaving regional media "on the brink of collapse." Ivana Jabucanin, editor-in-chief of RTV Cetinje, said her town of Cetinje is too small to produce sufficient advertising income to support a broadcaster, so her outlet looks to foreign donors. She said RTV Cetinje recently received funds from USAID and Internews to launch some projects, such as launching a mobile phone application/platform where all local radio stations will have a presence.

Local and foreign advertising agencies operate in Montenegro. But given the market size, they tend to be branch offices of multinational agencies. They also do not offer all services, such as research and analytics projects, that are available in bigger markets. Dragan Markešić, manager of the leading Direct Media advertising agency, said that Montenegro has too many agencies for such a small market. The biggest advertisers are telecommunications companies, he said, and described the remainder of the sector as made up by traditional advertising, along with, "a lot of money...spent on

small ads, administrative notifications, congratulations, obituaries, etc."

For years, the value of Montenegro's commercial advertising market has been stuck at €11 million (\$12.5 million) annually. Panelists said that media have no accurate data on the volume of the advertising market that is controlled by national and local governments, but estimates from Direct Media Ltd put it at €2 million (\$2.3 million). Authorities mainly purchase notices and advertisements, amid suspicions that they use their advertising funds to create a de facto pro-government media sector and to punish critical outlets.

Buys from advertising agencies account for more than two-thirds of the market, with a small fraction made up of direct contracts between advertisers and media companies. Private media face unfair competition from public outlets, who

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.

vie for advertising while also securing money from public budgets.

Advertising revenues alone cannot ensure the viability of Montenegro's media. TV stations take more than 50 percent of this revenue, street advertising gets some 25 percent, online advertising slightly more than 10 percent, and the rest goes to print and smaller media. As in previous years, according to Direct Media Ltd Montenegro accounts for less than 2 percent of southeastern Europe's roughly €700 million (\$798 million) advertising market. "We can assume that advertisers put pressure on media to get bigger advertising space at lower costs," Markešić said. "Media are forced to rely more on selling advertising space because alternative sources of funding are drying up. And on top of that, there are no subscriptions to stabilize media companies' budgets."

"We can assume that advertisers put pressure on media to get bigger advertising space at lower costs," Markešić said. "Media are forced to rely more on selling advertising space because alternative sources of funding are drying up. And on top of that, there are no subscriptions to stabilize media companies' budgets."

As in previous years, the Montenegrin market lacks credible, openly available public opinion surveys or audience research. Most media cannot afford to conduct rigorous surveys and therefore base their business plans on inadequate research on the state of the market.

Reliable data on TV ratings or print media circulation are scarce in Montenegro. As

transparent public relations exercises, media companies occasionally publish the favorable results of a survey. Most media observers are skeptical of these surveys, which are conducted both internally and by external agencies.

Markešić said that for the past three years, Montenegro's television ratings have been measured using a system akin to people meters. "It's a kind of hybrid system, cross-matching daily surveys that provide demographic data on the audience with ratings data of certain programs and TV channels, which are constantly being read from IPTV set-top boxes of Montenegrin Telekom. This way of measuring ratings represents a huge step forward from everything that was done so far." The cable operator does not release this information publicly.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

2.46

The media have made little effort to build strong business associations. The electronic media interest groups Association of Commercial Electronic Media (AKEM) and Association of Independent Electronic Media (UNEM) generally are moribund. Interest in print media associations is waning as well. This indifference is a perennial problem and one of the key reasons media hold little business or professional standing in Montenegro.

Montenegro has three professional journalists' associations. The strongest is the Journalists Trade Union, which has some projects supported by the Council of Europe. However, journalist associations have failed to attract the majority of their

constituency, thus limiting their scopes of activity. Furthermore, these associations rarely make public statements, so the general public has little idea of what journalists are doing to protect their own rights and interests — among them the promotion of quality journalism.

Beginning journalists are prevented from developing the right skills and knowledge because educational institutions lack hands-on training and are poorly linked to the media community.

Panelists said that NGOs have been important partners in the fight for democratic development, a free press, media pluralism, and journalist professionalism. Since Montenegro began its political transition to a democratic pluralistic society, more than 5,000 NGOs have registered, making Montenegrin civil society one of the most influential in this part of Europe. The country has enduring and credible NGOs, including the Center for Democratic Transition, Center for Civic Education, Center for Democracy and Human Rights, Center for Monitoring and Research, Network for the Affirmation of NGO Sector, Institute Alternativa, Gradjanska Alijansa, and Fund for Active Citizenship. They have fostered close relationships with the media and helped initiate public debate on social issues. Over the past two decades, Montenegro's media and NGOs have taken on joint projects in the areas of democracy, human rights, and press freedom.

Panelists said that journalism education remains inadequate. Although Montenegro has private universities with programs related to media, such as the Faculty of Political Sciences' journalism department, training is largely theoretical. Beginning journalists

are prevented from developing the right skills and knowledge because educational institutions lack hands-on training and are poorly linked to the media community.

As a result, bigger media companies organize their own hands-on training. The Montenegro Media Institute, traditionally a key player in the practical training of journalists, recently stepped up its activities. International donors also try to bolster journalism training, but their efforts cannot reverse the cumulative, perennial, and systemic deficits in this area. The panelists stressed that the answer lies in close cooperation among academic institutions, media training centers, and media companies to design quality programs for young journalists and journalism students.

Media outlets that have the wherewithal to do so offer short training courses, usually funded by reputable international organizations, such as the European Union, Council of Europe, U.S. government, or Organization for Security and Co-operation in Europe. These courses allow staff to upgrade professional skills and acquire up-to-date technical capabilities.

Montenegro's print and electronic media do not face obstacles in acquiring the material and equipment necessary to operate. Panelists reported no recorded cases of private printing shops refusing to work with any print media.

Media distribution channels remain apolitical and unhindered by monopolies. Access to mobile and cable networks is unrestricted and is regulated by the Agency for Electronic Communications and Postal Services. This year saw no recorded cases of institutional restrictions or intentional transmission disruptions by the government.

Montenegro mostly keeps pace with international technological standards, so every year brings further development of information and

communications infrastructure. The media sector is in its final stage of digitalization; Internet services are faster and more widespread; cable television reaches more than 90 percent of households; and mobile telephony is ubiquitous and advancing constantly, with four mobile and fixed line telephony operators. These advances and the fierce competition among telephone and cable operators have helped narrow the digital divide between urban and rural areas and have contributed to the widespread penetration of social networks.

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

Sandra Bojaj, director and editor-in-chief, TV Boin, Tuzi

Ivana Jabucanin, editor-in-chief, Radio Cetinje, Cetinje

Dragan Markešić, general manager, Direct Media, Podgorica

Jadranka Rabrenović, journalist, *Pobjeda*, Podgorica

Milan Radović, member, RTCG Council, Podgorica

Mila Radulović, journalist, *Vijesti*, Podgorica

Rajka Raičević, journalist, Dan, Podgorica

Samir Rastoder, editor-in-chief, Radio Petnjica, Petnjica

Aneta Spaic, professor, University of Montenegro, Podgorica

Jadranka Vojvodić, deputy director, Agency for Electronic Media, Podgorica

Duško Vuković, media analyst, Media Center NGO, Podgorica

Predrag Zečević, journalist, Analitika website, Podgorica

Moderator and Author

Rade Bojović, MEDIA DOO director, Podgorica

This study was coordinated by, and conducted in partnership with, Media DOO, Podgorica.

The panel discussion was convened on November 23, 2018.

NORTH MACEDONIA



MEDIA SUSTAINABILITY INDEX 2019

Tracking Development
of Sustainable
Independent Media
Around the World



NORTH MACEDONIA

AT A GLANCE

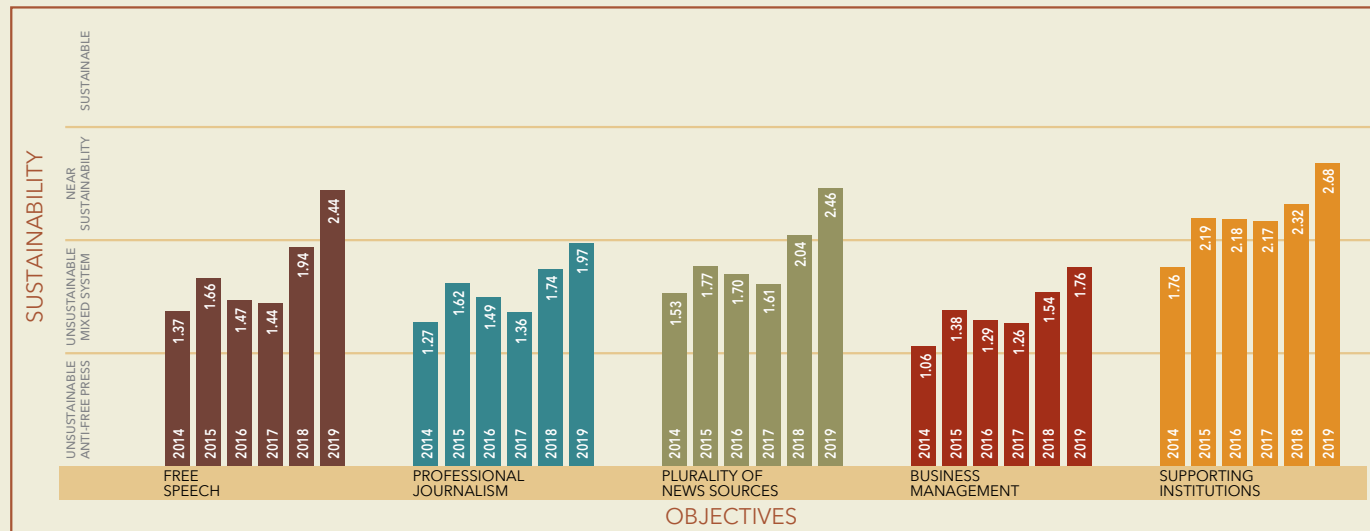
GENERAL

- **Population:** 2,118,945 (July 2018 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 (2017 - Atlas):** \$10.17 billion (World Bank Development Indicators, 2017)
- **GNI per capita (2017 - PPP):** \$14,680 (World Bank Development Indicators, 2017)
- **Literacy rate:** 97.8% (male 98.8%, female 96.8%) (*CIA World Factbook*, 2015 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: 5 dailies, 4 weeklies, 29 other periodicals (Registry kept by AVMS); Television: 53 TV broadcasters (AVMS Registry) – Public broadcaster MRT (5 channels), 5 DVB-T national broadcasters, 8 national cable and satellite TV stations, 10 regional cable TV stations, 10 regional DVB-T TV stations, 20 local cable TV stations; Radio stations: 71 radio stations (AVMS Registry) – Public Radio MRA (3 channels), 3 commercial national radio broadcasters, 17 regional radio stations, 50 local radio stations; Internet news portals: approximately 80 (estimate based on coverage of largest news aggregator)
- **Newspaper circulation statistics:** *Sloboden pečat* – 12,800, *Večer* – 7900, *Nezavisen vesnik* – 7000, *Nova Makedonija* – 7500, *Koha* – 5000 (figures refer to print circulation, figures on sold copy unavailable)
- **Broadcast ratings:** Sitel TV – 24.46%, Kanal 5 TV – 13.51%, AlsatM TV – 5.56%, Telma TV – 2.85%, TV24 – 2.81%, Alfa – 2.42%, 1TV – 1.09% (Nielsen ratings, received through national Joint Industry Committee)
- **News agencies:** MIA, Makfax
- **Annual advertising revenue in media sector:** est. €31.5 - 35M - TV 57%, Radio 5.7%, Out of Home 22.8%, Print 2.8%, Digital 11.5% (Google and Facebook control approximately 50% of the digital advertising spending) – Estimate by Macedonian Association of Marketing Agencies.

MEDIA SUSTAINABILITY INDEX: NORTH 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.



For the second year in a row, North Macedonia's MSI scores showed increases across all objectives, which is reflected in its higher overall score for the 2019 edition. While the country remained the "near sustainability" ranking with this year's study, panelists noted that the country's slow economic growth, crowded media market, and competitive advertising market present significant challenges to sustainability and quality of journalism throughout the country. While the government has largely adhered to its commitment not to interfere in the media sector, the continued rise in prominence of news from social media also brings a slew of negative factors, including fake news, filter bubbles, and disinformation.

In 2018, the Prespa Agreement formally changed Macedonia's name to the Republic of North Macedonia, a culmination of negotiations with Greece to resolve the 27-year dispute over Macedonia's name, which has stood as a barrier to the country's efforts to integrate fully with the European Union and with NATO. Foreign ministers signed the agreement on June 17 and the country's parliament ratified it on June 20.

North Macedonia saw several other political developments over the past year. Political party members involved in the failed coup d'état on April 27, 2017 were brought to trial, as were several high-ranking officials from the previous government. Former Prime Minister Nikola Gruevski was involved in serious corruption and received a two-year prison sentence for a case surrounding his procurement of a new armored limousine by abuses of office. However, he never saw the inside of a cell, as he escaped to Hungary in November. He received political asylum from Hungarian Prime Minister Viktor Orban.

The two sets of events collided, as the government could not secure the two-thirds majority to change the constitution or implement the name change unless it granted amnesty from prosecution for the party members involved in the April coup attempt. Civil society organizations and the majority of people who were active in the "Motley (Colorful) Revolution" cried foul, arguing that European integrations are worth nothing in the absence of the rule of law. Their objections were in vain.

The economy of North Macedonia had another slow year. With a 2.5 percent growth in 2018, it was well below the 4.5 to 5 percent growth rate generally necessary for economic progress and improved living standards. The center-left government did increase minimum wage on a national level and introduced new welfare programs for several vulnerable groups.

The media market remains overcrowded, although it experienced some movement towards reduction. A number of broadcast media, specifically those broadcasting at local and regional levels, ceased operations.

The MSI panelists generally held that the situation with media freedom and freedom of expression is much improved, as evidenced by the increasing average MSI score of this objective over time. The government's "Plan 18," adopted in November 2018, delineated urgent national reforms but did not include any of the long-awaited and much-needed media reforms — effectively pushing them to the sidelines. However, before the end of the year, the government elected to introduce a subsidy program for print media. And on the last working day of 2018, parliament adopted the Law on Changes and Amendment to the Audio and Audiovisual Media Services, which covered primarily the composition and the manner of appointing members to the Agency for Audio and Audiovisual Media Services and the Programming Council of the public service broadcaster.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

2.44

The discussion of media reforms has taken a backseat to foreign affairs and the prosecution of former government officials for corruption and abuses of office. Still, civil society media groups, organizations in related fields, and professional journalism associations remain focused on these media sector issues.

Panelists have long considered the country's media legislation good quality, in line with relevant international standards. However, their general perception is that implementation is lacking and often depends on the will of political centers of power. Participants in the ongoing reform debate have identified several areas in the 2013 Law on Audiovisual Media Services and the Law on Media that need serious intervention. Lawmakers must ensure that the regulations are in line with international standards and existing EU directives, and that they address issues pertinent to the welfare and sustainability of the media sector in North Macedonia.

The government has largely stayed true to its pledge that it will not interfere in the media sector or with editorial policies. According to the panelists, the situation is much improved compared to the rule of the previous government. But the restored freedom has yet to translate into increased confidence in the media and journalists. A recent IPSOS survey showed that North Macedonia's public is divided almost evenly, with slightly more than 50 percent of citizens polled believing that the media are independent.

The media offer news on local and international affairs but focus on the national political scene. Few

media outlets are able to finance and maintain either national or international correspondent networks. Additionally, most media cannot afford to pay the fees for major international wire services or news agencies. Their coverage of foreign affairs usually depends on the reports by major international media available on the Internet.

Licensing in North Macedonia applies to broadcasting only. Actual licensing policies have traditionally been ultra-liberal, which has contributed to an overcrowded and unsustainable broadcast sector. More than 50 television stations and 70 radio stations compete in a market of nominally 560,000 households — in one of the weakest economies in Europe. The less strict licensing process for non-terrestrial broadcasting means that new companies continue to enter the market as satellite or cable broadcasters, further pressuring North Macedonia's already oversaturated media market.

Panelists said that North Macedonia's media regulatory body remains unreformed and politically dominated, in spite of all proposals advocating for transforming the regulator into a truly independent institution. Stole Naumov, editor at Kanal 77 Radio, said deliberation on license distribution may depend on factors other than mere legal requirements and criteria. "Two studies to determine the need to allocate new national TV licenses, conducted half a year apart, yielded totally opposite conclusions. As if the market could change that much over that period of time," he said.

Print media are subject to mandatory registration, which the audiovisual regulator manages. Online media have no registration procedures, due to the media community's vehement opposition and fears that such power could be abused as another instrument of control. Panelists did note that the self-regulation body,

Council of Media Ethics of Macedonia¹, keeps a voluntary registry for online media outlets.

Print media are given reduced value-added tax (VAT) rates. But otherwise, the government does not offer special benefits to media companies.

Restrictions are in place for preventing media ownership concentration. These regulations ban high-ranking political figures, political parties, and

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 At the time the MSI was conducted, none of the local organizations mentioned throughout this chapter with "Macedonia" in their names had made any modifications to reflect the change in country name. As a result, IREX is maintaining the use of "Macedonia" in that context.

holders of public offices from owning or holding shares in media companies. Some panelists believe that such bans are of little use as they are easily circumvented through proxy owners. Panelists also noted that the general public is usually aware of who the real owners are in cases when various forms of proxy ownership are used.

Journalism is an open profession, and anyone can work as a journalist without registration or licensing. However, the media community tends to divide itself into journalists from traditional media and from new online media — seen by many as not proper. Panelists said that online media cause unfair and unwanted competition in the ever-shrinking advertising market. North Macedonia's existing political divisions, the current climate of “fake news,” and the influx of propagandists and public relations experts into the journalistic sphere all lead to periodic calls to action, such as requiring some form of licensing for journalists.

The improvements in the media environment have carried over into journalist safety. Panelists praised recent efforts to investigate and prosecute perpetrators in cases of attacks against journalists. But panelists also said that they are not satisfied with the slow pace of investigations, and they lamented the emergence of solidarity among prosecutors and suspects when security and enforcement agencies are the accused.

For a number of years, defamation has not truly been used as an instrument against freedom of expression. The number of new cases has been dropping consistently, and courts have improved their procedural practices and the application of both national law and international standards. Still, defamation cannot be completely eliminated as a potential threat, especially in SLAPP (strategic litigation against public participation) cases. Because of the media sector's vulnerable financial

and economic situation, few outlets can afford any prolonged litigation.

The same improvement can be said with regard to access to public information. In fact, the new government has adopted a new policy of almost radical transparency, declassifying documents that were kept confidential by its predecessors. Journalists now have tools to check on the personal expenses of public officials and cabinet members. Panelists noted that journalists do not use their access to information rights enough, largely due to the demands of the 24-hour news cycle.

“In addition to delays, media are not mentioned at all in the government's ‘Plan 18’ that delineates future reform efforts necessary for [North Macedonia's] Euro-Atlantic integration processes,” said Dragan Sekulovski

Panelists also mentioned that access to information is much worse at the local level, with municipal administrations decidedly more closed to the media and the public in general. Lawmakers have an initiative underway that changes freedom of information legislation and prevents information holders from delaying the release of requested information and waiting for the mandated 30-day deadline to expire. Stakeholders are also discussing giving appropriate oversight functions to the Commission on Freedom of Access to Information, to ensure that it will be able to enforce its decisions on demands to release information. For example, at the moment the Commission cannot sanction violations itself and can only file cases to the Administrative Court. However, changes to freedom of information legislation that is in the works should

transform the Commission into an independent agency that will be able to sanction violations.

The public broadcasting service, Macedonian Radio and Television (MRT), has nominal legal protections for editorial independence. Panelists agreed that MRT has a major problem with independence: political parties consider MRT part of the “winner's loot” of election. MRT has been chronically underfinanced and unable to fund all its programming obligations.

MRT has also found itself in limbo, awaiting the adoption of the new audiovisual legislation. The changes will apply to the selection process of its steering and managing bodies. Controversy has arisen on the decision to allow the incumbent, politically-dominated Programming Council (MRT's governing body) to re-elect the incumbent director general for a new term in office. He has always been perceived to be a soldier of the former ruling party.

Panelists noted that informational and news programming reflects the unresolved legal state of media. “The current team at MRT does everything in its power to demonstrate a balanced and impartial approach,” explained Vesna Nikodinovska, a media expert from the Macedonian Institute for the Media. “However, it lacks a professional staff, technical staff and equipment, as well as a simplified bureaucratic procedure so it could create a functioning system.”

The panelists reacted strongly to the delays in adoption of the proposed changes to the Law on Audio and Audiovisual Media Services. Parliament members submitted the proposal in February 2018, but the opposition blocked parliamentary debate in committee. They used the proposal as a bargaining chip to secure the necessary two-thirds vote on the Prespa Agreement and end the long-standing dispute with Greece. The changes to the Law on Audio and Audiovisual Media Services were finally adopted on the last working day of the year.

Panelists said that the government seems willing to stay out of the media sector, but also seems less dedicated to the media reforms outlined in the so-called Priebe Report, in which the European Commission's Expert Group addresses systemic rule of law issues, and the EU's Urgent Democratic Reforms documents, with media ranking high on the list of priorities. "In addition to delays, media are not mentioned at all in the government's 'Plan 18' that delineates future reform efforts necessary for [North Macedonia's] Euro-Atlantic integration processes," said Dragan Sekulovski, executive director of the Association of Journalists.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

1.97

North Macedonia's media could not escape the challenges that come with the 24-hour news cycle, the digital revolution, and the need to be fast and first. Because financial constraints have resulted in newsrooms constantly downsizing, reporters struggle to find time to report any deeper than recapping an event. Inadequate finances also mean newsrooms cannot fund fact-checking departments. Still, reporters do their best to fact-check or get expert opinions on the issues they cover. A handful of investigative reporting operations, funded by foreign donors, have the means and time to properly fact-check and consult experts. While some of these are traditional media outlets, the majority are Internet sites.

The Code of Journalists of Macedonia governs journalists' behavior. The self-regulatory body, the Council of Media Ethics of Macedonia, follows the International Federation of Journalists' Declaration

of Principles on the Conduct of Journalists. With the exception of MRT, which is legally required to adopt internal codes of ethics and conduct, no other outlets have developed such rules for their journalists.

In addition to the Council of Media Ethics, the Association of Journalists of Macedonia's Council of Honor reviews complaints about professional ethics and standards. The other association of journalists, the Macedonian Association of Journalists (MAN), has neither internal codes nor a body to review complaints about unethical conduct and violations by its members. Panelists mentioned a case in which one MAN member incited sexual assault against a foreign female reporter whose reporting he did not like, and the association simply responded that its members "have no constraints and can say and write what they want."

According to panelists, journalists are often held hostage by the editorial policies of their respective outlets. "The biggest threat to professional standards and journalism quality comes from the relations between the owners and the editors," said Marjan Nikolovski, a journalist with the national broadcaster Sitel TV. "There are many examples where senior editors, in an attempt to preserve the benefits of the position they hold, turn themselves into a service for the owner of the media outlet and not as a service for the general public."

Print media do pay attention to properly marking advertorial content. The line is far more blurred for online media. Distinguishing between advertorial and editorial content usually depends on whether staff and reporters have experience in traditional newsrooms.

Plagiarism remains an issue, and accusations are constant — especially against online media and news aggregators. Content is often taken from foreign news sources because most media

do not have the financial means to run foreign correspondent networks or cover the fees of international news and wire services. The same problems occur with the ever-popular celebrity-focused stories. Many journalists do not even attempt to sue for copyright infringement, out of some sense of misplaced solidarity or because they consider it a waste of time, according to the panelists.

Panelists did note an initiative led by the Independent Trade Union of Journalists to address copyright infringement. The union helps photojournalists by sending invoices to all entities that have used their photos without permission or compensation, with a threat to sue. Most parties on the receiving end of the campaign have quickly complied, and the union is now contemplating similar action for articles.

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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According to the panelists, self-censorship remains a problem for many journalists. The precariousness of their employment is a powerful instrument of pressure. The law on media offers legal protection for journalists that are pushed into reporting an issue from a certain point of view or urged to not cover an issue. But panelists knew of no recorded instances of journalists invoking that legal right or seeking protection for invoking the right.

Panelists said that owners are considered the greatest threat and are the force behind self-censorship. Most owners are far more concerned about their other business interests—which their media outlets exist to support.

Media cover all the key events in the country. In 2018, outlets were focused on the national political scene, the ramifications of the trials of former high-ranking officials, the agreement over the name dispute with Greece, and the subsequent referendum on the agreement. The media also extended coverage of the demonstrations by nationalist activists protesting the Prespa Agreement. Panelists mentioned several cases in which journalists, perceived as having a pro-government or leftist bias, were harassed and verbally abused. Such abuse is frequent on social media, coming from all societal groups in North Macedonia.

Few media have the means to finance permanent correspondent networks, whether abroad or in the country. However, they do manage to send teams of reporters to most or all important events taking place outside of the capital city of Skopje. The quality of coverage differs between national media and local media— which have fewer resources and tend to focus on coverage of local affairs. Many panelists complained that outlets lack news to even fill a proper newscast.

Low wages in the media industry remains a huge problem. At an estimated average of €300 (\$340) per month, journalists' salaries are about 75 percent of the national average salary. Many journalists from traditional media run their own online media outlets on the side, hoping to attract some advertising and supplement their monthly income. Top editorial positions, however, command much higher salaries than the national average. Panelists said similarly high salaries are paid to a number of propagandists-for-hire that hold senior editorial positions at a number of media outlets.

According to panelists, the financial situation is worse at local and regional media, with journalists paid even below the minimum wage if they are hired on service contracts. In these situations, reporters are expected to supplement their wages with a percentage of advertising income they manage to bring to the outlet.

Given the precarious nature of employment in journalism, the media sector has seen an exodus. An analysis of employee numbers for 2018 is not available at the time of this writing, but the Analysis of the Labor Market in the Broadcasting Industry for 2017, prepared by the Agency for Audio and Audiovisual Media Services (AVMU), shows that the number of broadcast industry employees has dropped almost 10 percent compared to 2016, partly due to eight broadcasters closing. When statistics are available, analysts expect to find that this trend continued in 2018 in the broadcasting industry and across the board in media market segments.

Despite these financial problems, citizens of North Macedonia have access to a variety of news and information sources. Foreign TV channels, available through various cable providers, have attracted a significant audience in North Macedonia. The most viewed programs on TV channels in the country are Turkish telenovelas and soap operas,

and the market on those seems to be cornered by two or three leading TV stations. Leading TV stations also tend to slot their main daily newscasts between two popular telenovelas to ensure that the audience will stay on the channel for the newscasts, too. However, most viewers in North Macedonia use national TV broadcasters for news, political talk shows, and political panel programs, and as a result, TV stations tend to dedicate a high portion of their prime-time slots to this type of programming. Therefore, entertainment never truly established dominance over news and information.

“The biggest threat to professional standards and journalism quality comes from the relations between the owners and the editors,” said Marjan Nikolovski. “There are many examples where senior editors, in an attempt to preserve the benefits of the position they hold, turn themselves into a service for the owner of the media outlet and not as a service for the general public.”

All major broadcasters (terrestrial, cable, and satellite) dedicate a major segment of primetime to newscasts and political panel/debate shows. They average 10 to 15 percent of total airtime. Citizens of North Macedonia also have a plethora of other online news sources available, ensuring access wherever and whenever needed. Social networks have grown into a major source of news for citizens of the country, trailing only television.

The panelists noted that an abundance of news outlets does not mean a great variety of news. Most outlets tend to present the same news item, often produced by a news agency.

Slobodanka Jovanovska, the editor-in-chief of the daily newspaper *Nezavisen vesnik*, commented on sharing of material. "Usually you see a small number of journalists at an event, and then there will be reports published in more than 100 media outlets," she said.

Media throughout North Macedonia are technologically on par with their colleagues abroad. Some outlets might find it hard to replace outdated equipment or acquire improved technologies. However, as costs for technology are reduced, outlets can keep up with trends, especially in online and print media. Several panelists noted that quite a few media have not adapted their content format from legacy media to the online world, eschewing multimedia formats and treating their web presences only as digital versions of their newspaper or broadcast. They added that media outlets in North Macedonia rarely have the technical staff necessary to perform some newer forms of journalism, such as data journalism or computer-assisted reporting.

Niche and specialized reporting has suffered in recent years, due to shrinking newsrooms and limited time to allow staff to specialize. At larger traditional media outlets, journalists still can specialize in topics such as politics, economics, sports, or culture. But increasingly, all reporters are expected to cover whatever topic comes their way. Major broadcasters maintain some programming specialized in business and economics. For most online media, such specialization is rarely possible. Often these outlets have small newsrooms with just a handful of people.

OBJECTIVE 3: PLURALITY OF NEWS

246

North Macedonia has never had problems with media pluralism, in terms of the number of outlets. The sector includes more than 50 TV broadcasters at the national, regional, and local levels; in excess of 70 radio stations; six daily newspapers; and numerous online news sites of varied size and seriousness. However, that multitude of news sources still has not translated into a pluralism of views, positions, or ideas. While few outlets have a formal affiliation with a political party, media in North Macedonia nonetheless have learned that it is best to be close to the government. Many outlets, including those that previously were staunch supporters of the previous government, have re-aligned editorial policies in favor of the current government. Several foreign-owned media, including a television station and a number of online news sites, now support the opposition.

Panelists pointed to the problem of media tending to reduce all pluralism—including ethnic, linguistic, socioeconomic, and cultural representation in their coverage—to the several leading political parties and coalitions represented in the Parliament. The panelists added that the opposition gets more than its fair share of air time now, in comparison to previous years. While MRT is obligated to pay attention to full diversity in North Macedonia, other media tend to ignore it. "The media are not really a public forum for the free transmission and circulation of information and the views of different social groups," said Sefer Tahiri, a professor at the School of Media and Communications at the Southeast European University in Tetovo. "One

consequence is that our journalism is, for the better part, one-dimensional."

Blogs are not really considered news sources, although members of the journalism community tend to use "blogger" for all new online actors without experience in traditional media. On the other hand, social media is growing as a main source of news, especially for the younger generation. Television still leads the way overall, but it is quickly losing ground. The rise in prominence of news from social media also brings a slew of negative aspects — fake news, filter bubbles, and disinformation.

Citizens in North Macedonia have access to all sorts of media, foreign and domestic. Macedonian newsstands offer a variety of international press, mostly from the neighboring countries, plus some prominent international weekly magazines. Cable and Internet protocol television operators offer a huge variety of channels in their catalogues.

Panelists did say that access is somewhat different in rural areas and smaller towns, where offerings at newsstands may be somewhat limited. Generally, smaller villages do not have cable services, so they can watch only television channels that broadcast over the digital terrestrial multiplexes.

MRT found itself facing uncertainties in 2018. The decision to eliminate the broadcasting tax significantly cut MRT's budget, and it now lacks financing for all of its functions. It also expects to get a new governing and managing bodies, which should continue the work on reforming it into a proper public service broadcaster. Although panelists said that recently MRT has made an effort to remain neutral, the general public still distrusts MRT as a result of it essentially acting as a government mouthpiece for years.

Despite insufficient funding and lack of support, the MRT manages to largely perform

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its duties to educate, entertain, and inform. This includes fulfilling its obligation to provide the cultural and educational programming and content that private broadcasters might not offer because it is not commercially viable. However, panelists did agree that a major intervention is necessary. "The public service broadcaster needs to be strengthened with new professional personnel that would allow it to dictate the trends and to lead with higher standards of quality in information, documentary, educational, and cultural programming," said Vesna Nikodinovska from the Macedonian Institute for the Media.

Panelists concluded that domestic news agencies account for the bulk of reporting available. North Macedonia has two news agencies: the state agency Macedonia Information Agency (MIA) and the privately owned Makfax. Additionally, the country has several self-styled online news agencies, but they function more as regular online news sites. After the change of government, MIA came under new leadership and has worked to expand its services by offering video and photography. Makfax, too, has moved into the production of video content. According to panelists, their services are not expensive, but many smaller local outlets and most online media cannot afford their services.

International news agencies are out of reach for most outlets. According to panelists, only national TV stations can freely afford their services, and even then, some choose not to subscribe.

Commercial media produce their own news and take care to be present at all key events. They also recognize the importance of political panel shows and debate programs. They reliably attract advertisers, and as such, broadcasters air them in the best primetime slots. The situation is somewhat different for local and regional media. They produce

some local news, but rely on the national media and Internet sources for national or international coverage. A number of online news sites produce their own news and information, but a great majority rely on already-published content from other sources, both domestic and foreign.

The government regulates ownership transparency for broadcast media and print media. Both are legally required to publish this information and register with the audiovisual regulatory body. On paper, North Macedonia has very strict limitations on the ownership of broadcast media by political parties, politicians, and other holders of public office. However, the formal obligations for transparency of ownership can be circumvented easily, especially for those outlets tied to political parties or figures through proxy owners. According to the panelists, citizens have always had a great degree of understanding on who the "real" owners are, and they can draw conclusions on any possible editorial slant.

The limitations on horizontal and vertical cross-ownership in the broadcasting sector means that North Macedonia has no large consolidations in its media sector. Unfortunately, those limitations have resulted in the current overcrowded media market. While several major national TV stations are owned by businesspeople and corporations with diverse business interests and portfolios, most media are privately owned and usually by a single owner. Panelists said that they find this situation untenable. "Either they give the regulatory body greater powers of investigation into the true ownership and powers to sanction those who violate those provisions," proposed Naumov. "Or, we should probably liberalize both ownership rights and the ability to own more than one broadcast media outlet."

Foreign ownership is not all that common.

However, foreign donors have invested heavily in the efforts to produce diverse offerings — especially content that is in line with the need for democratic development in North Macedonia. Panelists noted a national television broadcaster and several online news outlets in North Macedonia are now owned by two Hungarian nationals who are perceived as important cogs in the machinery that ultimately helped the ultra-conservative and xenophobic government currently in power in Hungary to establish control over Hungarian public service media and large swaths of privately-owned media in that country.

The media are not really a public forum for the free transmission and circulation of information and the views of different social groups," said Sefer Tahiri.

According to panelists, the ownership situation in online media is far more problematic. Many small operations, usually with strong political or ideological views, do not publish owner information. In some cases, the ownership is tied to known tax shelters in foreign countries. Often these issues are used as arguments for why online media need mandatory registration, similar to what is already in place for print media.

Panelists said that diverse interest groups throughout North Macedonia are represented in the media, albeit to varying degrees. The ethnic divisions in the country are reflected clearly in numerous national, regional, and local media offered in the Macedonian and Albanian languages. Media in other languages are also available in areas that have larger concentrations of their respective ethnic populations.

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.

MRT is legally obligated to air programs, in particular news and cultural programming, in nine different languages —the highest number in Europe. Other issues, such as gender identities and sexual orientation, are far less present in traditional media. Moreover, when those issues are represented, deeply-rooted prejudices and stereotypes are difficult to eradicate, panelists said.

The Internet has proven to be a force for both good and bad in that regard. It provides a low-cost platform for such diverse social groups to express themselves and establish their own media, but it also allows reinforcement of prejudice and stereotypes, especially on social networks.

Community radio has been little used in North Macedonia, with just three student radio stations

tied to major state universities. However, in 2018 North Macedonia got its first religious community radio outlet.

The panelists said the Internet has become the great equalizer even with the aforementioned disparities between national media, regional media, and local media and their capacities to cover their respective markets. "There is no way one can hide some information in [North Macedonia] or limit the ability of citizens to get the information they need," Nikolvski said. "There are simply too many media formats that offer news and information."

OBJECTIVE 4: BUSINESS MANAGEMENT

1.76

The business practices and operations of media in North Macedonia are diverse and dependent on capacities. The national broadcasters that are part of larger corporations are among the few with the means to maintain properly staffing structures. The rest, especially small local media and online media, rely on a handful of people to do every job - reporting, editing, advertising sales, human resources, and more. The law requires all legal entities in North Macedonia to outsource their accounting and bookkeeping to professional specialized services.

Only the largest media outlets also have the ability or feel the need to prepare business plans and stick to them. According to panelists, citizens of North Macedonia do not see the media as legitimate enterprises. "Most media companies in North Macedonia are not profit-making companies and, while nominally commercial, are not true businesses and are not even treated by the owners as businesses," said Sefer Tahiri of Southeast

European University in Tetovo.

Private broadcast media in North Macedonia report that more than 90 percent of their revenue comes from advertising sales, and advertising is restricted to 12 minutes per real hour of programming.² As a result, outlets are fighting for the limited advertising revenue available. Advertising industry professionals estimate the amount to be somewhere between €15 and €35 million (\$17 million and \$40 million), though there is no official measurement. That amount is not nearly enough to fund the 54 TV stations and 70 radio stations in the country. According to the panelists, a significant portion of the necessary funding to bolster these broadcast media outlets likely comes from internal subsidies — primarily, their owners' diverse business interests.

MRT and community radio stations are not allowed to sell advertising time.

For print media, even a superficial look reveals that outlets do not sell enough advertising space to be self-sustainable. Most outlets barely manage to sell one full page of commercial ad space in a regular week. Each day, all print media carry four to eight pages of mandatory public notices, which include judicial notices or announcements of public competitions. These notices represent print media's only significant source of income, even though they are not represented as subsidies but as commercial operations by respective managements of the newspapers.

Circulation sales are an insignificant source of income, especially given that all newspapers are seriously underpriced. Prices have remained

² The changes to the law on audiovisual media services introduced some flexibility to sell larger blocks when programs are longer than an hour, but the same 20 percent limit still exists.

the same for more than 15 years now, with no price adjustment for inflation. Panelists said that newspaper prices should be at least twice what they are now, which is just 20 to 25 cents per newspaper.

Government funding, in the form of government advertising campaigns, has been effectively abolished, out of fears that it might be abused as instrument of pressure on the media, as was the case with the previous government. At the local level, municipal administrations use money from their budgets to purchase airtime to promote their activities. These purchases, according to some panelists, are the sole source of income for many local media. Dragan Sekulovski, executive director of the Association of Journalists of Macedonia (AJM), reported that its research shows "the total amount of such funds available from local governments exceeds half a million Euros (\$566,000) per year."

Foreign donors provide another significant source of financing. These donors mainly invest in production of investigative journalism, documentaries, and feature stories to help continue democratic development in North Macedonia.

The advertising market in North Macedonia is very limited. Advertising agencies, mostly branches of international and Balkan-wide agencies, dominate the market. Some segments of available advertising revenue go to specialized regional broadcasters, mostly sports channels. Moreover, digital advertising continues to grow as a share of the market. In addition, a significant proportion of digital advertising spending is controlled by the major international tech companies, specifically Facebook and Google. Panelists noted the widespread opinion in the media community that some action needs to be taken to address the tight competition between media for advertising revenue

and to help advertising revenue stay within North Macedonia.

The advertising industry in the country exists primarily due to foreign companies that work there. Financial services, automobile retailers, and telecommunications companies remain among the top advertisers in the country, along with the food industry, domestic hygiene products, and pharmaceuticals.³ There are significant local advertisers, mostly from the food industry. The companies that make up half of the national GDP do not require advertising. The national industrial output, and the national economy more broadly, are based on these companies that work with raw materials,

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.

³ An official ranking is not available. AVMU used to publish a list of top advertisers but stopped doing so after the government was ranked the top advertiser in 2013 and the second-largest advertiser in 2014.

semi-manufactured goods for known foreign buyers, and so-called "loan" production.

Panelists said that the advertising industry favors national outlets. Media with very limited local or regional markets usually are overlooked. "Major advertisers and agencies seem to have forgotten local and regional media and put their emphasis on the big national broadcasters. That puts smaller media in an unequal position, in spite of their importance for their local, urban, or rural communities," said Katerina Dafceva, reporter at the regional TV Vis in Strumica, an agricultural area in southeastern North Macedonia.

Although the media law adopted at the end of 2018 session prohibits all public bodies and government institutions from reserving budget funds for purchasing airtime, the government has elected to establish a subsidy system for print media. These funds are supplemental to the indirect subsidies, such as the privileged VAT rates and the mandatory public notices that include cost coverage for newsprint procurement and distribution. The actual implementation of the subsidy program has yet to be seen, so panelists cannot judge if the disbursement has been fair. "It depends on the will of this government to do something to help us," explained Vedad Memedaliu, editor-in-chief of the daily Koha, published in Albanian. "Unless such a program is codified in proper legislation, any future government can arbitrarily reverse it."

Apart from the biggest national broadcasters, few media have the means or necessity to incorporate market research in their planning activities. Figures on audience shares and ratings, circulation numbers of print media, and statistics for online media are considered inconsistent and unreliable, which factors into media companies' lack of planning.

AVMU publishes annual market reports for the broadcasting market, but they are considered incomplete and are based solely on annual balance sheets that media companies present. Surveys of audience habits and preferred use of media are available, but panelists said they feel they are of little practical use.

The Joint Industry Committee, created under AVMU's lead, selected HGB Nielsen to conduct audience measurements. However, the committee includes only the national terrestrial broadcasters, leaving out a huge swath of broadcasters. Panelists added that the ratings or online statistics seemed to have little impact on the decisions of advertisers as to where to do their media buying.

Major advertisers and agencies seem to have forgotten local and regional media and put their emphasis on the big national broadcasters. That puts smaller media in an unequal position, in spite of their importance for their local, urban, or rural communities," said Katerina Dafceva.

The media also tend to exaggerate or focus on those statistics that work in their favor. For example, multiple broadcasters claim to be the leading broadcaster in the country. A new cable television broadcaster, established at the end of 2017, periodically announces that it is the leading broadcaster in the media market of North Macedonia.

Data on daily newspaper circulation is treated as a top-secret matter. Newspapers present only the print circulation in their mastheads, and panelists said those figures are such that they do not justify the costs of printing in the first place.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

2.68

North Macedonia has several media trade associations. The most powerful and influential is the Macedonian Media Association, an organization of the national digital video broadcaster - terrestrial (DVB-T) established under the auspices of the Macedonian Chamber of Commerce. The Association of Private Media of Macedonia is composed of privately owned local and regional media. The Association of Macedonian Internet Portals (AMIP) was created in 2013 with the specific goal of endorsing Internet media regulation, as proposed by the previous government; AMIP is now inactive. The Association of Private Electronic Media of Macedonia is mostly radio broadcasters and has been pursuing several initiatives regarding the recently amended audio visual law, along with further media reforms, and is attempting to defend and promote interests of its members. Another association called Medium Objective, which is meant to bring regional and local broadcasters in North Macedonia together, was formed in 2017, but it has been largely inactive.

AJM is the oldest and most engaged professional journalism association in the country. Together with the Independent Trade Union of Journalists of Macedonia (SSNM), AJM fights to advance professional and working standards and improve journalists' social standing. The organizations also speak on efforts to improve the political situation in North Macedonia. AJM and SSNM are partners with the European Federation of Journalists and the International Federation of Journalists. Although AJM and SSNM collect membership fees, their activities

largely depend on the availability of foreign funding.

AJM held its electoral assembly in early December 2018 to select a new president and board. According to the panelists, the presidential race was particularly contentious and created a serious split between the supporters of the two candidates.

The Macedonian Association of Journalists is made up of journalists from pro-government media. Although it was formed in 2001 by journalists dissatisfied with AJM's work, it was later taken over by pro-government journalists with the specific goal of counteracting AJM.

A number of NGOs work in the media sector in support of various aspects. The Macedonian Institute for the Media works to advance the standards of professional journalism and provides 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 promotes Internet freedom; the Centre for Civil Communications, which focuses on access to public information; the NGO Info-centre; and the Helsinki Committee for Human Rights. The latter two organizations serve in watchdog and monitoring roles. A number of organizations also work to prevent hate speech. Panelists especially praised the activities of NGOs and CSOs that work in media, or in media-related fields, and the cooperation they have with the media and journalistic community.

Several higher-education institutions offer degrees in journalism or related fields, such as communication studies. In general, the journalism

programs at state universities in Skopje, Tetovo, and Štip have reputations for producing undertrained journalists, with little practical or hands-on skills or even knowledge of how newsrooms work. Instead they focus on theory. Panelists also noted a decreasing interest among young people to study journalism; they seem to not view it as possible career choice. For instance, the leading journalism school, the privately owned School of Journalism and Public Relations, has not enrolled new students for five years in a row. With numbers so low, the school is not even running a full curriculum. The situation is similar in other journalism schools. "Back when I enrolled in journalism studies, there were 120 students in my class. Now, they can't get 15 candidates," said Vasko Popetrevski, the editor and anchor of the investigative and political show 360 Degrees.

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Short-term training programs 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. The School of Journalism and Public Relations also offers tailor-made media courses, including in-house sessions, in a variety of areas. According to panelists, such training programs do not always meet the needs of the media but are aligned with the agendas and priorities of the organizations that prepare them, or the agendas of foreign donors that support them. Several embassies offer programs for study visits and short education programs abroad, and most of those programs do

not charge a participation fee. Some donor organizations also have limited funds available to cover fees and expenses for journalists to participate in training programs abroad.

Media in-house or on-the-job training is almost non-existent. Panelists said that media owners are not prepared to invest in training programs, citing the high turnover of journalists from one outlet to another as the main deterrent. Most panelists expressed the belief that journalism is best learned on the job, not in a classroom. Some mainstream media outlets had been operating internal schools, many of which produced excellent reporters, but they are defunct.

The government places no restrictions on the import of materials or equipment necessary for media production. Also, as noted above, the government is securing subsidies for procuring newsprint for all print media. Recording equipment and editing software are increasingly accessible and affordable, thanks to the rapid progress and advancement of digital technology. North Macedonia has 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.

Panelists raised the issue that media businesses are unable to import equipment independently. "We, as media companies, can't register also for exporting and importing activities, which means that we have to go to authorized dealers, instead going to the source ourselves, which would secure us better prices on new equipment," explained Mevaip Abidu, from the Albanian-language regional broadcaster TV Koha.

The distribution of print media is not centralized, and all publishers organize their own distribution. Under the new subsidies program, the costs of distribution will also be covered. In terms

of broadcast media, the two commercial DVB-T multiplexes are operated by a single telecommunications company.

Holders of cable television broadcasting licenses note that the 2013 Law on Audio and Audiovisual Media Services does not have a must-carry provision, leaving them at the mercy of cable operators that charge whatever respective local markets can bear to carry their programming services. Local and regional broadcasters also point out that cable operators offer their programs in analog TV catalogues, which makes them unattractive to audiences and impedes access to their channels. "Cable operators in Tetovo refuse to place [TV Koha] in the digital catalogue even though they air digital signal," said Abidu.

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.

NORTH MACEDONIA

Cable operators often choose to exclude individual broadcasters. In particular, cable operators in eastern North Macedonia often do not carry Albanian-language television stations holding national licenses.

North Macedonia has a good broadband Internet infrastructure, and the latest surveys show Internet penetration rates hovering at more than 70 percent. The penetration of mobile telephony has advanced greatly, with more than 45 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, neither in terms of specialized content nor as a source of advertising revenue.

The state has not been observed attempting to filter websites or meddle in registration of websites and news portals.

List of Panel Participants

Marjan Nikolovski, journalist, Sitel TV, Skopje

Stole Naumov, editor and host, Stadion politics and social issues weekly show, Kanal 77 Radio, Stip

Dragan Sekulovski, executive director, Association of Journalists of Macedonia, Skopje

Vasko Popetreski, editor and host, 360 Degrees investigative journalism and political panel show aired on Alsat TV, Skopje

Slobodanka Jovanovska, editor-in-chief, Nezavisen Vesnik daily, Skopje

Darko Buldiovski, expert in digital advertising, NewMedia.mk digital advertising agency, Skopje

Sefer Tahiri, professor of journalism, School of Media and Communications, SEE University, Tetovo

The following participants did not participate in the panel, and their responses were gathered in face-to-face interviews:

Mevaip Abdiu, owner, TV Koha, Tetovo

Vedad Mehmedaliu, editor-in-chief, Koha daily, Skopje; member of the Programming Council of Macedonian Radio Television

Ilija Stefanovski, owner/editor-in-chief, Radio Kocani, Kocani

Vesna Nikodinovska, program coordinator, Macedonian Institute for the Media, Skopje

Katerina Dafcheva, reporter, VIS TV, Strumica

Jovan Sokolovski, owner and editor-in-chief, Centar.mk news-site, Resen

Moderator and Author

Dejan Georgievski, president and executive director, Media Development Centre, Skopje

The panel discussion was convened on November 20, 2018

ROMANIA



MEDIA SUSTAINABILITY INDEX 2019

Tracking Development
of Sustainable
Independent Media
Around the World



ROMANIA

AT A GLANCE

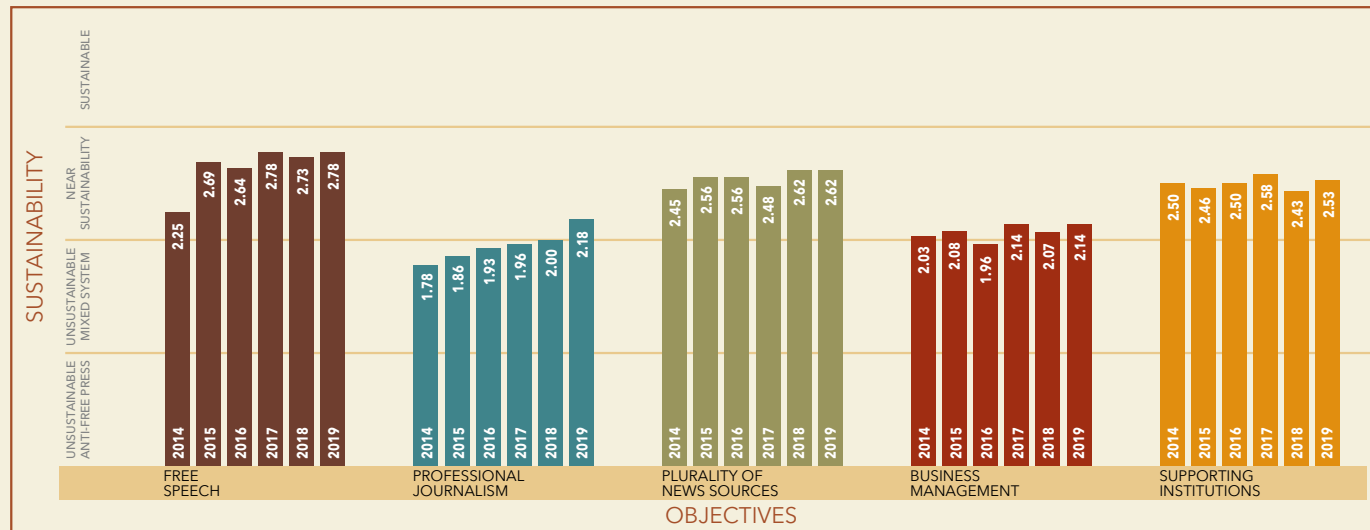
GENERAL

- **Population:** 19,310,216 (Romanian National Statistics Institute, 2017)
- **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% (National Statistics Institute, 2011)
- **Religions (% of population):** Eastern Orthodox (including all subdenominations) 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% (National Statistics Institute, 2011)
- **Languages (% of population):** Romanian (official) 90.9%, Hungarian 6.7%, Romany 1.3%, other 1.1% (National Statistics Institute, 2011)
- **GNI (2017-Atlas):** \$188.4 billion (World Bank Development Indicators, 2017)
- **GNI per capita (2017-PPP):** \$21,610 (World Bank Development Indicators, 2017)
- **Literacy rate:** 98.78% (National Statistics Institute, 2011)
- **President or top authority:** President Klaus Iohannis (since December 21, 2014)

MEDIA-SPECIFIC

- **Number of active print outlets, radio stations, television stations, Internet news portals:** Print: number unknown, 57 publications audited by BRAT; radio stations: 558 licenses for terrestrial broadcasting, 28 satellite broadcasting; TV stations: 251 licenses for cable broadcasting and 97 for satellite (CNA Report 2019); Internet news portals: number unknown (73 websites audited by SATI, out of which 56 are news or current affairs sites)
- **Broadcast ratings:** Top-three television stations in prime time: PRO TV (7.9%, national), Kanal D (5.7%, national) Antena 1 (5.3%, national) (Paginadamedia.ro, January 2019)
- **Newspaper circulation statistics:** Top three by circulation (July–September 2018, according to BRAT): *Sibiu 100%* (circulation 70,000, regional weekly private newspaper, free), *Click* (circulation 60,900, daily private tabloid), *Libertatea* (circulation 33,864, private popular daily)
- **Magazines:**
- **Internet news portals:** www.adevarul.ro (8.420.000 unique visitors/month), www.stirileprotv.ro (7.220.000 unique visitors/month), www.libertatea.ro (6.860.000 unique visitors/month) (Sati.ro, February 2019)
- **News agencies:** Agerpres (state owned), Mediafax (private), News.ro (private).
- **Annual advertising revenue in media sector:** Estimated for 2018: €455 million (€13.4 million print market, €300 million TV market, €26 million radio market, €85 million digital, €31 million out-of-home (OOH) (according to *Media Factbook* cited by Paginadamedia.ro)
- **Internet usage:** 72.4% of the population has Internet access at home and 86% access the Internet from a smartphone (National Institute for Statistics, 2018)

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.



Romania's overall country score rose slightly from 2.37 in 2018 to 2.45 in this year's study, and almost all individual objective scores for 2019 saw some increase. The panelists' scores acknowledge some encouraging new trends in independent media and the efforts of civil society organizations, such as freedom of expression NGOs that protested aggression against journalists, politicians labeling media professionals with defamatory language, and attempts at passing restrictive legislation. Financial pressures and political influence have made mainstream media more vulnerable as self-censorship has become second nature in many newsrooms. However, more independent media outlets continue to appear, and some are getting stronger, even seeing a slight increase in crowdfunding and community engagement.

The year of 2018 was supposed to be celebratory honoring the 100th anniversary of the founding of the modern Romanian state—a year in which Romania should have been preparing to take over the rotating presidency of the European Union (EU) Council for the first time, a year of calm political maturity with economic growth. Instead, hundreds of thousands of people protested the government's intent to limit judicial independence and change laws to protect politicians from anticorruption prosecution. The year was marked not only by dissent among political parties but also between institutions. After a negative evaluation by the Minister of Justice, the chief anticorruption prosecutor, Laura Codruța Kovesi, was dismissed in July. The president found the evaluation unconvincing, but after exhausting all constitutional procedures, he signed the dismissal.

On August 10, 2018, more than 100,000 people gathered in Bucharest to protest the government's attacks against the rule of law. Riot police used tear gas, batons, and water cannons to disperse the otherwise peaceful gathering. During the confrontations, there were several documented cases of journalists being directly targeted. Protesters have filed more than 800 complaints against the police. At the time of this writing, none of these cases have been prosecuted.

Later in October 2018, Romania held the so-called Referendum for Family—a measure to change the Constitution to prohibit same-sex marriage, which is already barred. But religious

and conservative circles wanted to ensure that it was also explicitly prohibited in the Constitution. The “pro” camp dominated the public space, including almost all political parties, religious denominations, parents' groups, and traditionalist groups. The media gave almost no attention to the dissenting faction (LGBTQ and human rights activists). Despite the massive campaign, only 21 percent of the population voted in the referendum, so it was not validated—a clear demonstration of how far the media and politicians were from the real feelings of the public.

While the national media showed signs of consolidation, including big TV stations getting back in the black, the rest of media, particularly local outlets, barely stayed afloat. The poor economic situation prompted many outlets to lower their editorial and ethical standards or join a political faction. Authorities took a harsher tone toward journalists in 2018, culminating in violent attacks during the August protests. The ruling parties appeared almost exclusively on politically-friendly television programs and dismissed questions from “hostile” journalists while mocking them publicly. But not all is grim in Romanian media. This past year saw the growth and consolidation of several independent journalism projects, which covered topics mainstream media neglected or obfuscated. Independent media projects started crowdfunding campaigns and transparently reported back to their individual donors and educated the public.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

2.78

The Romanian Constitution guarantees freedom of expression. The few restrictions to freedom of speech are meant to protect national security, privacy, the right to one's own image, and to guard against defamation. The Constitution also explicitly prohibits defamation of the nation, although it is not punished under any law. However, to curb criticism of the government, members of the ruling party invoked the need to reintroduce penalties for "defamation of the country," which would apply mainly to journalists, activists, and members of the European Parliament who "bad-mouth" Romania.

Panelists agreed that the legal framework secures a reasonable balance between the freedom of expression and the protection of other legitimate rights. "We have all the laws we need, but the Romanian authorities want us to forget about them," said Cătălin Moraru, the editor-in-chief of *Monitorul de Botoșani* (The Botoșani Monitor) daily newspaper. Teodor Tiță from Europa FM agreed that there is enough legislation but noted that Romania does not really care about protecting freedom of speech. Enacted in May 2018, the EU's General Data Protection Regulation (GDPR) is a new tool that authorities use to put pressure on investigative journalists. "Romanian authorities used the new law to threaten journalists and to ask for sources," explained Toni Hrițac, editor-in-chief of *Ziarul de Iași* (The Newspaper of Iași) daily newspaper.

The National Audiovisual Council of Romania (CNA) is an autonomous body that controls broadcast licensing and enforces the legal obligations of broadcasters, including ensuring free

speech and competitiveness. Its 11 members are appointed by the Parliament, the president, and the government with staggered mandates, so their terms do not coincide with general elections. Despite legal guarantees of autonomy, all panelists agree that the council is failing. New members were appointed in 2018, but the chance for renewal thus offered seems to have been wasted. Tiță said the defining characteristic of CNA is its lack of transparency. Some panelists emphasized the non-confrontational attitude the council took when broadcasters close to the ruling party violated the law and noted that some members voluntarily miss council meetings so that important decisions cannot be made. As such, the licensing process for applicants has been delayed.

Still, Mona Dîrțu, a journalist with Monday Memo newsletter, feels the Internet has provided new opportunities for TV platforms. "Nobody can shut me up if I really want to say something, and I have the means," she said. As an example, she cited *Rezistența TV*, an independent online TV operation that started as an activist project. Cristina Lupu, executive director of the Center for Independent Journalism (CIJ) in Bucharest, has another opinion. She believes the lack of reaction from the CNA makes people believe the legislation is at fault. "People, frustrated by poor-quality content, have started to ask for more and more legislation, which is dangerous."

The Romanian media market is still a free market with no special entry conditions for media companies. The value-added tax (VAT) for the media sector is 19 percent, the general rate in Romania, and the VAT for the distribution of print press is nine percent. While commercial companies can reclaim their VAT, public media institutions cannot, resulting in significantly higher operating costs. Dîrțu feels the media is not unique and that most private

companies have similar financial issues. According to Moraru, however, "Changes to the fiscal code have directly affected the media. The new fiscal code created chaos, especially when it comes to copyright contracts. They delayed application norms for months in a row and then in a matter of days, they made us pay penalties for not paying the taxes. In every county, the legislation is interpreted differently." According to financial analysts,¹ the Romanian fiscal code underwent 800 modifications in 2018.

State subsidies to media are rather small and infrequent, going primarily to cultural publications and those aimed at ethnic minorities. Still, there are less transparent forms through which the state financially supports some media. Maria Țoghină, vice president of Clubul Român de Presă (Romanian Press Club) noted that numerous media projects meant to celebrate the Romanian Centenary were funded by the state. Tiță feels the media market is badly distorted because not all media receive equal treatment in terms of fiscal discipline. "Realitatea TV should have been closed, and the state should have recovered the [tax] debts, but they didn't do this," he explained, "So the TV station receives a subvention from the state, and the media market is kept unhealthy." Only a handful of companies subsist on money from the competitive market. For the rest, there is a lot of black or gray money, explained Tiță.

Targeted control from authorities also continued in 2018. In early 2018, The National Authority for Fiscal Administration's (ANAF) report on the findings of a RISE fiscal investigation, although confidential,

1 Sahlean, Adelina. "Instability and Chaos: 800 Amendments to Tax Legislation in 2018," *Newsweek Romania*. January 15, 2019. <https://newsweek.ro/actualitate/revolta-companiilor-legislatia-fiscala-a-fost-modificata-de-800-de-ori-in-2018>.

was leaked to some friendly websites, which started publishing materials about RISE Project donors, including accusing the Embassy of the Netherlands of interfering in the “country’s internal affairs” by financing journalists to write critically about Romania. In November 2018, after a new series of investigations, RISE received a request from the Romanian National Supervisory Authority for Personal Data Processing to disclose its sources. The Romanian agency indicated that RISE Project may be subject to a fine up to €20 million (\$22.6 million). The public outcry was strong, including from freedom of expression organizations.

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.

The daily work life of journalists is not dangerous, and there were no crimes against them in 2018. However, aggressions from the police against journalists have been documented, recorded, and even transmitted live. In June 2018, Romanian police harassed a German journalist, claiming reporters need “more than a badge with ‘Press’” as “credible” proof that someone is a journalist. On August 10, the Romanian communities living abroad organized a major “Diaspora Came Home” anti-government demonstration that drew an estimated 100,000 protesters.² The protest started peacefully but later degenerated when troops used tear gas and water cannons to disperse the crowd. “Our greatest luck is that we live in a country where the bad things happen during protests, not daily on the street. After the protest, I felt very exposed as a journalist. The event showed the deep lack of respect for the profession,” said Diana Oncioiu, a journalist with Dela0.ro. Media non-governmental organizations (NGOs) condemned the attitude of the riot police in the June and August cases. The polarization of society has also had a direct effect on aggression against journalists. “Who is not with us is against us has become the norm in the mind of the common people,” said Lupu.

Insult and slander are no longer part of the criminal code. Journalists are often threatened with lawsuits, but such threats are not followed by actions in court most of the time. Still, there are worrying signs that things may change for the worse. “In a way, they perpetuate the idea that they still can sue you under the criminal law as a matter of intimidation,” said Ioana Avădani, president

of CIJ. “Politicians are using threats of libel and slander trials as tools to denigrate journalists. They publicly declare the journalistic pieces are fake or calumny and that they will sue the journalists, but in most cases, they never go to court. It is a way to erode the credibility of the media,” continued Lupu. According to Hrițac, when cases do go to court, judiciary practice lacks unity when it comes to moral damages. “Wherever the offended party was a magistrate, the reparations sum ordered by the court was considerably higher,” he said. Still, Liana Ganea, program coordinator with FREEX Active Watch, says that the situation is not that bad in Romania and that there are a lot of cases won by journalists in court. According to Ganea, the damages ordered are reasonable (around \$3,500).

On paper, the editorial independence of the public media is protected under the functioning laws of public radio SRR (Romanian Radio Society), public television TVR (Romanian Television) and state news agency Agerpres. Since 2017, when the licensing fee for public broadcasters was eliminated, all three institutions have been funded exclusively from the state budget. Political control over these institutions is maintained via the appointment and dismissal of their boards. The boards can be dismissed if Parliament rejects the annual reports. This provision is a very efficient instrument for political control. In the case of TVR, over the last 27 years, only one board finished its four-year mandate.

“Independence? What independence? There is no independence at all. Control is now done openly through the budget. Public television lost the little public support it enjoyed,” said Dârțu. Journalist Costin Ionescu from Hotnews.ro explained that public news organizations tend to avoid reporting on controversial topics until public attention fades. “What is happening there is a combination of censorship and self-censorship,” added Tiță. “The

2 Gillet, Kit. “Violence Erupts as Tens of Thousands Protest Corruption in Romania,” *New York Times*. August 10, 2018. <https://www.nytimes.com/2018/08/10/world/europe/romania-protests.html>.

law is not operational. The self-censorship is the result of fear." In 2017, Cristi Godinac, president of MediaSind (a trade union of media professionals that assists journalists in legal situations and offers consultancies on work-related subjects), saw a "ray of hope" because Parliament adopted a law that separated the position of the president of the board from the general manager of the public media, thus eliminating a conflict of interest. "But 2018 did not bring the expected change. The law was sent to the president for promulgation but was returned to the Parliament for changes. It has stayed there, untouched," said Godinac.

"People, frustrated by poor-quality content, have started to ask for more and more legislation, which is dangerous," said Lupu.

There were several public scandals involving the editorial control of public TV in 2018. The president and general director Doina Gradea was accused of trying to influence the coverage of the ruling party and muting criticism, arguing that it is the party that "gives money" to the broadcaster. When recordings of discussions between her and journalists and contributors were published, Gradea reacted by asking for the source of the recordings and threatening to sue those who released them. The Ethics Committee of TVR issued a ruling that determined Gradea acted in a manner unworthy of her position. Still, Gradea continued to put pressure on TVR employees and on the commission itself. The situation is calmer in public radio, said Țoșină.

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 oral questions must be answered on the spot or within 24 hours,

if the information is easily available. Otherwise, the information has to be released in within 10 days and the term can be extended to 30 days if the request is massive. Still, all the participants expressed concern about the erosion of this law. Dîrțu considers the "informational blockade" the main problem of Romanian media: "We have a law, and yes, you can win in court, but it takes time, and you lose the newsworthiness. More often, we see the state decide not to give information," she said. Ionescu agreed, "The enforcement of the law is sinister. You ask them something and maybe in 30 days (the maximum legal term to answer) you receive a two-line answer in which they let you know that you will not receive the information because of GDPR concerns." Hrițac also mentioned the GDPR, explaining that, at the local level, the abusive interpretation of the data protection regulation brought a terrible backlash for freedom of information legislation. There is also a clear asymmetry regarding access to information along political lines. Political leaders and some ministers only participate in interviews with "friendly" media.

Access to information from foreign sources is in no way restricted. "Here the only problem is with the copyright," said Oncioiu. "Everybody steals from everybody. I don't believe the price is the problem, but that you can get away easily with stealing."

There are no legislative or political restrictions related to access to the media market or to the journalistic profession. Public institutions ask for the credentials of journalists, and, sometimes, this procedure can lead to abuse. It is also difficult to obtain credentials to cover the Parliament as a freelance journalist.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

2.18

Since in 2018, mainstream media has become more vulnerable, largely because of economic problems and political involvement. At the same time, more independent media outlets continue to appear, and the "older" ones are getting stronger, even seeing a slight increase in crowdfunding and community engagement. "You can see and read good journalism in Romania, especially if you live in Bucharest or in one of the larger cities, and you consume the media through social media," Ionescu said. "You can find quality journalism in the mainstream media, too, but in the ocean of low-quality products, the good ones tend to get lost."

Țiță feels subjective reporting is standard, although you can choose your information from multiple sources. "Since the online explosion, people don't even feel the need to leave the computer. Here in Botoșani, we have around 20 websites, but at the major events, you see on the field only three or four journalists. The rest plagiarize," Moraru explained.

According to Ganea, when discussing the lack of objective journalism, one needs to address the open manipulation by the main news TV stations. She added that the profession is not involved in changing the status quo. Panelists agreed that television programs are full of unchecked information. "If you look at their content, you see mostly opinions," said Oncioiu, "Or they apply the 'neutrality principle': we are neutral, so we do not cover anything about certain controversial topics. There is a lot of fake news that could be verified with only one phone call or a [freedom of information] request." Hrițac added that in a lot of

cases, expert opinions are missing. Avădani noted the rise of a new “genre”: blatant public relations interviews in the news.

Romanian media has several professional and ethical codes created by professional organizations and NGOs, but also some drafted and independently adopted by newsrooms. “We have codes, but they are not obeyed. Also, TV stations have their own codes because it’s compulsory by the audiovisual law,” said Dîrțu. Hițac added, “Journalists receive gifts and are often in conflict of interest. In many cases, advertorials are sold as journalistic content.”

However, professional and ethical standards have not disappeared entirely from the Romanian media. “It is dark, and we’ve had better times, but there is hope, and there is light. There are journalists who do their jobs honestly, in local media, in mainstream media, and, mostly, in independent media outlets. The latter are more visible in Bucharest, in the ‘liberal’ social media circles, but their work exists and hopefully will set the standards,” said Lupu. Oncioiu agreed that better standards can be found in independent media.

Self-censorship is second nature in many Romanian newsrooms. “They are afraid they will lose their jobs, but they also do not want to have any conflicts with persons or institutions they feel are connected with the owners or have an influence in areas that could affect their profession,” Hrițac said. Cătălin Striblea, a journalist with DigiFM, is convinced that “most journalists send the news to the newsroom. They do their jobs, but the editors and the bosses are the ones in charge and choosing the angles.” Oncioiu added, “You will never bother to go and talk with a person that you know is on the ‘blacklist.’ You will not be told directly that you are not allowed to go, but you will hear it discreetly in the hallway during the coffee break. It’s very subtle. Also, if you know how the wind blows internally,

you know already from what angle to do your research. With censorship, the one who does it is exposed; with self-censorship, it’s smoother, slicker.” Independent media do not see self-censorship; many of those journalists left traditional media to avoid it.

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).**

If one knows where to look, there is not any important information that cannot be found in the media. There are variations in how this information is presented as well as the figures used to give relevance to the story, but a complete blockade on a topic is impossible. “There is a kind of tunnel vision: everybody covers the same topics from the ideological positions of each of the media outlets, but there are a lot of events that nobody looks at,” said Tiță. He cited an example from the city of Cluj, where a large Jehovah’s Witnesses meeting took

place with thousands of people. No one reported on the story. Two years later, the militant rhetoric of some Protestant and neo-Protestant groups helped fuel the 2018 referendum against gay marriage. Dîrțu added that reporting in Romania leaves out context and that the media often serve as spokespersons for interest groups by simply covering news via press releases. Moraru described his experience. “Due to the chronic lack of staff and because of the need to be the first to get information online, pack behavior is amplified. In this way, the agenda is really decided by the first person to find a topic,” he said. Hrițac said editors usually dictate what is to be covered and limit the options of the reporters. “There is a captive public that receives information from only one source. And for them, that is the only reality they know. People watch the TV station they agree with, read the news—or maybe it is more correct to say read the titles of the news—on Facebook and do not check the information. It’s not only a Romanian problem, we know, but we feel it is stronger here,” added Lupu. This lack of coverage has prompted the emergence of alternative and independent media projects.

Ionescu explained that outside of public media, journalists must cut deals with owners for their salaries. Striblea agreed. “There isn’t any rule. There are only private deals between owners and employees. You don’t have any predictability or a clear salary scale.” Tiță added that the salaries are not enough to survive on if you are a beginner or young reporter, but at the mid-career level, the salaries are okay. An experienced TV reporter can earn between \$600 and \$1,500 a month, while editors earn around \$450 to \$500 per month. Local reporters earn less. Hițac said, “The salaries are very, very low. Sometimes the salaries the journalists receive are under the minimum wage (approximately \$300 per month), so they are vulnerable to

corruption. A lot of them work for several media outlets. And a lot of very good journalists are forced to leave the profession and find another job just to survive." Moraru said journalism salaries are not competitive with those in the public sector, and this is a major reason journalists leave the profession to work for the state. Oncioiu said that at independent media, the situation is sometimes worse. "You receive money only from donations, and they are very small," she explained. "There are also donations or grants from companies, but they support a certain niche or topic, and you don't have the freedom to report on the topic you feel is important." Dîrţu did identify a silver lining: "Now, at least, the people are getting their salaries," she said, alluding to times in the past when journalists' salaries were six months late.

"The journalist is a commodity. He or she is not seen as an important piece, something that will keep the business thriving. The managers don't invest in the professionalization of journalists," Avădani said, "This is one of the reasons the Romanian media is confronted with a huge lack of editors. For senior-level people within the profession, it is almost impossible to stay." Striblea is worried about the future of the profession. "Very few people come into the profession nowadays," he said. "Young people want a good starting salary, not the meager \$500 to \$550 we can offer in radio, and a clear-cut, eight-hour workday. Young people come unprepared for what it takes to be a journalist."

Apart from traditional media, advertisers have started working with bloggers, vloggers, and other "influencers." Neither they, nor the agencies, feel compelled to play by the rules and respect ethical norms. Laura Frunzeti, executive director of the Romanian Advertising Council, a self-regulatory body of the advertising industry, describes the mechanisms: "There are several payment

arrangements. They either have a contract, or the company works with unpaid influencers who are just asked to test a product and provide the public with their genuine opinion. The payments in Romania are double compared to those in Bulgaria, for example."

In theory, Romania has a big news market. There are several all-news TV stations, each of them with their own agenda, and all the general TV stations produce at least one main news program. But a closer analysis of content reveals a lot of tabloid-style news or opinion presented as news. Costin Juncu, managing director of Romanian Association for Audience Measurement, said the news is essentially entertainment. "The average media consumer will remain uninformed. They will watch the news, but they will not get any real information in most cases," said Lupu. Television remains the main source of information for adult Romanians, followed closely by online sources, mainly social networks. Teenagers do not consume "traditional" sources of information. They access information mainly from Instagram, Facebook, and YouTube.

"It is dark, and we've had better times, but there is hope, and there is light. There are journalists who do their jobs honestly, in local media, in mainstream media, and, mostly, in independent media outlets. The latter are more visible in Bucharest, in the 'liberal' social media circles, but their work exists and hopefully will set the standards," said Lupu.

Access to technology is open, and there are no legal restrictions, but the costs may be prohibitive

for some newsrooms. There are big discrepancies between media institutions from the technological resources point of view. Most newsrooms cannot afford to invest in technologies, software, or skilled technical people. Multimedia journalism, technology, data journalism, or other niche and "modern" approaches to journalism are considered "hard to get" by most newsrooms. Hiţac, a local media manager, said, "Although the technology is available on the market, access can be scarce due to the lack of financial resources. Sometimes, even the money for gas or accommodations is missing. The quality of the print for newspapers dropped because a lot of the printing houses closed, and many newsrooms fired their photojournalists, so now they use pictures taken with mobile phones." For online media, things are simpler, said Oncioiu. "We have Wi-Fi available almost everywhere in this country, and mobile Internet subscriptions are so cheap. To do your job, technically, you don't need a lot."

Specialized reporting still cannot be found to a large extent, although it is not totally absent. Investigative journalism, done primarily by independent outlets, is the most visible specialized journalism. Business journalism and health reporting, for example, are available. Most of the time, niche journalism is financed through donations or by media projects started by businesses as part of their corporate social responsibility work. The most notable example is the Romanian Development Bank, one of the biggest banks in the country, which finances several media products, including Şcoala 9, an online outlet covering education and a soon-to-be-launched online tech and science magazine. "Niche journalism done by independent media is what really saves the face of journalism in Romania," said Moraru, "Sadly, you can't find anything like this at the local level. Or if you find it, the quality is very low." Hiţac added, "We also have a lack of

experienced reporters. The specialized journalists are leaving the profession for better-paying jobs, and we don't have replacements for them. The people coming out of university are not prepared for or are not interested in working in local media."

OBJECTIVE 3: PLURALITY OF NEWS

2.62

There are numerous outlets in the Romanian media market, but this does not guarantee a plurality of news. Most outlets present the dominant point of view, while alternative positions are ignored, criticized, or simply mocked. Thanks to the Internet, niche publications are available, and one can ultimately find multiple viewpoints. In some cases, political leanings end up distorting reality. "Some media live in a fundamental lie that they created," concluded Moraru. Oncioiu agreed that the leanings are obvious but thought that media consumers have the liberty and means to check various sources if they want alternative views. She did concede that this may be more difficult for local outlets. "The local people in power tend to restrict the diversity of the news," she explained. "The problem is that this multitude of outlets do not provide reliable, objective news. I, as a reader, I have to work very hard to reach a fair and balanced opinion," Dîrțu argued.

There is no limitation to accessing any media or information. There are differences in consumption volume and patterns between rural and urban areas, but the ubiquity of Internet connections and cable TV tend to level the field. "There is a section of the population deprived of access to the news, people

at the very bottom of the income scale, but this category is very narrow," said Tiță. Dîrțu added, "It's a matter of economy, not a deliberate policy to keep people uninformed."

The real problem, panelists said, is not access to media but rather the high level of functional illiteracy that plagues Romania. In 2015, the Organisation for Economic Co-operation and Development found that 42 percent of high school students in Romania are functionally illiterate. "You have access, but access is nothing if you don't know what to do with the content, if you don't know to discern between legitimate content and fake news," said Oncioiu.

Social media is prevalent in Romania, with 10 million Romanian users on Facebook and 3 million on YouTube. Twitter lags far behind, with only 50,000 active Romanian users. There are also 16,000 active blogs that totaled 1 million posts last year.

"You have access, but access is nothing if you don't know what to do with the content, if you don't know to discern between legitimate content and fake news," said Oncioiu.

Despite a polarized society, public media are still supposed to demonstrate balance and independence. Panelists agreed that there is a clear and increasingly visible leaning of public television programs toward the ruling party. "Even if they present various points of view on current affairs, they do not explore those that contradict the official position of the ruling party with any depth," said Hrițac. He added that public media invests in entertainment and that their cultural and educational programs avoid critical issues in society. Oncioiu

feels public radio does a better job than public television when it comes to cultural and educational programs.

There are local news agencies offering a variety of products, but they are fighting for survival. The two private agencies, Mediafax and News.ro, compete with the state agency, Agerpres. The volume and quality of the news offered varies. While Agerpres has national coverage, the quality of its news is rather poor. At the end of 2018, the term of Agerpres's director Alexandru Giboi, who revitalized the agency over the last few years, was cut short just before its end. Foreign news agencies, such as Agence France-Presse (AFP), Associated Press (AP), and Reuters, are available, but their focus is international coverage. Panelists believe that the prices of the news agencies are rather prohibitive, and many journalists just take stories from other sites for free. "Everybody takes their news from the web without paying anything. This is why the agencies have financial problems," said Dîrțu.

Private audiovisual media produce their own newscasts and programs, but panelists agreed that both the volume and the quality are decreasing. "If I were to evaluate the content within a month, I would say that only 15 percent is original content. The rest are reruns, reinterpretations, or things borrowed from other media," said Dîrțu. The situation is even worse with community and local media. According to Hrițac, the volume of local content is shrinking, while Tiță considers it "very poor." As for the bloggers, they do not produce anything but opinions, said Avădani. "We swim in a sea of opinions, all of equal relevance in the eyes of the public, irrespective of the authority of the person who expressed the said opinion. We look like a nation of experts in everything," she said. According to the other panelists, some of these opinions are not even genuine and are financially motivated.

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 transparency of media ownership is not a significant problem in Romania, as the owners or final beneficiaries of the major media are already known to the public. Ownership of broadcast companies is known publicly because CNA regularly publishes an updated list with stakeholders, down to individuals, stressed Juncu. Romanian law has no requirements for print or online media to disclose ownership. According to some studies, politicians own most local and national media, either directly or through third parties. Despite this, the disclosure of ownership has no effect on audiences. According to Ionescu, there are many online publications with no openly assumed ownership. "There are many small outlets hiding in the dark on the Internet that can

afford to engage in all kinds of unethical tricks," said Ionescu.

Apart from "visible" owners, there is also the problem of the "beneficiary," the person whose interests are served by the distortion of the editorial agenda, says Avădani. "At the local level, you can guess the agreements between the visible owners and other economic or political groups. This is why the structure of the stakeholders is not always relevant," explained Hrițac. "We guess the leaning following the topics and the coverage, not the listed owners. The real sponsors lie in shadows most of the time," agreed Moraru. This can make it difficult for the average consumer to understand what is really happening. Dîrțu added that new media projects, launched independently by journalists, are setting new standards: "They regularly publish information about who they are and where their funding is coming from."

As mentioned before, while there is diversity in format and ownership, the Romanian media does not excel in the diversity of content. Niche, alternative views seldom find their way in mainstream media. This was particularly visible in September 2018 during the campaign for the constitutional referendum to prevent same-sex marriage.

There are publications in the minority languages and public media that are obligated under the law to reserve time for such programs. Some radio stations feature a program for visually impaired people produced by visually impaired persons. The Internet also provides an opportunity for numerous outlets to cater to small and marginalized communities. These publications are mostly self-administrated and do not employ professional journalists.

The Romanian media is mostly focused on what is happening in Bucharest and with national authorities. Both local and international news

are rarely covered. Local news that is covered in mainstream media is usually sensationalistic, often not addressing real problems. But some panelists see another equally serious problem. "Local media almost no longer exist. They do exist physically, but they do not perform their mandate. Eighty percent of their content are statements and official points of view," said Moraru, "This is not news." Oncioiu agrees but adds that there are still areas where local journalists produce good, insightful journalism.

OBJECTIVE 4: BUSINESS MANAGEMENT

2.14

Most Romanian media companies are not self-sustainable; making a profit is the exception in the media business. "The big players are sustainable, but for the rest, it is a disaster," said Moraru.

Ganea said that some media outlets or media professionals receive surreptitious subsidies masked as content production, campaigns, or consultancy contracts paid with public money. A media investigation conducted by *Newsweek Romania* unveiled the dimensions of this practice and the people involved in it, with sums up to half a million Euros paid to a single entity for public relations services for the ruling party. As mentioned earlier, there is also preferential treatment offered to media publications which help the government's agenda. For example, Realitatea TV has been in "insolvency" (a status that precedes bankruptcy) for four years and has accumulated €26.4 million (\$29.9 million) of debt from the state. State authorities have done nothing to recuperate these debts, whereas with "unfriendly" media, they have blocked the bank accounts of

those companies for even minor delays in payment.

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. "The industry is going south," Hrițac said, "This is why the good professionals, such as managers and accountants, are looking for jobs elsewhere." In an interview with *Pagina de Media* (Media Page) (the only publication dedicated to the media industry), Răzvan Ionescu, an experienced publisher who has run major print and online projects, said, "I think that the main guilt is not with the moguls, but with the executives. The publishers did not know what their mission was: to protect the media business." Some panelists feel the bad management of funds is more obvious with public media. "Public TVR pays wages to people who have never set foot in their offices," said Oncioiu.

"The impression is that there are abundant sources: grants, campaigns, project-based journalism contests," explained Oncioiu. "But the competition is fierce. We all fight for these limited resources. They are few and insufficient."

The diversity of sources of revenue is also a problem, especially for smaller businesses. Larger companies enjoy multiple sources, such as advertising, editorial projects, and events organizing. For smaller organizations, especially local ones, the situation is dire. Many local newspapers used to have their own printing facilities that served as profit centers, printing other publications, including

books and textbooks. The Ministry of Education now prohibits the use of all alternative textbooks and introduced one single approved textbook to be printed exclusively by the state-owned publishing house Editura Didactică. "The revenue sources affect the editorial quality, both in private and public media," Hrițac said. Public media are more obedient to the ruling party because the state budget is its major funding source, and private media relies on a handful of advertising clients. At the local level, very few media have diverse and sufficient clients, so they cannot cope with the shock of one client dropping. The situation is similar for independent projects. "The impression is that there are abundant sources: grants, campaigns, project-based journalism contests," explained Oncioiu. "But the competition is fierce. We all fight for these limited resources. They are few and insufficient."

The advertising market continues to grow, with 2017 registering the highest growth rate (13 percent) since the economic crisis. The prognosis for 2018 is also optimistic, with an estimated total volume of €455 million³ (\$507 million) and a steady growth rate until 2022. However, while online and television advertising are growing, advertising is shrinking for print media. In addition, money from online advertising goes primarily to big platforms, such as Google and Facebook, although Google will redistribute some money to local platforms. Moraru believes the market is suffocated with advertising, and Dîrțu added that some media is unreadable because of overwhelming advertisement.

In 2018, the discussion about the link between advertisers and the quality of a company's editorial output resurfaced. In June, protesters circulated

an online petition⁴ asking companies to refuse to advertise their products on two TV stations, Antena 3 and Romania TV, because of their biased, manipulative, and hate-mongering content. Although 24,700 have signed the petition at the time of this report, companies have made no changes.

Panelists agree that there is an unhealthy transfer of public resources from the authorities to the media. Moraru described it as a "clientele-based distribution that is ever shifting depending on what is to be 'performed' or political affiliation." He continued, "Our county council preferred to put its announcements in a newspaper from another county that sells 10 copies in our town on a good day. We sell 4,000 copies, but we don't sing praises to their boss."

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.

³ <https://www.paginademedie.ro/2018/06/piata-de-publicitate-din-romania-se-duce-spre-jumatate-de-miliard-de-euro-cea-mai-mare-crestere-de-dupa-criza>

⁴ <https://campaniamea.de-clic.ro/petitions/stop-publicitatii-pe-televiziunile-mincinoase>

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Budgetary instability and the unreliable economy make market studies and financial planning futile. “I don’t think that there is space for such market research, at least not in the local media. We used to conduct such studies, but now we are short on human resources,” said Moraru. But according to Tiță, who works with one of the major radio networks, there is some research done in that medium. Some panelists argued that marketing studies are conducted to hook the public better, not necessarily to cater to the media’s informational needs.

There are steady and reliable audience measurement instruments developed by the industry. The Internet Audience and Traffic Study (SATI) is conducted by the Romanian Transmedia Audit Bureau (BRAT), a long-established industry organization. The bureau performs circulation audits once a year, which results in publicly available data, but also the National Readership Survey, an in-depth study containing sociodemographic figures of readers per publication, and the Monitoring of Investments in Advertising Study, the results of which are available for purchase by members and third parties. In 2018, BRAT had 136 members (down from the 178 in 2017) and included publishing house staff, advertisers, and ad agency staff. It audited 64 titles (down from 85 titles in 2017) and 177 websites of various content (down from the 183 in 2017). Dîrțu said this is due to a combination of factors, including ad measurement mechanisms and the lack of publications willing to pay for an audit. Moraru explained that sites also do not want to hear if the data is bad. Most online media prefer using the less expensive traffic.ro measurement, rather than the professionally executed, but more expensive, SATI. Some also use internal measurements conducted with Google Analytics.

Television viewership is measured by the

Romanian Association of Audience Measurement (ARMA). ARMA has 111 members: 70 broadcasters, 31 media and advertising agencies, and 10 advertising clients. 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 CNA. Independent foreign companies then conduct an audit of the association’s findings. Kantar Media Audiences will perform the measurements from 2020 to 2023.

Tiță does not think the situation is good and said many people complain about the results. But he acknowledged that if the measurements are not officially contested, it means that people accept them. Audience measurement is another way in which local media are disadvantaged. BRAT audits only 12 local publications (out of a total of 64 audited), 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 Google Ads.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

2.53

Associations for media professionals are almost nonexistent, panelists agreed. “They either no longer exist, or, if they do on paper, they don’t have any notable activity,” Moraru explained. While 2018 offered plenty of occasions for journalistic solidarity to manifest itself, the associations failed to react.

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. MediaSind actively voiced concerns over the aggression during the street protests and confronted the management of public television during its conflict with employees over editorial freedom and work conditions. The Union of Professional Journalists (UZP) is an organization that sees itself as the continuation of the historic union of journalists, created 100 years ago. UZP follows a strong nationalistic and conservative line. Its major achievement was the 2017 ratification of the law that recognizes special rights of journalists who belong to an association that serves “public interest” and is also recognized as a union of copyrights holders. Those member journalists are entitled to a pension increase of 50 percent, but UZP is the only organization meeting the two conditions. The union claims it has 33 internal branches and three in the diaspora.

Media owners are essentially in the same state of disconnect. 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 associations. The Romanian Press Club, one of the oldest 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, as part of an informal umbrella association—Convenția Organizațiilor de Media (COM, Convention of Media Organizations)—but grew silent in 2017, focusing more on individual survival. For them, dealing with systemic problems

is secondary, and they act only if they are mobilized with assistance from outside groups. COM is an initiative started in 2002 by the Center for Independent Journalism and ActiveWatch; starting 2017, no funding has been available for this activity.

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.

The most notable reactions came from NGOs protecting freedom of expression. Those groups protested the aggressions against journalists and politicians labeling media professionals with defamatory language or attempts at passing restrictive legislation. "The NGOs reacted to all the challenges, but they acted as if they were working part-time," said Ionescu, adding that, given their activities in the past, the NGOs created some

expectations of always being ready to respond or react. Tiță observed that topics such as data journalism and privacy remain almost unaddressed by NGOs. Avădani explained that NGOs also have diminishing resources. In addition, the government has been seeking ways to more easily dissolve NGOs for minor misdemeanors and has tried to impose transparency standards on NGOs equal to those applied to banks and gambling companies, making fundraising more difficult. "It is difficult for just a handful of NGOs to cover the whole country while trying to secure their own survival and attract projects," said Oncioiu.

Journalism education is following the same grim trend. The number of candidates studying journalism has decreased, with more students opting to study public relations and advertising. Natalia Vasilendiuc, a lecturer at the journalism school at the University of Bucharest, explained that the curricula do not address the needs of employers and that there is no coordination between the various journalism schools across the country. Oncioiu added that the faculty members at the schools are seldom properly qualified; some have never even worked in a newsroom. Sometimes, she added, new people come to teach and share innovative things. Tiță remarked that students can study abroad at affordable programs.

Panelists also feel continuing education opportunities are decreasing, although Țoghiță believes journalists are so bombarded with information that they may overlook the announcements of training opportunities. Oncioiu said groups such as CIJ, RISE Project, Freedom House Romania, and Balkan Investigative Reporting Network constantly offer courses. Other European or US organizations also offer training opportunities. Lupu added that the appetite of journalists for such training opportunities is diminished compared

to years past. Moraru believes that managers of understaffed newsrooms do not encourage their journalists to attend training opportunities and are definitely not willing to pay for such training.

Access to media equipment, newsprint, and printing facilities is apolitical, unrestricted, and not monopolized. However, distribution has been 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 8,000.⁵ In 2017, the number shrank by another 1,000, according to Cătălin Tolontan, back then the editor-in-chief of *Gazeta Sporturilor* daily newspaper.⁶ In 2018, the mayor of the third district of Bucharest decided to remove, overnight, all the news kiosks in the district, with the exception of those belonging to a company controlled by the controversial businessman Sorin Ovidiu Vântu. Some panelists believe print distribution is coming to a "technological end." Circulation figures are smaller, and more and more people get their information online.

Cable and satellite operators play equally important roles in securing access to media products. Three major players dominate the market: Digi Communications, with a 48 percent market share; Telecom, with a 20 percent share; and UPC Romania, which has the lowest market share at 18

5 Obae, Petrișor. "Folder. Half of the New Kiosks Have Disappeared in Recent Years. Half of the Companies in Bankruptcy, Paginademedia.ro. October 10, 2016. <http://www.paginademedia.ro/2016/10/distributia-presei-jumatate-din-chioscuri-au-disparut-in-ultimii-ani-jumatate-din-firme-in-faliment>.

6 Tolontan, Cătălin. "Media distributors from Bucharest want to go on strike on Monday"; Tolo.ro, September 20, 2017, <http://www.tolo.ro/2017/09/20/difuzorii-de-presa-din-bucuresti-vor-sa-faca-luni-greva/>.

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percent. The last report by The National Authority for Management and Regulation of Communications of Romania (ANCOM), published in early 2018, stated that the market in Romania consists of 7.45 million subscriptions for TV retransmission service, 5 million for cable, 2.28 million for direct-to-home (DTH) satellite, and 130,000 for Internet Protocol Television (IPTV).

“It is difficult for just a handful of NGOs to cover the whole country while trying to secure their own survival and attract projects,” said Oncioiu.

Cable companies can decide which local TV stations they carry and where in their grid to place their programs. Some stations have decided to renounce their “must carry” status granted by CNA based on their audience rates, preferring instead to negotiate directly with cable operators.

Internet infrastructure continues to develop rapidly, in part thanks to the wide penetration of mobile devices in Romania. The country has 4.9 million land Internet connections, accounting for 59 percent of households. Mobile broadband Internet is more popular and boasts 19.4 million connections, a penetration rate of 99 percent of the population. Mobile Internet traffic grew 48.5 percent in the first half of 2018 compared to the same period in 2017, according to data provided by ANCOM. The growth is largely due to the competitive nature of the mobile communications market, leading operators to present offers and incentives regularly to attract new clients.

List of Panel Participants

Cătălin Striblea, journalist, DigiFM

Cristi Godinac, president, MediaSind, Federation of Journalists' Trade Unions, Bucharest

Cătălin Moraru, editor-in-chief, *Monitorul de Botoșani*, Botoșani

Costin Juncu, managing director, Romanian Association for Audience Measurement, Bucharest

Costin Ionescu, journalist, Hotnews.ro

Ioana Avădani, president, Center for Independent Journalism, Bucharest

Cristina Lupu, executive director, Center for Independent Journalism, Bucharest

Diana Oncioiu, journalist, Dela0.ro, Bucharest

Liana Ganea, program coordinator, FREEX Active Watch, Bucharest

Laura Frunzeti, executive director, Romanian Advertising Council

Mona Dîrțu, journalist, Monday Memo

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

Silviu Ispas, president, Romanian Transmedia Auditing Bureau, Bucharest

Teodor Tiță, news director, Europa FM, Bucharest

Toni Hrițac, editor-in-chief, *Ziarul de Iași*, Iași

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The panel discussion was convened on December 4, 2018

SERBIA



MEDIA SUSTAINABILITY INDEX 2019

Tracking Development
of Sustainable
Independent Media
Around the World



SERBIA

AT A GLANCE

GENERAL

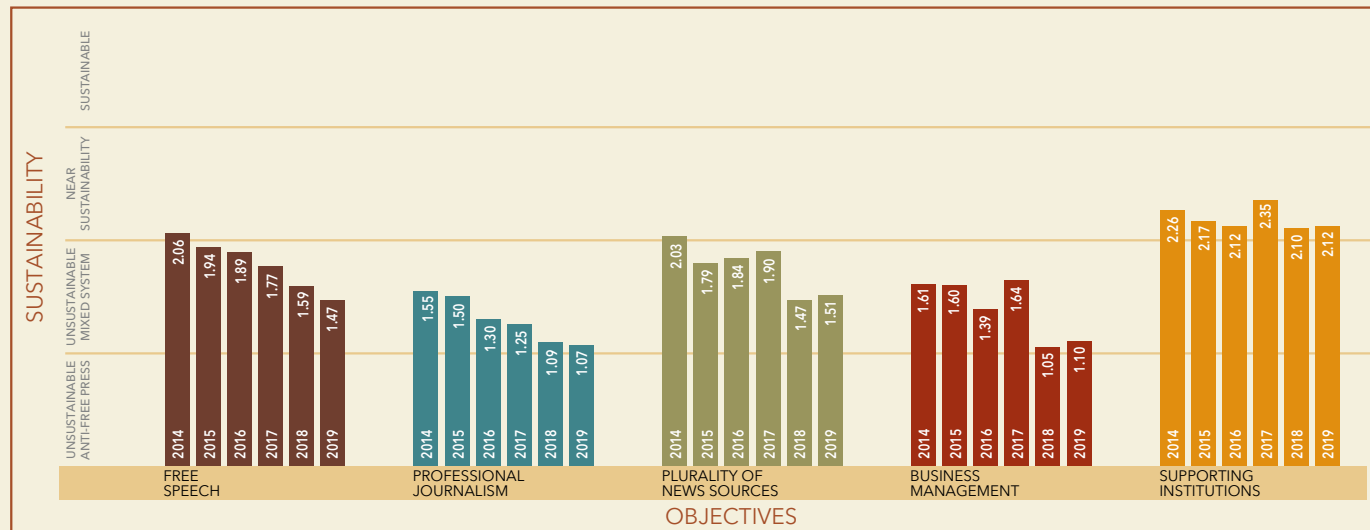
- **Population:** 7,001,444 (January 1, 2018 est. Serbian Statistical Office)
- **Capital city:** Belgrade
- **Ethnic groups (% of population):** Serb 83.3%, Hungarian 3.5%, Romani 2.1%, Bosniak 2%, other 5.7%, undeclared or unknown 3.4% (CIA World Factbook, 2011 est.)
- **Religions (% of population):** 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 (2017 - Atlas):** \$36,4 billion (World Bank Development Indicators, 2017)
- **GNI per capita (2017 - Atlas method):** \$5,180 (World Bank Development Indicators, 2017)
- **Literacy rate:** 98.8% (male 99.5%, female 98.2%) (CIA World Factbook, 2018 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:** Print: 916; Radio Stations: 326; Television Stations: 227; Web Portals: 736; Agencies: 26; Other: 17; Total: 2,248 registered media. (source: Serbian Business Registers Agency)
- **Newspaper circulation statistics:** Top three dailies by circulation: *Informer* (average daily sales in July 2018: 102,000), *Večernje Novosti* (49,000), *Blic* (47,000). (source: IPSOS)
- **Broadcast ratings:** TV: 72% of total population (daily reach); Radio: 57% (weekly reach) (Source: IPSOS)
- **News agencies:** Beta (private), 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:** €180 million–€200 million (estimate)
- **Internet usage:** Households having an internet connection: 72.9% (as of September 2018. Source: Statistical Office of the Republic of Serbia.). Top news Internet portals: (average daily real users): *Blic* 948,000; *Kurir* 913,000; *Espresso* 339,000 and *Telegraf* 327,000. (source: Gemius)

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.



The climate for journalists in Serbia deteriorated in 2018. Officials insult and even endanger journalists by calling them enemies of society or “foreign agents.” A media coalition broke off talks with the government last year after none of its demands for better conditions had been met. Compounding these issues, the number of quality journalism outlets is shrinking, and adapting to the digital era while maintaining credibility is a pressing question for conscientious Serbian media. Serbia’s overall score for the MSI dropped slightly this year, with scores in Objectives 1 and 2 (freedom of speech and professional journalism, respectively) showing losses, and it remains in the “unsustainable mixed” classification.

Last year brought yet more upheaval to Serbia’s already-turbulent politics. In January, Oliver Ivanovic, a prominent Kosovo Serb politician, was gunned down in North Mitrovica, a majority ethnic-Serb enclave in Kosovo. Ivanovic had broken with Belgrade’s political machine and had accused Serbian security forces of involvement in Mitrovica’s rampant crime. In turn, top-ranking politicians had demonized him, and some Belgrade media had labeled him a traitor. Two police officers and an aide who worked in Ivanovic’s office have been arrested in connection with the killing.

Despite ongoing normalization talks between Serbia and Kosovo, relations between the two countries remain bumpy, as evidenced by three events in 2018:

- ▶ The presidents of Serbia and Kosovo discussed a possible land exchange: Serbia would get North Mitrovica in exchange for a predominantly ethnic-Albanian area east of the border with Kosovo. The idea sparked huge protests in the Kosovo capital, Pristina.
- ▶ Kosovo imposed 100-percent tariffs on imports from Serbia, accusing Belgrade of campaigning against Kosovo’s membership in Interpol.
- ▶ Kosovo’s parliament voted to create a national army, violating a constitutional provision that designates NATO troops as the only armed forces permitted to operate in Kosovo.

Serbia’s relations with neighbors Montenegro and Croatia also deteriorated.

In March, the ruling Serbia Progressive Party (SNS) won a plurality in elections for the Belgrade City Assembly. The year finished with mass demonstrations against President Aleksandar Vucic and his government, prompted in part by an assault on opposition politician Borko Stefanovic.

Major obstacles to Serbia’s development and prosperity include weak rule of law, lack of free media and independent courts, corruption, an inefficient bureaucracy, and weak property rights linked to the country’s post-socialist restitution process. Serbia’s growth has long trailed that of other Central and Eastern European countries. Gross Domestic Product per capita is among the lowest in the region, and the average salary is below €500 (\$565) per month. Though on the rise, the amount of foreign direct investment is well below remittances sent back by the diaspora, despite generous incentives the government offered to investors. On the other hand, Serbia has run a budget surplus in the past two years, and in 2018 it reversed earlier pension cuts.

Last year the head of a respected fiscal watchdog group publicly questioned the reliability of some official statistics, and the director of the statistical agency defended the agency’s methods and conclusions. The disagreement was significant because it jibed with widespread suspicions that the agency massages the numbers to the government’s benefit.

According to a survey of one thousand people by the Serbia 21 think tank, around one-fifth of Serbian citizens want to emigrate. Most of those are young people, and almost all want to go to the West.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

1.47

The Serbian constitution protects freedom of speech and the free flow of ideas and information. The existing laws on the media were passed in 2014, and some panelists said they were overdue for amendment. All panelists agreed, however, that the laws are often selectively applied and regulations ignored. For instance, the government is almost four years behind a second legal deadline—the first deadline was in 2005—to privatize the state-run Tanjug news agency. While two attempts to privatize Tanjug were unsuccessful, the government eventually shuttered the agency and all of its employees were laid-off. However, Tanjug still remains on the state registry as a company, is still funded by the government, and remains active, thus distorting the market. In another example, journalists from independent media are regularly denied access to public information, which under Serbian law should be available to them.

For two years the government has dawdled on a planned national strategy—addressing, in part, journalist safety, sustainability of independent media, and quality of content—to help Serbian media thrive. Frustrated by the process, representatives of a journalists' association said the government has shown no interest in resolving about a dozen issues critical to their work and security. Panelist Snežana Milivojević, who teaches media law and policy in Belgrade, said the delays show that the government does not see the health of the country's media as a priority. On the other hand, Đorđe Krivokapić, an expert on Internet freedom and digital rights,

said that pressure from civil society and abroad has helped Serbia's media and that media realities received more attention from the government in 2018 than they had in previous years.

Zoran Sekulić, owner and chief executive of the FoNet News Agency, disagreed. He said the government has made a show of taking these issues seriously without actually addressing them, noting the journalists' association's still-unmet demands and the worsening assessments of the country's media climate by international observers. Sekulić said the government had reactivated a working group on journalists' safety just before the European Commission released its annual report on Serbia's progress toward European Union membership in order "to show that working groups are active."

Krivokapić said important developments impacting freedom of speech in 2018 included a cabinet-level proposal for combatting "fake news" and an appeals court ruling overturning a lower court's judgment that *NIN* magazine had defamed Interior Minister Nebojsa Stefanovic in an article pinning responsibility for the controversial demolition of a Belgrade neighborhood on him. The day after the Media Sustainability Index (MSI) panel convened in November 2018, however, the country's highest court annulled the appellate court's decision.

In a survey of 177 media workers by the Slavko Curuvija Foundation—a media development organization honoring a journalist gunned down in Belgrade in 1999—24 percent of respondents said conditions are not conducive to free speech in Serbia, and another 50 percent said free speech faces serious obstacles.

Only broadcast media must be licensed in Serbia, via a process that panelists criticized as opaque. Licenses are renewed automatically, with no review of media outlets' performance. The Regulatory Authority of Electronic Media (REM) has

had only six of its nine members since December 2015 and has been without a president for almost three years. Given the agency's reputation for passivity and the declining importance of terrestrial broadcasting licenses, panelist Slobodan Kremenjak, a lawyer in Belgrade, wondered if Serbia still needs it.

But Tamara Skrozza, a journalist with *Vreme* magazine, noted that there had been signs of life from REM last year. She recalled that one REM member openly violated the regulator's rules on impartiality by criticizing opposition politicians and by defending the legality of an advertisement for

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.

the ruling party that ran outside the election season, which is the only time political ads are permitted to air in Serbia. "Her actions finally showed even the skeptics that REM is nothing but ... a ruling-party branch office," Skrozza said.

Neither REM nor the Republic Agency for Electronic Communications regulates cable or Internet media.

The pressure to keep silent is stronger today than ever," Sekulić added.

Formally, the conditions for market entry and the tax structure are comparable to those of other industries. In practice, however, authorities use the tax laws to punish critical media, panelists said. In one notorious case, the Južne vesti news website was fined more than RSD 1 million (\$9,560) after prolonged scrutiny by tax inspectors. Juzne vesti said inspectors found no irregularities but improperly subjected the website to rules governing public-sector employment by ordering it to pay several years' worth of back taxes and social contributions for the editor-in-chief.

"As the owner of a radio station, I have to pay income taxes every month on the 15th," said panelist Milorad Tadić, owner of Boom 93 Radio in the eastern city of Požarevac, "If I don't pay, my accounts will be frozen." Meanwhile, he said, the government-friendly TV Pink has tax arrears of €5 million (\$5.65 million) and operates freely.

Physical attacks on Serbian journalists are not uncommon, and the authorities' response is slow and halfhearted, panelists said. By contrast, threats against politicians tend to be solved speedily. "Journalists in Serbia continue to face attacks and threats, as well as an inadequate response from the authorities, and the pro-regime media continue to campaign against independent editorial offices and

journalists," Human Rights Watch wrote in its annual report on Serbia in 2018.

In the fall, an issue of the partly state-owned *Ilustrovana Politika* magazine appeared with a cover picture of a snarling Rottweiler, background images of media critical of the government, and the headline "The Hounds Have Been Released." Many took this to be a threat to independent media. The president's media adviser, Suzana Vasiljevic, sat on the magazine's supervisory board but resigned amid the furor over the cover story. Then in December, attackers burned down the house of Milan Jovanovic, a journalist for the Žig Info website who had covered corruption in local government. The perpetrators of this attack also opened gun fire to the front of the house, but Jovanovic and his wife were able to escape through a back window. Reporters Without Borders called it "one of the gravest" attacks on journalists in Serbia in recent years. On December 30, someone tried to break into the apartment where Jovanovic and his wife had moved after the fire. President Vucic's dismissal of the crime as "just a burglary attempt" drew swift condemnation from the international reporters' group.

Two influential political cartoonists came under attack from the authorities last year. A planned exhibition of their caricatures to mark the International Day Against Fascism and Antisemitism, which was to be held at a library in Lazarevac (a municipality of Belgrade), was cancelled at the last minute—something not done even during the communist era. The library director said the exhibition had become politicized because members of opposition parties planned to attend the opening and because it was sponsored by *Danas*, a credible, independent newspaper.

Panelist Ilir Gaši, a freelance journalist in Belgrade, said authorities investigate crimes against

journalists typically in response to international pressure rather than pressure from the Serbian public. "The public is becoming increasingly sensitive to the security issues of journalists, but they're still passive about their protection," he said.

Public broadcasters' editorial independence is questionable because they receive money from the state budget and because their board of directors is chosen by REM, which, in turn, is under the control of the ruling party.

As part of the budget process late last year, parliament approved an increase in the annual public broadcasting fee per household from RSD 150 (\$1.43) to RSD 220 (\$2.10). Before the hike, subscription income brought in €40 million, with another €20 million (\$22.6 million) from the state budget and €24 million (\$27.2 million) from advertising. This funding structure, which was intended to be temporary, has been in place since 2014, as have a hiring freeze and limits on advertising time. Milivoje Mihajlović, assistant general manager of Radio Television of Serbia (RTS), said cable operators should be forced to pay for carrying the public channels.

The RTS program council has ceded its responsibility to ensure that the channel's programming serves the public interest to the station's managing board, which is appointed by the politically controlled REM and contains only one media expert.

Although journalists no longer face a prison sentence if found guilty of libeling someone, libel lawsuits have become commonplace. Court practices in Serbia often do not reflect those of international tribunals, although some judges have started to take into account decisions by the European Court of Human Rights before rendering their verdicts. Politicians still do not accept the fundamental principle of libel law, which says that they should show a higher tolerance for critical

press coverage than ordinary citizens. In one example in 2018, a reporter for *Južne vesti* was called to the police station and asked to disclose his sources for a series of critical articles he had written on local government officials. Although the reporter refused and nothing more came of the incident, police questioning a reporter over his sources is of wider concern.

The case of Interior Minister Nebojsa Stefanović and *NIN* magazine is a good example of journalists' treatment at the hands of courts and politicians. In 2016, Stefanović sued *NIN* as a private individual for damage to his honor and reputation after the magazine blamed him for the police's failure to respond to urgent calls to stop the nighttime demolition of a Belgrade neighborhood. The first-instance court ruled for Stefanović and ordered *NIN* to pay him RSD 300,000 (\$2,867). An appeals court overturned that verdict, but the highest court sent the case to retrial in late 2018.

Public officials in Serbia play favorites with the media. For example, while all might be welcome at a press conference, only journalists from favored outlets will be permitted to ask questions. Likewise, officials tend not to return phone calls or provide public information to critical media, accusing them of being one-sided.

As a signal of an overall deteriorating environment, government bodies frequently refuse to provide public information, in violation of Serbia's freedom of information law. When the government refuses to provide information according to Serbian law, journalists and citizens can turn to the Commissioner for Information of Public Importance and Personal Data Protection. In 2018, the Commissioner received 4,828 requests for intervention (monthly average in 2018 was 402 requests in connection with freedom of information). However, in spite of Serbian law and

the oversight function of the Commissioner, the national government does not release information on major public contracts. State-owned companies often opt to pay fines for not complying with the law instead of releasing information, even after the Commissioner makes a ruling. The government has also proposed excluding the National Bank of Serbia and state-owned companies—a notorious nexus of corruption—from the new public information law, and it has drafted the right for all state institutions—including agencies and ministries—to launch court challenges to any decision the Commissioner makes,

Zorica Višnjić, editor-in-chief of *Lozničke novosti* newspaper in the western city of Loznica, said the problem is especially acute for media outside the major cities. "If you ask for information from the local water management inspector, he has to get permission from the regional inspector, and the regional inspector has to get permission from Belgrade to provide it. The directors of public companies or local agencies never reply to our questions for two reasons: They're throwing their weight around, but they're also afraid of saying the wrong thing in public," Višnjić said.

There are no legal restrictions on publishing international news, but domestic media are choosy about which reports to use, generally avoiding anything about Serbian foreign policy. "There are no formal obstacles, but critical pieces on Serbian policy or society are never published. There have even been cases where articles from foreign sources undergo certain revisions," Gaši said. "The pressure to keep silent is stronger today than ever," Sekulić added.

Anyone can become a journalist in Serbia, and no license is required. For years, politicians in the ruling party and some journalists have argued that the profession of journalist should be defined in law and be licensed.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

1.07

Serbians' confidence in their media has been declining for years, according to European Broadcast Union research. In an upside-down version of the rest of Europe, Serbians trust online information and social networks more than traditional media.

The country has two parallel media scenes. On one side are major media practicing shoddy journalism backed by the authorities. On the other side are smaller professional outlets that have received multiple international and domestic awards. The polarization is clear, and public officials treat professional and scrupulous journalists as enemies of the state.

"Media scenes are polarized everywhere, but ours has asymmetric polarization," Milivojević said. She said alternative reporting, critical thinking, and independent journalism are marginalized, giving way to media extremism. She suggested that rather than assessing the overall professionalism of Serbia's media, the real question is about the impact of the dominant, divisive media versus the smaller, more-professional outlets. "Much more time is spent arguing about the quality of journalism than about systematic media problems, and it should be vice versa," she observed.

The number of quality journalism outlets is shrinking, and adapting to the digital era while maintaining credibility is a pressing question for conscientious Serbian media in a time when facts seem to matter less.

Serbia has a sound ethical code for journalists. However, most journalists likely do not know about it, and few obey it. According to the Press Council—a

self-regulatory body of media owners, publishers, and employees—eight daily newspapers in Serbia last year violated the code a total of 3,615 times. Most offenses were committed by dailies close to the authorities. *Alo* had 929, *Serbian Telegraph* 769, *Kurir* 701, *Informer* 600, *Blic* 307, and *Večernje novosti* 216. *Politika* and *Danas* committed the fewest violations, with 36 and 57, respectively. Most violations concerned the presumption of innocence for the accused, concealed advertisement, or the rights of victims or children.

Mihajlović lamented the “tabloidization” of the media, noting that tabloids have the biggest circulation and press releases are printed verbatim.

“Fake news gets distributed everywhere, while maybe one-tenth as many people will see a denial of it,” Tadić said.

Višnjić said only journalists and a few civil society groups defend media professionalism in Serbia: “That’s not a strong-enough front, and we need to get citizens involved in the battle.” She said media literacy is falling and that serious journalism is under threat outside the cities. “But citizens don’t defend local media, although they trust them. If you as a local journalist write or report the truth, you become essentially a kamikaze,” she noted.

In a survey of media professionals (journalists, editors, editors-in-chief, freelancers, etc.) by the Slavko Curuvija Foundation, 34 percent of respondents said there is more self-censorship than five years ago, and 37 percent said it is harder to resist external pressure—for example, from advertisers—than it was five years ago (seven percent said it is easier). As far as pressure from media owners or editors, 26 percent said it is harder to withstand than it was five year ago. Journalists have few good choices on the job market in Serbia, so most cannot defy their bosses or quit.

“Self-censorship is almost ubiquitous,” Gaši

said, “Many journalists have no idea that their job is to report impartially and in the public interest. Instead they follow their editors’ orders unquestioningly, participating in a false representation of society with no foundation.”

But Milivojević said self-censorship is not the real problem and that the concept itself is unfair. “It’s difficult to investigate the legal, political, and economic pressures that are far more responsible for the collapse of professional standards than self-censorship,” she said, adding, “Self-censorship is becoming an excuse for shifting the blame onto journalists.”

In addition to self-censorship, other forms of censorship are prevalent in Serbia. In one example, Sekulić said his agency lost a subscriber and advertiser after it published an accurate story the advertiser did not like. “There’s no official censorship, but a media outlet is on its own when deciding when to risk running a story.” He said Serbian news is full of staged events presented as newsworthy. “Those aren’t fake news; they’re fake narratives and fake perceptions.”

Moreover, government officials or editors sometimes prevent journalists from reporting on certain topics, such as the talks with Kosovo, crime, economic development issues, environmental disasters, corruption, and improper pressure on the courts. Some events that the media do not cover are covered on social networks.

Tadić said few media criticize the government. Most local media play it safe and copy-paste local news—from other outlets or agencies, for example—and many just paraphrase posts from Twitter. “The media don’t report on events of public interest. Most of them just use some spin and/or fake news pushed by the authorities,” Skrozza further noted.

Journalism is among the lowest-paid professions in Serbia, and most journalists must

work at several outlets to cobble together a living wage. At the end of 2018, the average monthly salary for a journalist in Serbia was RSD 40,521, or about US \$387. Despite repeated conferences and studies on the status of journalists, panelists said most

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).

Serbian do not realize how dire the situation is.

Skrozza said many journalists do not have jobs or even freelance work. Additionally, she noted that many employers do not pay their national health insurance contributions, so their employees do not get those benefits, and freelancers have practically no way to access medical care. “All this make journalists’ situation untenable, and it definitely affects the quality of their work and their vulnerability to corruption,” Skrozza said.

Gaši agreed that journalists’ plight is critical, adding that many reporters work on temporary

contracts, and even those with jobs are often paid late or irregularly. “However, in my opinion, the position of a journalist isn’t bad enough to justify abandoning your ethics,” he said.

“Fake news gets distributed everywhere, while maybe one-tenth as many people will see a denial of it,” Tadić said.

Višnjić said that in her 35 years as a journalist she does not recall ever being paid well: “Now I’m a co-owner of a newspaper that has seven local journalists, but our financial state is poor. The only media that have money outside the big cities are those that make shady deals with officials for positive coverage. In those areas, average salaries are extremely low, and the chances to get another job are nonexistent. A journalist’s social position is not only dramatic, it’s also humiliating.”

Quality newscasts and investigative journalism are overwhelmed by entertainment and reality programming available on Serbian televisions. In fact, entertainment is overshadowing information programming, as networks have begun using their entertainment programs to promote and humanize politicians. Serbian President Vucic is a frequent guest on extended entertainment programs, which can last two or three hours. Some channels run multi-hour programs devoted to discrediting opposition politicians, including making extensive use of fake news.

Mihajlović said the highly rated public broadcaster RTS offers a sufficient diet of news, but entertainment programs are catching up.

Access to technology is improving in Serbia’s newsrooms, but investment is still inadequate. “There’s a lack of modern equipment, but that’s not the main reason for the low quality of reporting

in the country,” Tadić said, hinting at editorial interference in news reporting.

There is little specialized reporting in Serbia, and some beats—such as the economy, the environment, and foreign policy—are largely ignored. Serious investigative journalism exists, albeit mainly online. Some highly professional websites that conduct investigations include Insider, KRIK, the Balkan Investigative Reporting Network, and the Center for Investigative Journalism of Serbia, complemented by several regional media portals, such as Južne vesti, Boom 93, and Ozon. Investigative reporters are often harassed or pressured by tabloids and politicians.

Tadić noted that investigative journalists in Serbia often win international awards. He said that although there are some specialized reporters, investigative journalism does not exist in the country’s mainstream media. Further, he said, some outlets do not publish the results of their investigations because they are convinced that they will make no difference.

OBJECTIVE 3: PLURALITY OF NEWS

1.51

The media are exceptionally polarized into pro-government and opposition camps. Pro-government media ignore opposing viewpoints or marginalize news about citizen protests or actions as well as opposition activities. As media ownership becomes more concentrated, especially in regional media and as regional media outlets continue to close, pluralism and diversity are under further threat.

“Most editors in public broadcasting see themselves as independent, but there are a lot more people

from the government than from the opposition in their programs,” Mihajlović said. He added that television remains the dominant medium in Serbia, although the number of online media is growing. Because many consider social networks a serious source of information, “the authorities use teams of bots to manipulate social networks and to produce disinformation,” he said.

Mainstream media, especially nationwide television and radio, squelch the expression of different viewpoints or information that comes from other news sources. Most media broadcast or print the same news, typically from government sources, with no attempt to find opposing, or even corroborating, sources.

No law restricts people’s access to domestic or international news via any medium. Foreign media are available through cable television—which according to the Republic Agency for Electronic Communications and Postal Services (RATEL) reached 1.7 million Serbians in 2017—but there is little cultural pluralism and the selection of cable channels tends to be narrow and parochial. A huge number of channels is no guarantee of pluralism.

“Cable operators discriminate against regional media,” Tadić said. He said his station was kept off cable even though it had the proper licensing, even as Pozarevac has access to 80 unlicensed music radio stations via cable.

Despite the presence of six nationwide television channels that include two public broadcasters, Serbia’s television news coverage is increasingly uniform and in lockstep with the government, a clear indication of stepped-up pressure from Belgrade. The resulting mix of self-censorship and external pressure means public broadcasters will not reflect the views of the whole political spectrum. “In addition to being under state control because they’re financed from 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.

state budget, public broadcasters as a rule avoid serious topics in their programs and are not open to alternative views or comments," Tadić said, "Big public media and state-owned media and most private media also spent by far more time on the activities of the authorities and the president than on the opposition."

Mihajlović said that despite all the criticism public broadcaster RTS receives, it still has the highest-rated program in the country. "That says more about other networks than about the public service," he observed.

The market for news agencies in Serbia has long been distorted by the presence of the Tanjug agency, which was supposed to be shuttered in 2015

but still operates with funding from the government. With that steady income stream, it can afford to undercut competitors by charging little to nothing for its services.

Mihajlović said of the three major agencies, the two private ones, Beta and FoNet, are highly professional, while Tanjug is a mouthpiece for the government. Access to information from international news agencies is affordable only to a few better-off outlets.

Most of Serbia's 2,300 media outlets do not produce their own news and instead poach it from other sources, including unverified news and information from social networks. "An extremely small number of private media produce their own information programs that are different from those on public or state-controlled media," Tadić said, "Regional private media invest in efforts to produce their own information programming focused on local news."

More and more local towns in Serbia are deprived of local information, as regional media lack the political or financial clout to stand up to the considerable pressure from local governments and businesses.

Media ownership is opaque, as owners find ways around a disclosure law that requires them to register with a government agency. In 2018, a new development regarding media ownership in Serbia occurred. Under a privatization law, the state is required to sell off its stakes in all media except the public broadcasters. However, in 2018 the state expanded its media ownership, indirectly, when subsidiaries of state-owned Telekom Serbia formed a partnership with the publisher of the *Kurir* newspaper, and Telekom itself bought the Copernicus cable operator.

In their service to the government, most of Serbia's major media skip over difficult social issues.

Further, public-affairs programming has been almost abandoned by national broadcasters, including the public networks. Tadić said some topics—including issues of gender, ageing, ethnicity, religion, and sexual orientation—receive only occasional coverage.

Mihajlović said most minority-language programming is on privately held media. In the northern province of Vojvodina, mostly under the auspices of national councils that represent the interests of ethnic minorities, 22 print media in eight languages are active, and public service broadcaster RTV airs content in as many as 15 languages. Serbia has about 75 online media outlets and one daily newspaper in minority languages. RTS has the country's only Romani-language programming.

There are no legal or technical obstacles to providing complete news coverage in Serbia, and there are plenty of newscasts. Rather, the obstacle is the extreme polarization that encourages rigid editorial loyalties and policies. Critical issues are left unexamined by government-friendly media on the state, provincial, and regional level. The few independent media at all levels cover touchy issues, despite being pressured and threatened.

"There are local media that report on local situations, but their news profile depends on the owner's political orientation or economic interest," Mihajlović said.

"Most editors in public broadcasting see themselves as independent, but there are a lot more people from the government than from the opposition in their programs," Mihajlović said.

**OBJECTIVE 4:
BUSINESS
MANAGEMENT**

1.10

The media business in Serbia becomes less sustainable by the year, except for media with foreign owners. Management and business functions are well developed only in major national media. Business plans and financial and accounting practices that meet international standards are of little use anyway in Serbia's unpredictable, Wild West of a market. Further, a country of seven million people cannot reasonably support 2,300 media outlets, especially the smaller, regional ones.

Every government, of any political persuasion, tends to place its advertising through two agencies whose chief executives are politically connected. The agencies spend that money according to incomprehensible criteria, panelists said. "The money flows aren't determined by the market, and the money goes to media outlets according to political criteria, with a clear bias toward media that back the authorities," Gaši said.

Media projects in the public interest—co-financed by local, provincial, and state governments and geared towards providing content that serves the broader interests of Serbians—are big business in Serbia. Local governments and the national and provincial agencies for culture and information last year published a combined 161 calls for bids. The Journalists' Association of Serbia (UNS) found that 35 municipalities and the City of Kragujevac announced no competitions for co-funded media projects in 2018, a violation of the law. In February 2018, the Culture Ministry announced eight bids for co-financing and then established a commission to review the bids but did not disclose

the makeup of the group. The failure to publicize the members of the commission and the controversial distribution of money in 2018 prompted protests from journalists and media associations, and many withdrew from the process.

In another example, the Ministry of Culture chose a company called Essentis from a large field of candidates to work on a lucrative co-financed documentary project. Essentis does not produce media content, has no employees, and pays no social insurance contributions. Additionally, in a violation of the rules on co-financing, prospective co-funded contracts in the 2018 round of bidding were also awarded to media that Press Council monitors said had repeatedly violated the profession's formal ethics code in 2017. At the end of November, the Belgrade city government awarded money to the *Alo*, *Informer*, and *Serbian Telegraph* tabloids, which consistently violate the journalism ethics code. Several media that received co-financing in 2017, but did not account for their spending, again received money in 2018.

"This year the media project co-financing system is brazen and looks like a joke," Višnjić said, "None of the prescribed criteria are applied."

The ad hoc journalists' group that broke off talks with the government over the media strategy last year released a statement in October slamming officials for shovelling "extremely large amounts from the budget to the media," in an opaque and discriminatory way. The group alleged that co-financing has long been plagued with irregularities and that officials use it to finance friendly media and self-promotion instead of obeying the law, which requires that money be parcelled out by "media experts delegated from journalists' and media associations" in the public interest.

Serbian officials distort the market in other ways as well. For instance, the country's *de minimis* rule caps the amount of revenue any media can receive

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.

from public procurement at RSD 23 million (\$220,000) over three years. Just before the Belgrade City elections last year, this cap was lifted for television stations, putting other media at a disadvantage. As another example, the national government bypasses the public procurement process when funding promotional video or film projects. In addition, the Tanjug news agency, of which the state is legally required to divest itself, has been taken off the list of legal companies but still operates as a state news agency—some call it a phantom agency. It is heavily financed by the state budget, although there is no specific budget line for it, and it handicaps its private competitors by charging low prices for subscriptions. Officials have even ordered state agencies to subscribe to Tanjug.

"The economic environment for the media will remain unsustainable until a few outlets are no longer

able to dominate the market,” Milivojević said, “There’s an obvious need to end the criminalized system of project co-financing. ... The two main pillars of media funding are controlled by the state, which then determines the conditions for media functioning.”

The advertising market is highly concentrated and politically tied. Most of advertising revenue and public funding sources are essentially controlled by the same people. “The advertising industry is not an autonomous industry,” Milivojević said.

Independent sources of funding, such as subscription and international donations, make up a small percentage of funding and do not begin to counteract the imbalance in the market. New models of funding, such as crowdfunding, are slow to take root because media are not nimble enough to use them and audiences lack the disposable income to contribute and are not comfortable or familiar with them.

Mihajlović said public broadcasters get 25 percent of their revenue from advertising, 25 percent from the state budget, and the remaining 50 percent from subscription fees paid by everyone with a television. Private media rely largely on advertising and state funding for co-financed public-service projects, which, as discussed previously, is deeply problematic.

Mihajlović noted advertising time is limited by law for all broadcasters, but there are no serious consequences if a station exceeds the limit, as often happens.

Gaši said few media can get advertising, and it is especially difficult for online and regional outlets. Still fewer can get foreign contributions. Gaši added, “Other sources of revenue, such as subscription or crowdfunding, are negligible.” Tadić said banks refuse to extend credit to Serbian media and foreign donations are dwindling.

Figures for the size of the advertising market

are only estimates, but over the past decade and as measured by Nielsen Media Measurement, it stagnated around €160 million–€180 million (\$181 million–\$204 million) annually. Agencies say they had an uptick in 2018, so €180 million–€200 million (\$204 million–\$227 million) last year is a reasonable educated guess. The big media outlets get the lion’s share of advertising dinars.

Tadić said that although Serbia has several advertising/media buyin agencies, several dominant ones—including Direct Media United Solutions, Media House, Universal Media and Initiatives—dictate prices and rules, selectively place their ads, and focus on the capital city and several bigger Serbian towns.

Reliable figures do not exist, but most analysts believe the national government is the largest advertiser, opening the door to undue pressure and corruption. Aside from the government, supermarkets, telecoms operators, and pharmacies were the most frequent advertisers on television.

State funds—especially for co-financed projects, rather than advertising—are critical to the survival of many Serbian media. Advertising in local and online media is minimal. Most online advertising goes to foreign-owned platforms accessible in Serbia, such as Facebook, Instagram, YouTube, and Google. Advertising time in broadcast media is limited by law to 12 minutes per hour, but television networks often exceed that, given the pressure to scrape more money out of advertising. Nonprofit and civil society-owned media are allowed to earn money through advertising but are limited to six minutes per hour, as is public service, which also tends to exceed its limits.

The national government is one of the biggest benefactors to Serbia’s media. Government advertising contracts go to friendly media in an opaque manner, and government grants are likewise distributed selectively. The total amount of state aid and state advertising funds given to media is not

made public, but only 20 percent of state funding to media outlets is awarded through competitive processes, according to Reporters Without Borders’ 2017 Media Ownership Monitor report.

“The lowest mark should be given to this indicator [government subsidies and advertising are distributed fairly, governed by law, and neither subvert editorial independence nor distort the market], especially for the state advertising process, which is clearly used as a way to control the media,” Krivokapić said.

Reliable market research has a long tradition in Serbia. Research agencies use such methods as focus groups, surveys, desk and field research, and online polls to look at audience makeup, demographics, and customer preferences. However, only the largest media outlets, companies, advertising agencies, and political parties can afford such research, which they use to tailor content or messages and guide their business. Left behind are the smaller, local media, which ad agencies frequently overlook.

“The money flows aren’t determined by the market, and the money goes to media outlets according to political criteria, with a clear bias toward media that back the authorities,” Gaši said.

Broadcast ratings data are collected, but verifiable print circulation figures have long been unavailable. Online media use analytics to tailor their content and develop an audience. Major media use Nielsen Audience Measurement, which advertising agencies and electronic media accept as credible.

Tadić cast doubt on the reliability of this data, noting that agencies that measure audiences or circulation are under pressure from larger media

outlets, the government, or interest groups. He said only a handful of media can afford these services.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

2.12

Publishers' associations work to protect the interests of their members in all types of media. Among the issues the groups deal with are media independence and professionalism, the national media strategy, and journalists' safety. Milivojević observed, "Interest groups for advertisers, media owners, publishers, and Internet providers have bigger and better lobbying operations and get more results than journalists' associations."

Several journalists associations work to prevent attacks on reporters and provide training, advice, and legal support to journalists. They have also been involved in preparation of the national media strategy. There are no legal prohibitions on the activities of these organizations, but they are often in conflict with the authorities.

These associations actively cooperate with their international counterparts, but they struggle for funding. There is no serious union to represent the interests of reporters or editors.

"The three largest journalists' associations monitor most of the key factors affecting freedom of the press in Serbia, albeit with limited success due to funding problems, lack of capacity, lack of engagement with their members, and a lack of influence on politics and the market," Gaši said.

Skrozza said the Press Council almost stopped working in 2018 for lack of funds and members of the Council's committee that reviews ethics complaints, on which she sits, worked for free.

In the past few years, Serbia's civil society has become increasingly concerned with protecting free speech and a free press. It provides significant support by rallying the general public and by establishing civil society (community) media, although Tadić said this is truer for big cities than elsewhere.

Serbia has offered university-level education for journalists since 1968, which Milivojević said is unusual for Central and Eastern Europe. The country has a dozen study programs for would-be journalists and offers a doctoral degree in media. However, panelists differed on the question of how well the country's formal journalism education prepares students for the real world. Milivojević said the standardized and theoretical nature of the curriculum allows future journalists to adapt to a range of specializations. In contrast, Gaši and Tadić said the curriculum is too theoretical and outdated to be of use on the job.

Tadić said the lack of student media also robs students of a practical education. Milivojević observed that journalism education shares a problem with other fields in Serbia: Granting illegal doctorates by private schools. The government recently decided to recognize 1000 of these schools by giving them formal recognition.

Training opportunities are proliferating for Serbian journalists. They are offered by domestic and foreign organizations, such as the Novi Sad School of Journalism, Balkan Media Team, the Journalists' Association of Serbia, Akademija Oxford, the Color Press Group, and the Council of Europe, among others.

Still, some small media cannot spare any of their employees for the few days these classes usually last, and Gaši said many local media lack young employees itching to learn new skills, complicating those outlets' attempts to stay on top of

changing technology.

Some major media and civil society groups organize in-house trainings for their own journalists and editors. The most popular courses deal with media literacy, spotting fake news, video journalism, foreign languages for journalists, web journalism, court reporting, and how to adapt to technological change.

There are no restrictions on the supply of any media equipment.

Media use mobile technology, such as SMS alerts or MMS content, and have equal access to mobile networks. Internet service providers do not block media from using certain networks. Online media outlets and bloggers are free to choose software and platforms.

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.

S E R B I A

The authorities, political parties, and state-owned companies use their control of the means of distribution to pressure individual outlets. The methods include keeping a local television station off cable or placing a certain newspaper at the back of the rack. One newspaper kiosk attendant confirmed to the author of this MSI chapter that her boss ordered her to put certain newspapers in the front and hide others behind them.

"The authorities are obviously influencing the business policy of cable and other distributors," Tadić said.

In Serbia, the technological infrastructure exists to bring journalism into the digital age—it is the business plans that are lacking.

"The three largest journalists' associations monitor most of the key factors affecting freedom of the press in Serbia, albeit with limited success due to funding problems, lack of capacity, lack of engagement with their members, and a lack of influence on politics and the market," Gaši said.

In the second quarter of 2018, Serbia had 5.6 million broadband subscribers, about 80 percent of the population. Internet coverage reaches most of the country. Also in the second quarter last year, there were 1.7 million subscribers to media content distribution (cable more than 50 percent).

The telecommunications market has been consolidating, with cable operator and Internet service provider SBB's 2017 purchase of IKOM and the state-owned Telekom Serbia's purchase of cable operator Copernicus Technology in 2018. Telekom expanded its fiber-optic network to end-users throughout the year.

Some panelists said technology was sufficient and up-to-date, but Tadić said that with the new media offerings of digital broadcasting, Internet streaming for audio and video, podcasts, and content for mobile phones, slow Internet speeds and overloaded mobile networks have become a problem. "The capacities differ among towns and among rural areas," he said.

List of Panel Participants

Ilir Gaši, freelance journalist, Belgrade

Slobodan Kremenjak, lawyer, Belgrade

Đorđe Krivokapić, president, SHARE Foundation board; director, Open Society Fund, Belgrade

Milivoje Mihajlović, assistant general manager, RTS Public Service, Belgrade

Snežana Milivojević, professor of media law and policy, Faculty of Political Science, Belgrade

Dragan Petković, program director, Južne vesti online daily, Niš

Zoran Sekulić, owner and chief executive, FoNet News Agency, Belgrade

Tamara Skrozza, journalist, Vreme, Belgrade

Milorad Tadić, owner and chief executive, Boom 93 Radio, Požarevac

Zorica Višnjić, president, The Press Council board; chairwoman, Local Press Association board; and editor-in-chief, Lozničke novosti, Loznica

Moderator and Author

Goran Cetinić, independent media analyst

The panel discussion was convened on November 8, 2018.



ARMENIA



MEDIA SUSTAINABILITY INDEX 2019

Tracking Development
of Sustainable
Independent Media
Around the World



ARMENIA

AT A GLANCE

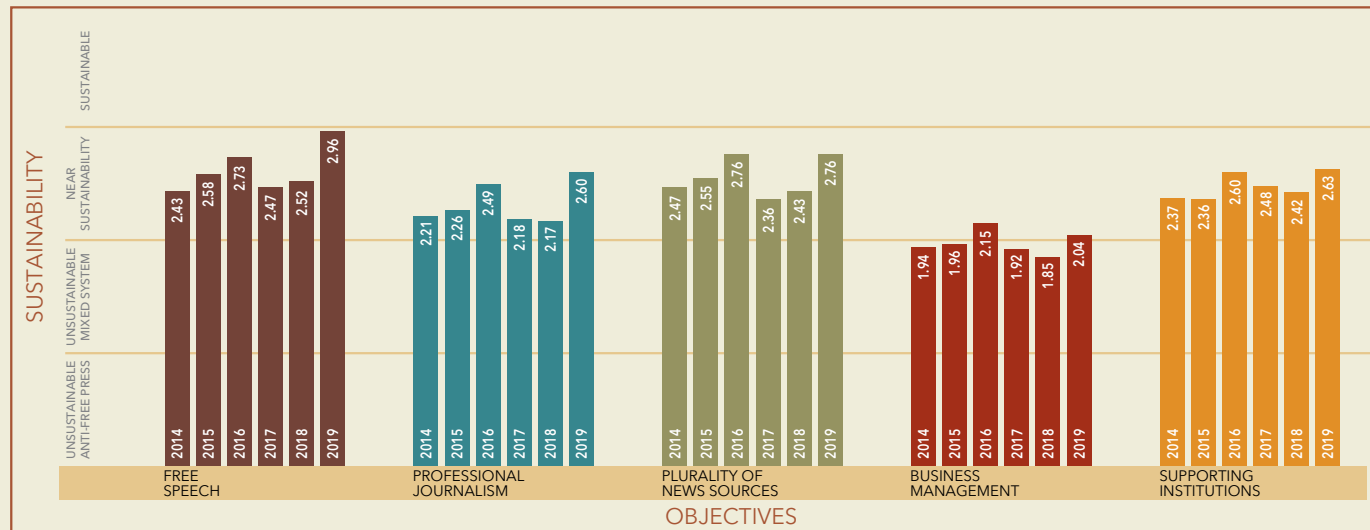
GENERAL

- **Population:** 3,038,217 (*CIA World Factbook*, July 2018 est.)
- **Capital city:** Yerevan
- **Ethnic groups (% of population):** Armenian 98.1%, Yezidi (Kurd) 1.2%, 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):** \$11.714 billion (World Bank Development Indicators, 2017)
- **GNI per capita (2017 - PPP):** \$10,060 (World Bank Development Indicators, 2017)
- **Literacy rate:** 99.7% (male 99.7%, female 99.6%) (*CIA World Factbook*, 2015 est.)
- **President or top authority:** Prime Minister Nikol Pashinyan (since May 8, 2018) (*This date will change; the new National Assembly will elect a new prime minister (almost certainly the same [Pashinyan].)

MEDIA-SPECIFIC

- **Number of active print outlets, radio stations, television stations, Internet news portals:** Print: over 36; Radio stations: 20; Television stations: 17 (10 channels in Yerevan, the capital, including two Russian relay channels, CNN and MIR, intergovernmental television of CIS; seven stations with nationwide coverage, including one public station and RTR Planeta (Russian channel); 19 television stations in regions (8 digital, 11 with analogue licenses extended till 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), and A TV, H1 (public). (assessed by panelists)
- **News agencies:** ARKA, Armenpress, Arminfo, MediaMax, Photolur
- **Annual advertising revenue in media sector:** \$30–36 million (estimated by panelists)
- **Internet users:** 1.89 million (*CIA World Factbook*, 2016 est.)
- **Newspaper circulation statistics:** Average reported circulation is 1,000–3,000.

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.



The Armenian revolution has injected hope for positive change into the media community.

Although the country remains in the near sustainable category, every indicator improved from 2018, with the overall score increasing from 2.28 to 2.60.

The most noteworthy change was the spike in the freedom of speech objective, which is now only .04 below the sustainable category. This jump can be explained by increased optimism that public pressure will create the political will that is needed to enforce the constitution's freedom of speech provision.

The business management objective also crossed into the near sustainable category for the first time in two years due to a small opening in the advertising market after the revolution.

A momentous revolution, dubbed "velvet" by its leader, Nikol Pashinyan, changed the Armenian political landscape, turned the media world upside down, and made 2018 a truly unprecedented year in Armenia's modern history. The then-ruling Republican Party triggered the revolution by nominating Serzh Sargsyan, Armenia's president since 2008, as prime minister in March 2018—despite the fact that he had pledged not to run for that office after Armenia's transition to a parliamentary system of government in 2015. A vast majority of Armenians rebelled and followed Pashinyan, of the opposition bloc Yelk (A Way Out), in civil disobedience and peaceful demonstrations that intensified when the National Assembly elected Sargsyan prime minister on March 17.

Demonstrations grew steadily in number and intensity; people blocked streets around Yerevan by day and gathered in the main square in the evenings. On April 22, Sargsyan and Pashinyan met in front of media, but the talks failed. Pashinyan had come solely to negotiate the terms of Sargsyan's resignation, while Sargsyan came with the intent to negotiate the end of the demonstrations. Pashinyan said that Sargsyan had lost touch with reality. Hours after Sargsyan left the meeting, police arrested Pashinyan and some of his supporters—a move that fueled more demonstrations. The following day, Pashinyan and his supporters were released.

Hours later, Sargsyan resigned with a letter stating, "Pashinyan was right; I was wrong." Eventually, on May 8, the National Assembly elected Pashinyan prime minister.

The National Assembly was later dissolved in November, as Pashinyan pushed for early parliamentary elections in a bid to replace his political opponents who maintained a majority in the National Assembly. The effort succeeded: Pashinyan's My Step alliance won a landslide victory with 70.43 percent of the vote. Two other parties made it to the parliament: Gagik Tsarukyan's Prosperous Armenia party with 8.27 percent and the Bright Armenia party with 6.37 percent of votes. The old-timers of the parliament, the Republican party and the Armenian Revolutionary Federation, were shut out.

Although Pashinyan used Facebook livestreams to address and coordinate the people, the online media provided an instrumental push, streaming live from the streets and demonstrations, and "eyes from everywhere" reports of provocations and violence. "Everyone was a walking media outlet; everyone was streaming live," Suren Deheryan, chair of Journalists for the Future, observed. The unfolding drama gave reporters an unprecedented chance to develop their live reporting skills. The historic revolution gave the media community a new spirit of hope for change, reflected in higher panelist scores for the year.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

2.96

Especially with respect to freedom of speech, the panelists drew a line between “before” and “after” the revolution. Constitutional provisions in Armenia guaranteed free speech before the revolution, but lack of enforcement had long been a serious issue, as previous MSI studies recorded. Whether enforcement will improve, however, remains to be seen during the upcoming months and years. The independence and integrity of courts, headed mostly by the same judges who were tightly connected with the previous regime, are open questions. However, the panelists expressed a sense of optimism given the political will of the current government, and the prime minister in particular. “The situation has changed,” Nelli Babayan, a reporter for Aravot, said, “Now media sue each other, but what are the courts like? I cannot assess this yet. The revolution took place, but has it taken place in the courts as well?” Avetik Ishkhanyan, founder and president of the Helsinki Committee of Armenia, said he believes the courts are now following the instructions of the authorities. However, Samvel Martirosyan, a media and IT security expert, said, “We haven’t had enough (media) cases yet to be able to assess the independence of courts.”

Edgar Vardanyan, editor-in-chief of detector.am, pointed to signs that the previous system of “telephone justice” (court rulings that followed calls from the authorities) will not be of the scope and intensity seen before the velvet revolution. The judges might opt for “self-censorship” instead, he suggested. “However,” he continued, “...it would also

be true to say that the judges have not changed, and it is impossible to establish democratic institutes overnight. A lot depends on the political will (of the authorities). On the other hand, we have witnessed some decisions that countered the interests of the current authorities but, instead, were most probably ‘negotiated with the judges’ by representatives of the previous authorities. Or, if there were no negotiations, it would prove that the courts have started functioning independently,” he added.

Society places a premium on freedom of speech and the media, even more so after the revolution, where they saw palpable results. The panelists debated whether some incidents qualify as free speech violations, though. Martirosyan believes that leveraging public pressure is seriously undermined, because most of the organizations tasked with protecting media rights have ties to the executive branch—a major conflict of interest. “A vivid example,” Martirosyan said, “is the disgraceful yerevan.today case.” He explained that the authorities, relying on a flimsy excuse, raided the outlet and seized some of its equipment. “The last time this happened in Armenia was in 1994. Rights advocates have been very unwilling to react to this case, and a discriminatory approach is obvious here,” Martirosyan said. Yerevan.today is thought to be associated with Robert Kocharyan, the second president of Armenia after independence, who was believed to be behind the leaked wiretapping of a conversation between the head of the National Security Service (NSS) and the Special Investigative Service (SIC). The NSS assumed that yerevan.today was instrumental in the wiretapping, as it published the content first.

“When confronted in private conversations, (media defense) NGOs [nongovernmental organizations] responded, ‘Oh, come on, they (yerevan.today) are not a media outlet,’” Martirosyan added.

Ishkhanyan agreed, “I also asked media rights advocate NGOs why they didn’t voice any concerns, and they responded with vague, even preposterous, answers,” he said.

“In terms of government pressure on the media, the situation has improved ... but in terms of public pressure on media, it has gotten worse,” Martirosyan commented, with many editors complaining that the public uses Facebook to exert pressure on the media through forceful insults and criticism in comment sections.

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.

Media licensing applies only to broadcast media. Armenia's licensing body is made up of eight members, four of whom are appointed by the president and the rest are selected by the National Assembly. These eight members then elect the head of the body from among themselves for a term of six years. The most recent head began his term in May 2013.

Aside from licensing, market entry and tax structure for media are fair and comparable to other industries. That has been true for many years now. "The situation has been stable after having undergone many changes of the government. This has been institutionalized," Vardanyan said. There are no tax breaks for media, other than for newspapers, which enjoy exemption from value-added taxes.

Most of the past year's crimes against media professionals were recorded during the spring protests—and they included police attacks on the media. However, these were not as severe as crimes during the protests of 2015 and 2016.

Most of those earlier cases were either closed for various reasons (mostly owing to a lack of substantial evidence), or they drag on in court. Few, if any, verdicts have been achieved, even after the revolution. Ishkhanyan finds it interesting that so many cases are still under investigation, making him think they will lead nowhere. Vardanyan expressed hope that after local parliamentary elections in December 2018 and the introduction of the transitional justice system, many cases will be reopened or revisited, and the culprits punished. However, Martirosyan said, "I do not believe there are enough lawyers in the court system to investigate all these cases; they are so swamped with corruption cases that there is no time for these yet."

On April 17, a group of youth armed with bars, some wearing medical masks to hide their identities, smashed street signs and traffic lights in downtown

Yerevan. Arevik Sahakyan, editor-in-chief of factor.am—headquartered right above the scene—rushed out and started livestreaming the violence. When the youths noticed, they attacked Sahakyan, dragged her, tried to rip her badge, and hit her and the cameraman, Gevorg Martirosyan. A criminal case was filed and is still under investigation, but the hunt for the perpetrators continues.

Two days later, plainclothes police beat Tirayr Muradyan, a sut.am journalist, when he tried to film them. On April 20, Tehmine Yenokyan, an Iragir.am reporter, was filming people attacking protesters blocking the streets in one of Yerevan's boroughs when the unidentified attackers turned on her, hitting her on the head.

"The situation has changed," Nelli Babayan, a reporter for Aravot, said, "Now media sue each other, but what are the courts like? I cannot assess this yet. The revolution took place, but has it taken place in the courts as well?"

Then on April 21, police assaulted Radio Liberty's broadcast producer, Anatoly Yeghiazaryan, while he filmed them dispersing the protesters in one of Yerevan's squares. He was pushed to the ground, kicked in the stomach, and beaten, despite showing his press badge. Earlier in the day, another Radio Liberty journalist, Arus Hakobyan, was covering protests on the outskirts of Artashat when a man in plainclothes attacked her—right in front of police officers, who did nothing to stop the attack.

The law protects the editorial independence of the public media; however, the panelists have observed over the years that in reality the public

media—especially public television—have not served the public. Instead, public media have functioned as a government propaganda tool, headed by a board stocked with political appointees. Although the situation had been improving, with the panelists noticing significant progress in freedom for the public media in recent years, they had pointed to the persistence of informal blacklists banning people with certain views or affiliations from appearing on public television.

Since the revolution, the panelists have noticed unprecedented changes to the public television service—and the blacklists seem to have vanished. Any view, any opinion, any politician can appear on public television today, they said.

"I can't remember a time when the public service was as free as it is now, but what happens in the future depends on whether it truly understands what it means to be public—or it continues to exert pressure. This is not clear yet," Ishkhanyan said.

Still, some panelists believe that public television now favors the current authorities—with little, if any, criticism of the current government. The OSCE/ODIHR election observation mission's (EOM) interim report in November 2018 noted, "The public television, financed by the state budget, continues to be perceived as having a pro-government editorial policy. While several ODIHR EOM interlocutors noted improvements in media pluralism since the April 2018 events, some stated that public discourse is not conducive to criticism towards the acting government and, in particular, the acting Prime Minister."¹

¹ "Armenia, Early Parliamentary Elections, 9 December 2018: Interim Report." OSCE Office for Democratic Institutions and Human Rights, November 28, 2018. Accessed at: <https://www.osce.org/odihr/elections/armenia/404591> on January 10, 2019.

The decriminalization of libel in 2010 made it a civil law issue, immediately leading to an avalanche of cases against media outlets—and endangering the survival of some. At the end of 2011, a constitutional court ruling put an end to this, stating that monetary compensation should not be the primary penalty; rather, an apology or retraction should suffice, and financial compensation, if applied, should be commensurate with the outlet's financial resources. The following year the situation normalized, marking an end to dramatic cases threatening the existence of accused media. Courts now tend to favor the accused media rather than the claimants. In an example this year, the director of a polyclinic claimed AMD 2 million (\$4,132) and public refutation of defamation by armlur.am over its article headlined "Made money on transporting corpses," accusing the director of charging extra money to transport dead bodies. The court cited the European Court of Human Rights' stance that in performing its duty to impart information and ideas on matters of public interest, the press is entitled to recourse to a degree of exaggeration or even provocation.

Other fresh cases include news.am suing 1in.am reporter Sona Harutyunyan over her Facebook post linking the outlet with Kocharyan. News.am sued for AMD 2 million (\$4,132) and a retraction with public apology. News.am also claimed the same amount of money in damages to its business reputation, and a retraction by *Haykakan Zhamanak* for his article inferring that Kocharyan acquired news.am and a number of other media outlets.

Acting Deputy Prime Minister Tigran Avinyan also filed a claim against Boris Tamoyan, politik.am's editor-in-chief, over an article claiming that Avinyan used marijuana at work.

The panelists noted, though, that civil libel cases could improve efforts to fight the spread of false information, which seems to be proliferating.

"We can consider these processes positive, provided the courts function independently and come up with fair verdicts," Ishkhanyan said.

Access to official information is mixed. Whereas before the revolution state officers were reluctant to disclose certain information, now the government representatives responsible for providing information sometimes lack the requisite ability or competence. Some panelists noted that a sudden increase in the volume of requested information after the revolution could explain this problem, as hopeful journalists began requesting more information—leading to jamming, similar to a DDOS attack.

"The minister vs. spokesperson correlations are at times also unclear; sometimes the minister takes the role of the spokesperson, the spokesperson takes the role of the minister," observed Martirosyan. "A lot of things are aired live, but press releases are less frequent—and journalists cannot watch all the livestreams and then skim the necessary information. There's no clear communication strategy," he added.

Media outlets' access to and use of local and international news and news sources is unrestricted by law or other means. The only issue remaining is the language barrier, which forces most Armenian journalists and media outlets to use Russian language media sources over western language alternatives—risking that international news will be presented through the prism of Russian propaganda.

Entry into the journalism field is free, and the government imposes no licensing or restrictions for journalists. This has been true for many years in the country.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

2.60

The panelists reported some controversial developments related to the quality of reporting. Journalists working in the field received an unprecedented chance to hone their skills during the April revolution, but the collision of conflicting camps, views, agendas, and fake news had a negative effect on objectivity. There are certainly many journalists who continue to verify and fact-check their material, but numerous others do not try to be objective and get all sides to a story; instead, they appear bent on delivering news through the lens of their own agendas.

Some journalists became involved in protests and the political process, and ultimately ran for parliamentary seats. "When an editor-in-chief runs for an MP slot, I cannot assume his impartiality," Martirosyan said. "As I see it, today's problem in Armenian media is less fake news and more reflective of a global problem of impartiality in the media. Journalists are either MP candidates, or in the government, or hired to work against the government; the whole field is off its axis, with few journalists left trying to maintain objectivity," he added. "The recent elections had a negative influence on the media field, because a lot of good journalists and media professionals became involved in politics. It's good for politics, but for the media field it's a great loss," he said. "We need new, quality professionals (in the media)," Vardanyan agreed. Independent experts and analysts who are not associated with any of the political parties are needed as well.

Journalist associations in Armenia have developed ethical standards similar to broadly accepted standards developed by international

professional journalist associations. However, these standards are not widely accepted and upheld. Individual media outlets also have their own codes of ethical conduct—some in writing, others less formal.

The panelists cited the publication of a photo of a general in jail awaiting trial as an example of a violation of ethical standards. It first appeared in *Haykakan Zhamanak*, and then a multitude of other media outlets posted it as well. “Later, *Haykakan Zhamanak* took it off and apologized, but when the others removed it they didn’t apologize; they just wrote that *Haykakan Zhamanak* apologized, thus not taking any responsibility for posting it as well,” Deheryan observed.

Media professionals also accept payments in exchange for certain types of coverage, mostly with the authorization and knowledge of the editors. Additionally, media often fail to make clear distinctions between news reporting and “advertorial” placements to alert readers to the fact that the latter is sponsored content.

Self-censorship continues as well. “Isn’t it clear that if a certain media is nourished from a certain place or subscribes to certain views, their editorial policy should be shaped accordingly and the reporters will self-censor themselves to conform to this policy?” Ishkhanyan asked. Reporters notice how their work is edited—to exclude certain people’s names, for example—draw their own conclusions, and self-censor, Babayan added. Martirosyan also mentioned a new factor driving even more self-censorship than before: public pressure from social media users, leading reporters, bloggers, and active social media users to avoid certain topics, people, or criticizing the current government. “Not everyone can stand being sworn at or verbally abused for a long time,” Martirosyan said. “I know of a case involving a well-known, quite reputable media outlet

that refrained from publishing a story because it was very critical (of the government),” Ishkhanyan added, “They decided not to mess with it”—not because they were afraid the government would come after them, but because of the public pressure. Martirosyan said, “At times I want to write about Nikol [Pashinyan, the current prime minister],” but then he talks himself out of it.

Journalists cover all key events and issues in Armenia; there are no truly taboo topics that the media avoid. Generally, though, if an event is not covered in one outlet, it is sure to be covered in another. The online media and, especially since the revolution, broadcast media cover most events—but depending on the ownership, the tints can be different. The media cover social issues, including religious and sexual minorities, but those topics still stir backlash from the public.

During the revolution, livestreams were mostly organized by the RFE/RL Armenian service, azatutyun.am, civilnet.am, and 1in.am. The broadcast outlets did not have their own streams but rather relayed the livestreams of other services—however, mostly not until the final days of the revolution, after Sargsyan’s resignation.

On pay levels for journalists, Gayane Mkrtchyan, a reporter for medialab.am, commented sarcastically that it must be because salary levels are so high that everyone moved to the parliament. “Other than the parliament, many journalists really want to migrate to other fields such as PR, press offices, NGOs, or other not so closely related fields,” Babayan said. There has not been a radical change in pay levels during the past few years. If anything, there might be cuts, because many outlets that had been sponsored by the people with ties to the previous regime will likely lose their funding. “I don’t think the (online) outlets can make enough money through advertising to be self-sustainable,” Martirosyan said, implying that

these are most probably sponsored by politically affiliated people.

To make ends meet, many journalists have to work for multiple outlets or take other jobs. More established journalists earn a lot more than new graduates. However, the panelists think it is unlikely that journalists would compromise ethics and seek payment in exchange for certain types of coverage without the knowledge of editors or owners, since Armenia’s media community is quite small and tight, and editors would quickly spot such behavior. Compared with other professionals, journalists earn just about the same—not more nor less.

“As I see it, today’s problem in Armenian media is less fake news and more reflective of a global problem of impartiality in the media. Journalists are either MP candidates, or in the government, or hired to work against the government; the whole field is off its axis, with few journalists left trying to maintain objectivity,” he added

Although in previous years the panelists often said that entertainment programming eclipsed news and information programming, this year they noted that news and information programming has become entertainment itself. This shift began during the heated pre-revolution days and still felt true by the time the MSI panel convened—a bit more than a week ahead of the National Assembly (Armenian parliament) snap elections. “The comedy shows aren’t interesting now, because the real, political life is more hilarious,” Deheryan joked.

Livestreams, ever since the revolution, are ubiquitous. Pashinyan made them so popular that now public figures who do not livestream stand out

more than those who do. Also, after the revolution, a culture of real, un-staged debates emerged. These were prevalent during the pre-election periods of municipal and parliamentary snap elections, when debates aired on almost all broadcast television channels and online media. Even public television organized a series of unprecedented debates, and the one featuring all of the candidates which lasted for more than three hours and was watched by a very large audience, the panelists noted. It was also broken up into pieces and memes shared on social media.

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).

Armenia has long had strong enough facilities and equipment for gathering, producing, and distributing quality news. Many outlets now even have drones and equipment for livestreaming. Regional media, however, sometimes still rely on

old, worn-out equipment. “Outside of Yerevan, the situation is bad; you see the same old equipment, the same old furniture,” Deheryan observed. “I have been to different regional television outlets lately, and except for a few, the situation leaves much to be desired,” Ishkhanyan said. “The situation for newspapers (in regions) is very poor; previously we were able to receive grants and somehow meet the needs, but now the situation with the technical equipment is bad,” said Pap Hayrapetyan, editor-in-chief of Sevan.

Arevhat Amiryan, owner and editor-in-chief of *Vorotan*, commented that although her equipment is old, she managed to go live on Facebook from Sisian during the April protests.

Quality niche reporting and programming, with some exceptions, continues to be a problem in Armenia for the same reason as previous years—lack of funding from the market. Because Armenia is a small country, with a limited audience, it is difficult for any given niche media to be self-sustainable. The exceptions are usually in grant-sponsored fields (e.g., reporting on ecology or investigative reporting). “The quantity of niche reporting hasn’t experienced any increase; it is still quite rare, and the main reason remains the same—it takes a lot of financial, time, and professional resources,” Deheryan observed. “Fields like banking, economy, IT, telecommunications are strictly commercial, and one can rarely find truly independent coverage on these; they are mostly affiliated with companies,” Deheryan added. The same is true of healthcare reporting. There are many programs on healthcare, but the majority are infomercials featuring different clinics, hospitals, and medical services, rather than independent programs based on real audience interests.

OBJECTIVE 3: PLURALITY OF NEWS

2.76

Armenia’s media landscape includes a plurality of news sources, offering multiple viewpoints. There are many news sources that people can freely check one against another. Nonetheless, it is rare for an individual media outlet to include multiple points of view. As a whole, however, Armenian media cover various political viewpoints. Readers should be able to organize their daily news consumption to gain a comprehensive picture of the news, Deheryan suggested. “Every media outlet wants to cover all the breaking news and hot topics from certain angles, so I think they do not miss an event. Compared to other countries in the region, I believe Armenia is very free in this respect, both for the reader and the media outlet,” he added.

It would be safe to say—after the revolution, if not before—that media collectively cover almost all political viewpoints. There are multiple radio stations, newspapers (although dwindling in number and circulation), television stations, and myriad of online news sources. People increasingly rely on social networking tools, such as YouTube and Facebook, for news and information. Pashinyan publicized and popularized these to an unprecedented degree, using livestreams to address and coordinate his supporters before and throughout the revolution. He continued the practice post-revolution, even organizing Facebook Live public “press conferences,” where he would address questions with the most “likes” posted in the comments. This direct line with the audience, bypassing media, initially provoked some jealousy from the media. The live addresses—sometimes as frequent as several times

a day—tapered off once Pashinyan grew busier with governing, allowing the media to resume more of their traditional role.

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.

"During the recent developments almost everyone depended on the Internet for news and information; it has become very accessible for all layers of society. Even some grandmothers have phones and browse news," Mkrtchyan commented.

Citizens' access to domestic or international media is not restricted by the government or by law. Domestic and international news sources are freely available online. Some international TV channels are even available through free terrestrial broadcasting, for example CNN, three Russian channels and MIR (the intergovernmental television

of the Commonwealth of Independent States (CIS)). The situation has been stable for many years now. However, people in large cities have greater access to media sources than people in villages and smaller towns. Although Internet access has improved for rural areas, it still lags behind larger cities and the capital, in particular. Fiber optic cable Internet is very limited in smaller cities and almost nonexistent in rural areas, with few options beyond 3G or 4G Internet plans with traffic limitations. Rural audiences also have access to local television stations, nationally broadcast television, satellite, and Internet where accessible.

Last year's MSI panelists mentioned that the public television service had undergone significant changes, though much work remained. This year, after the revolution, it was transformed even further, the panelists said. However, Vardanyan warned that the progress should not be considered stable and institutionally ingrained; it depends largely upon the political will of the current government. Deheryan added, "If there are doubts (that the service could weather a setback), it means that the public television is still not independent from the current authorities even today." One more immense sign of post-revolution progress for public television was a series of debates with all the candidates during the municipal and parliamentary elections. The unprecedented parliamentary debates lasted for several hours. As for the public radio, the panelists agreed that it continues to follow a public service model, as it had in previous years.

There are few news agencies left in Armenia. Photolur, which provides photos, is one; international agencies are mostly used for video footage.

Private media produce their own news and information programming, which, in essence, does not differ dramatically from that produced by public media. However, Vardanyan observed that media

outlets owned by or associated with a particular political power or party tend to concentrate on covering that party's representatives.

Most broadcast media produce their own news content. There are many online media that also produce their own content, but many others just aggregate news content from different online media and sources. Very few outlets produce their own international news with the help of their own journalists; they mainly rely on international media to cover international events and issues.

"During the recent developments almost everyone depended on the Internet for news and information; it has become very accessible for all layers of society. Even some grandmothers have phones and browse news," Mkrtchyan commented.

Transparency of media ownership has always been an issue in Armenia. With broadcast outlets, ownership has been more or less obvious for average media consumers, but online media present more of a puzzle for most—even media professionals working in the field. "We make assumptions about ownership, but we cannot know for sure; it is totally unknown," Vardanyan said. It is very difficult to track the real owners or benefactors, who often hide behind people officially registered as owners, directors, and shareholders.

"The Law on Television and Radio stipulates that political parties cannot have television stations, but we all know which television belongs to which party—Prosperous Armenia, Rule of Law, and Armenian Revolutionary Federation. I believe that this indicator is in the worst state," Ishkhanyan asserted. Many online outlets do not even provide contact information or information about editors and

reporters. "At one conference, the participants were speaking in rounds, and two women introduced themselves as being from 'Something' News, when all of a sudden, a lawyer who was also present, said, 'Oh, at last I've found someone from this outlet,'" Martirosyan said. "Every day we hear different things about acquisitions of this or that outlet, and you do not know whom to believe. For example, we do not know the owners of 24news.am, news.am, and 1in.am," Ishkhanyan said. Business conglomerates and political parties often interfere with media management and editorial work. "A businessman who owns a television station (h2, thought to be politically associated with the previous government) was arrested, and the reporters and staff of the station joined the outcry against the arrest— notwithstanding the fact that criminal charges are brought against him (for bribery), they don't take a neutral journalistic stand," Babayan observed. "The same can be said about another television station (Kentron, perceived to be associated with The Prosperous Armenia Party and its founder, Gagik Tsarukyan). When someone from their party is featured (e.g., in a discussion or in the parliament), they focus on this person, giving full coverage of his/ her speech without interruption," with less attention on other participants, Babayan added. "Yerkir Media (a television station perceived to be associated with the Armenian Revolutionary Federation party) was probably one of the best-watched stations with debates and critical coverage when they were not in the coalition (with the then-ruling Republican Party), but once they got into a coalition, that changed," Ishkhanyan said.

Social interests are reflected and represented in the media, with a couple exceptions, such as nontraditional religion and sexual orientation. There is significant resistance to the inclusion of such issues in the media, coming mainly from the public.

"It's a serious problem, and it's getting even worse, because any attempt at discussing these topics devolves into hate speech," Ishkhanyan said. "It's not only that these topics are ignored, but the journalists are sometimes subjected to hate propaganda" while covering these stories, he added.

Minority-language media exist and are freely published and disseminated. The public radio has been airing programs in many minority languages, including Russian, Ukrainian, Greek, Kurdish, and others. Newspapers are also published in minority languages—Russian, Ukrainian, Kurdish, and Yazidi.

Citizens are able to get news and information about their hometown, other regions of the country, national issues, and international developments. While media with a nationwide reach report on significant events from regions outside the capital, news from the regions is still scarce. "Their choice is limited, no variety," Vardanyan observed, adding that it is like visiting a provincial store that offers just a few brands. There are local media in small cities/regions, and for the most part they provide news and information about local developments. Public media devote time to regional issues through different programs or in the form of stories within newscasts.

Media in Armenia provide coverage of international issues, but as in previous years, this coverage has mainly been adapted from international media reports, since it is rare for outlets to have their own reporters abroad or to have the ability to send dedicated reporters to cover international issues. Therefore, to gain a better understanding of international developments, one has to turn to international sources—mainly in Russian sources and less often in English. "I imagine if a citizen wants to follow international news through Armenian media, he/ she will hardly understand what is going on in the world," Vardanyan commented. "So if you don't know

English, French, German, and don't dig for more sources, you'll end up having a distorted, inadequate idea of the international situation," he added.

OBJECTIVE 4: BUSINESS MANAGEMENT

2.04

Media outlets rarely operate as efficient, self-sustainable, well-managed enterprises—the market is too small, and the field is too crowded, Deheryan observed.

Media seldom prepare and follow business plans that help them secure financing, guide decisions on expenditures and personnel, or plan for capital expenditures. Accounting and finance practices are mostly in line with internal revenue agency standards, but few outlets hire trained professionals to manage marketing and human resource functions—editors and journalists tend to shoulder that load as well. However, most media employ on-staff accountants and accounting departments, although smaller media outsource that work.

Deheryan expressed doubt that taxpayer funds going to public media is spent responsibly. In July 2018, a criminal case was filed alleging misappropriation of taxpayer funds for public television. According to the Prosecutor General's office,² the public television had signed AMD 2.4 billion (around \$5 million) worth of contracts in the period

2 "A criminal case has been initiated on facts of alleged abuses at 'Public Television of Armenia' CJSC." The Prosecutor General's Office of the RA, April 7, 2018. (Accessed at: <http://www.prosecutor.am/en/mn/7179/> on January 10, 2019.)

of 2015-2016 with different companies and sole proprietors to acquire television products—shows, series of programs, and films, as well as to rent the necessary production equipment. A sample check revealed that false or inaccurate invoices amounting to AMD 118 million (\$243,000)—four contracts' worth—were generated and used. Cross-verification with the state revenue agency revealed that these companies either did not have any employees, or they employed significantly fewer than the contract budgets indicated. In addition, rental equipment agreements signed with third-party companies, amounting to AMD 60 million (\$123,000), allowed for additional, unsubstantiated expenditures—for a public television division staffed with more than 50 professional directors, photography directors, lighting technicians, etc. and amply equipped with television production and field filming gear. In a number of cases, these contracts were signed with companies helmed by founders who sat on the boards of Armenia's public broadcasters at the time, though they have since left their roles. The investigation into this issue was still in progress when this MSI study was written.

"We can see that the (online) media are oversaturated with advertising, indicating a desperate need for funds," Vardanyan commented. "High turnover rates at media outlets also lead us to believe that they are not self-sustainable," he added. "If there isn't funding from the owner (clandestine, perceived, or real), the outlet cannot survive. Can you name a media outlet that is self-sustainable?" Ishkhanyan asked. Melik Baghdasaryan, the owner of Photolur, answered that his photo news agency is probably one of the only self-sustainable outlets.

Media outlets, including online media, typically do not receive revenue from multiple clients and sources but depend rather heavily on owners and benefactors—subjecting them to great influence

over their editorial policy. "The advertising revenue is just not enough to fully support a media outlet and assure their complete independence," Babayan said. Public media enjoy an adequate, guaranteed source of revenue from the state budget, although that does not guarantee their immunity from political influence.

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.

Many companies advertise in the media. Banks, auto insurance companies, home improvement superstores, telecom providers, wine manufacturers, and automobile dealerships continue to be the largest advertisers, along with bookmakers. Previously, both market principles and political or business influences dictated the placement of ads. Some online outlets were even unofficially declared non grata in terms of receiving ads from large advertisers with close ties to influential political circles.

Now, Babayan observed, "If previously the advertising spending was controlled (by government circles) and only select online outlets could receive advertising, now it is more liberal, and online outlets can also secure advertising." Other panelists also noted that after the revolution, the market was liberalized, and an influx of advertising flowed to online media, although the panelists were skeptical whether this translated into an abundance of financial revenue.

Aside from commercial advertising, regional media generate additional revenue from classified ads, holiday greetings, congratulatory messages, and scrolling messages (on television).

Advertising agencies do not work with all media. They mostly work with media in the capital and very rarely collaborate with regional outlets. In Yerevan, they mostly work with broadcast media, though recently with online media as well. They invest minimally in print outlets, given the low circulation numbers. During previous years, the panelists noted that a few players that nominally function as independent entities, but are perceived to belong to the same people, monopolize the media market. They include Media International Service, Armenia's only media sales house, (with exclusive rights to advertising inventory in major television stations), Admosphere Armenia (the only television audience measurement organization), and PanArmenian Media House (an advertising agency). After the revolution, the panelists speculated, this might change, given the monopoly's suspected link to the previous authorities.

"The share of Internet advertising is growing; a lot of advertising is drifting to the Internet. There are no reliable data, but based on different estimates by various ad agencies, it ranges from \$2-5 million and experiences an annual increase of around 30-40 percent—indicating a rapid reshaping of the ad

market, especially considering that online viewing has increased tenfold post-revolution. The television stations are starting to lose the battle, although businesses are often slow to grasp these changes," Martirosyan said.

"There is no sensational, scandalous news in our media—no sex, no crime—but we manage to attract an audience. There are stories, analytical stories, that pull 20,000 readers. Imagine how much we would draw if we had that (sensational) type of content," Vardanyan noted.

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Facebook keeps tearing advertising dollars away from Armenia's market, offering a more efficient, traceable, measurable advertising platform. During the parliamentary snap elections of December 2018, candidates and political parties extensively advertised on Facebook. "The candidates spend hundreds of dollars (on their ads), and this money leaves the country—whereas this money could have been spent on local online media and stayed in the country," Deheryan observed.

Media managers feel increasingly pressured to use more and more ads as the only substantial source of revenue. This is increasingly evident in online media, and the situation got worse this past year. "Online outlets are crammed with advertising. I doubt it is something they're really happy about, but they are just forced to do this," Vardanyan said. The four sides of the screen are totally taken by banners,

mostly bookmaker ads. Sometimes, these pop up and cover nearly the whole page.

Public media—prohibited from selling commercial advertising in 2015—depend mainly on state budget funding.

Regional print media representatives were desperate because government subsidies of AMD 500,000 (\$1,033) of previous years were discontinued for independent regional print media for the coming years. Subsidies remain in place for minority-language print media, though.

"Since 1997 we had been receiving government subsidies under the program of funding regional independent print outlets. This year we received a letter that the program isn't going to be implemented, and that there is no such line in the state budget. We wrote a letter to the prime minister, which he forwarded to the minister of culture. She replied that such a program no longer exists, and the subsidies will be available only for the press with solely cultural content. A newspaper with solely cultural content will not sell in regions. How much can you write about culture in regions?" Hayrapetyan asked.

Market research is seldom used to tailor products to the needs and interests of the audience, or as part of strategic business planning or to enhance advertising revenue. Editors and journalists rarely tailor their products to market requirements or conduct professional third-party research or focus groups. "The television stations justify airing soap operas by saying that these are what the public demands, according to the market research," Babayan said.

"Detector.am also looks at the comments section under its stories posted on Facebook to see what the nature of discussions are, and how many 'likes,' 'shares,' 'views' they have, to inform further stories," Vardanyan said.

As in previous years, the only organization that produces television ratings in Armenia is Admosphere Armenia, which partners with the Nielsen Admosphere Czech television audience measurement company. Founded in 2015, it has provided ratings data since April 2016. These include digital broadcast as well as Internet Protocol Television (IPTV) viewership data, but they are not publicly available; they are sold to interested parties on a subscription basis. The subscribers include television outlets, advertising agencies, and advertisers (mostly banks and telecommunications providers).

Reliable newspaper circulation figures are not available; there are no organizations tracking these. Internet statistics for online media—used to present to advertisers and ad agencies—are mainly drawn from Google Analytics. "But as a rule, outlets do not have analysts who could properly sort out the analytical data, so if need be, they just give advertisers access to their data," Martirosyan said. Now, they also use Facebook Analytics, which in some ways provides more accurate demographic data, "because if Google Analytics tries to figure out age, gender, etc. through certain algorithms, Facebook requires users to provide that information when they register for an account. However, few outlets know about this newer tool," Martirosyan explained.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

2.63

Armenia has no trade associations to represent the interests of media owners and managers. However, professional associations—including the Association of Investigative Journalists, the

Asparez Journalists' Club in Gyumri, the Yerevan Press Club, and the Vanadzor Press Club—work to protect journalists' rights and promote quality journalism in Armenia. They provide various types of support: advocacy for journalists' rights, trainings, workshops, legal advice, etc. For the most part, there are no dues; they are supported mainly through grants. The government does not impose any legal restrictions that would prevent the registration or functioning of these organizations.

"We are probably one of the smallest NGOs (in terms of budget) that implements exchanges through seminars, workshops, trainings; we follow recent developments in the media field and try to share these with our colleagues in Armenia. We do not provide equipment to outlets, but rather support practical journalism and data-driven reporting. We do this with journalists currently working for various outlets, on a flexible schedule, without distracting them from their primary work," Deheryan explained about his organization, Journalists for the Future.

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, funded by the Armenian Branch of Friedrich Ebert Foundation (FES). The platform consol-idates journalist-researchers, data collectors, and designers to support local media. The US Embassy in Armenia also supports the project.

Another recent JFF initiative, in cooperation with the Berlin Journalism School, was a summer school with seven coaches from Armenia, Georgia, Germany, and Ukraine training journalists from Armenia and Georgia in mobile reporting and other topics. The German Federal Foreign Office's "Strengthening Cooperation with Civil Society in the

Eastern Partnership Countries" program supported the project.

The Helsinki Committee of Armenia, though not specifically a media NGO, also holds trainings and seminars for media professionals. One training it held, with support from the National Endowment for Democracy (NED), promoted public awareness to prevent discrimination and violence. It brought together about 20 participants from Yerevan, regional broadcasters, online media, and NGO representatives to discuss topics including human rights, domestic violence, and journalistic ethics.

The Asparez Journalists' Club, in cooperation with Transparency International and USAID funding, will continue to implement the five-year "Engaged Citizenry for Responsible Governance" project—organizing and livestreaming public discussions to help increase citizen access to independent and reliable information—until September 2019.

As in previous years, the panelists again observed that these organizations depend heavily on international donor funding.

There are NGOs that support free speech and independent media, including the Open Society Foundation (OSF), the Committee to Protect Freedom of Expression, the Eurasia Partnership Foundation Armenia (EPFA), the Media Initiatives Center (MIC), and JFF.

EPFA and MIC continue to jointly implement USAID's five-year media project, "Media for Informed Civic Engagement (MICE)," which 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, and to create demand for public awareness as a necessary foundation for participation and involvement through better journalism. MIC, supported by the US Embassy in Yerevan, also implemented a project titled "YouTuberPorting:

Mobilizing and Capacity Building of Young Video Bloggers." The project's core activity was the "I Am the Media" video blogging school. Sixteen motivated, ambitious young people with the most interesting ideas were selected from 100 applicants to participate in the school. The eight most successful participants took part in the VidCon annual online video conference in the United States to communicate with YouTube celebrities, participate in master classes, and learn about innovations in the field to take back to Armenia. Nick Nimin from the United States, a YouTuber and online marketing and online video promotion expert, conducted the video blogging school. Local experts and vloggers also participated, sharing their experience in the local context.

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.

OSF supports media through various grants under its media program to foster independent, unbiased, and pluralistic media in Armenia by creating a progressive and favorable legal framework to regulate the field and harmonize it with internationally recognized principles and standards. The OSF media program's priorities include supporting traditional and new media to produce alternative content, investigative journalism, and efforts to ensure media ownership transparency.

Numerous journalism degree programs exist at both private and public institutions. However, they have changed little over the years, and the quality of these programs has not improved dramatically. The majority of the programs still do not include sufficient hands-on training to prepare young people to enter the profession. The best practical experience students can hope to gain from universities is if they are selected by working journalists who teach there to work in their outlets as freelancers—opportunities reserved for only the most promising students.

Student-run media exist, but they are rare and unpopular—and thus, are not good experimental sandboxes for students. “Whereas these student media, based on the novelty and enthusiasm they bring, could be leaders in the field,” Ishkhanyan said. He said, however, that the professors, who generally fail to encourage or inspire the students with their enthusiasm, are also at fault.

Media outlets are not always ready and able to absorb journalism graduates, who are mostly viewed as cheap labor to tackle the undesirable tasks the seasoned reporters reject. This, however, has a downside: The majority of the graduates are not ready to work as self-sufficient reporters, due to their lack of practical experience, as journalism schools are mainly limited to theoretical knowledge.

“Students arrive from high schools with a bulk of junk information, but they aren't open-minded;

and they haven't read books,” Deheryan explained.

“The schools try to involve practicing, well-known, seasoned journalists, but the latter do this as a favor—because the honoraria are ridiculous,” Deheryan said. Martirosyan agreed, commenting, “They (the seasoned journalists) are invited fragmentally, not as a part of the whole. There is no vision, no strategy and no system. The reporting is changing conceptually, but the teaching is not,” he observed.

“I'm invited to teach at YSU, Yerevan State University, haphazardly. One semester they might invite me, another semester they might choose not to; one semester they invite me to teach to juniors, another semester to graduate students. I never know who I'm going to teach,” Martirosyan added.

There are opportunities for students to earn journalism degrees abroad, but these are scarce and mostly available through independent universities and supporting grants and scholarships; only the most dedicated students pursue these chances.

Short-term training opportunities do exist and allow journalists to upgrade skills or acquire new skills. They are organized mostly by international organizations or local NGOs in partnership with—or funded by—international organizations. Nevertheless, as in past years, the main problem is that the editors are reluctant to let their practicing journalists attend this type of training, because they are understaffed and have trouble getting by without their leading reporters, even for one or two days. “There are good reporters who you want to see at your trainings, but they are busy during the week and just want to relax on the weekend,” Deheryan observed. “On the other hand, there are some ‘guest performers’ who are ready to attend every training and seminar, but they just do not produce any content after the training,” he noted.

These trainings teach modern techniques

and multimedia applications, mainly focused on journalism. The professional needs of other areas—editorial, advertising, and media management—are less frequently addressed and usually do not differentiate between different levels, such as entry, mid-career, or management.

The panelists agreed that there are not any restrictions on importing or purchasing newsprint, software, video equipment, etc., and that situation has been stable for many years in a row now.

There are very few printing houses in the regions, so print outlets mostly need to travel to the capital to print their newspapers.

“The schools try to involve practicing, well-known, seasoned journalists, but the latter do this as a favor—because the honoraria are ridiculous,” Deheryan said. Martirosyan agreed, commenting, “They (the seasoned journalists) are invited fragmentally, not as a part of the whole. There is no vision, no strategy and no system. The reporting is changing conceptually, but the teaching is not,” he observed.

With the ever-increasing penetration of the Internet, delivering media content to consumers is easier, faster, and more independent than ever before. One of the cable television networks, IPTV provider U!Com, started carrying the broadcast arm of the RFE/RL Armenian service, Azatutyun.

Ever since the switchover from analog to digital broadcasting in late 2016, the problem with private multiplexers persists for more than 10

regional television outlets. They are on the brink of extinction owing to a 2010 amendment to the Law on Television and Radio, which stipulated that there should be just one digital television station in a given region, carried by the public multiplexer. The private multiplexer would carry the others. The competitions for a private multiplexer announced by the National Commission on Radio and Television failed several times in a row due to the absence of interested applicants during the three-month period set by the law. An amendment to the law changed the three-month period to a six-month period; however, this will hardly help the situation, since the core of the problem is not limited time but the reluctance of potential investors to invest in setting up a private multiplexer with national coverage (which would cost around ADM 4.5–6.5 billion [\$10–12 million]). A 2015 amendment to the Law on Television and Radio, which allowed the entry of a private multiplexer, stipulated that it should cover an area not less than that of the entire Republic of Armenia. The owners of private regional television outlets push for legislative changes to allow smaller private multiplexers.

The existing information and communications technology (ICT) infrastructure in Armenia can be said to meet the needs of the media industry. Media are able to offer citizens the products they believe consumers might want, such as digital broadcasting and Internet streaming of audio and video. Citizens are mostly able to access media as they wish. However, there are differences between cities and smaller towns and rural areas. In some rural areas, the only option is 4G Internet through phones or wireless routers. “Even shepherds can watch livestreams in the mountains,” Martirosyan said. Smaller towns have more limited broadband fiber-optic cable Internet options than those available in the capital city.

Poverty is another obstacle for some citizens hoping to gain Internet access. “When people have little to eat, they can hardly pay for the Internet,” Martirosyan said. “I believe the majority of people in villages and small towns likely do not have 5,500 drams (\$11) to buy 4G Internet,” Vardanyan said.

List of Panel Participants

Suren Deheryan, chair, *Journalists for the Future* NGO, Yerevan

Gayane Mkrtchyan, reporter, *medialab.am*, Yerevan

Nelli Babayan, reporter, *Aravot*, Yerevan

Edgar Vardanyan, journalist and political analyst, editor-in-chief, *detector.am*, Yerevan

Samvel Martirosyan, media expert, IT security expert, Yerevan

Avetik Ishkhanyan, founder and president, *Helsinki Committee of Armenia*, Yerevan

Melik Baghdasaryan, owner, *Photolur*, Yerevan

Arevhat Amiryan, owner and editor-in-chief, *Vorotan*, Sisian

Pap Hayrapetyan, editor-in-chief, *Sevan*, Sevan

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 29, 2018.

AZERBAIJAN



MEDIA SUSTAINABILITY INDEX

2019

Tracking Development
of Sustainable
Independent Media
Around the World



AZERBAIJAN

AT A GLANCE

GENERAL

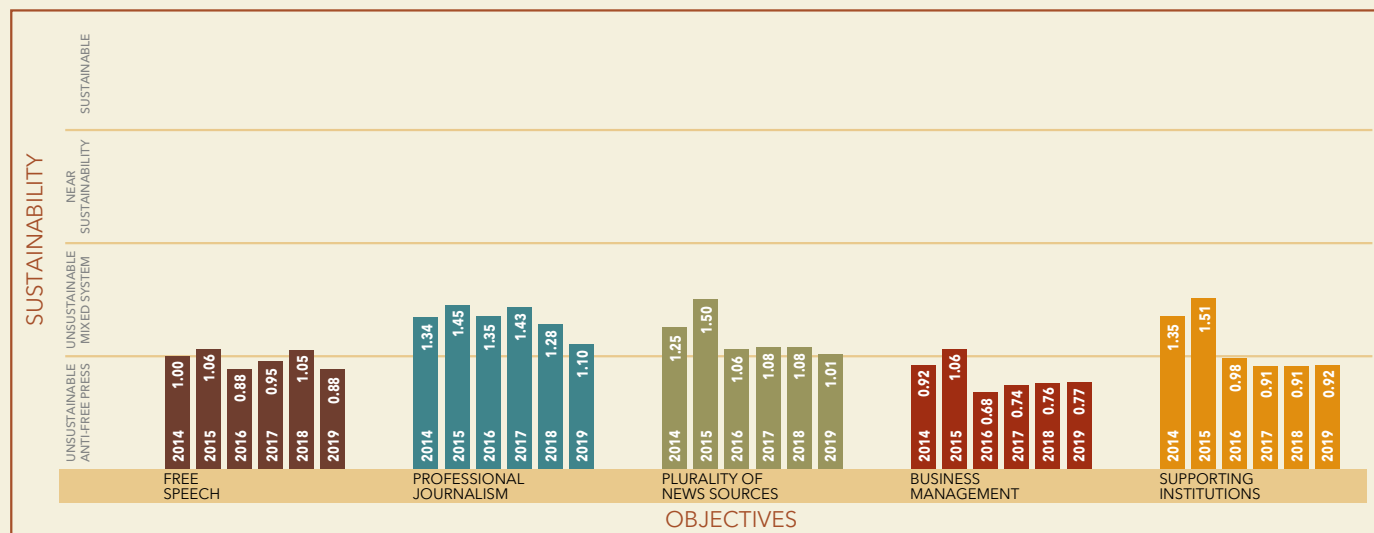
- **Population:** 10,046,516 (July 2018 est.)
- **Capital city:** Baku
- **Ethnic groups (% of population):** Azerbaijani 91.6%, Lezgian 2%, Russian 1.3%,
- **Armenian 1.3%, Talysh 1.3%, other 2.4%** (Note: almost all Armenians live in the separatist Nagorno-Karabakh region.) (*CIA World Factbook*, 2009 est.)
- **Religions (% of population):** Muslim 96.9%, Christian 3% (Note: Religious affiliation is still nominal in Azerbaijan; percentages for actual practicing adherents are much lower.) (*CIA World Factbook*, 2010 est.)
- **Languages (% of population):** Azerbaijani (Azeri) (official) 92.5%, Russian
- **1.4%, Armenian 1.4%, other 4.7%** (*CIA World Factbook*, 2009 est.)
- **GNI (2017):** \$40.8 billion (World Bank, Country at a Glance, 2018)
- **GNI per capita (2017):** \$4,080 (World Bank, Country at a Glance, 2018)
- **Literacy rate:** 99.8%; male 99.9%, female 99.7% (*CIA World Factbook*, 2016 est.)
- **President or top authority:** President Ilham Aliyev (since October 31, 2003)

MEDIA-SPECIFIC

- **Number of active media outlets (2017):** Print: 36 dailies, 100 weeklies, 85 monthlies; Radio Stations: 15; Television Stations: 23 (8 broadcasting nationwide, 15 regional)
- **Newspaper circulation statistics:** The most widely read publications are the opposition newspapers *Yeni Musavat* and *Bizim Yol*.
- **Broadcast ratings:** Not available.
- **News agencies:** Turan, Trend, APA (shut down on August 1, 2018), Day.Az, and 1news.az (all private); Azertag (state-owned)
- **Annual advertising revenue in media sector in 2016:** \$40.2 million (State Statistics Committee 2017 Yearbook)

1 The State Statistical Committee of the Republic of Azerbaijan no longer provides this information and it is impossible to find it elsewhere.

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.

Scores for all years may be found online at <https://www.irex.org/msi>



Azerbaijan's MSI score dropped to 0.94 this year, down from 1.02. The plurality of news objective took the largest hit as many independent media news sites are blocked, and even more were blocked in 2018. Legal changes that brought back military censorship and the elimination of requiring public officials to disclose public information caused a significant decrease in the freedom of speech objective. These factors coupled with low levels of justice for imprisoned journalists, a public that is susceptible to propaganda, and a weak media market moved Azerbaijan back into the unsustainable category this year.

Azerbaijan's media situation stayed stagnant in 2018, compared with the previous year. The national administration and legislation degraded, becoming more restrictive in all spheres. The laws that were adopted in 2017, which envisioned the enforcement of unconstitutional censorship during military operations, were further strengthened in May 2018 by applying similar changes to the Law on Mass Information. These changes made it possible for both the Ministry of Defense to censor any news or outlet that is covering active military operations or war. The Law on Access to Information also became more restrictive, making it more difficult to get public information through an amendment that made the disclosure of information subject to approval of the agency that, according to legislation, owns, controls, or releases the information, thus eliminating the legal obligation to disclose public information.

The number of blocked local websites has reached 85, compared with 25 last year. Although the president signed a large pardon act on March 16, 2019, that released many political prisoners, some journalists—including prominent ones like Seymur Hazi and Afghan Mukhtarli—remain behind bars. The government has also criminally investigated media outlets that have written about events in Ganja, the country's second largest city, where there was an attempted assassination against the governor

and clashes between angry crowds and police in mid-2018. Authorities also tried to keep prominent video blogger Mehman Huseynov in jail. He was arrested on libel charges in 2017 and was supposed to finish his sentence in March 2019. However, mass protests—both in the country and abroad by citizens and international organizations—shelved this plan, and he was released as scheduled.

Despite being owned by a powerful line minister, a major news agency, Azeri Press Agency (APA), was forced to shut down in summer 2018 after a clear political decision from the top. New and significantly high import tariffs were introduced for smartphones brought into the country on an individual basis, making them less affordable for people whose income has already been shattered by two major currency devaluations in 2016, along with continued worsening of the economy due to low oil prices. The ban on drones imported for personal use remained in place.

New media outlets that have appeared this year—such as Real TV, which employs some crew members from the previously shuttered Azerbaijan News Service (ANS) channel—have functioned more as an extension of state television rather than as independent channels, mostly praising the government for the majority of its policies and actions.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

0.88

Although the Azerbaijani constitution guarantees freedom of speech, the actual practice is less protected. Events of the past decade have demonstrated that changes to the constitution can be made by political force within the government. The most recent changes emerged from a highly disputed referendum in 2016 and included an extension of the presidential term from five to seven years. Problems faced by society cause serious public outcry only on social media, and the practical significance of this is very questionable because people do not go beyond social media to file an official complaint. Unfortunately, society does not regard freedom of speech as necessary. Courts remain unfree and make decisions that undermine the rule of law.

In 2018, constraints on the legal environment for media continued. In February 2017, the country adopted changes to the Law on Military Status, which returned military censorship to the country's legislation for the first time since 1998, despite the prohibition of state censorship in Article 50 of the constitution. On May 1, 2018, a line was added to Article 7 of the Law on Mass Information, further increasing military and special operations censorship "where a military situation is applied," such as Nagorno-Karabakh or operations targeting alleged religious radicals. A similar amendment was made to the Law on Broadcasting, running counter to Azerbaijan's commitment to eradicating official forms of censorship as part of the country's admission to the Council of Europe in 2001.

Changes to the Law on Access to Information have made it even more difficult to get access to

public information. The 29th and 30th articles of the law, adopted in 2005, mandated public offices to disclose publicly available information. On June 29, 2018, an amendment was made to Article 30 that eliminated this requirement and instead makes the disclosure subject to approval of the agency that, according to legislation, owns, controls, or releases information, thus effectively eliminating the legal obligation to disclose public information. One panelist anticipates this will particularly impact the ability to obtain information about the spending of public funds.

Although the Rules on Ensuring Information Security During Criminal Investigations in Communication Networks was amended by presidential decree on January 26, 2018, the essence of the change was not made public. This drew the ire of civil society, as personal data were breached frequently over the year. Mobile phone data from citizens are monitored, and information is shared between agencies without any court order or investigation. People near non-military areas of occupied territories, for example, receive SMS texts from the Defense Ministry telling them not to discuss military affairs via phone.

The constitution guarantees citizens the rights to both free speech and assembly, but legal norms that regulate gatherings and street rallies make it almost impossible to exercise these rights. A law adopted in May 2018 further restricts these rights by citing numerous buildings and "strategic" areas where gatherings are not allowed within 150 meters. Additionally, protests must take place 200 meters from government buildings, making it impossible to organize rallies anywhere in central Baku and Nakhichevan. The organizers of rallies and public gatherings must also submit a letter to city authorities at least five days before any event. In practice, local authorities can reject the application,

change venues or routes, and require organizers to submit slogans and chants for the event in advance.

The mainstream news media remain under strict control of the ruling elites, and even private television and radio stations are under some sort of government control. One panelist repeated a widely held claim that President Ilham Aliyev's aid, Ali Hasanov, controls most of the private radio and television stations via family businesses: Shamkhal Hasanov, his son, owns Araz FM radio, and Sona Valiyeva, his wife, is the founder of the newspaper *Kaspi* and a member of the board that oversees state broadcasting. The *Kaspi* Global company, also owned by the Hasanov family, regularly receives state television's most profitable orders.

Formally, crimes against media professionals, citizen reporters, and other journalists should be prevented and prosecuted. But the majority of political prisoners in the country are either journalists or have been targeted for their freedom of expression in media.

Alternative, independent broadcast TV and websites cannot directly air in Azerbaijan. As a result, pro-opposition websites try to reach audiences online, primarily via social media like Facebook and, more recently, YouTube. The government has blocked many of these sites, including the Prague-based Radio Free Europe/Radio Liberty's Azerbaijani service website; the Berlin-based Meydan.tv website; the Paris-based Turan.tv; and two local websites, azadliq.info and abzas.net, which have been in Azerbaijani territory since 2017. The website for the Organized Crime and Corruption Reporting Project (OCCRP) was

also blocked in Azerbaijan after the publication of “The Azerbaijan Laundromat,” which implicated the Azerbaijani ruling elite, including the president’s family, in a global corruption scheme.

On February 5, President Ilham Aliyev unexpectedly called for a snap presidential election; it was held on April 11, six months before the originally scheduled October. Real opposition candidates boycotted the election, and the “challengers” were essentially puppet candidates who supported Aliyev. Ilgar Mammadov, the chairman of the Republican Alternative Party and a true opponent of Aliyev, was incarcerated during the elections. Ultimately, Aliyev won with 86 percent of the vote in an election the Organization for Security and Co-operation in Europe (OSCE) called flawed and undemocratic.

Formally, crimes against media professionals, citizen reporters, and other journalists should be prevented and prosecuted. But the majority of political prisoners in the country are either journalists or have been targeted for their freedom of expression in media. At least 12 journalists are still serving long-term sentences, including Afghan Mukhtarli (Meydan TV, Institute of War and Peace Reporting), Mehman Huseynov (Institute for Reporters’ Freedom and Safety), and Seymur Hazi and Ziya Asadli (*Azadlyg* newspaper).

As of 2018, the Ministry of Transport, Communications and High Technologies has blocked 85 websites without a proper court decision, up from 25 in 2017. Several websites blocked in 2018, including Arqument.az, challenged the decision in the court in August. The court upheld the blocking of each site, except for Arqument.az—a rare success for an independent media outlet. The ministry also does not disseminate the list of blocked resources, as is required, and thus continues to function as a non-transparent censorship body.

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.

Editorial independence of media is not respected. One of the most disturbing examples in 2018 happened after the assassination attempt of the mayor of Ganja, the second largest city in Azerbaijan. After the assassination attempt, the suspect was assaulted at the police station, spurring protests downtown, where two police officers were killed. Editors and the heads of online media outlets reporting on the events were called to the General Prosecutor’s Office, threatened with arrest, and warned about their published stories; specifically, editors were warned about their published stories about the incident, which mostly covered stories about the mayor’s irresponsible activities and why

people were happy about the attempt on his life. At the end of 2018, criminal charges were filed against the heads of bastainfo.com and criminal.az for “spreading open calls against the state” and “violation of official duties.”

In 2018, several journalists were charged with defamation. Azerbaijan’s most prominent video blogger, Mehmen Huseynov, was slated to be released on March 2, 2019, after being found guilty in 2017 and sentenced to two years’ imprisonment; however, at the end of 2018, he was charged with assaulting a prison warden and faced additional time in prison. Since Huseynov had previously reported on corruption by government officials, civil society activists and his lawyer felt the 2018 assault charge was merely an attempt to keep him away from reporting. After Huseynov went on a hunger strike, protests and rallies by activists, and statements from international organizations (Reporters Without Borders, OSCE, and the EU), the assault charges were dropped on January 24, 2019 and was released as originally scheduled on March 2, 2019.

Although there are formal licensing procedures, the process is not entirely open. This is a serious obstacle to the development of broadcast media in the country. “While there are numerous national broadcasting channels, our country has a serious lack of creative and quality content on them,” one panelist explained. The National Television and Radio Council (NTRC), the agency that approves frequencies and issues licenses, continues to act in a secretive way. It has also been led by the same chairman for 16 years. Despite legal requirements, the NTRC has not published a single competition announcement for vacant frequencies. No clear explanations are provided when applications for licensing are rejected or, in some cases, never answered. The NTRC also does not provide information about the ownership or founders/

board of directors of licensed stations, a measure that is supposed to help prevent monopolization in broadcasting. One new license administered in 2018 was to a new channel called REAL Analysis Information Center, run by Mirshahin Aghayev, the former vice president of the now-defunct ANS Media Holding. On his new channel, he serves as an anchor for a Sunday evening show, where he targets and insults critics of the government.

A pressing issue for journalists, particularly freelancers, is the trend of being approached by police and plain-clothed officers asking for a press card. If a journalist has no proof that he/she is a journalist, it can delay reporting and, in the worst-case scenario, force the journalist to visit the police station. Police officers do not always recognize or understand the concept of freelance journalism and often request documents to prove that a reporter is part of a registered media outlet. This makes blogging, freelance work, and citizen journalism even more difficult.

The market can be difficult for broadcast and print media to access. Creating an Internet website is relatively free, and no license is required. There are no significant tax benefits for media outlets.

The NTRC donated AZN 3 million (\$1.8 million) to private broadcasters from the state budget on January 30, 2018—600,000 manats (\$352,000) for each broadcaster. The listed purpose was “assistance to nationally broadcasting channels in switching to the AzerSpace1 satellite.” According to the news, the funding was divided equally among Space TV, Lider TV, ARB TV, ATV, and Khazar TV, all of which are either owned or managed by ruling elites or their relatives—including Space TV, which is

owned by the president’s sister, and Lider TV, which is owned by the president’s second cousin.

At the end of 2018, presidential aide Ali Hasnov fired the director of public television, Jamil Guliyev, and replaced him with Balakishi “Balash” Gasimov, a television personality from the state-run AzTV. Gasimov’s hiring did not follow the replacement procedures mandated by the Law on Public Broadcasting. After blowback from civil society and media experts, the NTRC announced a hiring process for the job, only to re-hire Gasimov a month later. One panelist noted that this demonstrates how there is nothing “public” about the channel. “The people on the managing council of ITV have little weight in society and lack independent thinking, television broadcasting experience, or even an elementary understanding,” another panelist said.

Journalists do not have easy access to public officials to get information. At first glance, it seems that officials are answering questions from most critical media outlets. However, most officials do not directly answer questions and simply change the topics. Professional journalists do search for other sources and can produce detailed material, but often one journalist alone cannot get all the answers.

It also remains difficult for independent journalists to register to attend government events, as they are required to present a card from the media entity they represent, which is not something freelancers have. As of 2015, entrance examinations for journalists still require a talent exam, though more than half of the applicants² did not show up for the tests the first year they were applied.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

1.10

Each year, the media landscape in the country looks more and more pro-government. The Azerbaijani government promoted or allowed popular journalist Mirshahin Aghayev to launch a new television channel. Aghayev was previously a leading anchor and vice president of ANS TV, which was shut down in 2016 after its Washington D.C.-based correspondent interviewed Fetullah Gulen, a Turkish cleric accused in the Turkish coup attempt of 2016. This decision was likely made under the influence of Turkish President Tayyip Recep Erdogan. ANS TV launched as an independent commercial channel in 1991 but became strongly pro-government after 2003. Still, it was more functional and flexible than state or oligarch-owned television stations. “It seems that even such a degree of loyalty is not acceptable by the ruling elite,” said one panelist.

Unlike ANS TV, the new Real TV is purely propagandist media, with a name thought to be purposely confusing to the public. In Azerbaijan, the original Real brand belongs to a new political party, the Republican Alternative, headed by Ilgar Mammadov, who served five years in prison before winning an appeal at the European Human Rights Court (ECHR). According to Thomas De Waal, a senior fellow with Carnegie Europe, the historical and main Azerbaijani opposition parties, the Musavat and the Popular Front, are “useful contrasts” to Aliiev’s regime. In De Waal’s words, “The Real is more serious.”

Another pro-government, but more “open-minded,” media outlet, APA Holding,

¹ <https://sputnik.az/life/20190205/419257752/azerbaycan-televiziya-pul-ayirmaq.html?fbclid=IwAR0hGSYGNmAGgeRx5pWpNW02YO7sL8jl8XLUK2EefSiKJLxeAmk3U8LgSI>

² <https://report.az/media/jurnalistika-ixtisasina-qabilivyet-imtahani/>

suddenly stopped its activity, without explanation, in mid-August 2018. Later, it became clear that the agency misquoted the president's remarks on Armenia, although it immediately corrected the quote. The head of the holding, Vusala Mahirgyzy, complained on social media about "dirty games" against her organization and said that the mistake occurred in translating the quote to Russian. The outlet remained dysfunctional, and a month later APA Holding, which employed 187 staff members, officially "closed."

According to one panelist, professionalism in the country is deplorable. "Most of the people in journalism come with a background that has no relation to journalism," said one panelist. "There are no standards for job interviews or hiring for vacancies anywhere in the sector. Employers also have no tools to measure the knowledge of applicants."

A handful of independent and objective media outlets check information with at least two to three sources of information. Professional reporters and editors consult with experts and carry out necessary investigations into stories.

It has been years since the Professional Code of Ethics for Journalists was adopted in Azerbaijan. There are some improvements in this area, but they are not always positive. Journalists following the requirements of the code are mostly professional media representatives from independent media organizations. However, journalists from television and radio have repeatedly violated the ethics codes in recent years; for example, hosts have insulted or

ridiculed audience members.

The positions of opposing sides are not provided, and official statements of law-enforcement agencies are published as is. Presumption of innocence is not observed, which in turn leads to cases in which the ECHR repeatedly penalizes the Azerbaijani state. When state-controlled media report on sensitive subjects, they still do not mention any rebuttal or reversal of the case by the ECHR, fearing blowback from the state.

There are no independent print media in the country. The state-financed Media Support Fund provides support to government and pro-government print media outlets. Newspapers are unable to engage in the advertising market independently because of businesses that are under the control of public officials and oligarchs.

The government applied new and significantly higher import tariffs on smartphones, one of the most common pieces of technology used by journalists. The new tariffs, which went into effect on August 2, 2018, are rated in relation to the price of the international mobile equipment number (IMEI), as opposed to the previous flat fee of AZN 5 (\$3.00) for any phone. If a smartphone costs more than AZN 500 (\$300) with two GSM card slots, it is an additional AZN 300 (\$175) for the IMEI registration. Experts believe that these new tariffs will limit the access of journalists and social media activists to modern devices and will slow down the country's technological development. According to them, these tariffs also serve the interests of the companies that have monopolized cell phone sales in the country.

The ban on the import of drones, the most up-to-date filming technology, remains, and no media organization can report using drones. However, drones are used extensively to film weddings in restaurants owned by the oligarchs, despite the ban. Furthermore, experts also believe

that the use of drones will become a criminal offense in the article of the criminal code regarding protection of privacy.

Except for online media aired from abroad through satellite and the Internet, nearly all in-country media practiced some form of self-censorship in 2018. Journalists are systematically questioned or interrogated by the police and prosecutor's office, causing fear that leads to self-censorship. Under different pretexts, people are persecuted and even imprisoned for expressing their thoughts on social media.

Almost all public websites, which should provide free information, ask additional questions of the user that are not required by law. These online applications are all formed in a way that is contradictory to the law.

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).

Double-digit inflation in the country, paired with two devaluations of the national currency in 2016 and no increase in journalists' salaries since then, have made 2018 extremely difficult for journalists.

There are also specialized journalists covering specific issues, such as economics, health, business, and education. However, there are just a few platforms willing to publish objective and analytical articles. Internet regulation and pressure from the government remain major issues in the country.

According to one panelist, professionalism in the country is deplorable. "Most of the people in journalism come with a background that has no relation to journalism," said one panelist. "There are no standards for job interviews or hiring for vacancies anywhere in the sector. Employers also have no tools to measure the knowledge of applicants." This impacts the quality of the press and broadcasting. As of 2015, there is just one journalism school in the country, Baku State University. Although it produces a certain number of journalists every year, these graduates lack the skills and training necessary to meet the requirements of the labor market. In terms of remuneration, journalists receive an average of AZN 400 to AZN 800 (\$235 to \$470) per month, one of the most underpaid jobs in the country.

The fairness and objectivity of reporting, the availability of modern and efficient media facilities/equipment, and the existence of quality niche reporting and programming were difficult factors for some panelists to assess. They could not choose whether to score based on the hundreds of media outlets in the country, both traditional and online, or the few outlets that are independent, unbiased, and professional. For example, independent media, facing staunch pressure, have neither the offices nor equipment to meet current technological standards. However, state- and oligarch-owned media have the

most up-to-date equipment.

Azerbaijani television channels are in a better position to educate people, as they can easily "enter" into people's homes. However, television channels broadcast news that is either biased or half-true, or they simply do not report on controversial stories at all. Moreover, entertainment content and news are not balanced. One panelist cited the programs of three major national channels programming on January 14, 2019 as an example:

- Space TV: 19 shows were broadcast for the day, only six of which were news programs or contained news;
- ATV: 41 shows were broadcast for the day, only 12 of which were news programs or contained news;
- ARB: 21 shows were broadcast for the day, only eight of which were news programs or contained news

OBJECTIVE 3: PLURALITY OF NEWS

1.01

Access to independent news sources in Azerbaijan gets more limited from year to year. Because the Internet is the main method of accessing alternative sources of information, restricting access to independent news portals severely limits the plurality of news. In mid-2018, the Ministry of Transport, Communications and High Technology launched a new wave of blocking independent news sites, including bastainfo.com, criminalaz.com, topxeber.az, gününsesi.az, and fia.az, without any court order, after a request from the Prosecutor General's Office. The popular pro-government APA news agency ceased its activities in 2018 after administrative interference.

Azadlyg Radiosu—the Azerbaijan service of Radio Free Europe/Radio Liberty, based in Prague, that has played a significant role in Azerbaijan's media landscape in the past several decades—has remained marginalized with its website blocked; its Baku bureau closed in 2014. BBC Azeri boasts a small team and few resources and operates only as a website, though it is accessible in Azerbaijani territory. Panelists mentioned that Berlin-based Meydan TV feels more like a political participant and does not meet professional standards of quality.

Journalists' ability to receive information from objective and numerous sources remains limited. As such, it is rare to find original, carefully investigated, and analytical material in local media or news agencies. Journalists also face some difficulties in filming on-the-street interviews, with many respondents refusing to participate for fear of persecution, though there are some courageous people who will speak their minds on controversial issues. Still, journalists usually have to spend more time filming and interviewing more people than necessary in order to obtain meaningful material for the final product.

The level of media literacy of the citizenry also appears to be a serious problem. The Azerbaijani audience tends to believe most propaganda and false material with which it is presented. An expert on the panel suggested integrating the subject into the upper classes of secondary schools.

Access to international media is free, but the number of those who benefit from it is quite limited. Traditionally, when one says "international media," many Azerbaijanis think of Russian television

channels, which report a large amount of unverified or biased information, or Turkish news channels.

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.

According to one panelist, in the event of a serious event locally or regionally, an Azerbaijani citizen has no objective and reliable source of information. In recent years, social media have begun to fill this gap, with eyewitness reports from those who are in the middle of such an event. This, of course, can make it difficult to determine what is true and what is not.

The level of media literacy of the citizenry also appears to be a serious problem. The Azerbaijani audience tends to believe most propaganda and false material with which it is presented. An expert

on the panel suggested integrating the subject into the upper classes of secondary schools.

The Turan Information Agency remains the country's only independent news agency. Its director, Mehman Aliyev, was facing a lengthy prison term in August 2017 under charges of tax evasion and abuse of power; human rights organizations described the charges as politically motivated. After condemnation and threats of sanctions from Western governments, including the United States, prosecutors dropped the charges and allowed the agency to resume its activities.

Independent media prepare and publish professional materials, including audio, video, and photos. Mainstream and oligarch-owned media prepare their own news, but the material is generally biased and one-sided.

The media partially cover local, national, and international issues, unless a story touches Azerbaijan's interests or leadership, in which case the news exclusively reflects the government's point of view. Rural areas tend to lack media outlets, and the few that do exist are under the control of the government and local authorities. The only exception is Cənib Xəbərləri (Southern News), a newspaper from the southern Masalli district. Still, one panelist said, "It gets a lot of disturbance from local authorities."

**OBJECTIVE 4:
BUSINESS
MANAGEMENT**

0.77

Although the legal and political constraints on freedom of expression are the largest adverse factor in media independence, the weak market in Azerbaijan also has a major impact. Media outlets are unable to be financially independent

or durable, with even pro-government media feeling the heat. The decision to shut down APA Holding over political reasons has impacted more than 200 employees working at agencies and web portals within the company.

Media funding in Azerbaijan is not transparent. Only public television and Azertaj (the State News Agency) have a clear funding source—the national budget. AzTV, a state broadcaster from the Soviet era, was turned into a closed joint-stock company in 2005 with no explanation as to why the transformation occurred. Meanwhile, the newly founded Real TV's website³ offers no information on its financial sources. Despite being founded by the Report Information Agency, a company established by the state oil company SOCAR, it is registered as an independent agency. SOCAR did not include expenses related to this agency in its most recent financial reports.

The primary source of the media's income is direct and indirect funding from the government. The government allocated AZN 57,721,175.0 (\$33,849,100) for radio, television, and print media in 2018.

According to the panelists, in terms of business management, media organizations are not professional. Independent or pro-opposition media organizations do not consider business management and financial sustainability plans.

According to the panelists, in terms of business management, media organizations are not professional. Independent or pro-opposition media organizations do not consider business management

³ <https://www.realtv.az/>

and financial sustainability plans. Most importantly, they also do not consider advertising due to existing political pressures. These media organizations mostly survive on donations and financial assistance, usually without any impact on editorial policies from the donors; however, occasional sympathy for certain political groups can be detected.

Media entities do not have accurate information about their target audiences—primarily because there are no organizations or firms that provide such research and information, either for a fee or free—and media outlets do not conduct such research on their own. In many instances, television programs are designed chaotically or based on intuition. Recently, media outlets have been trying to expand their audience and gain feedback through activities on social networks. Usually, business plans are not drafted, and start-up projects are not common in broadcast 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.

According to some media managers, said one panelist, the volume of the advertising media market in Azerbaijan is about AZN 20 million to AZN 25 million (\$11.72 million to \$14.66 million), a small amount for a competitive, or even average, media industry.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

0.92

Azerbaijan still lacks traditional trade unions among journalists, which is a major source of other problems in the industry. Journalism organizations have difficulty showing solidarity for the profession.

One legal expert on the panel thinks it is important to view the lack of established and functioning trade unions for the interests of television and radio broadcasters and newspaper owners in the context of Azerbaijani laws on the rights of organizations to associate. Currently, the Law on NGOs (Public Associations and Funds), the Law on Registration and State Registry of Legal Entities, and the Law on Trade Unions regulate establishing and functioning of professional associations. However, these laws do not allow for the smooth and unlimited state registration of public associations, including media organizations. This, in turn, leads to registration of these bodies with the Ministry of Justice, which is dependent on the consent of authorities. For example, the Union of Editors—which has supported the publication, dissemination, and advertisement of opposition and independent newspapers—has repeatedly applied for registration with the Ministry of Justice but has never received it.

In 2005, after the adoption of the Law on

Access to Information, information sharing worked relatively well through the creation of Internet portals or by sending inquiries. At the time, civil society was active, and many local nongovernmental organizations (NGOs), such as the Media Rights Institute, sought to educate journalists and taught the relevant procedures. Currently, only a limited number of NGOs that educate journalists exist, and their ability to do so is limited.

“Journalism education programs, especially those in public universities, have to go through serious reforms,” said one panelist with experience in media education. Even the most basic skills required in the industry are not taught to students. Student-run media are non-existent, and there are no practical models for students to learn from. Because of this, the young people who do not learn the required skills for the labor market eventually have to change careers.

The panelists agree that multiple, short-term trainings in journalism can or should be offered. According to them, these often formal exercises from international media organizations are usually both productive and helpful and also offer flexible scheduling for practicing journalists.

“Journalism education programs, especially those in public universities, have to go through serious reforms,” said one panelist with experience in media education.

There are very few independent and professional training centers, though there are some, including the Baku School of Journalism and the School of Democracy. Those that do exist offer skills training in such subjects as writing, multimedia, ethics, and more.

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 most cases, it is possible to purchase equipment locally or import it from abroad, though sometimes it is necessary to keep secret which outlet ordered the equipment. As noted earlier, the import of drones is an exception and is restricted for both journalists and citizens. These limitations exist only for independent journalists; there are no restrictions for government-run outlets or their journalists.

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 with colleagues who have firsthand knowledge of the media sector.

GEORGIA



MEDIA SUSTAINABILITY INDEX 2019

Tracking Development
of Sustainable
Independent Media
Around the World



GEORGIA

AT A GLANCE

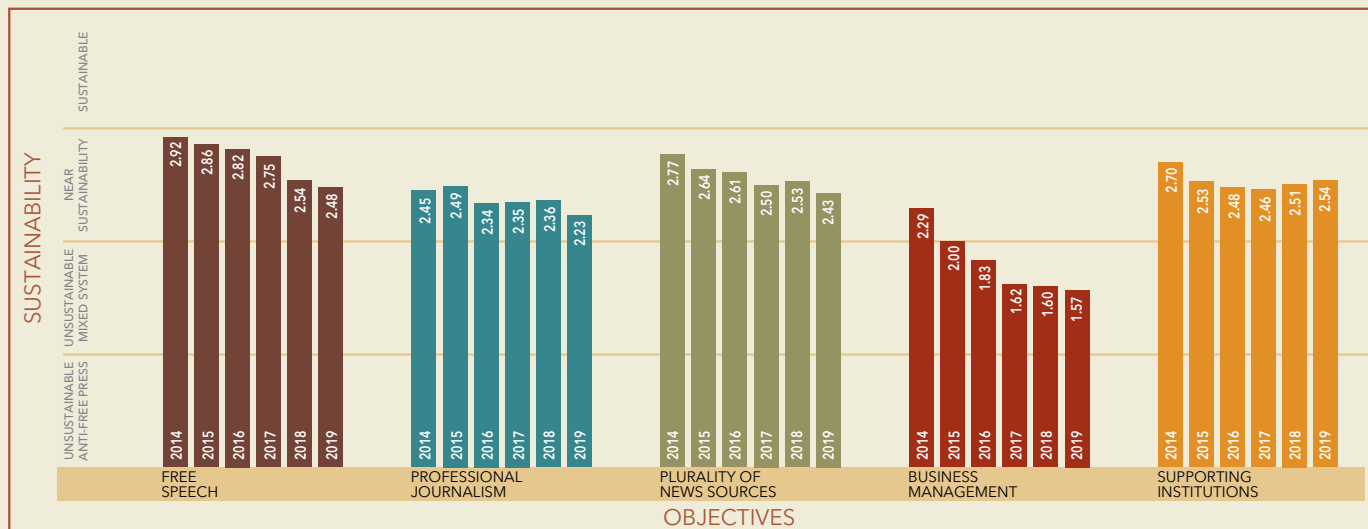
GENERAL

- **Population:** 3,729,600 (National Statistics Office of Georgia)
- **Capital city:** Tbilisi
- **Ethnic groups (% of population):** Georgian 86.8%, Azeri 6.3%, Armenian 4.5%, other 2.3% (2014 Population Census)
- **Religion (% of population):** Orthodox Christian 83.4%, Muslim 10.7%, Armenian-Apostolic 2.9%, other 1.2%, none 0.5% (2014 Population Census)
- **Languages (% of population):** Georgian (official) 87.6%, Azeri 6.2%, Armenian 3.9%, Russian 1.2%, other 1% (2014 Population Census)
- **GNI (2017-Atlas):** \$14.04 billion (World Bank Development Indicators, 2017)
- **GNI per capita (2017-PPP):** \$ 10,110 (World Bank Development Indicators, 2017)
- **Literacy rate:** 99.8% (male 99.8%, female 99.7%) (2015 est., CIA World Factbook)
- **President or top authority:** President Salome Zurbishvili (since December 16, 2018)

MEDIA-SPECIFIC

- **Number of print outlets, radio stations, television stations nationwide:** Print: 218 newspapers: 16 daily, 52 weekly, 37 monthly (National Statistics Office of Georgia, www.geostat.ge, 2017); Broadcast: 91 active radio broadcasting licenses, 98 television broadcasters, 30 multiplex operators (Georgian National Communications Registry: www.registry.gncc.ge, accessed in December 2018)
- **Newspaper circulation statistics (total circulation and largest paper):** Total circulation 60.4 million (National Statistics Office of Georgia, www.geostat.ge, 2016) *Rezonanse* (4,000–5,000 daily), *Kviris Palitra* (average 55,000 weekly) (individual newspaper claims)
- **Broadcast ratings (audience share):** Highest-rated television channels: Rustavi2 5.07%, Imedi 4.69%, GDS 1.15%, Channel 1 0.84%, TV Pirveli 0.64% (TVMR GE, 2018)
- **Annual advertising revenue in the media sector:** The estimated revenue of the television advertising market in 2018 reached GEL 66.22 million (approximately \$25.4 million), for radio GEL 8.5 million (approximately \$ 3.2 million) (Georgian National Communications Commission, analytical portal, 2019). Unknown for print.
- **News agencies:** Associated Press, Reuters, 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:** 817,743 (Georgian National Communications Commission, December 2018)

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.



Most of the issues that Georgia's media sector faced in past years persisted this year:

Journalists struggle to access public information, they exercise self-censorship, and they must make do with poor technical facilities. These factors are compounded by a contracted advertising market and increased competition for the advertising revenue that is available. As a result, the country's score fell from 2.31 in 2018 to 2.25 in 2019, reflecting lower scores for Objectives 1 through 4 (freedom of speech, professionalism, plurality of news, and business management), with Objective 4 the lowest scored at 1.57. There was slight improvement in the score for Objective 5 (supporting institutions), which signifies the active engagement of Georgian civil society groups' and professional associations' efforts to promote the interests of the media, along with support of the media by international donors.

Georgia began 2018 with the president's veto of a bill that would have directed more advertising to the public broadcaster and exempted it from some public procurement requirements. Civil society groups and private media protested some lawmakers' attempt to give the low-rated Georgian Public Broadcasting, or GPB, a boost, but parliament overrode the president's January veto a month later. The year ended with the ascension of the country's first woman president after a campaign that took a dreadful toll on media standards. Georgia's capital city of Tbilisi along with second city Telavi were roiled by protests over a perceived miscarriage of justice and alleged electoral fraud.

During the October presidential election, Imedi TV, one of the country's two leading channels, beefed up its political programming to oppose Grigol Vashadze, the candidate from the United National Movement (UNM). The UNM ruled Georgia from 2004 to 2012. The other leading channel, UNM-aligned Rustavi2, attacked Vashadze's opponent, Salome Zurbashvili, the candidate from the ruling Georgian Dream Party who went on to win the race.

The past year saw attempts to regulate free speech and expression as legislators proposed bills to regulate creative works on the one hand and to impose criminal charges for insulting religious feelings on the other. Neither bill passed.

While finding reliable statistics is challenging, MSI panelists perceived that there were more attacks on journalists in 2018 than in the past couple of years, including physical assaults during the

elections and by far-right groups. Members of the far-right Kartuli Marshi movement attacked Rustavi2 journalist and anchor Giorgi Gabunia after he mentioned Jesus Christ in a joke that made fun of former Prime Minister Bidzina Ivanishvili.

The Georgian National Communications Commission (GNCC) unveiled a disputed analysis, based on the declared revenues of broadcasters, that claimed the country's advertising market has grown steadily since 2012. Still, Georgia's media rest on a weak foundation, illustrated by the closure last year of Iberia TV when its owners' other businesses could no longer support the channel. The observed trend of the year is the growth of online advertising revenue, most of which, our panelists said, flow to such global actors as Google and Facebook.

The highly respected Georgian Charter of Journalistic Ethics (GCJE) serves an ombudsman role and last year handled dozens of complaints from media professionals, public officials, and the general public.

Most of the previous years' problems persisted in 2018: Journalists struggle to access public information, exercise self-censorship, and must make do with poor technical facilities. Civil society and donor organizations continue to provide funds and other aid to spur development of a sustainable media industry. Against the backdrop of these events the country's score fell from 2.31 to 2.25. The drop is a result of lower scores for Objectives 1 through 4: freedom of speech, professionalism, plurality of news, and business management.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

2.48

The score for this objective slid by 0.06 from last year. Contributing to this slight decline were: first, amendments to the law on broadcasting giving GPB greater access to advertising revenue and loosening public control over its procurement process; second, the government's attempts to impose more control over freedom of expression; and third, attacks on journalists.

The Georgian constitution and laws that cover free speech and access to public information meet internationally accepted standards, but these laws are selectively enforced, panelists said. Media analyst Zviad Koridze noted that, although several attempts by members of parliament to introduce bills to restrict speech and expression failed, it is easy to imagine them passing in Georgia's overheated political climate, once the public had been primed for them.

In March, a conservative member of parliament proposed punishing those who insult religious feelings or desecrate religious sites or symbols with a fine or prison term. In May, two ruling party lawmakers proposed that courts be allowed to ban creative works that incite national, ethnic, religious, and racial hatred; preach war and violence; or propagate pornography. Civil society groups, along with workers in creative industries, blasted the proposal, which parliament rejected. "We've been attacked from all sides, and we're holding on by the skin of our teeth," said Mamuka Andguladze, a media program manager at Transparency International Georgia (TI). Along similar lines, the GNCC sent a proposal to parliament to give itself authority to act against hate speech on radio or

television if a broadcaster's own self-regulatory body fails to quash it, something that currently happens only in extraordinary circumstances. Panelists considered this a worrying proposal, and media figures have warned it could allow the regulator to put improper pressures on broadcasters.

In February, Georgia's parliament adopted hotly contested amendments to the law on broadcasting that allow GPB to purchase media products or services without public tenders, to double advertising airtime, and to expand the types of programming that can have commercial sponsors. The president, civil society groups, and some private media said the legislation would give an unfair advantage to GPB, which also receives public money, and would weaken public oversight of the broadcaster. The GNCC, however, said the amendments would lead to improved service of public interest. In 2018, GPB's budget was GEL 50 million (\$19 million). Panelist Natia Kuprashvili, chairwoman of Journalism Resources Center and director of the Alliance of Broadcasters, said the lack of public control over GPB's procurement activities would render its expenditures opaque.

Another critical panelist, Kavkasia TV Director Nino Jangirashvili, called the amendments "unprecedented." "It was clear that the decision was political," she said, noting that every media outlet except GPB had opposed it.

Before and during the two rounds of voting in the presidential election, the communications commission improperly aimed to regulate or influence campaign advertising, according to Transparency International Georgia. Further, Kuprashvili said conflicting interpretations of laws bedeviled broadcasters during the campaign. For instance, she said that the GNCC required broadcasters to monitor the contents of political advertising, even though the law on political

advertising does not obligate them to do so. Jangirashvili said the GNCC still accused five broadcasters of violating the law by airing political advertisements that it said contained hate speech.

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.

In addition, the regulator issued a statement dictating to channels the amount of time they were to allocate to each presidential candidate, even as it acknowledged that broadcasters were apportioning time according to existing legal requirements.

In the run-up to the elections, the GNCC told broadcasters to verify the credibility of public opinion polls they commission, under threat of punitive sanctions. In turn, Transparency

International Georgia said the regulator should “refrain from imposing disproportionate demands on the media” and warned the requirement could make respondents worry about the confidentiality of their answers and therefore make it more difficult for pollsters to get honest answers in the future. “It is unrealistic that journalists would verify the credibility of the research,” said panelist Tamar Kintsurashvili, director of the Media Development Foundation.

Some panel members said the courts and law enforcement agencies frequently asked journalists to reveal their sources last year. Kintsurashvili said authorities were sending “frightening” signals to whistleblowers and journalists, citing the case of a Rustavi2 journalist who aired video of a former prosecutor (and at the time director of the Post TV channel) driving drunk. The interior minister said everyone involved, including the whistleblower, “who used the material to gain certain electoral advantages” should be punished.

In addition, the chairwoman of parliament’s Legal Issues Committee has threatened to seek a ban on the distribution of secretly recorded materials, which would deal a severe blow to investigative journalism. Lawmaker Eka Beselia made her threats as secret recordings were playing a role in the presidential campaign.

The government’s consistent rhetoric against pro-opposition television station Rustavi2 continued in 2018. High-ranking officials accused Rustavi2 of distorting reality by exaggerating every negative development. In a television interview, former Prime Minister Ivanishvili, a towering figure in Georgian politics, said, “If we switched off Rustavi2 today, we’d see nothing but progress and prosperity in the country.” During the acrimonious presidential campaign, Speaker of Parliament Irakli Kobakhidze said Rustavi2 practices “the Russian-style politics of brainwashing, which corresponds to propaganda,

the practices perfected by the Russian channels.”

The long-running, high-stakes fight over control of Rustavi2 dragged on. In April, the channel reported that the Justice Ministry had asked the European Court of Human Rights to lift a temporary freeze on a Georgian court’s 2017 ruling that control of the channel be handed over to its former owner. The Strasbourg court stepped in to block the transfer until it could rule on the merits of the case. Kibar Khalvashi is suing to take over the channel, which he says the UNM illegally stripped from him when it was in power. Khalvashi is widely seen as an ally of Georgian Dream, the UNM’s bitter foe. Lawyers for Rustavi2 said the Justice Ministry’s appeal improperly contained complaints about the channel’s independence and fairness.

In 2018, the GNCC drafted a media literacy strategy and established a media literacy academy. Several NGOs complained that the drafting process had not included all the relevant parties and said the draft does not take into account the limitations on Georgian organizations. Led by the former head of Radio Free Europe’s Georgian service, the Media Academy will offer courses to media managers, producers, and journalists; develop media criticism; raise media literacy generally; and establish a media lab to support digital media startups.

“When the cases are interesting to the media I represent and to investigative journalists, why shouldn’t we be allowed to access the court hearings directly?” Gela Mtivlishvili said.

Technically, anyone can launch a television station in Georgia since the 2015 digital switchover, which abolished licensing for television stations. But the process is not straightforward. For instance,

Kuprashvili said it is not public knowledge how many frequencies are available in the country, which raises questions about the transparency of the process.

There are no particular barriers for new players to enter the Georgian media market, and tax rules treat the media like any other industry. One panelist, however, said tax collectors treat different media differently. Kuprashvili, who represents a majority of regional broadcasters, said tax officials “turn a blind eye” to the considerable tax debts of national channels Imedi TV and Rustavi2 but will move much more quickly against regional outlets. Kuprashvili and Jangirashvili also complained that channels must pay the standard 18 percent VAT (value-added tax) rate on political campaign ads and public service advertising—a certain amount of which they are obligated to air free of charge.

Although there are no published statistics for 2018 for Georgia, panelists said physical attacks on journalists increased in 2018. For example, in late 2018, a journalist from Rustavi2 was shoved out of the office of the No to Nazism movement after inquiring about the movement’s funding sources. The channel said some of its equipment was damaged during the incident. TI and the GCJE condemned the incident, and TI noted that Rustavi2 journalists are frequent targets of violence. “Such actions send the wrong message to society, that journalists can be treated with contempt,” said Nata Dzvelishvili, executive director of the Georgian Charter of Journalistic Ethics. She said journalists were attacked during the presidential campaign as well. A reporter for TV Pirveli said she was smacked in the face while trying to record members of No to Nazism bussing voters to their polling places. In addition, a journalist with the news website on.ge said a campaign worker for Georgian Dream presidential candidate Salome Zurbashvili hit her

arm to prevent her from recording at a polling station.

The growing strength of Georgia's far-right movements in 2018 was bad news for journalists. In March, Rustavi2 host Giorgi Gabunia became a target after making a quip about Ivanishvili, the former prime minister, that involved the mention of Jesus Christ. Members of the reactionary Kartuli Marshi movement besieged Gabunia in the television station's parking lot, accusing him of insulting their faith and demanding a public apology. Six of the attackers were arrested, and one journalist covering the incident was briefly hospitalized. Panelist Nestan Tsetsckhadze, editor of *netgazeti.ge*, complained that "even though the case went to court, interfering with a journalist's work doesn't appear among the charges brought against these people."

In November, a court overturned the convictions of four Georgian photographers who had been accused by the UNM government in 2011 of spying for Russia. While records from the 2011 court case remain sealed, in its decision to overturn those convictions the court said the photographers had been targeted for taking pictures of security forces violently breaking up a peaceful demonstration and that they had been tortured into confessing. "This was a fair resolution of this case, which the public has waited for years, but the files are still classified, and we don't know what exactly these people were convicted of," Koridze said.

Panelists also recalled the 2017 incident of Azerbaijani journalist Afgan Mukhtarli's abduction from Tbilisi and handover to the repressive Azerbaijani government. Georgian law enforcement's connection to the case has still not been investigated, Kintsurashvili said.

The public broadcaster elected four members to its board of trustees early in the year. Panelist Ia Mamaladze, publisher of *Guria News* in western

Georgia, ran unsuccessfully for one of the seats. She called the process "highly politicized" and said the ruling coalition was looking for candidates it could control, even though she had been the most highly rated of the field.

The Media Advocacy Coalition, a project of the Georgian Young Lawyers Association, blasted GPB's management for sending an investigative documentary to an ad hoc parliamentary investigative committee, the public defender's office, and several NGOs for review before airing it. The film looked at the unsolved killings of two teens during a street fight in late 2017. The acquittal of suspects in the case led to major protests in the spring amid charges of a cover-up. GPB's management said it wanted to ensure airing the film would not impede the investigation.

"The fact that a 'relevant department' of the public broadcaster lacks the ability to make an editorial decision independently, in accordance with the law, and without interference from political and other interest groups demonstrates the incompetence of the management, misguided internal standards and procedures that threaten journalists' freedom of expression, especially for investigative reporters at the public broadcaster," the Media Advocacy Coalition said.

Gela Mtvlishvili, editor of *reginfo.ge*, complained about GPB's exclusive right to record court hearings (which is granted to other media if GPB is not present).

"When the cases are interesting to the media I represent and to investigative journalists, why shouldn't we be allowed to access the court hearings directly?" he said, adding that he had unsuccessfully asked the courts to allow online media to record hearings.

The panelists who are journalists said some state agencies throw up roadblocks for reporters

seeking public information and access to public officials. Dzvelishvili said the Ministry of Justice and the agencies under it are "almost inaccessible to journalists." "When journalists approach them for comment, they tell the journalists to send their inquiries in writing. This keeps the journalists from preparing critical materials on time and getting responses to critical questions," she said.

Georgian law requires public bodies to release public information within 10 days of a request, sooner if the request is urgent. But panel members said that does not happen. Zura Vardiashvili, editor of the online *Liberali.ge*, said the mayor's press office in the eastern city of Signaghi once took 19 days to respond to a written request for information, well after the story's deadline. Mtvlishvili said about 30 percent of the nearly 400 requests he submitted in 2018 were ignored. He also said it has become difficult for journalists to get information on expenditures by employees of public institutions other than top-ranking officials and middle management. Agencies say releasing such information would reveal personal information, but Mtvlishvili called that argument "an improper interpretation of who public authorities are and what the public interest is."

In March, the Institute for the Development of Freedom of Information (IDFI), a watchdog group, released the findings of its annual research on public agencies' compliance with the Freedom of Information Act. IDFI said 88 percent of the 7,728 requests it submitted in 2017 received responses, although nearly 13 percent of those were incomplete. The least compliant agency was a revenue agency, while the interior and justice ministries showed significant improvement.

Libel is a civil issue, and if proved, the broadcasting law requires an outlet to give equal time to rebuttals to statements that it disseminated

and are found to be libelous, regardless of whether a journalist or a source made the statement. For example, the Pirveli and Iberia television channels were forced to air programs repudiating statements made on their airwaves by Shalva Natelashvili, leader of the Georgian Labor Party, against Justice Minister Tea Tsulukiani that a court deemed libelous. Panelists said the requirement to “counterprogram” amounts to interference in an outlet’s editorial decision-making process.

Access to foreign information sources and the Internet is unrestricted. In its 2018 Freedom on the Net report, Freedom House gave Georgia relatively high marks, scoring it 25 on a 0-to-100 scale, with 100 being most repressive. Most freelance journalists cannot access press briefings in public institutions because they lack accreditation, which is almost impossible to obtain without being nominated by an employer. Tsatskhelidze said journalists who are not registered at any organization do not have access to the Central Elections Commission in order to report on elections.

There are no barriers to entry into the journalism profession.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

2.23

Journalistic professionalism took a beating this year, as the political divisions exacerbated by the presidential election weighed on the standards of major media. One of the largest national television stations became a mouthpiece for the ruling party while the largest pro-opposition channel was unrelentingly critical of it. Throughout the media, there were egregious violations of professional and ethical standards, visual manipulations, and opinionated coverage.

In addition, the mushrooming of online media platforms has led to a deterioration of standards, panelists said.

Jangirashvili said the elections “wiped out” professionalism in the Georgian media. “There was complete hysteria. ... If Rustavi2 was at least trying to keep its news programs under control, Imedi TV was completely bonkers,” she said. On October 30, when the field of 25 candidates was narrowed to two in the first round of balloting, Imedi announced it would work in “emergency mode” to help the Georgian Dream candidate, Salome Zurbishvili, defeat the UNM’s Grigol Vashadze. “Imedi TV and its owners have personally experienced what it means to have United National Movement in the leadership,” an announcement by the channel read. “That is why Imedi TV is changing its programming and will work toward ensuring that the regime will never come back.”

Dzvelishvili said there were excesses on all three national channels (GPB, Imedi, and Rustavi2). “On the talk shows, journalists only invited guests who agreed with them; there were no critical opinions; there was offensive language by the [director general/talk show anchor] of Rustavi2, etc. ... Everybody was literally working in emergency mode,” she said.

Panelists called GPB’s live talk show in July with Ivanishvili, former prime minister and leader of the ruling Georgian Dream Party, a travesty. They said the host asked few questions—and no tough ones—and let Ivanishvili go on at length.

Civil society monitors of the media during the campaign said the main national television channels’ coverage was dominated by attacks on candidates. For example, Rustavi2 depicted Zurbishvili as a traitor acting in Russia’s interests, while Imedi TV called Grigol Vashadze “Putin’s project.” On GPB,

regular programming was cut for a talk show about the elections that mostly hewed to the government’s narrative, the monitors’ report said. The number of manipulative stories produced in violation of ethical standards also increased. Unlike on these three channels, the monitors said election coverage on TV Pirveli and Adjara TV was balanced and impartial.

Media monitors from the Organization for Security and Co-operation in Europe in the second round of elections found one-third of Imedi TV’s news coverage attacked the UNM candidate, 23 percent focused on the Georgian Dream Party, and 9 percent on that party’s candidate. Rustavi2 was a mirror image, with about one-third of its coverage attacking the Georgian Dream Party, 17 percent attacking the government, and nine percent attacking the Georgian Dream candidate; 24 percent was neutral coverage of the UNM candidate. GPB Channel 1 displayed bias against UNM and its candidate, and depicted Georgian Dream and its candidate favorably.

As for online media, some panelists complained about some websites’ practice of creating flimsy stories out of Facebook posts or statuses. Kinsturashvili and Mtvlishvili said the problem grows with the proliferation of such websites. Dzvelishvili said it is not clear if most media, including most television and radio stations, have formal codes of ethics, which are legally required for broadcasters. Natia Kapanadze, director of Adjara TV, said her outlet made a promotional video to educate the public about ethical standards and show them what to do when they spot violations.

One tool for media self-regulation in Georgia is mediacouncil.ge, which was launched by an association of regional media outlets in 2016. The council is a forum for discussion of and awareness-raising about ethical and professional standards, and it accepts complaints about violations of

standards. But panelist Natia Kuprashvili said the council has not attracted much attention and has handled only a few cases. Most recently, it worked with the GCJE on a complaint against a producer and a talk-show host for TV 25. A main witness in a case involving a conspiracy to murder the country's foremost religious leader complained that the show had discussed his alleged links to the plot without inviting him to appear and had misrepresented the facts. In May, the GCJE and the council ruled for the complainant.

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).

Kuprashvili said media outlets file complaints against one another with the GCJE instead of appealing to one another's in-house complaints bodies. For instance, last year Rustavi2 General Director Nika Gvaramia filed a complaint against the news director and presenter of the program

Parallel 42 of GPB Channel 1 for referring to him as a supporter of the UNM-backed presidential candidate, Grigol Vashadze.

Panelists said plagiarism happens regularly in Georgian media. Mtvlishvili said media outlets often use his reports without giving due credit. "I'm one of those exceptions who claims ownership and appeals to the courts," he said. Kintsurashvili and Dzvelishvili said the line between news reporting and paid content, usually from the government, is often difficult to find.

Panelists disagreed on the prevalence of self-censorship and to what extent reporters must adhere to their media outlets' positions on issues. Nino Zhizhilashvili, host of the *Politmetri* political talk show on TV Pirveli, said that during the 2018 elections journalists for certain media were compelled sometimes to voice the position of that media outlet. "It is an important detail when the owner takes a stand and the employee repeats it," Kintsurashvili added. During the run-up to the presidential election, Tamar Chikhladze, anchor of the *Qronika* news program, left Imedi TV in protest over its editorial policy.

Some panelists said Georgia's poorly paid journalists are vulnerable to lavish influence campaigns that could include free trips to conferences, information tours, or trainings at attractive destinations, funded by public agencies. "For a journalist who can hardly afford GEL 50 for a hotel stay, this is a gift. This is how a journalist's loyalty can be bought by a state organization," Mtvlishvili said.

Still, in a media landscape strewn with ethical pitfalls, some outlets were respected for their quality and depth. They include Liberal.ge, netgazeti.ge/ Batumelebi.ge, on.ge, OC.media.ge, *Samkhretis Karibche*, RFE/RL, and some others.

In general, media cover all major events and

issues. Mtvlishvili said news websites hunt for stories in social media, with some even creating separate menu logs of Facebook comments by public officials and others. Online media compete not only with large television stations, but also with social media users and citizen journalists. "Anyone can turn on the camera, and it's all there," Dzvelishvili said.

Broadcast media mostly follow the country's political agenda, Dzvelishvili said. Most outlets rarely work to find stories on their own. An exception, she said, is Rustavi2, which tries to raise certain issues and then make public officials respond to them and explain. She also noted that GPB's Channel 1 has found a way around criticism that it avoids certain topics by allotting them 30-second video treatments with no explanatory voiceover.

"It is an important detail when the owner takes a stand and the employee repeats it," Kintsurashvili added.

Different Georgian media tell the same stories in such radically different ways that the Mediachecker.ge analysis site has a feature titled "Parallel Realities" to examine how Rustavi2 and Imedi TV approach the same stories. "The stories aren't covered because they're seen as major events, but because the media outlets want to put their own spin on them," Koridze said, noting, for example, that Imedi TV buried in the 25th minute of a newscast a major development from the prosecutor's office regarding the deadly 2017 street fighting that precipitated protests last year.

Journalism is among the lowest-paid professions in the country. Salaries vary between private and public media outlets and across different regions, but the average monthly wage of a journalist is around \$500.

News and information programming is not eclipsed by entertainment shows, and panelists said the country has enough news and talk shows.

Television channels generally have poor technical facilities and equipment for gathering, producing, and distributing news, panelists said. Jangirashvili said she worries that her channel, Kavkasia TV, will be “hit with a major technical crash.” Nino Nakashidze, deputy director of Rustavi2, said her channel works with old camcorders and cassette tapes. Zhizhilashvili said TV Pirveli’s technical updates are supported by donor funds. Vardiashvili said Liberali.ge could use better cameras and camcorders for better-quality multimedia stories. Imedi TV has relatively high-quality facilities, compared with others. At the end of 2018, GPB took a loan for GEL 45 million to upgrade its equipment.

Some media do specialized reporting but usually not very well. Most business-related pieces fall under the category of paid content, Jangirashvili said. Kuprashvili noted that regional broadcasters have begun to cover agriculture-related topics. “This way we strengthened coverage of agricultural issues, and we were able to attract donors and businesses as well. ... Now we’re thinking of starting an agricultural channel and feeding it with journalistic content from the network of regional media,” she said. The initiative is run by the Journalism Resource Center. For many years, the small Monitor (monitori.ge) studio has produced quality investigative content that has received local and international praise. In 2018, Monitor teamed up with Radio Free Europe to produce a program titled *Freedom Monitor*.

OBJECTIVE 3: PLURALITY OF NEWS

243

Georgia has a pluralistic media scene, with hundreds of outlets providing a range of views. But the media’s political connections and polarization reached a peak in the period between the first and second rounds of voting in the 2018 election. Monitors found that the largest national broadcasters have become blatantly partisan and have exacerbated the country’s divisions. Kuprashvili said that in this atmosphere, small media outlets struggle to be heard. “There was an impression that there are only two media, with two opinions, and these two don’t give way to alternative opinions,” she said, referring to Imedi and Rustavi2.

Despite the rise in online news consumption in the past few years, television remains the major source of information for Georgians. Imedi, GPB Channel 1, and Maestro have been pro-government, while Rustavi2 is an outspoken government critic associated with the United National Movement. Kavkasia TV and TV Pirveli occupy the center, and Obiektivi TV reflects the ultranationalist views of the Alliance of Patriots of Georgia. Iberia TV went off the air in late 2018 after its owner allegedly suffered financial losses.

Ia Mamaladze, the *Guria News* publisher, said newspapers still play a key role in informing the public. She said Internet access is too expensive for some and is even inaccessible in some rural areas. The two largest Internet providers, Silknet and Magticom, charged their subscribers a monthly fee of approximately \$10 on average (GEL 26–27) for fiber-optic Internet in 2018. The price for 1GB mobile Internet service was approximately \$2 (GEL 5–7).

In addition to cost, infrastructure and technological issues prevent some from getting online. Countrywide infrastructure needs improvement, and the Internet is slow, some panelists said. According to the National Statistics Office, 69.5 percent of households have access to the Internet, typically via a fixed broadband connection. In 2015, the Ministry of Economy launched an Internetization project and established the nonprofit Open Net to take charge of building broadband infrastructure. The project, which allegedly cost \$150 million, was to be supported by Georgian Dream leader Ivanishvili’s Cartu Fund, but Koridze said it is unclear if he will complete it. Dzvelishvili, of the GCJE, said broadcast reception—and access to Georgian broadcasters—can be spotty in border regions.

Only a handful of local news agencies gather and distribute news to media outlets. Panelists agreed that most Georgian agencies do not function as traditional news agencies, instead passing along information fed to them by the government. “We don’t have news agencies, like Reuters, that are editorially independent, gather information on their own, and distribute it,” Jangirashvili said. Koridze said news agencies will distribute government press releases unaltered with no indication that they are not the product of news-gathering. “This makes such news agencies effectively PR platforms,” he said.

Dimitri Avaliani, an editor at *JAMnews*, and Mamaladze said most news websites act as aggregators, collecting information from various sources. Vardiashvili said the main goal of news agencies is to garner as many clicks as possible and attract advertisers. “To reach their desired numbers, these news agencies are [lifting Facebook posts made by] public figures to create scandalous headlines, which will spread across the Web and attract an audience.”

Mtivlishvili said that if there is a shortage of national news agencies, there are small regional ones that gather information specific to certain communities. Mtis Ambebi, for instance, serves Georgia's remote, mountainous towns and villages, such as Javakheti, Pshavi, Tusheti, Samtskhe-Javakheti, Svaneti, and Lechkhumi. Mtivlishvili said many large media outlets pick up its feed.

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.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.

The *Georgia and the World* newspaper, known for its pro-Russia and anti-West sentiments, co-hosted a Kremlin-funded media forum in Tbilisi last year. Similar events were organized in 2013 and 2014 in Tbilisi by the same groups. Dzvelishvili said it is noteworthy that the number of Georgian media outlets participating has not grown over the years.

Most panelists said the public broadcaster betrayed its mission of public service during the recent campaign season by becoming a mouthpiece for the Georgian Dream Party and the government. "Members of the ruling party and the government used GPB's air for promoting their narrative," Dzvelishvili said.

Private broadcast media produce their own news and information programming and mostly rely on foreign sources for international news.

Broadcasters are required by law to make their ownership public, but Kuprashvili said information about the real owners is still known to a small circle of interested parties. The law also prohibits public officials from owning media properties and prohibits offshore registration for media operating in Georgia. "Most people don't know who can and can't own media. The provisions in the law on broadcasting are technical and aren't properly enforced," Kuprashvili said.

Print and online media are not required to disclose their ownership, which raises questions about their transparency as well, Jangirashvili said.

In early 2018, Zhizhilashvili, the *Politmetri* host on TV Pirveli, told a closed meeting between representatives of the media and NGOs that the channel had gotten "alarming signals" from the government, aimed at "changing the content of the station." The case was mysteriously resolved with the help of former high-ranking government officials, according to an investigation by Netgazeti.ge.

In October, Iberia TV went off the air after its owner said the authorities were trying to shut down the channel, which was critical of the government. Management said the channel could no longer pay its bills and accused the authorities of artificially creating financial problems by imposing unfair financial obligations on the Omega Group, which

owns Iberia TV. Members of the ruling Georgian Dream Party countered that the channel's owner threatened to blame the government for the shutdown if some of his business's tax debts were not forgiven.

Jangirashvili said the communications commission has ignored the illegal market concentration created by a 2017 merger of the Imedi and Maestro newsrooms.

"There was an impression that there are only two media, with two opinions, and these two don't give way to alternative opinions," Kuprashvili said, referring to Imedi and Rustavi2.

Some ethnic minorities in Georgia have access to media in their own language. Specifically, two Armenian-language television stations and several radio stations and news websites serve residents in the southern Samtskhe-Javakheti region. South of Tbilisi, the predominantly Azeri town of Marneuli gets Azeri-language programming from Radio Marneuli and Radio Ivrisi. In the Pankisi Gorge to the north, community radio Way broadcasts news in the Georgian and Chechen languages, though it does not have a wide reach, Kuprashvili said.

In 2018, the Journalism Resource Center launched the Russian-language TOK TV in Samtskhe-Javakheti, but Kuprashvili said it lacks the funds to cover many local issues. Samkhretis Karibche, which serves the Meskheta region in southern Georgia, and Radio Nori in the Samtskhe-Javakheti share news content.

The public broadcaster has moved its minority-language programming from television to online. Kuprashvili said that a few years ago GPB Channel 1 started an Armenian-language news program at her

suggestion: “We helped develop strong journalists, who were hired by other media after they were fired by the GPB.” She said taking those programs off the air is a violation of the channel’s legal obligations to broadcast programming for and by minorities.

Most Georgian media do not follow international events systematically. “We still focus on our local priorities and are less interested in international events, unless these events are somehow connected with Georgia,” Nakashidze said. She said Rustavi2 airs the *Kviris Shuadze* (*Sunday Afternoon*) program, which mostly covers international events. Kapanadze mentioned that Adjara TV airs a Sunday news show, which also covers international events called *Main Events of the Week* (*Mtavari Acharaze*), which gets good ratings. For the past few years, netgazeti.ge has had a section with updates on events from the three South Caucasus countries.

OBJECTIVE 4: BUSINESS MANAGEMENT

1.57

The media market saw little change in 2018, with the GNCC measuring a slight drop in broadcasters’ advertising revenues from GEL 69.1 million to GEL 66.2 million (approximately \$25 million). The major business-related events of the year in media were changes to the law on broadcasting and the GNCC’s look at trends in ad revenues from 2012 to 2017, which caused a stir among the media players.

Early in the year, the commission released long-awaited, self-reported figures showing a 14 percent decline in broadcasters’ ad revenue for 2017, but the agency simultaneously released an analysis showing that the advertising market had grown in

2017. GNCC accounted for the apparent discrepancy by saying advertising agencies’ service fees had gone up, so that while advertisers were paying more, that increase was not going into the coffers of media outlets.

The analysis also blamed a steep slump in the market in 2015 on the declared drop in Rustavi2’s advertising revenues. In both 2015 and 2017, the regulator said the market decline was “artificial.”

In a televised briefing with journalists, Zura Gumbaridze, executive director of the Intermedia advertising agency, called the commission’s methodology “incorrect” and denied that ad agencies’ service fees had risen in 2017.

Panelist Dzelishvili and others saw an ulterior motive in release of the analysis, which came shortly after a controversial new law went into effect, allowing the public broadcaster to run more advertising. Critics say the document was meant to downplay concerns about increased competition for a shrinking pool of revenue. Jangirashvili said she testified about such concerns during deliberations on the new law and before the GNCC released the 2017 figures, but the speaker of parliament dismissed her as “a liar and a party activist.”

Research by Transparency International Georgia shows a huge jump in the public broadcaster’s advertising and sponsorship revenue from the first three quarters of 2017 to the same period in 2018, from GEL 500,239 (\$189,000) to GEL 2,450,112 (\$924,000). According to GNCC data in 2017¹ the public broadcaster’s annual revenues from advertising and sponsorship totaled GEL 848,091 (\$320,000) and in 2018 it reached GEL

2,877,898² (\$1.1 million). If the third and fourth quarters’ revenues are compared in 2017³ and 2018⁴, the difference is approximately four times more in 2018 (an increase from GEL 495,967 [\$187,000] to GEL 2,355,396 [\$888,000]). This came after the law changed and also coincided with elections

There is a dearth of revenue and revenue sources for media in Georgia. Most terrestrial broadcasters make money from advertising and sponsorship, which covers only a fraction of their costs. Eighty-one percent of the advertising market is split between Rustavi2 and Imedi TV. Advertising revenues dipped slightly in the first three quarters of the year, compared with the same period in 2017, according to the Transparency International Georgia report. Regional broadcasters’ advertising revenues fell by 13 percent in the first three quarters of 2018, compared with the same period of the previous year.

In an effort to diversify their revenue streams, in 2017 Rustavi2 and Imedi TV demanded that cable operators pay to redistribute their programming. Kuprashvili said small media outlets were left out of the deal. Similarly, Rustavi2 tried to leverage its streaming online content for a share of subscription fees from myvideo.ge, the country’s most popular video portal, Nakashidze said. The talks failed, and Rustavi2 took its content off myvideo.ge. Nakashidze said myvideo.ge had been taking traffic away from Rustavi2’s own website. Imedi TV followed suit.

Because the single-largest source of funding for media is media owners’ other businesses, Jangirashvili

1 <https://analytics.gncc.ge/ka/statistics/?c=broadcasting&f=revenue&exp=tv&sid=598660>

2 <https://analytics.gncc.ge/ka/statistics/?c=broadcasting&f=revenue&exp=tv&sid=598659>

3 <https://analytics.gncc.ge/ka/statistics/?c=broadcasting&f=revenue&exp=tv&sid=598661>

4 <https://analytics.gncc.ge/ka/statistics/?c=broadcasting&f=revenue&exp=tv&sid=598662>

said the media industry is “unsustainable.” She cited the 2018 shutdown of Iberia TV after its owners’ other businesses came under financial pressure.

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.

Nakashidze said that before the financial troubles caused by a cascade of actions taken against Rustavi2 as a result of the ownership battle over the company, the channel was “self-sufficient, capable of sustaining itself through its own revenues.” Nakashidze and Jangirashvili said the biggest blow to ad revenues was changes to the broadcasting law in 2015, limiting advertising time to 12 minutes per hour of broadcasting.

Some panelists said advertisers and ad agencies do not respond effectively to the market. It is unusual, for instance, to study audience demographics before deciding where to place an ad. Jangirashvili said advertisers chase after high ratings regardless of audience demographics and

correspondence between the advertising message and target audience. “They don’t pay attention to what they can gain from small media channels; they don’t study their target segments. That’s why small media have a difficult time growing.”

In 2018, the Intermedia advertising agency retained its position as a seller of airtime on Rustavi2 and its affiliated channels, while Imedi TV started selling its own airtime. Small broadcasters, including regional ones, must do their own selling.

Vardiashvili said most funding for the Liberali.ge website comes from donor funds and a much smaller percentage from advertising. He said the proceeds from any increase in online advertising flow mostly to Google and Facebook. Nakashidze said at least 10 percent of Rustavi2’s income comes from digital advertising. “That’s why we switched on live broadcasting on our website. Imedi TV did the same thing,” she said.

Mamaladze said she worries about the dire advertising situation for print media. She said she had tried to subsidize *Guria News*’s production and operation costs with other businesses, such as printing services and stationery, with little success.

Most government subsidies go the media that are not critical of the government, and procurement procedures and allocation of the funds to the media are opaque. Kuprashvili said that last year was the second in a row that the government had conducted a consolidated process for placing advertising and buying other airtime, which discriminates against regional media because “no one knows how the process works. The procedures are vague.”

Two audience measurement companies provide media with audience data: TVMR GE, Nielsen Television Audience Measurement’s official licensee, and Tri Media Intelligence, an affiliate of the global media research firm Kantar

Media, launched in 2016. TVMR GE monitors 450 households, with 200 in Tbilisi and 250 in six other cities. Kantar Media surveys 600 households, half of which are in Tbilisi, the other half in six other cities. The market is divided between these measurers, although there are some that use both. For example, from the two large channels Rustavi 2 cooperates with TVMR only, while Imedi TV uses the service from both. Neither company measures the audience for regional media, which, in addition to other factors, makes it difficult for regional broadcasters to attract advertisers.

“They [advertisers] don’t pay attention to what they can gain from small media channels; they don’t study their target segments. That’s why small media have a difficult time growing,” Jangirashvili said.

Kuprashvili said the Alliance of Broadcasters—the union of 21 regional broadcasters—signed an agreement with Kantar Media last year. Monitoring local television and radio would have cost GEL 50,000, and online media less, but the group was forced to abandon the project because it could not come up with the funds, she said.

**OBJECTIVE 5:
SUPPORTING
INSTITUTIONS**

2.54

Several professional associations, along with civil society groups, work to promote the interests of journalists and media outlets. The list includes the Media Advocacy Coalition, Georgian Young Lawyers Association, Transparency International Georgia, GCJE, Media Club, Alliance

of Broadcasters, and the Media Development Foundation. This is the only objective for which the score increased slightly in 2018, from 2.52 to 2.54.

The Alliance of Broadcasters, representing 21 regional television and radio stations, was among the most vocal opponent last year to legislation allowing more advertising on the public broadcaster. "We need trade associations to help the market sustain media organizations," alliance director Kuprashvili said. In addition to advocating for regional media, the alliance facilitates joint content production, procurement, advertising sales, and content sharing among its members.

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.

The increasing number of appeals to the GCJE suggest the organization's growing reputation as a self-regulatory mechanism for the press. Executive Director Dzvelishvili said that in 2018, the GCJE fielded 62 complaints, 26 of which were from individuals, 12 from NGOs, five from politicians, and the rest from journalists and state agencies. Dzvelishvili said the charter is a board member of the Alliance of Independent Press Councils of Europe and the Media Self-Regulatory Organizations Network, which covers the South Caucasus, Belarus, Ukraine, Moldova, and Russia.

Some panelists said civil society and international organizations play a major role in Georgian media development. "If not for them, Rustavi2 wouldn't have existed at all," Nakashidze said. In turn, she said, critical media create a platform for civil society groups to air their concerns. Dzvelishvili said such groups are quick to react to issues concerning the country's media, of which there are many. "There are so many problematic issues about the media, we [GCJE] don't have the human resources and sometimes even the competency to respond to all of them," she said.

The Georgian Young Lawyers' Association started the Media Advocacy Coalition a couple of years ago to improve the media environment in Georgia.

A few major donors continue to support media-related projects. The Open Society Georgia Foundation (OSGF)'s Media Program supports reporting on good governance, human rights, and democratic values. OSGF also helps its partner media improve management and business practices through training and consultancy. In addition, the foundation supports journalists in ethnic minority communities.

In 2018, Internews Georgia expanded an earlier project to support independent media in Georgia, Moldova, and Ukraine to more countries and

launched a competitive grant program for multimedia reporting. The project includes training for media managers and consultants and aims to give all audiences in Georgia better access to information by strengthening local media and encouraging audience outreach.

The Media Development Foundation (MDF) is another organization aimed at supporting media literacy, freedom of expression and self-regulation in Georgia. In 2018, the organization started a project with funding from the US Embassy in Tbilisi called Media Literacy Youth Lab for Responsible Media Consumption to promote critical thinking in media consumers, enhancing skills to distinguish quality media products from manipulated media content and raise awareness on the importance of fighting fake news. MDF also runs an online platform, Myth Detector, funded by USAID through East-West Management Institute's ACCESS program. Myth Detector tracks and debunks disinformation disseminated in the media.

The Media for Transparent and Accountable Governance Program, funded by USAID and run by IREX, aims to shore up reporting standards, help regional media become sustainable, and get more balanced reporting to residents of Georgia's occupied territories, South Ossetia and Abkhazia. The Georgian Media Partnership Program, run by IREX and funded by the US State Department through the Public Affairs Section of the US Embassy in Tbilisi, sponsors professional exchanges between Georgian and US journalists.

A few journalism schools offer an education that meets the needs of the market. The Georgian Institute of Public Affairs (GIPA) and Caucasus University stand out for producing a small number of highly skilled journalists. Otherwise, the journalism curriculum at most schools is outdated. However, the universities still have challenges related with the

teaching materials. There are not enough textbooks in the Georgian language, and while some foreign-language textbooks have been translated into Georgian in the past few years, but they do not always reflect the local situation. Dzvelishvili said it is not uncommon that instructors in journalism schools do not confer with one another to see what or how they are teaching.

“The availability of international trainings for Georgian journalists has increased, and if a journalist is proactive, he or she can easily go abroad to sharpen their skills,” Dzvelishvili said.

The Multimedia Education Center in Tbilisi, established and run by USAID and IREX, serves students from journalism schools at GIPA, Caucasus University, International Black Sea University, and other universities. Several years ago, Ivane Javakhishvili Tbilisi State University and Caucasus International University established multimedia centers.

For the past three years, GIPA's journalism school has held trainings in media literacy, multimedia skills, and business and social entrepreneurship for high-schoolers from the Armenian and Azeri communities in Samtskhe-Javakheti and Kvemo Kartli. The project is funded by the US State Department and taught in the children's native languages.

There are so many training opportunities for journalists in Georgia that Dzvelishvili said the supply exceeds demand. “The availability of international trainings for Georgian journalists has increased, and if a journalist is proactive, he or she can easily go abroad to sharpen their skills,” she said.

Sources of newsprint and printing facilities are apolitical. Mamaladze said presses are concentrated in Tbilisi and are expensive. Koridze said there are no printing services in the major cities of Batumi, Kutaisi, and Poti.

Since 2012, all cable operators and telecommunication companies owning cable infrastructure in Georgia have been required to carry the signal of all licensed television stations, in order to prevent certain channels from being effectively blacked out. Kuprashvili said they can create artificial barriers for small media outlets. For example, a small television station like TOK TV that receives Internet service from Akhtel telecommunications must also pay market heavies Silknet and Magticom for such things as obtaining a static IP address (GEL 1,000, about \$384] and a monthly Internet access fee of GEL 250 (about \$96). “I could have streamed my content with any IP operator without purchasing their Internet services. This service is expensive and unaffordable for small media,” Kuprashvili said.

List of Panel Participants

Mamuka Andguladze, media program manager, Transparency International Georgia

Dimitri Avaliani, editor, *JAMnews* Georgia, Tbilisi

Nata Dzvelishvili, executive director, Georgian Charter of Journalism Ethics, Tbilisi

Nino Jangirashvili, director, Kavkasia TV, Tbilisi

Natia Kapanadze, director, Adjara TV, Batumi

Zviad Koridze, independent media analyst, Tbilisi

Natia Kuprashvili, chairwoman, Journalism Resource Center, Alliance of Broadcasters, Tbilisi

Ia Mamaladze, publisher, *Guria News*, Chokhatauri

Maia Mikashavidze, director, multimedia project, Internews Georgia, Tbilisi

Gela Mtivlishvili, director, *reginfo.ge*, Gurjaani

Nino Nakashidze, deputy director, Rustavi2, Tbilisi

Nestan Tsetskhladze, editor, *netgazeti.ge*, Tbilisi

Tamar Kintsurashvili, Executive Director, Media Development Foundation, Tbilisi

Nino Zhizhilashvili, journalist and host of *Politmeteri*, TV Pirveli

Zura Vardiashvili, editor, *Liberali*, Tbilisi

Moderator

Ekaterine Basilaia, Tbilisi State University, Tbilisi

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The panel discussion was convened on December 8, 2018.



RUSSIA AND WESTERN EURASIA

BELARUS



MEDIA SUSTAINABILITY INDEX

2019

Tracking Development
of Sustainable
Independent Media
Around the World



BELARUS

AT A GLANCE

GENERAL

- **Population:** 9,527,543 (CIA World Factbook, 2018)
- **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% (CIA World Factbook, 2009)
- **Religions (% of population):** Orthodox 48.3%, Catholic 7.1%, other 3.5%, non-believers 41.1% (CIA World Factbook, 2011)
- **Languages (% of population):** Belarusian (official) 23.4%, Russian (official) 70.2%, other 3.1% (includes small Polish- and Ukrainian-speaking minorities), unspecified 3.3% (CIA World Factbook, 2009)
- **GNI (2017-Atlas):** \$50.24 billion (World Bank Development Indicators, 2017)

- **GNI per capita (2017-PPP):** \$18,120 (World Bank Development Indicators, 2017)
- **Literacy rate:** 99.7 %; male 99.8 %, female: 99.7% (CIA World Factbook, 2015)
- **President or top authority:** President Alexander Lukashenka (since July 20, 1994)

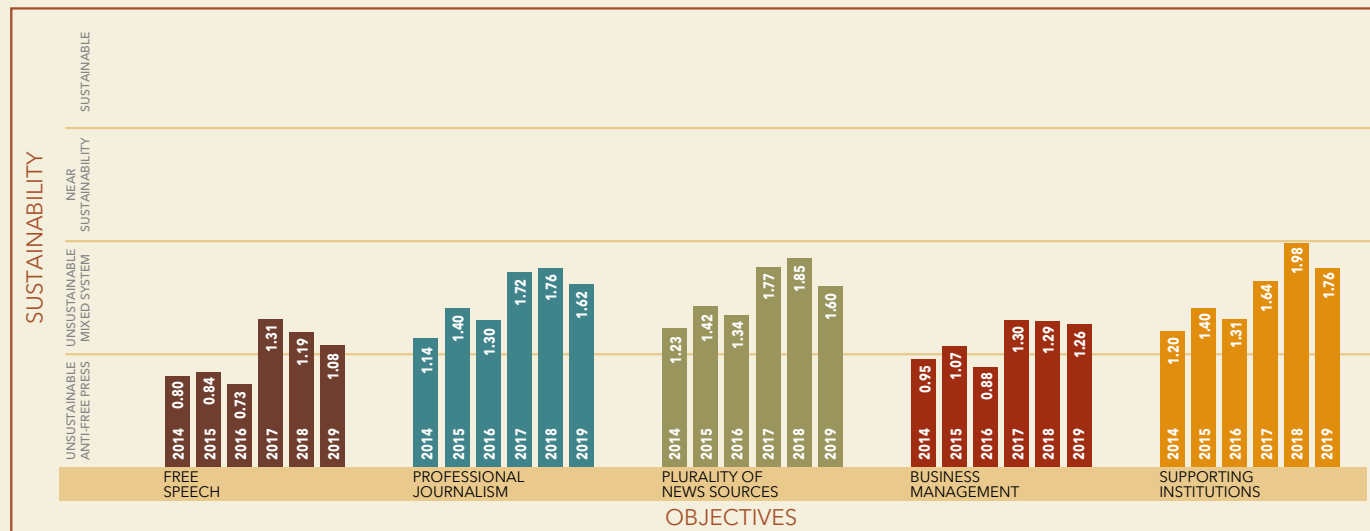
MEDIA-SPECIFIC

- **Number of active print outlets, radio stations, television stations, Internet news portals:** Print: 743 domestic newspapers, 866 magazines and journals; 102 television programs; 174 radio channels/programs (including 26 FM stations); and 9 news agencies. More than 30 Internet news portals (Ministry of Information, 2018).

- **Broadcast ratings:** TV ONT (67.7 percent Belarusians watch it once a month, Informational and Analytical Center of the Presidential Administration, 2017), NTV Belarus (64.6 percent Belarusians watch it once a month, Informational and Analytical Center of the Presidential Administration, 2017), Belarus 1 (59.7 percent Belarusians watch it once a month, Informational and Analytical Center of the Presidential Administration, 2017). Radio: Radio ROKS (17 percent), Humor FM (17 percent), Radio Unistar (14 percent) (GEVS, January–December 2018).
- **Newspaper circulation statistics:** Top three by circulation: *Belarus Segodnia* (state owned, 400,000 copies weekly, as per official website), *Komsomolskaya Pravda v Belorussii* (private, 300,000 copies weekly, smi.by as of April 2018), *Zviazda* (state-owned, 60,000 copies weekly, Megapolis Media Advertising Agency)

- **Magazines:** *Zhenskaya Zhizn* (15,000 copies, <https://ladys.by/o-zhurnale>), *Office Life* (5,600 copies, <https://officelife.media/about/magazine/#book-8506&page-1> as of November 2018), *Bolshoi* (23,000 copies, https://bolshoi.by/wp-content/uploads/2019/04/mediakit_Bolshoi_magazine_03_04_2019.pdf), *Nasha Historyja* (10,500 copies, <https://nn.by/?c=ar&i=216345&lang=ru> as of September 2018)
- **Internet news portals:** NEWS.TUT.BY (17.4 mln visits/month in December 2018), ONLINER.BY (25,200,000 visits/month in December 2018) (Similarweb.com),
- **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, 2018)
- **Annual advertising revenue in media sector:** \$99 million (ViBel, Alkasar, December 2018)

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.

Scores for all years may be found online at <https://www.irex.org/msi>



Belarus saw a decline in its overall score, from 1.61 in 2018 to 1.46 in 2019. MSI panelists attributed this drop to increasing governmental pressure on journalists and the media, as well as changes to the country's mass media law which are expected to further limit freedom of expression. While all five objectives studied by the MSI dropped, particularly large losses were seen in Objectives 1 (Freedom of Speech), 3 (Plurality of News), and 5 (Supporting Institutions). However, despite this broad regression on all fronts, there has been some improvement in the quality of independent media as they have turned to diversified business models and to cultivating online audiences in order to increase their chances of survival.

The escalating persecution of journalists and the introduction of controversial updates to the law on mass media combined to pull down Belarus's overall 2019 Media Sustainability Index (MSI) score. As the new version of the media law just went into effect in December 2018, its real effect on the media sector is not yet known. However, some of its elements—including the end of anonymous comments on online news and required registration for online media—can be expected to further limit freedom of expression. Furthermore, while the country's constitution guarantees the freedom of expression and the right to receive, store, and disseminate information, Belarus still criminalizes defamation, libel, and insult.

Since 2014, online media outlets have been subject to the same restrictions as traditional media; prior to then, the government could not limit access to websites without a court order, which made them less censored than traditional media. As a result, the Ministry of Information exercised this legal tool against two news websites and at least 27 other websites in 2018. The media law updates give the state even more power to block online resources and blacklist media.

The availability of LTE/4G connections and broadband Internet continues to grow, improving access to information for an increasing number of Belarusians. Yet in 2018, the government enacted more punishing measures for online content it deemed threatening and repeatedly used anti-extremism laws to punish commentators on social media, including journalists. Moreover, the state detained 36 journalists in 2018. One of

the most persecuted journalists, Kastus Zykouski, had to find shelter abroad for fear of his life and security. In addition, foreign media cannot operate freely in Belarus, and freelancers working for foreign media without accreditation were fined 118 times for a total of over \$50,000 during the year.

A case involving the alleged stealing and misuse of the newswire belonging to the Belarusian Telegraph Agency (BelTA), targeting 15 Belarusian journalists and editors, had sweeping implications on many aspects of media sustainability and illustrates the Belarusian government's willingness to suppress the media. The state used the Investigative Committee to threaten the journalists with criminal proceedings. Advised by defense lawyers to confess guilt, most of them asked for the reclassification of the case to administrative status—prompting BelTA and two state newspapers to sue the journalists for damages.

Economic discrimination against independent media continues as well. They are subjected to unequal distribution and production conditions, with the state providing pro-government media subsidies of around \$75 million per year. Against the background of a repressive political regime, the quality of the independent media has still managed to improve, with increasingly diversified business models and greater orientation toward online audiences. More media now rely on donations from their readers and other types of audience-related revenue. However, restricted economic freedoms and lack of reforms, along with the attacks on media freedom, hold back the independent media's development.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

1.08

Growing pressure on journalists and media, including court cases, censorship of “extremist” materials, and harsher punishment for reposting content on social media all contributed to the further decline of freedom of speech in Belarus over the past year.

Laws limiting free speech remain in place and are enforced. In early 2018, several pro-Russian reporters—Dzmitry Alimkin, Yury Paulavets, and Syarhey Shyptsenka from the Regnum.ru information agency—received a five-year suspended jail sentence each after 14 months of detention for “inciting racial hatred” in their publications. While the quality of their reporting veered far from accepted standards, human rights defenders do not believe the accusations were justified.

Throughout the year, the Ministry of Information held limited consultations on updates to the law on mass media. The law, which went into force in December 2018, introduced several new restrictions. First, it bans anonymous comments on online stories and compels online media to apply for registration. It also expands the reasons the Ministry of Information can block websites without court order: If they contain any information that violates the mass media law, other legislative acts, or court orders as well as for non-compliance with requests to remove information seen as violating these laws, acts or court orders, failure to inform the Ministry of Information about the removal of this content, or receiving two or more warnings per year. Furthermore, if foreign media operate on Belarusian territory, they must follow the same legal obligations as Belarusian outlets.

In 2018, the state labeled more than 337 materials and publications “extremist.” While many of the banned pages contain Nazi or jihadist propaganda or other extreme views, some were blocked for mere usage of the words considered derogatory Ukrainian propaganda or for spreading information about the participation of Belarusians in the East Ukraine conflict on the Ukrainian side. In early 2018, the Ministry of Information blocked access to the news website charter07.org, allegedly for posting information about banned mass gatherings and for publishing “extremist” materials. In addition, the Ministry of Information continued to block belaruspartisan.org, which has been blacklisted since the end of 2017.

At the same time, the Ministry of Information has significantly decreased the number of official warnings issued to the media. In 2018, it issued only six such warnings: Three to traditional media and three to websites (down from 17 in 2017). Most of the warnings detailed minor violations that the outlets corrected.

Media licensing and registration continue to be unfair, according to the panelists. Print and broadcast media alike must pass several layers of a highly bureaucratic registration process to gain a permit, and foreign-based Belarusian broadcasters are barred entry to the local market. For example, officials repeatedly refuse to issue a permit to European Radio for Belarus (Euroradio), an exiled broadcaster with a bureau in Minsk and only extended its accreditation for one year. Beginning in December 2018, the new mass media law granted media hoping to build an online presence an opportunity to apply for an official registration, which is necessary for outlets to be allowed to operate as media and call their staff members journalists. However, those that do not secure registration but still publish online will be held responsible for any

violations of the mass media law.

Market entry and tax structure for media remain unfair in comparison to other types of companies, and independent media face additional disadvantages compared to state media. In addition, as of December 2018, online media now face the same difficult conditions as their counterparts in traditional print and broadcast media. Unlike other businesses, media newsrooms cannot be located in residential homes. Individual entrepreneurs are not allowed to publish any media, including online outlets. An editor-in-chief of a media outlet who applies for registration is required to have at least five years of media management experience—and beginning in 2018, that applies to online media as well. A broadcast media editor-in-chief must pass a special exam on broadcast law knowledge, technical settings of radio and television broadcasting, and advertising law for his or her outlet to receive a dissemination license.

One panelist, an editor, commented, “In Belarus, the state is behind most of the harassment of journalists in the form of fines, detentions, other types of punishment for our work for independent media, especially foreign outlets. Despite these actions falling formally within the current criminal and administrative codes, I consider this a systematic campaign—an act of pressure on freedom of expression as a crime.”

While there were no significant crimes against journalists in 2018, old cases, such as the 2004 murder of Veranika Charkasava, remain unsolved. The fulfillment of the United Nations Sustainable

Development Goal 16.10, related to freedom of the press and the safety of journalists, is assigned to the Ministry of the Interior—the same ministry that provided the most witness statements in cases against journalists. However, the number of detentions of journalists decreased compared to 2017. Journalists were detained 36 times, 10 of which resulted in three-day stays in the detention center (compared to more than 100 times in 2017). The number of fines climbed to 117, exceeding the four preceding years combined.

The BelTA case began on August 7, 2018, when 15 independent journalists and editors were charged with alleged theft and misuse of the BelTA news agency's newswire. BelTA, a state-subsidized agency, often has exclusive access to government sources and events, and makes all of its paid news available for free minutes after they are published—allowing them to be republished with hyperlinks. The defendants claimed they never used the stories in question before they were officially open access. They were subjected to searches of their homes, and their personal equipment—as well as that of their families—was confiscated. They were then held without access to their personal lawyers, and their families received delayed information about their whereabouts. Authorities used copyright infringement as a pretext for the detentions, but they later threatened them with trials under the criminal code article that punishes those who steal passwords and hack into databases.

As a result, 14 out of 15 journalists and editors, representing BelaPAN, TUT.BY, and Belrynok, as well as some other media, had their cases reclassified as administrative and paid fines. BelTA and two state newspapers sued those journalists, claiming they were victims of the unauthorized distribution of BelTA's information. On top of fines, the journalists had to pay damages to these organizations.

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.

The fifteenth media professional, Marina Zolotova—editor-in-chief of the largest portal in Belarus, TUT.BY—fell under a criminal investigation that continued into 2019 for allegedly hacking into the state news agency. She was eventually charged with “official inaction,” or negligence, for failing to control her subordinates when they accessed BelTA using account passwords for the agency. Under that article, she could face up to five years in jail and a possible ban from holding managerial positions. She was, in particular, charged with failing to conclude the commercial agreement with BelTA, despite lacking the authority to sign such agreements in her position.

Apart from the BelTA case damages, journalists paid over BYN 100,000 (\$50,000) in fines in 2018. One panelist, an editor, commented, “In some countries, such as Malta or Slovakia, private groups might perpetrate crimes. In Belarus, the state is behind most of the harassment of journalists in the form of fines, detentions, other types of punishment for our work for independent media, especially foreign outlets. Despite these actions falling formally within the current criminal and administrative codes, I consider this a systematic campaign—an act of pressure on freedom of expression as a crime.” The panelist also mentioned the police beating BELSAT TV channel camera operator Andrus Kozel during local elections in March, after which the state punished Kozel for alleged illegal activities at the polling station. At the same time, some other panelists said the situation did not relate directly to his journalistic activities: Kozel did not perform the filming. He was a trusted associate of a candidate and performed his functions as an observer. On the other hand, the panelists consider the detention of journalists during the Day of Freedom in March 2018 a crime against journalists. Also in 2018, the situation was worsened by the theft, possibly by the security service, of independent newsroom drones during the Day of Freedom coverage. The authorities never investigated the theft.

With no public service broadcasting, nor state 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 official budget, revealing their preferential treatment. Moreover, the state budget will increase the amount of these subsidies to \$75 million per year in 2019. President Alexander Lukashenko personally appoints and dismisses the heads of the major national state-owned media.

Libel continues to be a criminal offense, and complaining parties have no responsibility to prove falsity or malice. The criminal code contains six articles on libel and offense, including Article 367, which establishes a higher punishment for libel against the president, and Article 368, which regulates the defamation of the president. Article 369 punishes for defamation of public officials. All these articles are frequently used by the courts, and while there have been no cases of punishment in 2018, at least one criminal case was initiated for violation of one of these articles. The BelTA case has demonstrated that authorities can use the Investigative Committee to initiate lawsuits against journalists. Journalists and editors were forced to admit their guilt within the criminal law procedure in order to avoid the criminal trial, after which a state-owned news agency and media outlets sued them for damages.

More than 60 state institutions and organizations—including the Ministry of Information and the Ministry of Culture—are empowered to keep their data secret from journalists. Ministries and state institutions require journalists to hold special accreditation before they will provide any information. As part of a “Right for Information” campaign in 2018, the Belarusian Association of Journalists (BAJ) sent letters to 51 governmental institutions asking about this special accreditation procedure. Replies from 39 institutions demonstrated that the procedure is not formal, and decisions are made on an ad hoc basis. In one notable case, in October 2018, BelaPAN correspondent Uladzimir Laptsevich’s accreditation for the Forum of Regions of Belarus and Russia was withdrawn. When he arrived at the forum and tried to attend an event, he was denied entry. By telephone, the press secretary of the Council of Republic (the higher chamber of the Belarusian Parliament) told him he was not allowed to enter

per the president’s press service. The reason for that decision was not given; at the time that this MSI study was prepared, the journalist was trying to prove the illegality of the action in court.¹

Media largely have access to information and can freely use the sources. According to one panelist, “My media outlets can use any foreign media as sources; we are not prevented from doing so. We are only limited from using some websites, such as Lurkmore or charter97.org, blocked under the pretext of spreading extremist information.” Another panelist added, “There are no specific limitations, and standards are in place. At the same time, I do not consider this trend sustainable, and I do not consider the Ministry of Information’s power to block access to news sites totally justified. This concerns both news sites and social media.” One panelist, an editor and media trainer, attributed his low score to the BelTA case, in which journalists were accused of stealing the state agency’s information. Another panelist, a media lawyer, commented, “BelTA was created by a legal act as a source to disseminate state news, which should be accessible to anyone. Therefore, it received state budget subsidies and the right to exclusively cover many official events. At the same time, on the surface, it is a commercial entity that takes money for services it should be giving for free. The current trial shows the clear wish of the state to limit our access to this information.”

Entry into the journalism profession continues to be largely unrestricted. There are no registered cases of a candidate being disqualified from enrolling in a journalism school based on a

personal interview on sociopolitical topics during the entrance exam. At the same time, not every journalist can be regarded as such by the state. Entry of press cards from the sample issued by the Ministry of Information is allowed only to registered media outlets and only to full-time staffers. Under the new mass media law, it means that the state will no longer consider reporters working for unregistered online media as journalists, and they could be persecuted for their activities. In addition, their access to information is even more restricted. Freelance and part-time journalists, as well as staffers of online media outlets 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

1.62

The state media grew less professional and more enmeshed in political campaigns during 2018 to persecute journalists and activists, the panelists reported. They consider the reporting by independent media outlets far more objective, fair, and sourced than the state-run outlets, but believe the non-state media’s disadvantaged position in the market limits its ability to compensate for the state media’s shortcomings.

Still, there are lapses in sourcing and verifying information from the independent media too. “A leading independent national media outlet published a story that stated that a head of a company was in close family relations with the government, based only on an image on social media that resembled

1 “BelaPAN Journalist Sued the Council of the Republic.” Belarusian Association of Journalists. December 11, 2018. <https://baj.by/be/content/zhurnalists-belapan-padau-u-sud-na-savet-respubliki>.

the manager in question. This journalist or his editor never cared to verify his information, and this led to their subsequent defeat in court," a media lawyer said. Another unprofessional article, published by the ej.by platform, claimed that Belarusian health authorities purposefully experimented on children by using dubious vaccines. "The author of this article often published stories that were possibly provided to him by the government, as they contained data that was difficult or impossible to verify. In this particular case, he published data that would have been easy to verify and denounce, but for some reason, he did not," one panelist mentioned.

In 2018, there were no flagrant cases of self-censorship in Belarus, but the panelists admitted that some media houses, while adamantly denying self-censorship, avoid publishing stories on certain sensitive topics. "Sometimes it is difficult to distinguish whether it is a genuine editorial decision or not, especially if it is the only independent media outlet in the region," one media network representative said. At the same time, the same panelist noticed that whereas before 2018, regional journalists asked for help to "push" certain topics with their editors, they seem to feel freer now. Some regional independent media decided to raise more sensitive issues; for instance, after the decline of *Brestskiy Kurier*, the competitor *Brestskaya Gazeta* transformed its focus from lifestyle to socio-politics. "Still, many editors—those centered on politics and others that normally cover non-political issues—are telling me informally that they are trying not to irritate the government too much, but sometimes cannot resist an interesting scoop. For instance, in Brest, every Sunday, activists gather to "feed pigeons" [a protest against the construction of a battery factory in the city], but many newsrooms do not send their staff for fear of detentions," one panelist confirmed. Another editor said, "I confess

to my own self-censorship. With a story headlined "Set a Wolf to Guard the Sheep," my designer put Lukashenka's picture on the same page nearby. I asked him to remove that. While the headline was not actually paired with his image, we still decided to play it safe." Another case of alleged censorship involved the firing of the social media manager of Belsat TV, which broadcasts from Poland to Belarus. The manager was dismissed after he posted a picture of the Polish and American presidents being mocked by the Polish opposition on his personal Facebook page. "I see a clear violation of freedom of expression in this case," a media lawyer said. "Based on the comments by the management of Belsat TV, we can clearly see there is a lack of freedom there," another journalist said.

Journalists cover major events and issues, although they still tend to rely on secondary sources when reporting major news. This is partially caused by the closed nature of state sources and partially by risk and business calculations of the investment in time – and resource-consuming primary source reporting. Still, in 2018, more private media outlets produced their own news and invested in targeting and regionalizing their content, showing interest in becoming more responsive to their readers and growing their audiences. More journalistic platforms, such as talk shows and video pitches, appeared in regional media outlets.

Belarus's lackluster economy limits the potential to improve pay for editors and journalists. According to one expert, Minsk-based journalists can expect salaries close to the national average, around \$500/month, but it depends on the type of newsroom they work in. Higher incomes are possible for journalists willing to work for several media outlets part-time or who accept assignments in exchange for honoraria. In addition, most newsrooms do not limit their employees from accepting gifts.

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).

The situation is much worse in the regions, where \$150–\$200/month is the average salary for independent media; state media earn slightly more. State regional news outlets pay better salaries than those in smaller cities—around \$200–\$300/month, varying according to the type of media and level of experience. Foreign-based independent media often pay higher salaries. National state television employees average \$700–\$1,000/month on the salary scale. However, those who work on news and current affairs receive much more than those who work on cultural and children's programming, and either work many extra hours or combine their work in state and non-state media. The presidential administration's newspaper, *SB*, pays higher salaries on average than state television.

The practice of claiming additional expenses for participating in trips that are already covered by

hosts is quite popular both in state and non-state national media. At the same time, this approach highly depends on the newsroom culture. “We had many discussions with editors [of regional media] about foreign trips that include per diems. Some indeed think of them as a way to give some of their staff a little extra money; others consider those trips the staff’s private initiatives. Often, they would even pay extra per diem if journalists would return and report back on ideas and knowledge received abroad that would be useful for the newsroom,” one panelist remarked.

As for bloggers, they often receive payments to cover certain topics or work with agencies that promote their brands and pay commissions. Often, bloggers agree to promote brands in exchange for gifts. Some bloggers publish paid posts, the price of which ranges from \$15 to \$50. Some communities on social media earn the equivalent of a one – to two-month salary by publishing paid posts, links, and advertising.

In 2018, pro-Kremlin bloggers and informational sites were active in Belarus. Although there was no proof that they received honoraria from Russia, one panelist said, “It is widely known that some Russia-based organizations hire bloggers; there was more money for that in the beginning of the year, less by the end of the year.” Another editor added, “At the same time, I think that the salaries are high enough to stop the corruption of journalists and keep highly qualified professionals in journalism. Good professionals can always find a job in the media sector.” Still, many people leave the profession for communications and public relations agencies or leave lower-paying media outlets for those that pay better.

As in previous years, there is a huge imbalance toward entertainment programming at state television stations and pro-state radio stations—with

little to no objective coverage of news and information. Independent monitoring of state-run television channels and newspapers conducted by the BAJ in late 2018 showed the dominance of pro-Kremlin narratives in the news and current affairs coverage of those media outlets, especially on television. Their narratives often differ from the official state policy on non-recognition of the Crimea annexation by Russia or on the treatment of the conflict in Eastern Ukraine.

An editor of the independent media outlet said, “even pro-state media try to cover serious topics of social importance. The problem is that media consumption habits have changed. People do not go to the media’s websites; they visit specific articles based on social media sharing. Therefore, the balance between entertainment and information is less important than it was before.”

Surrounding the BelTA case, state-run media outlets also engaged in targeted attacks against their competitors in the independent media sector, both on organizational and personal levels. They declared the editors and journalists guilty without waiting for court verdicts and engaged in unethical discussions about their professional and moral qualities.

Online media, both independent and state, are trying to attract mass audiences and resort to clickbait headlines to gain a competitive advantage for advertising. On the other hand, as an editor of the independent media outlet said, “even

pro-state media try to cover serious topics of social importance. The problem is that media consumption habits have changed. People do not go to the media’s websites; they visit specific articles based on social media sharing. Therefore, the balance between entertainment and information is less important than it was before.”

However, independent regional media outlets have increased the diversity of their informational coverage. “During the annual best regional newspaper of the year contest, we as a jury were impressed by the investigative, social, and political stories entered by contestants. Maybe the growth is not very significant, as criminal news still wins traffic indicators, but we still see interesting stories, especially in Brest and Slutsk. The coverage of the construction of the battery factory in Brest by *Brestskaya Gazeta* stands out as a great example of such improvements,” a media expert said.

Access to equipment needed for proper reporting is improving with the advancement of modern technologies and access to the Internet. However, the confiscation of personal and working equipment during the BelTA case, combined with high fines and damages, was clearly aimed at preventing several leading independent journalists and media outlets from doing their jobs. Coordinated action by citizens, as well as civil society and professional and human rights organizations, helped these journalists get back to work without significant delays.

There are not many niche outlets, neither regional nor national, but the panelists pointed to both positive and negative developments in this sphere. “We have witnessed solid investigative journalism in the regions related to social issues: schools illegally spending money designated for children’s breakfasts, conflicts regarding plants and factories, etc. Usually, media take single cases

of wrongdoings and expose larger issues through that lens. This may reflect growing social and economic tension in Belarus,” one panelist said. On the national level, there is still space to improve the quality of journalism, especially investigative. “We probably have lost the tradition of investigative journalism in Belarus; only some people are still able to do that. We only have some stories resembling investigative journalism, as real investigations demand a lot of resources, both human and financial,” said one panelist. Furthermore, another added, “Media outlets that rely on grants may also sometimes pretend to do investigative journalism, as the donors want that.”

There is also a lack of professional business journalism; the *Nasha Nina*, or *Women Only*, projects started in 2017 have not demonstrated significant improvement in the quality of women-related stories. At the same time, in 2018, the quality of storytelling and the visualization of stories have improved significantly, also in regional media, such as *INTEX Press*, *Brestskaya Gazeta*, and others. This may be related to the accessibility of new tools and trainings.

OBJECTIVE 3: PLURALITY OF NEWS

1.60

Although access to news sources improved in 2018, the state's monopoly on national television and radio broadcasting, and its failure to thwart the proliferation of biased pro-Kremlin news, limited the plurality of viewpoints. Economic constraints further undermine independent media in their coverage of socially relevant topics.

From the Ministry of Information's point of view, citizens have access to multiple sources of news and

information. According to the Ministry of Information, Belarus has 743 domestic newspapers, 866 magazines and journals, 102 television programs, 174 radio channels/programs (including 26 FM stations), and nine news agencies. Belarus rebroadcasts more than 200 foreign television channels, including a significant share from Russia. Rebroadcasts of the Ukrainian television channel UATV did not begin in 2018 (as promised back in 2015); that launch shifted to early 2019.

“The problem is also the low media literacy of society: people do not realize why they should even be interested in the ownership of the media,” an editor on the panel said.

However, the overall quantity of outlets does not translate into a variety of viewpoints within the Belarusian media landscape. Moreover, the panelists regard amendments to the media law as “an attempt by the state to reshuffle the media market” in the near future and ultimately suppress the media outlets they consider most threatening.

The Internet remains Belarus's only truly pluralistic media platform. However, despite the growing number of users (nearly 90 percent of the adult population, according to a 2017–2018 survey² published by the Informational and Analytical Center), only about half of all Internet users said they prefer to get their political news from the Internet. Nearly 40 percent point to social media as their preferred source. The independent portal TUT.BY was the third-most popular website among

Belarusians, right after two Russia-based social media websites (Odnoklassniki and V Kontakte). Still, 72 percent of the population considers television its main source of information about events in Belarus and abroad, compared to approximately 60 percent of the population that turns primarily to the Internet. Meanwhile, media that offer little to no diversity of perspective in the coverage of social and political topics continue to dominate the traditional media sphere.

There are no legal restrictions to access to domestic or international media, aside from the Ministry of Information's blocking of informational websites, as seen with the *charter97.org* news site in early 2018. The new amendments to the media law ease the path even more for officials to block access to foreign media it deems threatening.

Other limiting factors impacting access to information include unequal registration requirements for broadcast media and the economic discrimination against non-state print media, which limits the news options for people without high-speed Internet access.

State media largely reflect the views of the government, with opposition politicians or independent media receiving little to no positive mentions. Independent media are also specifically targeted in centralized campaigns, such as in the BelTA case. Before any official charges were made, the main state-run SB.BY newspaper and portal wrote, “Simply speaking, detained workers of TUT.BY and BelaPAN stole the information as often as they said ‘hello.’ The free access to paid news was a working habit. They calmly and daily used the results of someone else's work without paying a cent.”

No new information agencies were registered in Belarus in 2018. Out of the nine existing agencies, four (BelaPAN, BelTA, Interfax-Zapad,

² Respublika Belarus v Zerkale Sotsiologii Sbornik materialov sotsiologicheskikh issledovaniy (The Republic of Belarus in the Mirror of Sociology, Collection of Audience Survey Materials). Minsk: 2018, 180 pages.

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. In addition, 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 agencies. Economic difficulties have forced many independent media to cut their subscriptions to news agencies, including national newswires. The sudden death of the BelaPAN director in 2018 led the agency to review its ownership and sustainability plans, but the agency continues to work as before.

The situation for broadcast media remains difficult. The state controls all national television channels, while the only alternative, Poland-based TV Belsat, is persecuted with fines and warnings. Accredited journalists from Radio Free Europe/Radio Liberty (RFE/RL) and European Radio for Belarus contribute to the body of independent, trustworthy broadcasting, along with reporters of the non-accredited Radio Racja and special correspondents of other international broadcasters—such as Deutsche Welle, BBC, and Radio France Internationale (RFI). The government has taken no steps to enable those broadcasters to widen their access to audiences.

The amendments to the media law have not made it easier to learn the exact ownership structure of media outlets, although this information can be obtained by request. Print media publish this information on their first or last pages, but websites and blogs are not obliged to publicize

their owners—and that has not changed with the new online registration procedure. Private media ownership is not concentrated, although the government owns a substantial amount, with more than 600 news outlets. 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 skirt this rule by registering in Belarus as Belarusian entities. The purchase of the independent *Belgazeta* by the Belarusian journalist Kiryl Zhyvalovich in 2017 resulted in a conflict between him and a minority shareholder, bringing the newspaper to the brink of closure by late 2018. “This indicator [transparency of media ownership] is not very relevant for Belarus; it is more relevant to countries where media are owned by oligarchs or some political forces. In Belarus, it is more or less clear: there are state and non-state media,” one panelist said. “Some information about media ownership seems to be available but is not, because the limited liability companies do not provide their ownership information openly. This concerns *Komsomolskaya Pravda v Belarusi*, BelaPAN, and some other newspapers... Also, when Belsat TV had a funding crisis, many people were shocked to learn that it was part of the Polish public television broadcaster but received money from the Polish Ministry of Foreign Affairs,” another panelist said. “The problem is also the low media literacy of society: people do not realize why they should even be interested in the ownership of the media,” an editor on the panel said.

The lack of clarity on ownership often makes it difficult to evaluate how the owners influence editorial policies. “Websites do not publish detailed information about their owners; the identities of physical people who register websites will be protected. Unlike in Ukraine, we do not have a law that obliges media to show the final beneficiaries of

outlets’ business activities,” a lawyer said. The media law amendments promise to limit foreign ownership of Belarusian media even more than before. While previously founders who are foreign citizens could not own more than a 20 percent share in a media outlet, they could create Belarusian companies that were able to distribute media products. As of December 2018, this will no longer be possible for new businesses (although companies that had registered earlier will be exempt).

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.

Reliance on a narrow variety of sources and commentators renders both independent and state media weak in reflecting diverse social interests. One positive trend in 2018, however, was the growth

in popularity of live streams, podcasts, and vox pops, as well as long-format reporting, in the editorial agendas of a variety of media. However, the reliance on infotainment and clickbait-fueled publishing limits media usage of these tools. "Journalists, while using such sophisticated genres as long reads, are not using their potential to attract attention to smaller details, nuances, and new angles," one panelist said. "In a content analysis I performed on the range of regional media, crime took up 18–33 percent of their space, politics 0–5 percent, and entertainment about 14–25 percent. Religion is nearly non-existent, but education, health, and other social topics together reach up to 30 percent."

The government continues to suppress the Belarusian language in education, culture, and the media sphere, although it is an official language alongside Russian. Therefore, the language of the titular nation's majority can be considered a minority language, while the language of the actual minority, Russian, dominates.

While Belarusian media focus primarily on domestic issues, two exiled broadcasters, Belsat TV and Euroradio, are doing their part to increase international reporting. Euroradio is 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 vaccination and health in the former Soviet Union, environmental coverage, and investigative journalism. In addition, Belsat TV launched a cooperative effort with the BBC Russian service in the spring of 2018, rebroadcasting its programs on air, and has enhanced its Russian-language broadcasting by providing live streaming from crucial Russian events.

OBJECTIVE 4: BUSINESS MANAGEMENT

1.26

The market is distorted by governmental subsidies to the state-owned media on one end and political repression plus the dependence on external funding for most of the independent media on the other. The audience's shift to the web, mirroring a global trend, fails to compensate for losses from traditional models of advertising. Economic discrimination at the hands of the state deepens the hardship.

Most media outlets receive subsidies either from the state or from external actors, such as foreign donors. The latter do so at great risk, as the state highly constrains this support, and it can be considered illegal. As Belarusian law penalizes all foreign aid that is not registered with the authorities, and as all media that receive such aid risk running afoul of the law, the panelists agreed that such assistance should not be considered a sustainable income source. As for the state subsidies, as one panelist said, "If state media would have been left to operate without the subsidies, only *Perekhodnyi Vozrast* (a newspaper for teenagers) would stay afloat."

The media share in the online advertising market has increased by 18 percent compared to 2017; it reached \$15.2 million.³ TUT.BY, Onliner, and Kufar (the two latter being a mixture of online shopping and information platforms) attracted \$13.8 million of the total. This includes banners, native advertising, video advertising, and promotion on

social media and via Google and Yandex context ads. Advertisers pay special attention to mobile traffic, with video advertising as the fastest-growing format. The small volume of the online advertising market makes it difficult for any outlet to consider it a serious revenue opportunity. Another online revenue source, audience-related payments, continue to be rare. In 2018, *Imena*, a magazine that managed to crowdfund both for social causes and for editorial activities successfully, decided to register as a charity foundation and ceased being a media outlet. Also, in 2018, *Nasha Niva* launched a paywall for some of its 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.

The Council of Business, affiliated with the Belarusian president, presented the national concept of developing an advertising market effective until

³ "In Belarus, Calculated the Volume of the Market of Online Media Advertising for 2018." Bel.retail.by. February 20, 2019. <https://belretail.by/news/v-belarusi-poschitali-obyemy-ryinka-mediynoy-internet-reklamyi-za-god>.

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2022, which will influence legislation in this sphere.⁴ 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, and online media have no limitations in the volume of advertising. However, online media outlets that wish to sell advertisements for Belarusian services and businesses are asked to host their websites on servers within Belarus, per the 2010 President's Decree No 60. Only some lifestyle traditional media are able to get enough advertising to constitute a serious income source. On the regional level, independent print media outlets receive around 45–50 percent of their income from advertising, which reflects the broader regional trend for Central Europe, according to the panelists.

Independent media often use Google or Yandex counters as a free alternative to market research, but these platforms do not provide in-depth data about the audiences that would have been available for those newsrooms via more sophisticated paid research. Only TUT.BY and *Komsomolskaya Pravda v Belarusi* buy such data,” said one panelist.

The government has increased subsidies and investments into new state-owned media outlets. At the same time, circulations and audiences of traditional printed media have fallen. According to one of the panelists, the regional independent news media's circulations fell 10–15 percent while their online audiences grew on average 15–20 percent.

Market research is scarcely available and rarely used. “Independent media often use Google or Yandex counters as a free alternative to market research, but these platforms do not provide in-depth data about the audiences that would have been available for those newsrooms via more sophisticated paid research. Only TUT.BY and *Komsomolskaya Pravda v Belarusi* buy such data,” said one panelist. The available data rarely change the editorial policy, with most of the actual changes happening without being grounded in the research. Notable exceptions are niche media, such as Citidog and Kyky.org, which use market research to inform their activities. Sociological surveys that would analyze media's real audience have not been available for independent media for several years.

Broadcast rankings are not widely available for non-state media and are unpublished by their state-owned media counterparts.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

1.76

Belarusian media have fairly good access to professional education but not all opportunities are being efficiently used. The professional organizations defend the interests of their base, but some media workers, such as freelancers, remain largely unprotected. The quality of the state journalism degree has not increased. Media

distribution channels remain monopolized and/or politically controlled and restricted, with increased restrictions imposed by the December 2018 media law amendments.

The regional media association (United Mass Media) has increased its professionalism and the variety of services it offers to its members. In 2018, it increased cooperation with similar networks in Lithuania and Poland, expanding the relevant knowledge it brings to its members. It receives revenue from advertising placed in its membership network, which increases its sustainability.

The BAJ, which unites around 1,200 media professionals, intervenes to protect the rights of media workers, as it did during the BelTA case in 2018. The association also initiated new projects last year to help its members, such as the “Right to Information” campaign or its monitoring of Russian influence on the media scene of Belarus. In partnership with human rights defenders, it has supported journalists who had to pay high fines for their work. It has also initiated the process of uniting all the value-based media around the national strategy to develop the independent media.

There is also a pro-state, 1,500-strong Belarusian Union of Journalists, but the Union and Journalists and BAJ rarely cooperate. There are no associations of publishers or businesses of independent media, excluding professional unions, such as the Telecommunications Industry Union which unites cable broadcasters.

“The Telecommunication Industry Union protects the interests of cable broadcasters very well. This year, they defended the rights of those broadcasters to not pay copyright fees for rebroadcasting programs available through a so-called social package, which is guaranteed by the state. Previously, they were obliged to transmit that

⁴ “Draft Law: The Concept of Development of the Advertising Market in the Republic of Belarus for the Period up to 2022.” Business Development Council. January 31, 2018. <http://ced.by/ru/discussion/~shownews/koncepcia-razvitiya-reklamnoho-rynka>.

package and faced lawsuits from the holders of rights, but now the Parliament is reviewing amendments that will stop this practice,” one panelist said. The panelists held up the work of the Press Club, as well as BAJ, for providing good educational courses for journalists. In 2018, new platforms for education and discussion, such as the Hrodna media room, appeared in the regions.

“BAJ and Press Club play an important role in the trainings, media talks, and lectures. I also visit the media managers’ school organized by the International Educational Center and find it very informative. In general, those who wish to develop new skills and knowledge in journalism can get training,” said one panelist.

Panelists noted, however, that there is a rising distrust in the society among journalists. “I cannot blame non-governmental organizations for that, but there is a lack of solidarity among independent media in Belarus,” one editor said. “All human rights defenders closely work with BAJ, and we divide responsibilities. We have cooperated on the BelTA case and some other cases in Belarus. We realize it is very important not to omit any case of rights violations of journalists and media. Taking into account Belarus’s dense network of human rights defenders, we cooperate with regional media frequently as well. However, our support does not always improve the situation of the independent media due to political constraints,” a human rights activist on the panel said. “There is growing interest in media and journalists from new organizations, such as Human Constanta. They provide the media

with lots of useful tools on data privacy protection, digital security, and ethically covering refugee issues. They also helped journalists obtain emergency support after their equipment was confiscated,” one panelist said. At the same time, as some of the types of support are not totally legal in Belarus, some non-governmental organization resources are not advertised to large numbers of journalists.

Belarusian State University remains the leading institution offering journalism degree programs. Its Institute of Journalism currently hosts more than 1,250 students. Regional universities complement the Institute of Journalism’s degree programs and often send their students to train at the local media outlets, including non-state media.

A diverse array of short-term professional education opportunities in 2018 targeted different groups of media professionals. “It is really important for us to get free access to BAJ educational courses,” a regional participant said. Media, including regional outlets, increasingly support their staff members in participating in professional education. “BAJ and Press Club play an important role in the trainings, media talks, and lectures. I also visit the media managers’ school organized by the International Educational Center and find it very informative. In general, those who wish to develop new skills and knowledge in journalism can get training,” said one panelist. Participation in most of the courses is free, although some require acceptance tests. Some state media professionals attend the trainings as well. At the same time, some topics, such as investigative journalism, are not the best attended. The Press Club organized a meeting with Bellingcat and only a handful of journalists came. According to the panelists, that was related to the lack of popularity of investigative journalism as such. In some other cases, such as the paid lecture of a *Gazeta Wyborcza* business specialist, the trainings were unpopular

because of the combination of the high price of the entrance ticket (\$30) and the lack of relevance of Polish business experience to Belarusians. “People are ready to pay quite a lot of money for skills they consider applicable, such as social media management, but they find it hard to imagine what Polish business experience they could use,” one panelist said. A joint conference organized by the Press Club, Russian media, and SIDA gathered a representative group of free and paid participants in order to learn regional media transition practices. In 2018, some Belarusian independent media trainers began educating other journalists, mostly in Central Asia.

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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Conditions for access to newsprint remain unequal, with state media receiving favorable treatment. The price of newsprint for non-state media is growing on no objective grounds. "The prices of newsprint are getting higher for everyone, but state media get subsidies that can cover some of these costs, while Belarusian independent media have to negotiate with Russian factories in order to find solutions," a panelist said. "The quality of printing has declined for independent media outlets, although that can be connected to their decreasing circulations and subsequently decreasing attractiveness to the printing houses," another panelist added.

Price discrimination against privately-owned newspapers continues as well. 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, serves as the main retail distributor, while the state postal monopoly Belposhta controls press subscriptions.

The state still restricts and controls print and broadcast channels. The Internet, however, offers growing opportunities. Access to technology is expanding, with the gap between Minsk and the regions gradually narrowing. Over 2018, more than two million Belarusians gained access to 4G/LTE high-speed mobile. According to an OpenSignal study, Belarus outranks the United States, Germany, the United Arab Emirates, and Japan in 4G connection speed.⁵ Depending on the amount of

traffic per month, access to 4G/LTE and phone communication can cost from \$2 to \$25 per month.

The state provider, Beltelecom, is actively introducing broadband connectivity to Belarusians; more than 3.2 million households gained access in October 2018.

List of Panel Participants

IREX protects the identity of the panelists who agreed to participate in this study. Amendments to the criminal code include an article titled "Discrediting the Republic of Belarus," which provides for criminal liability for giving international organizations "false information" about the country.

The panel discussion was convened on November 28, 2018

⁵ "Average speed of 4G in Belarus—39.1 Mbit/s." Reformation. February 2, 2019. <https://reform.by/srednjaja-skorost-4g-v-belarusi-39-1-mbit-s/>.

MOLDOVA



MEDIA SUSTAINABILITY INDEX 2019

Tracking Development
of Sustainable
Independent Media
Around the World



MOLDOVA

AT A GLANCE

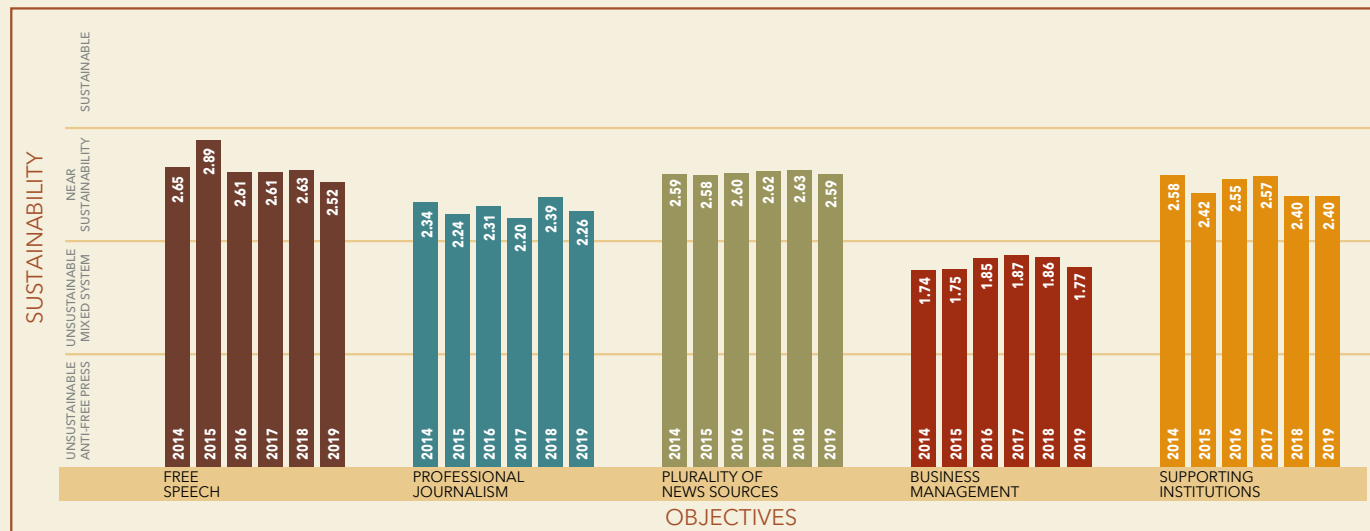
GENERAL

- **Population:** 3,437,720 (*CIA World Factbook*, 2018)
- **Capital city:** Chisinau
- **Ethnic groups (% of population):** Moldovan 75.1%, Romanian 7.0%, Ukrainian 6.6%, Russian 5.9%, Gagauz 4.6%, Bulgarian 1.9%, other 0.8% (*CIA World Factbook*, 2014)
- **Religions (% of population):** Orthodox 90.1%, other Christian 2.6%, other 0.1% (*CIA World Factbook*, 2014)
- **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% (*CIA World Factbook*, 2014)
- **GDP at market prices:** \$23.72 billion (*CIA World Factbook*, 2017)
- **GDP per capita:** \$6,700 (*CIA World Factbook*, 2017)
- **GNI per capita:** \$ 2,180 (World Bank Development Indicators, 2017)
- **Literacy rate:** Total population: 99.4%, male: 99.7%, female: 99.1% (*CIA World Factbook*, 2015)
- **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: 90 newspapers, 77 magazines ("Study on the Needs of Mass Media in the Republic of Moldova," IJC, 2017), radio stations: 55 (BCC, 2018), television stations: 62 (BCC, 2018), Internet news portals: 181 (IJC, 2017)
- **Broadcast ratings:** Competing surveys produce dissimilar results: Top-three television stations: Prime TV (private), Moldova 1 (public), Jurnal TV (private) (IPP, 2018). Top three radio stations: Radio Moldova (public), Radio Noroc (private), Radio Plai (private) (Internews, 2018)
- **Newspaper circulation statistics:** Top three: *Komsomolskaia Pravda* (Russian), *Jurnal de Chisinau* (Romanian), *Argumenty i facty* (Russian)
- **Magazines:** Top three: *VIP magazine*, *Aquarelle*, *Agricultura Moldovei* (Media-azi.md, 2018)
- **Internet News Portals:** Top three: ProTV.md, Jurnal.md, Publika.md (Media-azi.md, 2018)
- **News agencies:** IPN, Moldpres (state-owned), Infotag, InfoMarket, Sputnik (part of the Russian news agency)
- **Annual advertising revenue in media sector:** Television: €13.3 million, radio: €0.9 million, Internet: € 4.6 million, print: €0.9 million (AAPM, 2018)
- **Internet usage:** 2.6 million (72.8% of the population) (ANRCETI, 2018)

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.



The 2019 overall score for Moldova continues to place it in the near sustainability category, although it experienced a drop from its 2018 score of 2.38. Individual MSI objectives scores dropped across the board, except for Objective 5 (supporting institutions) which remained static at 2.40 in comparison to last year's study. Panelists attributed these overall declines to factors such as a deterioration in the application of the country's media laws, political partisanship related to local elections in 2018 and the scheduled 2019 parliamentary election, lack of improved pluralism, and continuing political influence throughout the media sector.

An internal political struggle between the pro-European Parliament and the pro-Russia president, Igor Dodon, added more heat to Moldova's simmering societal tensions in 2018. Dodon racked up four more suspensions in 2018 (making a total of five during his two years in office) for refusing to appoint new ministers and to pass laws voted in by Parliament. A political crisis following improperly invalidated local elections in Chisinau—won by Andrei Năstase, chair of the opposition Dignity and Truth Platform Party—and voting on a package of tax amnesty laws added to the tumult. The opposition said the laws would lead to the legalization of income and goods obtained illicitly.

The political maneuvers noticeably worsened the country's relations with external development partners, especially the European Union (EU) and the United States. In November, the European Parliament adopted a critical resolution denouncing the failure of democracy in Moldova. The document criticized the change in the electoral system, Chisinau's mayoral election, and concentration of economic and political power in the hands of a small group of people exercising influence over Parliament, political parties, the state administration, the police, the judiciary, and the media. Citing Moldova's failure to fulfill political commitments, the EU suspended the allocation of €100 million in macro-financial assistance.

In the political struggle, the main parties have transformed the most influential media outlets into their subordinate

echo chambers—copying the precedent of Ilan Shor, Orhei's controversial mayor sentenced to jail for bank fraud. In November 2018, using shell organizations, he launched two stations, Orhei TV and TV Centrala. Media captured by large political parties drastically diminished the prominence of the European integration theme—replacing it with propaganda related to the February 2019 parliamentary elections.

Russian propaganda continued to saturate the country's information space. In September, the Institute for European Policies and Reform released an analysis of news published in recent years by three Russian-language online media outlets (Sputnik.md, KP.md, Vedomosti.md) with a Moldovan presence. The analysis revealed that the outlets promoted the interests of the Russian Federation and that efforts by the Moldovan authorities have failed to stop external pro-Russia propaganda and its negative effects on Moldovan information space.

By the end of 2018, Parliament had managed to adopt four draft laws, including the Code for Audiovisual Media Services, drafted by a working group created in 2017 to improve the legal framework regulating media activities. However, important draft laws that had been developed and subjected to in-depth discussions, including one on advertising, were not adopted. In another disappointing move, in February 2018, the authorities again extended the term for the transition to digital terrestrial television—this time until March 1, 2020.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

2.52

Moldova's constitution guarantees freedom of speech, with dozens of supportive laws. Since 2010, Moldova has had a special law on the freedom of expression that sets out a framework and details the limits of this freedom. The country's media legislation is mostly in line with international standards, but, as in previous years, its application continues to be flawed—and in some areas, it has utterly deteriorated. As a result, this objective's score slipped slightly. Despite sound legislation, Alexandr Burdeinii, editor-in-chief of the news agency InfoMarket, and Marina Bzovaia, deputy editor-in-chief of the newspaper SP, said that the authorities either have a selective attitude toward providing information or simply refuse to provide it, artificially invoking the protection of personal information. In Gagauz Yeri (an autonomous region), the right to free speech is often violated, but citizens do not defend their rights in court. Zinaida Savenco, an Independent Journalism Center (IJC) project coordinator, noted that national legislation now provides sanctions for impeding the work of the media, but they have not yet been applied to establish precedents. An example was the assault on Radio Orhei journalists by Marina Tauber, the mayor of the commune Jora de Mijloc. The journalists filed a complaint with the police, but the criminal prosecution authority found no "elements of a crime."¹

1 "Police Have Found No Violations in the Actions of the Navy Tauber, Which Banished Journalists Radio Orhei from a Demonstration of Shor's Sympathizers." Media

Aneta Gonta, a university lecturer at the State University of Moldova and a media researcher, noted that no journalists were jailed in 2018 for refusing to disclose their sources; however, journalists reported at least five cases of intimidation or interference with their work. For example, the Rezina Prosecutor's Office accused a regional journalist of prank calling the police. In fact, the journalist only asked the police to check information about a possible crime following an anonymous tip. In another case in May, Rezina's local police seized an entire print run of *Cuvantul* (3,800 copies) due to a dispute over official documentation related to transporting the publication. The police involved were initially suspended but then reinstated. However, Ludmila Barbă, editor-in-chief of Moldova 1, shared a positive case: In July, a court dismissed an access-to-information claim by photojournalist Constantin Grigorita against the president, but in November, the Chisinau Court of Appeals ruled that the case should proceed, as the head of state is not entitled to immunity in cases concerning access to information of public interest.

Victor Mosneag, deputy editor-in-chief of *Ziarul de Garda*, recalled another case that illustrates political interference in the justice system. In April 2018, a panel of Chisinau Court of Appeals judges appointed by a presidential decree dismissed an appeal by RISE (the Association of Investigative Reporters and Editorial Security) Moldova Project journalists and forced the outlet to write a denial of information regarding a 2016 RISE Moldova article about funds received by 2016 presidential candidate, later elected president, Igor Dodon. In addition, Eugen Ribca, lawyer and director of Mold-Street,

AZI. September 6, 2019. <http://media-azi.md/ro/stiri/poli%C8%9Bia-nu-g%C4%83sit-%C3%AEnc%C4%83lc%C4%83ri-%C3%AEn-ac%C8%9Biunile-marinei-tauber-care-alungat-cu-m%C4%83tura-jurnali%C8%99ti>.

recalled the attempted "Big Brother" law drafted in 2018, which would establish censorship in the online environment.

Corneliu Rusnac, editor-in-chief of Radio Chisinau, argued that freedom of speech is not, in fact, protected. While the criminal code provides, in certain cases, up to four years of imprisonment for "deliberate impediments to media activity or intimidation for criticism," the justice system avoids applying these provisions. For example, the Chisinau Prosecutor's Office refused to prosecute Shor on the grounds that his threats to pass a lustration law² to use against "inconvenient" journalists did not amount to a crime.³

Despite new legislative measures to improve the legal framework for media during the year, including the adoption of the new Code of Audiovisual Media Services and the National Media Development Concept, Valeriu Vasilica, director of IPN News Agency, said the new structure just replaced external propaganda with internal propaganda. In the Transnistrian region, Luisa Dorosenco, president of the Media Center in Tiraspol, said that although the law prohibits censorship, media outlets must submit all journalistic materials to the relevant ministry ahead of publication (per a 2015 central administration decision invoking the need to counter extremism and pornography). On the other hand, Transnistrian legislation does force the courts to publish their judgments online—although so far, they have not.

2 Lustration laws have been used to disqualify from employment persons who were associated with abuses under former Communist regimes in Europe, such as the Czech Republic, Poland, and Ukraine.

3 "Shame Will Not Be Held Accountable for Journalists' Threat. Here Is the Explanation of the Prosecutor's Office." Agora, November 2, 2019. <https://agora.md/stiri/51285/sor-nu-va-fi-tras-la-raspundere-pentru-amenintarea-jurnalilor-iata-explicatia-procuraturii>.

Burdeinii confirmed that licensing concerns only broadcast media. Savenco noted that the Broadcast Coordinating Council (BCC), the media's regulatory body, gives preferential treatment to stations with certain political ties; they obtain licenses and funds much more easily. For example, BCC members were accused of favoring television stations affiliated with Vladimir Plahotniuc, the leader of the Democratic Party (PDM). Bzovaia noted the ease with which a new station—TV Nord—obtained its license. The station denied a relationship with GMG, Plahotniuc's holding group; however, other GMG stations air material produced by TV Nord. Tudor Darie, manager and cofounder of Interact Media Company, said that broadcasters critical of the government encounter problems, especially regarding the extension of their licenses, that create an incentive to ensure that their coverage does not inconvenience the government. Mosneag agreed that although the BCC did not refuse any television or radio licenses in 2018, the sense that it is biased toward, and controlled by, certain political groups persists.

Ribca said the broadcast licensing structure does not prevent monopolies; Viorica Zaharia, a journalist and the Press Council president, feels that the BCC not only fails to thwart monopolies but also that it encourages them. The process for obtaining a license or entering the market is sufficiently free from a legal point of view, Vasilica said, but BCC decisions ultimately undermine the interests of a free press and a democratic society.

In 2018, no new independent media outlets appeared, and existing outlets faced almost unprecedented problems. For example, TV8 was forced to take a long break, purportedly to resolve its financial problems.

As online media are unregulated, they can enter the market with greater ease than broadcast or print media, Savenco said—but, in general, no

media face legal obstacles to entering the market. On the contrary, Burdeinii noted, some media receive certain privileges—for example, periodical sales are exempt from value-added tax. However, Bzovaia commented that there are no other proper tax exemptions, such as equipment purchases, which non-profit media civil society organizations have repeatedly requested. In September, the government issued a negative opinion on two draft laws prepared by the media working group, set up by the speaker of the Parliament in 2017 to improve media legislation, that provided additional tax exemptions for media outlets—a response that puzzled Ribca, as the drafts reflected European best practices. Vasilica noted some reforms in taxes and salaries announced at the end of 2018, which were apparently meant to facilitate the media's work. He was skeptical, however, because these reforms will almost exclusively favor politically aligned media outlets because of their unfair competitive advantage. Zaharia said that so far, the authorities have not been interested in maintaining and developing media that are not politically controlled.

Burdeinii believed that civil society's apathetic reactions allowed attacks on journalists to continue in 2018. Savenco expressed disappointment that the frequent violations of journalists' rights do not stir public protest, although they are widely publicized, and perpetrators go unpunished.

Savenco expressed disappointment that the frequent violations of journalists' rights do not stir public protest, although they are widely publicized, and perpetrators go unpunished.

Bzovaia noted a shift in the government's tactics when obstructing investigative journalists.

Instead of filing lawsuits against journalists, the authorities try to discredit them through the media outlets that they control, as media outlets affiliated with PDM and the Party of Socialists (PSRM) did in response to investigations published by *SP*. Investigative journalists in Gagauz Yeri face similar trouble, and the Moldovan public does not intervene. Refusing journalists access to public events is another type of abuse that journalists endure, Darie noted; sometimes, guards at such events have lashed out aggressively at journalists (as happened to journalists working for *Agora.md* and *Radio Free Europe*). Barbă pointed to the case of Liuba Sevciuc, a *RISE Moldova* journalist. She said that a professional agitator followed her in September after the publication of an investigative piece titled "Oligarch's Paradise," describing Plahotniuc's houses abroad. Mosneag mentioned Viorica Tataru, a *Ziarul de Garda* journalist assaulted by a guard who forbade her from filming by a government building. While *Radio Free Europe's* Stefan Grigorita tried to film the incident, a law enforcement official seized his phone.

Gonta feels that the observance of journalists' rights regressed in 2018, with restrictions and even threats typically coming from political sources. Orhei's mayor made statements that could be categorized as hate speech against the journalists of *Jurnal TV*, for example, but faced no consequences. Vasilica said that offenses against journalists are random rather than systematic, but he believes that hate speech and threats against journalists intensified in 2018 with the tacit encouragement of public authorities who failed to react to statements issued by the media outlets concerned, by media NGOs, and by the Ombudsman of Moldova.

The law guarantees public media's editorial and managerial independence, Burdeinii noted. However, public broadcasters receive state funds, which influences the nomination of leaders based

on political considerations and which Darie believes leads to self-censorship. Gonta mentioned that under the law, public media managers should be elected democratically and should not be subject to outside influence. In fact, neither the members of the national and regional public broadcaster supervisory boards nor their managers are totally independent of politics. At the same time, Moldovan laws do not expressly favor public media or their journalists at the expense of private media.

Barbă pointed out that in 2018, the Code of Audiovisual Media Services of Moldova was passed, but Parliament did not approve a fixed share of the annual national budget for the public broadcaster Teleradio-Moldova, thus maintaining its dependence on state funding. In 2018, the political struggle for control over the regional public broadcaster in Gagauzia was clearly visible when its director was elected behind closed doors by the regional parliament. Vasilica feels that in 2018, public media, especially broadcasters, continued to be treated as "Cinderellas" through inadequate financing and politically motivated nominations, although formal public competitions for public service media boards and management positions take place with the participation of some civil society candidates. The results of the competitions are nonetheless predictable, perpetuating political control over public media. As a result, Zaharia believes that although public broadcasters benefit from a special status and are supported by public money, their editorial content often favors the governing forces.

Throughout 2018, sanctions applicable to journalists for libel and defamation tightened, according to Ribca. However, Burdeinii noted that experienced politicians who consider themselves defamed prefer to defend themselves through other media rather than in court. There were no libel trials in 2018, Bzovaia said, but some media outlets

endured harassment for noncompliance with the legislation on personal data protection. Libel in Moldova has been decriminalized, Vasilica added, which protects the media and journalists from certain abuses that are dangerous for their lives and work. At the same time, the current legal framework and court practices allow intimidation of the media in civil cases related to libel, including in cases that would unequivocally be inadmissible by European standards. For example, the news agency IPN is currently involved in five or six civil cases concerning "damaging dignity and professional reputation." The agency is accused of disseminating public messages launched in public press conferences.

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.

The year 2018 brought no lawsuits related to libel in Gagauz Yeri either. One reason, Gonta believed, is that Moldovan legal regulations require both sides to prove each other's guilt in defamation cases. Darie said this explains the quasi agreement from the governing forces to use affiliated media to discredit inconvenient journalists rather than appealing through the judiciary.

The panelists agreed that access to information has grown more strained. Burdeinii noted that although legislation guarantees equal access to public information for all mass media, politically connected media receive special treatment. In most cases, Bzovaia said, public institutions demand written requests, drastically reducing the timeliness of the material. Although the Law on Access to Information requires turnaround on information requests within 15 days, the authorities usually take twice as long, intentionally invoking the Law on Petitioning, which provides for more days to answer information requests. In Gagauz Yeri, the media have wider access to information only because more documents are now placed on official websites. Otherwise, officials remain as reluctant as ever to provide information directly to journalists. Rusnac brought up an opinion poll ranking the institutions that hinder access to information the most, naming the presidency; the Ministry of Health, Labor, and Social Protection; the State Tax Service; the Ministry of Education, Culture, and Research; and the Chisinau Mayor's Office.⁴ The National Integrity Authority (NIA) has also emerged as one of the most hostile agencies in this respect. In 2018, it asked

4 "Access to Information: Journalists Have Named the Least Press-Friendly Institutions. The Presidency Came First." Media AZI, May 4, 2018. <http://media-azi.md/ro/stiri/accesul-la-informa%C8%99Bie-jurnali%C8%99tii-au-indicat-institu%C8%99Biile-cele-mai-%C3%AEnchise-fa%C8%99B%C4%83-de-pres%C4%83>.

journalists to submit written applications for access to information on forms with a stamp and letterhead or with digital signatures, although the law permits verbal and e-mail applications. Information on controversial topics is often vague as well as of late.

In Gonta's opinion, the Law on Access to Information is often invoked—along with others—to limit or stall the provision of information to journalists. In 2018, for example, the media were excluded from learning who had filed declarations under the law on tax amnesty. Barbă recalled that in November, Parliament adopted a new code on the coverage of Parliament by journalists. The full impact remains to be seen, but provisions such as “disseminating MPs’ statements and speeches neutrally, objectively and... in line with socio-political balance,” raise concerns. Vasilica noted the appearance of new ways to restrict access to information for certain journalists. Jurnal TV and TV8 journalists have long been denied access to PDM weekly meetings. Now, government representatives are also refusing to participate in their talk shows. In addition, PDM leaders notified IPN that the governing party's representatives would not participate in the public debates the outlet has been holding for seven years.

It seems that the refusal to provide information to certain journalists and media outlets is a new and dangerous phenomenon for Moldovan society—one promoted by the governing party. Zaharia noted that officials only seem to restrict access to information that is truly valuable for the public or might portray the government in an unflattering light. Such behavior obviously obstructs the work of independent journalists and the public's right to information.

Gonta said that media have free access to foreign information sources despite some newly adopted provisions limiting access to certain television programs from countries that have not ratified the European Convention on Transfrontier

Television. Still, Burdeinii noted that since the Internet is unregulated, anyone, including journalists, can access local and international sources—or watch Russian television programs that are considered propaganda—online.

Savenco noted that Moldova does not prohibit anyone from practicing journalism based on gender, race, religion, etc., but Burdeinii and Barbă highlighted some undesirable consequences. For example, manipulative bloggers or trolls discredit the profession, while the transition to paid education has lowered standards. Vasilica feels that the freedom to practice journalism is often used to produce journalists who execute political orders instead of producing quality media, and it is one reason for the widespread corruption in the field. Gonta noted that journalists need accreditation to attend certain official events—a device used to block the access of some “undesirable” journalists to public events (such as the PDM's obstruction of TV8 and Jurnal TV, and *Ziarul de Garda* journalists shut out of the Orhei town festival). On the other hand, Publika TV was suspected/accused of privileged access to data following the Chisinau elections.

Gonta and Burdeinii emphasized the strong political influences on most media outlets; few can be categorized as independent, including investigative media. All this year's monitoring showed that television stations, for example, used manipulative techniques extensively in newscasts, and journalists portrayed obvious political partisanship. Among the manipulative techniques used were blurring (diminishing the importance of an event) and using priority information mainly to create confusion and to force less important issues on the public agenda, in order to distract attention from the issues that have real impact on public life and are of interest to the entire society. At the same time, the panelists noted that some media outlets intensified dissemination of confusing, incomplete, and false information. Also, some outlets interpreted events and quoted opinions expressed by some political entities at the expense of presenting information based on facts. Bzovaia feels that media reduced to propaganda are strongly developed in Moldova; they belong to the parties in power and enjoy privileges that let them forget about ethics.

Savenco and Darie said that most of the reports by the media are superficial and lack neutrality and objectivity. Dorosenco noted that in the Transnistrian region, the state-owned media and the media controlled by Sheriff Holding present only the official opinion of Tiraspol in covering Moldovan-Transnistrian relations. In Gagauz Yeri, some media outlets ignore important events that are organized by the owners of other outlets. Some politically affiliated media outlets also presented country progress reports or European parliamentary resolutions in a selective, manipulative manner. However, the transgressions led to the development of fact-checking platforms, such as Stop FALS! managed by the Association of Independent Press (AIP) and the IJC-managed Mediaticrita.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

2.26

In 2018, local elections took place in Moldova, including in the capital and Balti, the largest northern city. In addition, political struggles and partisanship kicked up ahead of the February 2019 parliamentary elections. The panelists see these as the main reasons for a drastic slip in the quality of journalism, explaining the dip in this year's Objective 2 score from 2.39 in last year's MSI study.

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).

Rusnac identified the issue of quality journalism as one of the most acute in the field. In Moldova, media controlled by political parties prevail. For example, broadcasters Prime, Canal 2, Canal 3, Publika, Vocea Basarabiei, and 10TV, as well as a large number of websites or blogs from Publika.md to Today.md or Mesager.md, are close to the PDM, which currently controls the parliamentary majority. The same situation is true for the stations NTV Moldova, Accent TV, Familia, TNT, and Exclusiv TV, which are grouped around President Igor Dodon and the PSRM. TV Centrala and Orhei TV are affiliated with Ilan Shor and the Sor political party. This list should also include Jurnal TV, which is affiliated with the opposition DA (Demnitare si Adevar/Dignity and Truth) Platform Party. The aforementioned media outlets practice a journalistic genre that might be called “party affiliated

journalism,” which places the interests of political parties over attempts to report objectively.

Vasilica distinguished “three parallel worlds” in Moldovan media. The first world consists of media outlets trying to be fair, but their efforts are diminished by frequent refusals to provide information, open or camouflaged, by decision makers. For example, in November and December 2018, the IPN agency could not obtain information and opinions requested from the NIA. As a result, the products of the first world are not always sufficiently balanced, even if they use phrases like “contacted... (the source required) or did not answer the phone to comment.” The second world consists of media outlets that openly and consciously manipulate and falsify. As a rule, they are politically affiliated. The third world shows itself when the methods of the second world infiltrate the first world by placing fake, manipulative, denigrating material for pay. The aim is to provide credibility to fake messages by using first-world media. Zaharia was of the opinion that well-documented reports and information are verified and balanced only by independent media, which, by some estimates, represent about 15 percent of the outlets in Moldova. The rest serve the governing forces or political parties, not the public interest.

The country has had a journalists’ code of conduct since 1999, and it has been signed by more than 50 media outlets. However, according to Savenco, not all journalists—even those who signed it—adhere to it. Some media outlets have their own codes of conduct but still commit violations, especially by producing and disseminating reports containing covert advertising, which the Law on Advertising and the Broadcasting Code prohibit. Vasilica and Gonta noted that the ethical standards assumed by the media are in line with international standards, but they are quite often violated—that is

why they do not produce the expected effects in the media and in Moldovan society. In 2018, there were serious violations of professional ethics, especially in the coverage of sensitive topics involving minors. Burdeinii regretted that, for example, bloggers do not commit to journalists’ standards but still claim that they practice journalism.

Bzovaia observed that professional principles often suffer when larger salaries and special circumstances are at stake, noting that journalists commonly hop from one outlet to another. She cited as examples the two television stations working in Balti. The first, BTV, is close to the city’s leadership; it covers the work of the mayor’s office in a mostly positive manner. The second, TV Nord, covertly promotes the interests of the PDM and criticizes local public authorities. TV Nord was launched in 2018 and lured the majority of its employees away from BTV. The next day, they started saying on screen the very things they used to deny on their former screen. As a result, Bzovaia highlighted that quality journalism is usually promoted and developed from grant financing; among the major donors for this are: USAID, US Embassy in Moldova, and the European Union.

Dorosenco said there is a code of conduct in the Transnistrian region developed by the Union of Journalists of Transnistria, but not all journalists are aware of it. The division and polarization of the media, the political class, and civil society—along with the lack of economic protections—prevent journalists from uniting to promote fair, objective, and unbiased journalism.

Mosneag recalled cases when politically affiliated media criticized for violating professional standards used the media to launch attacks and seed suspicion against those who demanded respect for journalistic ethics. Rusnac cited a recent example: the manner in which the

media affiliated with the governing forces covered the adoption by the European Parliament of a resolution on the implementation of the Association Agreement with Moldova. The media close to the PDM tried to discredit this resolution, which was critical toward the Government of Moldova, and to question the integrity of the author of the report, MEP Petras Austrevicius. Zaharia said that the standards of professional ethics are respected only by independent media outlets that value their reputations and serve the public interest.

Ribca feels that given the political and economic control over the media, the majority of journalists who want decent salaries succumb to self-censorship. Journalists who work in outlets that belong to or are affiliated with politicians resort to self-censorship because they know that if they veer from the accepted “editorial policy,” dictated by the owners, they risk being fired. Mosneag revealed that in unofficial discussions with journalists employed at political media outlets, the journalists admit that they practice self-censorship to keep their jobs. Vasilica believed that censorship and self-censorship are omnipresent, although the motivations differ: for some, they are financial, while for others, they are political. Small exceptions are media outlets with foreign funding and with strong political coverage, such as Radio Free Europe in Moldova. Zaharia believed that self-censorship is mainly manifested in journalists’ conscious neglect of facts and opinions that they know editors will reject.

In general, the media cover the most important events in the country and globally, Gonta said, but not always in compliance with professional standards. Savenco agreed and noted the tendency to cover the most important issues—such as unemployment, poverty, and corruption—differently, sometimes allowing less or more airtime depending on the station’s political affiliation. To diminish the

importance of national events, they may deliver news from other countries that is of no informational importance to the Moldovan public. Darie noted that government-affiliated media often ignore events organized by the opposition. Instead, these outlets generate and broadly disseminate topics published on dubious websites (e.g., blogger Andrei Bolocan’s alleged arrest by the Canadian police for pedophilia or the leader of the opposition party DA allegedly wanting “to rent Chisinau” to the sheikh of the United Arab Emirates).

Bzovaia feels that media reduced to propaganda are strongly developed in Moldova; they belong to the parties in power and enjoy privileges that let them forget about ethics.

In the Transnistrian region, Dorosenco noted a haphazard approach to issues such as human rights or the lives of ethnic minorities. Some activities or problematic situations involving the authorities are discussed on social networks but avoided in other media. Vasilica noted a diametrically different way of approaching issues—such as embezzlement, corruption, independence of the judiciary, and invalidation of local elections in Chisinau, among others—depending on the media’s political affiliation. In Zaharia’s opinion, only independent media properly cover relevant events in the country and globally. As an example, government-affiliated media covered the massive antigovernment protests in Bucharest in early 2018 briefly and only after great delay, seemingly out of a desire to protect the image of the Social-Democratic Party, which is in power in Romania and is an international partner of the Moldovan government.

All experts agreed that the salaries of journalists in Moldova differ dramatically. Smaller salaries at independent outlets increase the risk that some journalists will jump to better-paying posts in political media outlets. In politically affiliated outlets, salaries are several times higher, including at recently launched television stations. An example is TV Centrala, with close ties to Shor. It used high salaries to lure experienced journalists, including some from public television Moldova 1 and TVR Moldova, who could not resist the temptation. Zaharia noted that the salaries of independent journalists are usually between €200–400 (\$230–\$450), which discourages young journalists from properly practicing their profession when the media holdings managed by politicians offer salaries starting at €500 (\$570) per month. Salaries, however, are not the only reason journalists move around. For example, the IPN News Agency, with considerable effort, offers salaries to qualified journalists that are above the average in the field (between MDL 9,000 and 12,000 per month nontaxable or about \$520–\$700), but they, nevertheless, face ongoing staff shortages. Furthermore, independent journalists sometimes cannot get their wages on time (e.g., those from TV8), and they have to work several jobs to cope. This, Dorosenco noted, affects the quality of journalism. Barbă confirmed that to be able to keep your independence, you have to work for foreign media outlets and do other work, such as being an expert or trainer.

There are few quality domestic entertainment programs in Moldova, which Barbă attributes to high production costs—limiting the chance entertainment could surpass news. Gonta disagreed, noting that although newscasts maintain a significant place in broadcast schedules—after the amendments to the Broadcasting Code regarding the share of domestic products and the limitations on access

to retransmitted informative, analytical, political, or military programs—the volume of entertainment products, both domestic and foreign, has increased, although they are low quality. Darie feels that the volume of news and entertainment is balanced—but that entertainment, for the most part, is imported from Russia or Romania. Vasilica agreed that Moldovan society is strongly anchored to and influenced by foreign entertainment programs, mostly Russian, that capitalize on and encourage linguistic, historical, and cultural affinities. Russian programs are virtually free, in contrast to less accessible Western programs. Along with entertainment programs retransmitted from Russia, audiences also consume large doses of Russian propaganda on issues such as the superiority of Russian cuisine over American cuisine or the strength of the education system in Russia. On the other hand, the manipulative nature of some domestic newscasts has even stronger negative effects. Zaharia mentioned appreciation for the qualitative analytical and investigative programs the Moldovan media offer.

Overall, the media's technological infrastructure is at an acceptable level. Burdeinii noted that independent media use less expensive equipment, but this fact does not decisively influence the quality of journalism. Darie agreed, especially as new technologies allow low-cost outlets to make live broadcasts and to edit content. Poor quality mainly comes from poor training, professional laziness, and censorship and self-censorship rather than a lack of equipment. Some panelists noted the chronic lack of high-performance equipment at public broadcasters; Barbă confirmed that while private television and radio stations are technically well equipped, Teleradio-Moldova lags. Despite adopting a new broadcasting system in 2018 that provides high definition (HD) or full HD footage,

Teleradio-Moldova has to ensure the production of about 40 television projects with 10 field cameras. Editing-room computers and software are obsolete. The funding system offers little hope for improving the technological infrastructure of Teleradio-Moldova—particularly its television section. The regional public broadcaster Teleradio-Gagauzia purchased advanced equipment in 2018—but given the pace of information technology development, such equipment should be upgraded on an ongoing basis. Savenco believed that the issue is acute in the case of independent media outlets that are just getting started and find it difficult to obtain funds for technical equipment. Dorosenco noted that while state-owned media in Tiraspol have no problems, the few small independent media outlets face difficulties, especially with renting facilities due to lack of funds or unwillingness of landlords to risk problems with state authorities by renting to independent media. Vasilica highlighted shortages of equipment and material in producing and disseminating information by independent media, which leads to unfair competition with politically affiliated media. Zaharia feels that local/regional private broadcasters face the biggest difficulties in this area.

Moldova does produce some quality investigative journalism, although it is rare and mostly offered by print and online media outlets. Zaharia cited investigations in audio and video format, in-depth economic analyses, and professionally produced news. The few independent television stations rarely conduct investigations, while those controlled by the governing forces are not interested in them. Politicians order the few investigations they conduct, Vasilica said. One such well-resourced investigation concerned the Open Dialog Foundation; the motive was manipulation of public opinion before parliamentary elections, through presenting opposition leaders Andrei Nastase and

Maia Sandu in a negative light. Barbă mentioned the appearance in 2018 in some media of so-called investigations based on statements or misinterpretations of facts or data found on dubious sites or blogs. Such false investigations are used to denigrate certain individuals or institutions. The experts emphasized that investigative journalism is largely possible through grants from foreign donors. Dorosenco confirmed that while in the Transnistrian region the media do not practice investigative journalism, the institution she represents did some limited investigative work in cooperation with *RISE Moldova*.

Public broadcasters rarely carry out journalistic investigations; instead, they prefer to have specialized programs—for example, on health, education, or culture. Burdeinii believes that there is specialized journalistic material of good quality, but society fails to appreciate it properly. There are also outlets that specialize in certain fields, Savenco said. Some examples are the portals Sanatate.info and Bizlaw.md (justice), and the economic portal Mold-Street.md.

Darie thinks it is too early to talk about long-term quality investigative journalism, but at the same time, he noted a dilemma at his outlet: They often discuss the balance between quality material and "light" material. For example, an online article about a local personality who gets a divorce (written in a maximum of five minutes) may draw 10–20 times more views than a quality piece about how the government manages public resources inefficiently. It is difficult to motivate reporters and outlet managers to focus on quality material when profits are linked to the number of views.

**OBJECTIVE 3:
PLURALITY
OF NEWS**
2.59

Multitudes of media operate in Moldova—117 radio and television stations alone, according to the BCC. However, most do not cover a variety of views. As the pluralism of opinions has not improved despite the diversity, the score for this objective slipped slightly from its score of 2.63 in the 2018 MSI. Citizens wanting to be well informed must consult several sources. An example is the rally organized in autumn in Chisinau by the PDM. The media affiliated with this party reported that 100,000 people attended the event, while the police and independent experts counted fewer participants. Consumers could verify the information, Savenco said, if they wanted to, especially through the internet. As a rule, young people prefer to get information from social networks, but they are not the most credible sources. Still, increased access to the internet and social networks facilitates the verification of information, but the authorities' regular announcements of their intent to regulate this area raise concerns, Vasilica added.

Gonta is convinced that a multitude of media sources does not directly lead to better information for citizens. Most have access to several national television stations, but they basically deliver the same information, not necessarily of good quality. Furthermore, despite the variety of options, most people rely on one television station. Therefore, Barbă said, media consumers should adopt a critical approach to avoid being misled. Rusnac and Mosneag consider control by political groups that relentlessly promote their points of view as Moldovan media's biggest problem. According to

monitoring carried out by the IJC, seven out of 10 television stations failed to cover Chisinau's mayoral election fairly and impartially. They engaged in political partisanship, did not give equal access to all the candidates registered, and ensured neither a pluralism of opinions nor a balance of sources. In the Transnistrian region, Dorosenco said, state-owned media prevail. The situation with private media, controlled by the Sheriff Holding Company (which is also the region's main service provider), is similar. Estimates from the Transnistrian Media Center put the share of pro-government media in Transnistria at about 90 percent.

The law does not restrict citizens' access to national or international sources of information; however, as the vast majority of the population in the country knows only one foreign language—Russian—Vasilica said that amounts to an indirect restriction on international media. At the same time, there are urban-rural disparities in access to information. No radio or television stations reach about a third of the country's rural areas, and temporary power cuts owing to bad weather or planned repairs of power lines sometimes block access to electronic media. Several panelists mentioned restrictions on access to certain programs retransmitted in Moldova from countries that have not ratified the European Convention on Transfrontier Television, although they can easily be accessed online. According to Barbă, the authorities should prohibit these programs, not by means of legislative amendments but through court decisions based on the monitoring carried out by the BCC and/or by the nongovernmental sector.

Gonta noted that in Moldova, the rate of general illiteracy is low and, therefore, not a real obstacle to accessing media. Media literacy, on the other hand, has continuously developed, though at the initiative of the civil society and not of the authorities. In 2018, the government developed

and approved a media education curriculum for secondary schools in cooperation with the IJC, giving some students access to an optional course in media literacy education. At the same time, the panelists believe that to establish immunity to propaganda and misinformation, media literacy should be a compulsory discipline, not an optional one. In the Transnistrian region, Dorosenco noted that citizens' access to information sources is unrestricted; however, Moldovan periodicals, for example, are not marketed.

Public media are still funded by the state, providing a lever to influence their editorial policy. On that point, Gonta observed that the national public television regressed in terms of impartiality and fairness in news coverage in 2018. Monitoring repeatedly showed that TV Moldova 1 transformed itself into a mouthpiece for the central authorities. Darie agreed that public media betrayed signs of political influence, but Rusnac said that during the campaign for local elections, Moldova 1, along with private stations Pro TV and TV8, acted in a balanced manner. The public broadcaster also airs educational and cultural programs that the private media ignore (such as shows in minority languages and children's programs).

Burdeinii believes that public media often revert to self-censorship. In Gagauz Yeri, the regional public broadcaster is subject to greater control by the authorities than private outlets. Savenco recalled instances of public station reports that were identical to those of a politically affiliated station (Canal 2). Mosneag said that in July 2018, Maia Sandu, leader of the Action and Solidarity Party, accused the public television station of not offering airspace to opposition parties. The next month, opposition parties organized a protest at the station's headquarters, accusing its leadership of restricting access for the opposition and of manipulating public

opinion. After several meetings with opposition representatives, Barbă said Moldova 1 launched a new weekly program, “The Red Button,” and invited members of opposition parties and independent experts to participate. As for the regional public broadcaster, Gagauz Radio-Television (GRT) remains dependent on the Gagauz authorities. Overall, Zaharia said, public broadcasters mostly cover the position and vision of the authorities; criticism of the authorities is rare. In Transnistria, the state-owned media are financed from the official budget and report almost exclusively on the activities of state institutions. The absolute majority of the media is in the Russian language. There are several periodicals with small circulations and some programs in the languages of ethnic minorities (in Romanian written in Cyrillic and in Ukrainian).

There are 10 independent news agencies in Moldova; however, according to Savenco, few media outlets use their services on a contractual basis—relying instead on news lifted from the internet. Burdeinii agreed, saying that few outlets can afford to pay for news streams from Reuters, Agence France-Presse (AFP), or other international agencies. Darie and Gonta noted that Moldova has good news agencies—several generalist news agencies (including one state-owned agency) as well as some specialized agencies (economy, youth, etc.)—but they remain underused. There is a paradox, Barbă observed: Moldovan news agencies are more independent than other media and have subscribers among embassies, foreign companies, financial groups, and some media outlets. They offer many services, including press conference rooms, production and distribution of press releases, and coverage of media events. At the same time, the media usually bypass them. Vasilica noted that this is partially because a large amount of information is now widely available and free online (although a lot

of it is not trustworthy). The other reason, though, is that the politically affiliated outlets do not require fair and balanced outlet products. Taken together, these reasons contribute to the decline of independent news agencies.

Moldovan media outlets produce their own news; for broadcasters, it is a legal obligation. At the same time, most panelists questioned the quality. Burdeinii noted that reporters often “follow” the news made by others. Darie added that most of the news covers the same events—as a rule, those happening in the capital—while rural issues get scant coverage. In independent media, Savenco believed, news reports are usually unbiased and objective, and there are newscasts of generalist or niche natures. If the media are politically affiliated, newscasts reveal the inclinations of the political owner. Gonta said that studies and monitoring surveys have shown that four national television stations with the same owner deliver nearly identical content.

Gonta is convinced that a multitude of media sources does not directly lead to better information for citizens. Most have access to several national television stations, but they basically deliver the same information, not necessarily of good quality.

In Moldova, the transparency of media ownership is relative. Ribca was convinced that the legal obligation to publicize the owners of broadcasting outlets did not lead to the expected results. Several panelists mentioned that motivated people could easily bypass legal provisions and create trusts that generate media concentration.

Gonta noted that in 2018, the existing media trusts strengthened their positions, and one more trust appeared at the end of the year in Shor's outlet. Savenco and Burdeinii believed that, at least in broadcasting, anyone who wants to know about the owners can find that out since such data are public. However, the usefulness of such knowledge is uncertain, as Barbă clarified: While de jure some owners have ceded their licenses, de facto those ceded licenses have remained in the same controlling hands. Zaharia was even more categorical: The public remains in the dark over how television stations close to politicians are funded. For example, in relation to particularly large instances of money laundering, the Anti-Corruption Prosecutor's Office is currently investigating the transfer from the accounts of a company registered in the Bahamas of €1.5 million (\$1.7 million) to Exclusiv Media, the owner of television station NTV Moldova. The company's manager admitted that part of this money was invested in the launch of the station in 2016 after *RISE Moldova* investigative journalists discovered the transaction. While there is some ownership transparency in broadcasting, the situation is worse with online media. Rusnac said many news websites disseminate the same information as the media affiliated with the ruling power and provide no details of their founders and teams. Some websites do not even display a phone number in their contact section, only an e-mail address. The panelists agreed that there is no foreign investment in Moldovan media.

There are all types of media in Moldova, including offerings designed for ethnic minorities, but everything depends on their funding, Burdeinii suggested. Traditionally, the national public broadcaster delivers shows in minority languages, accessible to all citizens, and the regional public broadcaster focuses primarily on the region's

minorities. Darie reported an acute problem: Ethnic minorities continue to prefer media products in Russian. On the one hand, it increases the volume of journalistic products in Russian at the expense of those in Romanian, and on the other hand, it undercuts the development of media in the languages of ethnic minorities. Vasilica added that the reason minorities mostly seek information in Russian is that they do not know the Romanian language sufficiently. Another issue is the politicization and ongoing emphasis on the differences between social groups, including minority groups. Savenco highlighted another issue: The media only occasionally deliver articles on sexual orientation, ethnicity, gender equality, etc. No one opposes the appearance of these items; the opposition, rather, comes from journalists who prefer to write on topics that bring more viewership or increase audience size.

In 2018, Moldovan media continued with unbalanced coverage of local, national, and international events. Barbă found, however, a slight improvement, as the media began giving more space to local news. The probable reason is the decline in the credibility of the representatives of the political class; too often, the news focuses more on the government's political agenda than the public agenda. Savenco noted that national media increasingly take on local topics reported by bloggers or by representatives of citizen journalism. Still, Gonta believed that since about 60 percent of media outlets are concentrated in the capital city, their coverage of local/regional events remains in the shadows. The national public broadcaster does not excel at this either, but in a way, some thematic programs compensate for the lack of news from the regions. There is enough international news, but Burdeinii said it is presented from the perspective of foreign sources, as Moldovan media

do not post correspondents abroad. Darie recalled that a network of rural websites was created in 2018 as part of a start-up project to encourage local news development. Still, Vasilica said there is a serious information gap, because the media with national reach do not provide enough local coverage, and the local media fall short on national coverage.

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.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ 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.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

OBJECTIVE 4: BUSINESS MANAGEMENT

1.77

Media in Moldova are not financially sustainable businesses for many reasons, including the monopolization of the advertising market—which is quite small to begin with. Online media have a greater chance at economic independence, as they do not need to spend anything on newsprint or on broadcasting equipment, Burdeinii noted. However, Moldova's online media are unregulated—in many cases not even registered—so it is difficult or impossible to judge their efficiency as businesses, Savenco pointed out. On the other hand, some online media outlets are registered as LLCs or NGOs, secure grants and commercial advertising, and have development strategies and business plans. The media outlets that are officially registered employ accountants, financial directors, information technology managers, and lawyers, as well as journalists—but that structure is not the norm. According to Mosneag, most media outlets have no long-term business plans and cannot afford to hire a lot of auxiliary staff to handle marketing, human resources, or business details. In most cases, journalists manage newspapers and websites, along with their editorial work.

Bzovaia said that only the politically affiliated outlets are economically secure. Darie highlighted two major issues: poor managerial capacity and constraints in the advertising market. Barbă agreed that there are not enough good managers in media outlets, but she pointed to a positive trend: Several outlets (TV8, Jurnal TV, and Agora.md) launched crowdfunding campaigns to keep their editorial policies independent. Ribca recalled the case when

four television stations exposed an alleged cartel agreement between two advertising sales houses to the Competition Council⁵ and mentioned the attempt to increase the price of newsprint by nearly 25 percent⁶, reflecting attempts to damage potential revenue for the media and to increase operating costs. Rusnac added that the advertising market is insufficiently regulated, and the existing regulations do not work or are discretionary, making it extremely difficult for media outlets to obtain economic independence. As a rule, media owners continue to treat their outlets not as businesses but as tools to promote personal interests. The outlets that can claim economic independence are usually funded by foreign projects or with direct financial support from other countries, such as Russia (Sputnik), Romania (TVR, Radio Chisinau), or the United States (Radio Free Europe).

Vasilica outlined several points of vulnerability, starting with insufficiently trained media managers and specialists in accounting, marketing, and promotion. The independent media's excessive dependence on foreign grants, the lack of affordability of media products for both the end consumer and independent media, and the lack of political will to create normal working conditions for the media are other vulnerabilities. For example, in early 2018, the rent for government-managed premises shot up

by 30 percent. Zaharia mentioned regrettable cases of outlets sacrificing their editorial independence and credibility by accepting money from politicians. In Gagauz Yeri, the regional public broadcaster is insufficiently funded by the state budget and seems to lack a strong approach to developing business plans or attracting funds to strengthen its financial and editorial independence. Dorosenco could provide just one example of a financially sustainable media outlet in Transnistria: the private *Dobry Den*. The panelists also mentioned that *Profsoyuznie Vesti* was closed in 2018; however, while the ruling was amended to lend legal oxygen to the act, the newspaper's editor believes the motive was political.

Rusnac believes that stations that criticize the governing forces, such as Jurnal TV or TV8, receive far less commercial advertising than the government-affiliated stations.

Media without foreign or political support face a constant battle for survival. Bzovaia listed their main income sources: subscriptions, print copy sales through kiosks or retailers, and commercial advertising. The distribution of publications by the monopoly Post of Moldova is very flawed. The number of kiosks in the city has diminished drastically, and they have vanished from villages. Other income sources include printing services, payment for cable or satellite television services, and support from owners. The precarious economic situation has led to the phenomenon of custom-made publications that often amount to propaganda or manipulation, Burdeinii commented. Savenco said that some media outlets are forced to carry out fundraising. In 2018, at least two television stations launched crowdfunding campaigns, Vasilica said, but their results were disappointing.

As much of the independent media's revenue comes from foreign donors—a reality unlikely to change unless the Moldovan economy improves—Darie called for greater transparency and publicizing of funding. Gonta pointed out that even the national public broadcaster has only 60 percent of the funds it needs—and, given that its financial independence is not ensured, interventions in editorial policy cannot be excluded. Barbă pointed out that the national legislation does not require transparent reporting of media's income sources, making it difficult to assess their independence.

Mosneag noted that the advertising market is concentrated in the hands of businessmen and politicians who also control the most important television stations. The company Casa Media—part of the holding belonging to Plahotniuc—still dominates the advertising market, managing more than 60 percent of advertising contracts and offering preferential advertising deals to the holding's broadcasters. Politically independent advertising companies usually collaborate with media outlets, set advertising prices, and, in some cases, contracts may be negotiated individually. In 2018, another sales outlet, Exclusive Sales House, established itself in the media market, selling advertising for PSRM stations. Rusnac believes that stations that criticize the governing forces, such as Jurnal TV or TV8, receive far less commercial advertising than the government-affiliated stations. In the Transnistrian region, Dorosenco noted, independent media have no alternative to external grants—but they are not enough.

Vasilica explained that some businesses avoid placing advertising in independent media outlets, as they fear direct or indirect repercussions such as unexpected inspections from tax authorities. Burdeinii said that advertising agencies have not been able to influence the situation for the better.

5 "Four TV Stations Denounce to the Competition Council an Alleged Cartel Agreement between Two Sales Houses," Media AZI. January 24, 2018. <http://media-azi.md/ro/stiri/patru-posturi-tv-denun%C8%9B%C4%83-la-consiliul-concuren%C8%9B-i-o-presupus%C4%83-%C3%AEn%C8%9B-legere-de-cartel-%C3%AEntre-dou%C4%83>.

6 "Public Call: Increasing Paper Prices Could Lead Newspapers to Bankruptcy," Media AZI. June 19, 2018. <http://media-azi.md/ro/stiri/apel-public-majorarea-pre%C8%9Bului-la-h%C3%A2rtie-ar putea-duce-ziarele-la-faliment>.

The pro-government media have monopolized the commercial advertising market. Moreover, advertising agencies often turn into public relations companies that promote customers' interests. Gonta and Savenco agreed that the placement of commercial advertising is strongly influenced by the media's political affiliations. Rusnac regretted that the new advertising law was not adopted in 2018, although the IJC had developed it by back in April 2017.

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.

Bzovaia and Darie highlighted another threat to traditional media: the development of online advertising. While local and regional media have barely grasped the skills to sell online ads, Google and Facebook are becoming increasingly efficient in advertising by providing audience targeting based on demographic criteria. Thus, Google or Facebook

benefit from the growth of the advertising market, not Moldova's online media. In the Transnistrian region, Dorosenco said that what little commercial advertising there is goes to the television stations controlled by the authorities.

Media in Moldova cannot rely on advertising revenue, and the advertising market is too small for the large number of media outlets in the country. Vasilica believes that the share of advertising revenue is much higher at politically affiliated media outlets. Savenco agreed, noting that sales houses controlled by government representatives largely manage advertising placement. Barbă is convinced that no influential media outlet in the country could cover even a third of its revenue from advertising. Burdeinii said that for now, most commercial advertising budgets go to television; other types of media are practically excluded. Bzovaia confirmed this and added that advertising agencies are not interested in cooperating with local and regional media; the big budgets and the big audience are in the capital city. This is one more reason why media in places like Gagauz Yeri rely on paid personal advertisements or congratulatory messages on special occasions.

With a few exceptions, Moldova does not offer public subsidies for the media, yet Gonta feels that the government still influences media content—at least the national broadcasters. Even the public, taxpayer-funded broadcaster increasingly reflects government influence. Vasilica noted that the government provides subsidies and benefits to media products intended for children, although this is a narrow and non-influential segment. Darie pointed out that even the few state subsidies granted to the media are given in the absence of regulations that would ensure their fair distribution. Barbă noted that unlike in other countries, state institutions are not large providers of commercial

advertising revenue in Moldova. That is why the media are constantly looking for resources, especially in the advertising market, and do not expect help from the state. Ribca believes the media also lack trust in the government—which, for example, promised, but did not deliver, set-top boxes for vulnerable families to ease the transition to digital terrestrial television.⁷

Media market studies are rarely conducted in Moldova, although audience studies and media information perception studies are done occasionally—usually at the demand of, and funded by, civil society, according to Savenco. Similarly, in Gagauz Yeri, market surveys are conducted sporadically and only by civil society organizations. Burdeinii said only large broadcasters can afford regular audience measurement or market studies. Because of excessive tariffs for marketing and audience measurement services, Bzovaia said local/regional media carry out public preference studies themselves. Barbă thinks market studies are not of much use, as they basically target national broadcasting. Local/regional broadcasters cannot afford such luxuries. Vasilica said he does not know of independent media outlets that do market studies. There are several reasons, including lack of funds or lack of specialists and skills. Politically affiliated media probably do carry out such studies, but they do not share their results, as their owners, not public opinion, set their agendas. The situation is better for online media, Darie said, as the Gemius study (BATI – Audit Bureau of Circulations and Internet) provides useful demographics for websites. Dorosenco noted

⁷ "The Government Is Again Promising Free-of-Charge Digital Devices for Receiving Digital Signals," Media AZI. February 6, 2018. <http://media-azi.md/ro/stiri/guvernul-promite-din-nou-familiiilor-defavorizate-dispozitive-gratuite-pentru-recep%C8%9Bionarea>.

that in the Transnistrian region, only state-owned media can afford market studies, but such studies are not made public.

In Moldova, the BATI and the AGB Moldova Agency have measured the audiences of 16 television stations and of several radio stations for many years. In 2018, the BCC approved a regulation on the procedure and the full composition of the commission to select the company that will measure television audience ratings. Vasilica noted that these BCC actions occurred against the background of long-standing suspicions that television audience data are not credible and are allegedly produced on demand. Barbă recalled that not all newspapers and not all online media are members of BATI and that AGB Moldova services are too expensive for small radio/television stations. Bzovaia agreed, noting that in addition to BATI, the Gemius Company also works in this segment, but only their subscribers have access to their data. However, there are also free online measurement tools that allow outlets to track their own analytics and compare their standing to competing outlets. Mosneag added that media outlets analyze their audiences in part using public tools, such as Google Analytics, but if they want the print run and audience to be calculated by a specialized outlet, then they turn to BATI. Not all media outlets can pay the annual fee, but if they are not BATI members, they are virtually isolated from advertisers. In 2018, with foreign donors' support, several independent media outlets, including *RISE Moldova* and *Ziarul de Garda*, entered the BATI studies. Burdeinii pointed out a shortcoming, though, as the BATI system does measure mobile device users.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

2.40

Despite the lack of any restrictions in Moldova limiting the creation of associations within the media community, this area has been slow to evolve.

Barbă highlighted two associations, the Cable Providers Association of Moldova and the National Broadcasting Employers Association of Moldova. While the former periodically publicizes positions on certain issues, little is known about the activities of the latter. Rusnac pointed to two others—the Broadcasters Association and the AICI Network (a regional TV association)—but agreed that the associations intended to advance the professional interests of independent media and to promote quality journalism are not very visible.

A handful of active media NGOs step in to play the role of these associations in Moldova. Media NGOs (such as Independent Journalism Center, Association of Independent Press, and Association of Electronic Press) lobby for and defend journalists' and publishers' rights, but they are not media trade unions or employers' associations, Zaharia pointed out. There is no association or trade union working on a membership basis, as in other countries. Noting the lack of associations necessary for a healthy media community, including an association of publishers, Vasilica explained how Moldova's media structure is to blame. The reason, he said, is that a considerable number of media owners hold interests outside of the media that their media outlets are intended to promote—not the interests of independent media.

There are associations of journalists focused on specialty topics, such as business and sports

as well, but they do not focus on defending the rights of their members, Barbă and Darie said. Only the AIP works as a consolidated network to uphold the rights of journalists. All of the panelists mentioned that there is no true trade union of journalists, although the need for one has long been discussed—especially since there are no legal barriers to establishing such organizations.

Burdeinii agreed that there are several associations of journalists (including, Association of Environment Journalists, Association of Economic Journalists, and Association of Sport Media), but said they act disparately. He expressed regret for the lack of joint efforts, especially in situations where a common front is needed to defend the rights of journalists. Zaharia also believes that media associations should collaborate more, both to promote higher quality journalism and to oppose the authorities when they try to obstruct journalists. Gonta and Vasilica were, however, skeptical that more joint efforts are possible in Moldova given the outside role played by media owners.

The Transnistrian region has a trade union for journalists, Dorosenco said, but it does not work to defend their rights. There is also the Union of Journalists of Transnistria, an NGO that serves as an association of journalists, but it does not maintain a website, and it has not established relations with other NGOs. Instead, it maintains close ties with state structures. In Gagauz Yeri, the regional public broadcaster also has a trade union, but it has failed to solve the problems of journalists, which were numerous in 2018.

All the experts expressed appreciation for the work of media NGOs (such as Independent Journalism Center, Association of Independent Press, and Association of Electronic Press). Savenco said that although these NGOs are concentrated in the capital, they collaborate with all willing journalists.

Gonta noted that these NGOs reacted to press freedom violations (in 2018, there were nearly 40 such statements). Joint statements by NGOs responding to such violations raise public awareness and create an environment of solidarity, at least among some media outlets, Barbă said. NGO participation in 2018 in the parliamentary Working Group on Improving Media Legislation stood out as particularly visible and efficient; it managed to get a Code of Audiovisual Media Services approved.

Barbă and Mosneag noted that although more than 100 graduates obtain journalism diplomas every year, few meet the expectations of employers and are ready to be journalists, so there is an acute shortage of good employees.

Media NGOs also support educational programs for journalists, Rusnac confirmed. These include courses in Moldova and programs abroad, such as the European Scholarships for Journalists.⁸ Also, the IJC implements media education programs to help primary, middle, and high school students understand the role of the media in a democratic society, identify propaganda, and use social networks responsibly. The AIP also develops media education programs aimed at helping rural media consumers distinguish objective news from manipulative information.

Bzovaia said that her outlet has won several court cases (initiated by the protagonists of

journalistic investigations who sought moral and material damages) with the free legal support of the IJC. The Media Center in Tiraspol offers free legal aid to journalists, too, but Dorosenco said no journalist requested such support in 2018. Zaharia highlighted the cooperation of media NGOs with those specializing in combating corruption, promoting justice, and other fields to enhance the promotion of transparency, access to information, and press freedom. Vasilica added that there are strong, active NGOs with recognized expertise, including at the international level. However, such NGOs—for example, Media Forum 2018—are respected by independent media but ignored by the employees of political media and carry little influence with the authorities, thus limiting their reach.

According to the experts, there are enough public and private institutions in Moldova that train journalists. The problem, however, is still the quality of professional training, Burdeinii noted. Eventually, journalists build the necessary skills on the job and, importantly, at national and international training programs. Access to such training is not restricted, so it presents a major opportunity for those interested in professional growth. Darie praised the quality of the IJC-managed School of Advanced Journalism, but he feels that more intense international exchanges are needed. Barbă and Mosneag noted that although more than 100 graduates obtain journalism diplomas every year, few meet the expectations of employers and are ready to be journalists, so there is an acute shortage of good employees.

The quality of graduates has always been controversial, Gonta said, suggesting the need for changes in the curricula in relevant educational institutions. Neither traditional theory-based teaching nor practical training produces the desired results. If appropriate conditions are not created

in the country, more Moldovan students will seek journalism diplomas abroad—especially in Romania, which grants numerous scholarships to young people from Moldova each year. Savenco noted that many of those who obtain journalism diplomas abroad do not return and highlighted a serious problem: There are no educational institutions to prepare media managers. Vasilica noted the indirect connection between theoretical knowledge and practical skills, which is left up to students. He suggested formalizing the relationship between the two, perhaps by securing funds to encourage media businesses to take over the practical aspect of educating young journalists.

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.

⁸ "The 'European Scholarships for Journalists' Program, 2018–2019 edition, Was Launched," *Civid.MD*. August 29, 2018. <http://www.civic.md/burse/43678-a-fost-lansat-program-ul-bursele-europene-pentru-jurnalisti-editia-2018-2019.html>.

In Gagauz Yeri, year after year, there is a shortage of well-trained staff at the regional public broadcaster. The problem can be explained partly by the requirement that employees know the Gagauz language and partly because of the tendency of journalism graduates to accept jobs with private media outlets that offer better pay.

Various courses, seminars, study visits, etc., are organized for Moldovan journalists. In 2018, the IJC alone conducted nearly 20 training sessions and workshops on various themes. As a rule, participation is free, Savenco said. Bzovaia noted that media NGOs, not the authorities, are taking care of training journalists. Gonta mentioned a media-needs study was conducted in 2017 that pointed to the need for journalists to receive periodic training to grow professionally, and that in 2018, with the support of the Council of Europe and the EU, a continuing education center was opened at Teleradio-Moldova. Barbă hoped that the center would in time expand its activities and offer training to all those interested. Short-term courses, Burdeinii believed, often offer journalists more practical skills than they get in formal education institutions. Vasilica noted that the training organized by media NGOs is high quality and involves national and international experts, but independent media outlets that frequently have few human resources cannot always afford to send an employee to training for more than a half-day, although they are aware of the necessity and usefulness of training in this age of rapid changes in the profession. In the past three to four years, journalists have had access to a rich variety of training opportunities and short-term courses, Zaharia noted, and media managers can also benefit from offline and online thematic training through webinars or consultations offered, for example, by the Mediaforum.md platform. Nevertheless, some journalists, especially those

employed in politically affiliated media, have little opportunity to apply the new knowledge they gain.

In Moldova, access to media equipment and printing houses is free, but the panelists agreed that the situation for periodicals is becoming more difficult. The lack of a paper industry, Burdeinii pointed out, imposes great costs on the print media. In 2018, Mosneag said newspapers took a heavy blow from paper suppliers who increased prices mid-year. When the most important companies importing newsprint, mainly from the Russian Federation, increased their prices from €620–650 (\$700–\$735) per ton to €770 (\$870) per ton, the AIP launched a public appeal to Parliament and the government requesting urgent steps, including the creation of a fund to support periodicals of social importance. Subsequently, the Competition Council initiated an investigation, but its results were not announced. Vasilica said that the conflict between periodicals and print and distribution providers is long-lasting and damaging to the quality of print media—and it could be solved with help from the authorities, but they are currently avoiding involvement.

In Gagauz Yeri, as there are virtually no print periodicals left, the problem of newsprint supply is not felt. However, the issue of including the regional public broadcaster in the channel offerings of service distributors (cable companies) remains. Most of the population has access to cable television but does not have a way to watch public television.

Moldovan citizens can consume as much media as they wish using their mobile phones (the number of mobile phones exceeds the population size) or via cable networks, among other options. Access to telecommunication networks is unrestricted both in towns and in villages. From the perspective of online media, Darie said there is no monopoly or blockage. Private operators hold

the majority share of the market, and they have no interest in blockages; however, the panelists said vigilance is needed because the authorities periodically announce ominous initiatives to regulate the internet.

Most panelists reported problems with the distribution of periodicals that have not been solved in all the years of the existence of the Republic of Moldova. Burdeinii said that the monopolistic Post of Moldova (and, in the Chisinau municipality, Moldpresa) dictates the rules of the game for all print media. Mosneag added that in 2018, postmen sometimes delivered *Ziarul de Garda* to subscribers after long delays, sometimes of several days or even several weeks. For newspaper distribution, the Post of Moldova demands about 40 percent of the newspaper's cost—deriving greater benefit from delivering a newspaper than the outlet that produces it. Rusnac mentioned the disappearance of newspaper kiosks from the center of Chisinau under the pretext that kiosks negatively affect the aesthetics of the city. On the broadcast side, Barbă noted how the delay in the transition to digital terrestrial television restricts access to information.

The panelists agreed that information technologies and the internet are quite developed in Moldova; these are indicators that have held steady over the years and appear sustainable for the foreseeable future. Darie and Barbă commented that internet speeds in Moldova are higher than in some EU countries, and Ribca and Burdeinii noted that internet access is relatively inexpensive in urban and rural areas alike. This, however, is not necessarily a good thing, as some people in rural areas prefer to be informed by social networks rather than local and regional media offers. In addition, difficulties appear, especially in mobile telephony of “breaking” the internet, but it usually happens because of network overloads. Vasilica drew attention to the problematic

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reality of when infrastructure will be more advanced than the potential of many independent media outlets to produce content. In such a situation, politically affiliated outlets would have a much more consistent potential to use the infrastructure more efficiently for their purposes, which may be far from the public interest.

List of Panel Participants

Eugen Ribca, media law expert; director, Mold-Street, Chisinau

Aneta Gonta, media researcher; lecturer, State University of Moldova, Chisinau

Tudor Darie, manager and co-founder, Interact Media Company and Agora.md, Chisinau

Marina Bzovaia, deputy editor-in-chief, SP, Balti

Corneliu Rusnac, editor-in-chief, Radio Chisinau, Chisinau

Journalist (anonymous), region of Gagauz Yeri

Zinaida Savenco, project coordinator, IJC, Chisinau

Victor Mosneag, deputy editor-in-chief, *Ziarul de Garda*, Chisinau

Alexandr Burdeinii, editor-in-chief, InfoMarket, Chisinau

Valeriu Vasilica, director, IPN News Agency, Chisinau

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

Ludmila Barbă, editor-in-chief, Moldova 1, Chisinau

Luisa Dorosenco, director, Media Center, Tiraspol

Viorica Zaharia, journalist; president of the Press Council, Chisinau

Moderator and Author:

Ion Bunduchi, executive director, Association of Electronic Press in Moldova, Chisinau

The panel discussion was convened on November 22, 2018.

RUSSIA



MEDIA SUSTAINABILITY INDEX 2019

Tracking Development
of Sustainable
Independent Media
Around the World



RUSSIA

AT A GLANCE

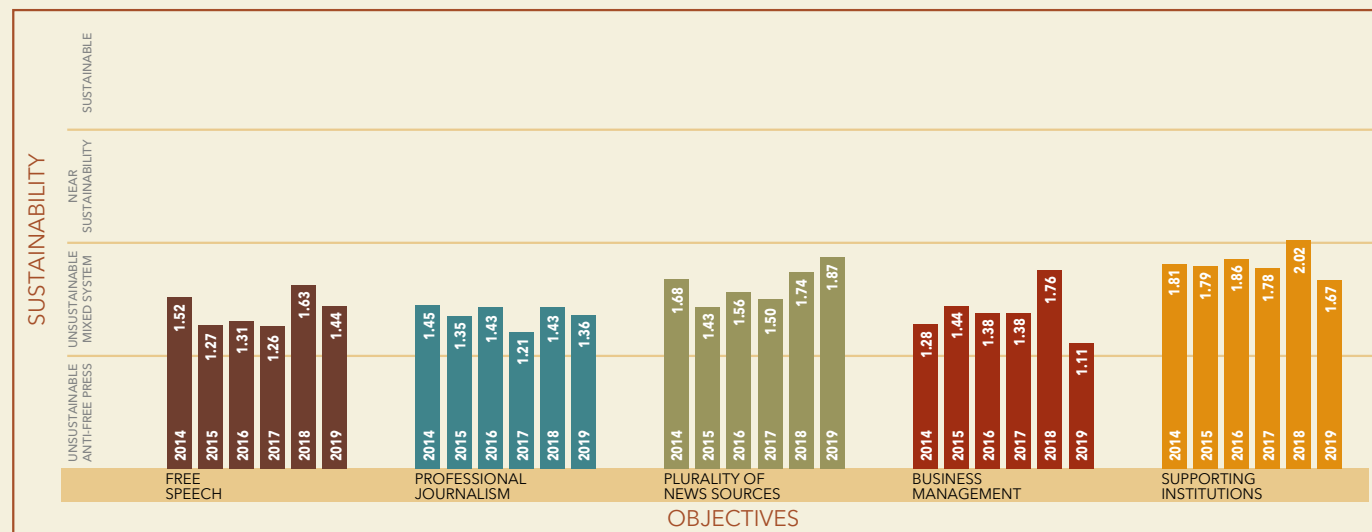
GENERAL

- **Population:** 142,122,776 (July 2018 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% (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):** \$1.356 trillion (World Bank Development Indicators, 2017)
- **GNI per capita (2016-PPP):** \$9,230 (World Bank Development Indicators, 2017)
- **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: 20,315 newspapers, 28,508 magazines; Radio Stations: 3,405; TV Stations: 2,945; Online: 12,746 news sites (Federal Agency for Press and Mass Communication, 2018)
- **Broadcast ratings:** Top three channels by daily audience: Russia-1 (12.8%); Channel One (11.8%); NTV (9.3%) (Mediascope, 2018)
- **News agencies:** ITAR-TASS (state), Russia Today (state), Interfax (private)
- **Annual advertising revenue in media sector:** RUB 469 billion (\$7.3 billion) in 2018 (Association of Russian Communication Agencies, 2019)
- **Newspaper circulation statistics:** Top three daily general new national newspapers by readership (May–October 2018): *Rossiyskaya Gazeta* (737,800/1.2% of population, state-owned); *Moskovskiy Komsomolets* (690,700/1.1% of population, private); *Izvestia* (436,500/0.7% of population, private) (Mediascope, 2019)

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.

Scores for all years may be found online at <https://www.irex.org/msi>



Russia's overall score dropped this year—from 1.72 in the 2018 MSI edition to 1.49. This decrease is driven by factors including the country's weakening economy, sustained governmental pressure on and erosion of the media sector, violence against journalists, and the normalization of propaganda. Almost all of Russia's objective-level scores declined from the previous study, placing it solidly in MSI's "unsustainable mixed system" classification. Objective 3 (plurality of news) received the highest score (1.87), reflecting varied news and viewpoints available in the online environment; however, state television remains the main source of news for the majority of the population.

In March 2018, Vladimir Putin predictably won the presidential election, carrying 77 percent of the vote. However, after the government introduced an unpopular pension reform that increased the retirement age from 55 to 60 years of age for women and from 60 to 65 for men, Putin's ratings – as measured on a weekly basis by the All-Russian Public Opinion Research Center – plunged. His ratings did not recover until the president added amendments to the measure – including a 10-year transition period when the retirement age would be increased incrementally. Even with the changes, the reforms led to widespread discontent, open public protests, and pro-Kremlin candidates losing governorship elections in Vladimir, Khabarovsk, Khakassia, and Primorie regions.

The 2018 economic situation was bleak. Under international economic sanctions, the Russian economy grew only 1.8 percent, and citizens' income decreased. The ruble value declined nearly 20 percent against the U.S. dollar. Russian citizens are concerned with growing prices, declining income, a lack of jobs, and a deterioration of social protection services, according to the independent Russian research group Levada-Center. Its December 2018 survey showed that 53 percent of Russian citizens think that the current government officials should resign. Results of a similar survey in 2016 indicated that 33 percent held that view.

State authorities control the majority of Russian media, using it to promote government policy. The government has continued to pressure the few remaining independent media outlets. In 2018, several media companies received record-breaking fines from the Federal Service for Supervision of Communications, Information Technology, and Mass Media (Roskomnadzor). For example, the online magazine

The New Times was fined RUB 22.25 million (\$349,000, equivalent to the magazine's annual budget, and the highest fine ever imposed on a media outlet in Russia) for not reporting funds received from a Russian NGO.

The community of Russian media professionals is fragmented and disenchanted given the state of affairs. Galina Arapova, director of the Center for Protection of the Rights of Media, commented on 2018 media trends, noting, "The year brought new restrictions on the dissemination of information. Roskomnadzor's efforts to block the Telegram messenger app was probably the hallmark of the year. There were new waves of site blockages, further restrictions on free speech online, draft laws prosecuting fake news, and [draft laws on] disrespect to authorities. But these developments came as no surprise to the media community. Several years ago the media community would have been outraged, but now all these developments are seen as inevitable."

Russia does not meet the majority of the MSI indicators for sustainability. Authorities place no restrictions on entry to the media market or to the journalism profession, but the unfavorable political and economic situation has eroded the quality of Russian journalism and proliferated state propaganda. The internet offers citizens a variety of news sources that present a full spectrum of viewpoints and public interests, but state TV channels remain the most common and most trusted sources of news.

1 Shabel'nikov, D., & P. Baigarova. "Галина Арапова, «Возникает неприятное ощущение, что ты постоянно бьешься головой об стену»." *Legal Dialogue*, November 28, 2018. <https://legal-dialogue.org/ru/galina-arapova-you-get-the-uncomfortable-feeling-of-trying-to-break-a-wall-with-your-head?fbclid=IwAR0dXixz49nMr77skIfi9N6J7Fk3S-mawZiWYJToUjqxuTa2-DJMEChdFpJ0>.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

1.44

Russia has legal norms that protect and promote free speech and access to public information, but they are often ignored. Russian society does not value free speech or media independence, and authorities see media as propaganda instruments.

The constitution guarantees free speech; the universal right to obtain, produce, and disseminate information; and media freedom. Censorship is prohibited. The Russian Mass Media Law of 1991 protects journalists from censorship and undue denial of access to information. However, the government has recently adopted laws—on personal data protection, prohibiting insulting religious beliefs, protecting children from objectionable information, and media operating as foreign agents — that limit free speech and put pressure on independent media and bloggers. Another new law on anti-extremism includes, but is not limited to, prosecution for: derogation of national dignity, Nazi propaganda, and promotion of racial, national, religious, or social discord.

In 2018, the Chamber of Commerce and Industry of the Russian Federation initiated the adoption of a new media law. The law is supported by the Russian Union of Journalists (RUJ), which is loyal to the government, as well as the State Duma, the lower house of the Federal Assembly. Practicing media lawyers cautioned that the proposed Law on Media Communication might further reduce free speech. “This [law] is a warning sign, because no known media law experts are involved in developing [it], Arapova said. “We can end up with a law that will regulate the media as a business

instead of protecting journalists as a special professional group serving public interests. As a result, we can lose the remaining freedom ensured by the current media law.”²

This year saw several cases of Roskomnadzor imposing excessive fines on independent media. Media law amendments adopted in 2015 require the media to report all direct funding from international sources, including from supposed foreign agents. The online magazine *The New Times* was fined RUB 22.25 million (\$349,000) for not reporting funds received from the Fund in Support of Freedom of the Press, a Russian NGO that authorities deemed to be a foreign agent. In another case, the online magazine 7x7 was fined RUB 800,000 (\$12,500) after publishing an interview with a politician that discussed the potential advantages of drug legalization. Roskomnadzor later decided the article was drug-use propaganda. Both *The New Times* and 7x7 are well known for their editorial independence and for publishing critical investigative materials about high-ranking public executives.

Overall, Russian society does not place a high value on freedoms of speech or of the media. According to the 2018 Levada-Center survey, Russian people mostly are concerned with increased prices (63 percent) and lower income and poverty (47 percent). Only five percent see restrictions of civic rights and freedoms as a problem.³ As one panelist commented, “Our society has never had an experience demonstrating the value of free speech. But . . . people are not happy when free speech is suppressed on social media, when a repost can lead to criminal prosecution,

when they have a problem using the *Telegram* messenger [app]. And young people who grew up in the period of economic stability—who did not experience the economic hardships of the 1990s—care about free speech and freedom of expression.”

Roskomnadzor manages both the licensing of broadcast media and registration of print media. Registration — a simple and non-restrictive process — is required for print publications with a print run of more than 999 copies. Roskomnadzor has to complete registration for print media within 30 days of application and only issues registration certificates electronically. According to the Glasnost Defense Foundation, 2018 had no reported cases in which Roskomnadzor denied registration to print media.

The transition to digital broadcasting, expected to be completed in 2019, puts local and regional TV stations at a disadvantage. Roskomnadzor has granted digital broadcast licenses to 20 national and 72 regional TV channels (49 state-owned and 23 private). Access to digital broadcasting for local TV channels is still under discussion, so their future is unclear.

“We have the law, but it is not implemented. Authorities view the state media as branch offices of state press departments,” a panelist commented.

Online media have the option of not registering with Roskomnadzor, though this excludes them from protections offered to registered media under Russia’s media law, for example access to information. Additionally, staff members of unregistered online media are not recognized as journalists and often are denied access to press conferences.

2 Ibid.

3 Levada-Center. “Наиболее тревожащие проблемы.” Press release, April 24, 2018. <https://www.levada.ru/2018/04/24/naibolee-trevozhashhie-problemy-3/>.

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.

Once a media company is registered or licensed, its market entry and tax structure are similar to other industries. However, foreigners are not allowed to launch Russian media outlets or to own more than 20 percent of a Russian media outlet's shares. These laws considerably limit Russian media's ability to attract investment from international groups. Russian media outlets also have to report to Roskomnadzor foreign funds they receive, other than advertising and circulation sales.

Crimes against journalists inside the country, while relatively rare, do not cause a public outcry and are not persecuted vigorously. The score for

the corresponding indicator (crimes against media professionals, citizen reporters, and media outlets are prosecuted vigorously, but occurrences of such crimes are rare) is one of the lowest for Objective 1, with the majority of panelists saying that Russia only minimally meets this indicator.

The Committee to Protect Journalists' 2018 Global Impunity Index ranks Russia eleventh in terms of the per-capita number of unsolved cases of journalist murders. According to the Glasnost Defense Foundation, one journalist was murdered in 2018: Denis Suvorov, a TV reporter from Nizhny Novgorod. The police detained a suspect for Suvorov's murder but claimed that the murder was not related to Suvorov's professional work.

More than 50 cases of violent attacks against journalists were reported in 2018. In one example, Dmitry Polyanin, editor-in-chief of *Oblastnaya Gazeta*, was attacked in front of his Ekaterinburg residence. Polyanin thought the attack was linked to his reports about corruption in the utilities sector, but law enforcement authorities were reluctant to investigate. They believed that Polyanin staged the attack.

Russian media law protects editorial independence equally for state and private media. However, state media outlets only represent the government's point of view and mostly ignore the opposition. "We have the law, but it is not implemented. Authorities view the state media as branch offices of state press departments," a panelist commented.

Libel is a criminal law issue. An offender faces fines ranging from RUB 500,000 (\$7,800) to RUB 5 million (\$78,000) — more than a Russian's average yearly salary — or 160 to 480 hours of public work. Libel cases are rare because the plaintiff has to prove intent. The Glasnost Defense Foundation recorded only two libel cases against journalists

in 2018. In the first case, Ilya Traber, a businessperson from Saint Petersburg, filed a complaint against the independent TV channel Dozhd for airing a documentary in which Traber was called "the only criminal leader whom Vladimir Putin has acknowledged."⁴ The second case involved Pavel Bolshakov, a reporter with the Chelabinsk newspaper *Vozrozhdenie Urala*, who was found guilty in a libel case launched by a member of the State Duma, Valeriy Gartung. Bolshakov's article disclosed that Gartung had connections with Chechen rebels in 1994-1996 and was based on information that the journalist heard at a secret meeting in 1997. Bolshakov was not able to present any documents in support of the published information.⁵

Russian citizens have the constitutional right to seek and receive information, unless it is legally recognized as state secret. The law gives journalists preferential treatment regarding access to information: public officials must respond to a journalist's information request within seven days but are allowed 30 days to respond to citizens' requests. In reality, the state regularly limits information by denying journalists access to government meetings and press conferences.

Authorities have detained journalists covering public protests. According to the Glasnost Defense Foundation, 2018 had more than 340 cases in which journalists were denied access to information, and more than 120 cases in which officers detained reporters covering public demonstrations. For example, police detained Vladimir Guba, the editor

4 Коммерсантъ. "По иску бизнесмена Трабера возбуждено уголовное дело о клевете в фильме «Дождя»." January 16, 2018. <https://www.kommersant.ru/doc/3521724>.

5 Челябинск. Журналист признан виновным в клевете и оштрафован. <http://gdf.ru/digest/item/3/1577>

of *Tomskaya Nedelya*, who was reporting on an unauthorized public meeting against pension reform. Later the court fined Guba RUB 12,000 (\$188) for participating in the meeting. The panelists also reported cases in which regional legislatures (e.g., Ekaterinburg and Saint Petersburg) denied journalists access to meetings where pension reform was being discussed.

The government places no legal restrictions on access to news sources. For example, Russian media openly acknowledge use of information from *Telegram* channels throughout 2018, even though *Telegram* was officially blocked in April 2018. The law does place some limitations on using news sources. It prohibits the use of information released by organizations that are considered “undesirable” – which included 15 organizations by the end of 2018. Information published from NGOs and media considered foreign agents has to be labeled accordingly. Media outlets that do not comply with these rules can be blocked or fined.

Entry into the journalism profession has long been free, and this indicator received the highest score under Objective 1. Hiring entry-level journalists is often driven by an owner’s economic interest: to save money, owners hire people with little or no formal journalism education. At the same time, the government is starting to impose limitations on who can occupy certain media positions. Since 2018, people who have served jail sentences or who have received court sentences for extremism and other criminal acts involving the use of media and the Internet are prohibited from being editors-in-chief in any media outlet.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

1.36

According to a Mediastandard Foundation study, 60 percent of Russian citizens and 81 percent of journalists think that Russian journalists are not free to report unbiased news but rather work in the interests of their bosses.⁶ According to Pavel Gusev, editor-in-chief of *Moskovsky Komsomolets* media, “A big part of Russian media gets some sort of financial support from the state, either directly or through affiliated businesses. This means that the content of such media is mostly or fully controlled by government officials. And such media talk to people, consumers of their information content, using the language of government executives”⁷

Prominent Russian journalist Vladimir Pozner commented on the problems with professionalism, “There is no journalism in Russia. There are just a few [real] journalists. But there is no journalism profession. There is propaganda that works both ways—either in favor of authorities or against them. But in both cases, [the news] is not objective and does not try to be objective. A person tries either to prove his personal point of view or the point of view

of his media owners.”⁸

Other panelists shared that opinion. One commented, “Media that reach many people don’t provide fair and objective reporting. Federal state media carry propaganda and don’t represent views of all parties to a story. Journalists don’t make distinction between facts, opinions, and interpretations. Often a reporter presents his own interpretation of a fact and selects comments that support his point of view.”

Some panelists are concerned that propaganda is now perceived as the norm and that journalists who engage in propaganda receive media awards. According to a Mediastandard Foundation study, the best-known Russian journalist is Vladimir Soloviev, who anchors a propagandized political show on TV channel Russia-1. “It is scary that many journalists see people who produce propaganda as a professional role models,” said one of the panelists.

The prevalence of propaganda makes ethical standards obsolete. “The atmosphere in media has changed. It has gotten more aggressive, more brutal. In the past, kicking [out] an invited expert from a political TV show was rare — now it is the norm. You cannot find a program on any of the TV channels where guests have not been ousted during the show,” wrote journalist Nikolay Svanidze.⁹

“It is scary that many journalists see people who produce propaganda as a professional role models,” said one of the panelists.

6 Zadorin, I.V. et al. Образ журналиста в массовом сознании россиян. Moscow: Фонд медиастандарт, Циркон, и Комитет гражданских инициатив, 2018. http://www.msindex.ru/wp-content/uploads/2018/10/Obraz-zhurnalista-v-massovom-sozdani-rossiyan_doklad.pdf.

7 Goliakov, A. “Павел Гусев: «Тенденция огосударствления СМИ стала угрожающей».” Инвест-Форсайт, December 3, 2018. <https://gipp.ru/overview/obzory-sobytiy-v-media-srede/pavel-gusev-tendentsiya-ogosudarstvleniya-smi-stala-ugrozhayushchey/>

8 Sul’kin, O. “Владимир Познер о цензуре, Сенцове, пенсиях и футболе.” Голос Америки, August 3, 2018. <https://www.golos-ameriki.ru/a/vladimir-pozner-journalism-censorship-4512843.html>.

9 Svanidze, N. “2018: Итоги нашей работы: Мнения и оценки.” Центр защиты Прав СМИ, n.d. <http://mmdc.ru/2018/>.

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Still, some professional associations honor ethical codes. In 1994, the Congress of Russian Journalists adopted the Code of Russian Journalist Professional Ethics, which is in line with international norms. As one panelist observed, "Following ethical standards is a personal choice for each journalist. Media that have their own codes and enforce them make up about five percent of the sector."

The Alliance of Independent Regional Publishers (ANRI), an organization of media outlets that adhere to principles of fair journalism and editorial independence, has adopted its own code of ethics. Media members that violate the code can be expelled from ANRI. A few private media that follow their own professional codes make clear distinctions between news reporting and advertorials.

Self-censorship has become an inextricable part of the journalism practice. In response to a reader's question about the quality of Russian journalism, Pozner wrote, "I understand that under existing political conditions it is difficult to be a journalist. Nothing is prohibited openly, but there are many topics that are prohibited unofficially. Self-censorship is very strong. There is no censorship, but every journalist knows that it is better to not report on certain things because it is dangerous."¹⁰

Other panelists confirmed the understood restrictions. "Many journalists report only on neutral topics. Criticism of regional authorities is the most they dare to do," one panel member said, while another commented, "Self-censorship results from fear. Regional authorities react harshly to published criticism. The [private and public] media are afraid

of negative financial consequences, and state media journalists are afraid to lose their jobs."

Often important events and issues are covered only by small independent media. For example, major media did not report on public protests in the Republic of Ingushetia in the North Caucasus. The demonstrations were against the agreement between Ingushetia and Chechnya on a new border, involving a transfer of land from one jurisdiction to another.

Panelists expressed the belief that journalists consistently avoid topics related to regional elites and economic development. The media offer no proper coverage of social issues such as health care, industrial development, business climate, education, or the quality of state administration.

According to Russia.trud.com, a website that monitors pay levels, the average salary offered to a journalist in 2018 was about RUB 25,000 (\$392) — considerably less than the average salary in Russia (about RUB 40,000–44,000 [\$627 - \$689]). Pay levels differ hugely between print journalists and other media professionals, according to one panelist. "Journalists working in small municipal newspapers in the provinces get RUB 10,000–15,000 (\$157 - \$235) per month. Federal TV channels pay journalists RUB 50,000–60,000 (\$783 - \$940) per month. Those who engage in propaganda are paid the most. Journalists working in major cities make more than their colleagues in the provinces. Provincial journalists often have to work two to three jobs, which negatively affects the quality of their work. Salaries on TV and radio are better than in print media," the panelist said.

The editor of a local newspaper from a small city in central Russia shared that "the average salary in our newspaper is RUB 17,000 (\$266). This is on the level of a regular pension. We often get requests from the tax inspector to explain why our pay levels

are below the average salary for the region (RUB 26,000 [\$407])."

Panelists agreed that existing pay levels do not support the quality of journalism and are not sufficient to retain qualified personnel, especially in regional media.

A recent study on gender issues in Russian media, commissioned by Sweden's Fojo Media Institute and Russia's ANRI-Media, found that women make up the majority of staff in the Russian media sector and that women are paid less than their male colleagues in equivalent positions. Declining revenues force media to cut staff as well as salaries and to increase the number of freelance journalists, who do not receive guaranteed income or social benefits. Young female journalists are particularly likely to work freelance and accept low 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).

10 Познер Online. "Владимир Познер: «Нельзя требовать от журналиста, чтобы он чем-то жертвовал всерьез...»." October 23, 2018. <https://pozneronline.ru/2018/10/23037/>.

Entertainment programming and channels prevail because they are profitable and risk-free. State channels air propaganda-laden information programs, especially political shows, and widely use infotainment technologies. Even print media and news agencies publish a substantial amount of news that is not related to public interest issues.

Facilities and equipment for gathering, producing, and distributing news are adequately modern and efficient. The panelists said that overall, Russia considerably meets the corresponding indicator and gave it the highest score under Objective 2. "To produce news for print and online media, you don't need much equipment. In general, media have no problems with equipment," noted one of the panelists. At the same time, a decline in advertising and circulation revenue has forced some print media to choose cheaper Internet subscriptions, use slow Internet connections, and work on outdated computers and other equipment.

Quality niche reporting and programming, especially investigative journalism, are rare. "Regional media don't have the financial means to allow a journalist to spend two months to work on a quality investigative piece," said 7x7 editor Pavel Andreev at the 2018 Summit of Independent Regional Publishers.¹¹ In addition, investigative journalism carries high political risks to media: authorities see the few that still produce investigative reports as the opposition.

Still, some media outlets continue to produce investigative journalism. For example, in 2018, a website run by a group of investigative journalists published material on authorities taking over

information channels in the Telegram messenger app, which became a popular source of information in 2017.

OBJECTIVE 3: PLURALITY OF NEWS

1.87

Online news sources allow citizens to access a plurality of news and viewpoints. However, the use of multiple sources is limited by the current media consumption model, with state TV as the main news source for the majority of the population. Russia meets four of Objective 3's indicators including plurality of news sources; unrestricted access to media; production of news by private media; and media coverage of local, national, and international issues.

Russia has many news sources, but the majority of media are owned by national, regional, and local authorities and affiliated businesses. Television continues to be Russians' primary source of information. According to Levada-Center surveys, 85 percent of Russian citizens report getting news from TV. Approximately 72 percent of consumers get news from Channel One and 51 percent from Russia-1. Citizens use Internet media sources for about 27 percent of news; social media, 21 percent; radio, 15 percent; and newspapers, 13 percent.

Television news also remains the most trusted source of information. In the Levada-Center survey, 51 percent of people selected TV news as one of three news sources they trust most. Internet media was selected by 19 percent of respondents; social media, by 15 percent; and newspapers, by 9 percent. The most popular TV news programs are the propaganda machine *Evening with Vladimir*

Soloviev on Russia-1, *Weekly News* on Channel One, and *Week in Review* on NTV.¹²

Similar results came up in the study commissioned by the Mediastandard Foundation. When respondents were asked to identify three news sources they trust most, 63 percent selected news programs on Russian state TV channels; 18 percent, online media; 16 percent, newspaper; and 15 percent, social media.¹³ One panelist commented on a downside to the ubiquity of the internet: "A multitude of viewpoints is available due to online media that are difficult to control."

Since 2014, Roskomnadzor has had a legal right to block websites that call for unauthorized public meetings and publish other extremist information without a court order. The first sites that Roskomnadzor blocked include independent Grani.ru, Kasparov.ru, and *Ezhednevny Journal*. In 2018, Russia adopted a law that allows the government to block websites that disseminate defamatory information, if a court has declared information about a person or organization as defamatory and the website has not removed it.

According to research by the agency Content Review, Russia is among the top 10 countries with the cheapest mobile internet access.¹⁴ In 2018, 61 percent of citizens accessed the internet from a

11 ANRI. "XII саммит независимых региональных издателей в Краснодаре." ANRI. org, April 28, 2018. <https://anri.org.ru/2018/04/28/xii-sammit-nezavisimyh-regionalnyh-izdatelej-v-krasnodore/>.

12 Levada-Center. "Информационные источники." Press release, April 18, 2018. <https://www.levada.ru/2018/04/18/informatsionnye-istochniki/>.

13 Zadorin, I.V. et al.

. Moscow: Фонд медиастандарт, Циркон, и Комитет гражданских инициатив, 2018. http://www.msindex.ru/wp-content/uploads/2018/10/Obraz-zhurnalista-v-massovom-sozdanii-rossiyan_doklad.pdf.

14 Telecom Times. "Россия в топ-10 стран с дешёвым мобильным интернетом." News feed, January 3, 2019. <https://telecomtimes.ru/2019/01/russia-desheviy-internet/>.

mobile device and, for the first time, exceeded internet access from desktop computers (51 percent). Many media outlets now have mobile versions of their websites. To some extent, the proliferation of mobile internet compensates for the disparities in access between urban and rural areas. But people in major cities still have access to more media, especially print, than people in smaller cities and rural areas.

Private media have always been producing their own news. News in private media is often more objective and informative compared to state media. But private media also avoid reporting on certain topics, especially if they are affiliated with some business interests,” commented a panelist.

Russians are also limited by lack of knowledge of foreign languages. According to the Levada-Center, 86 percent of Russians do not know a second language,¹⁵ and only 1 percent of Russians read online news from international media in foreign languages.¹⁶

State media serve state interests and do not reflect the entire spectrum of views. Public Television of Russia (OTR), which receives most of its funding from the national government, avoids political issues and focuses on social and educational themes. “OTR produces good programs, but they serve mostly decorative

purposes — as proof that Russia has public television,” one panelist noted. A Levada-Center survey indicated that OTR news programs are watched by four percent of all citizens.

The majority of news agencies are either affiliated with, or owned by, national and regional authorities. National news agencies — such as state-owned ITAR-TASS and RIA Novosti and the privately-owned Interfax — disseminate news, photos, and video to subscribers. These agencies and the majority of regional news agencies operate as online media. Small media outlets produce their own reports and do not subscribe to news agencies.

In small cities, the content provided by local private newspapers and websites is often the only source of local news. “Private media have always been producing their own news. News in private media is often more objective and informative compared to state media. But private media also avoid reporting on certain topics, especially if they are affiliated with some business interests,” commented a panelist.

Media ownership is not fully transparent, and the government remains the majority owner of news media production. The national government has full ownership of All-Russia TV and Radio Company (VGTRK). VGTRK operates three national channels (general interest Russia-1, all-news Russia-K) and culture and education channel Russia-24, and four non-music radio stations (Radio Rossii, Mayak, Radio Rossii Kultura, and Vesti FM). VGTRK also has a 38.9 percent share of TV Channel One.

National Media Group has a 25 percent share of TV Channel One and controls national TV channels 5 and REN, as well as *Izvestia* and *Metro* newspapers. Although the group is a private media holding, and Russia’s largest, it is believed to be

affiliated with national authorities.

Foreign investment in Russian media is limited to 20 percent of a company’s shares. Panelists denounced the 2014 introduction of this restriction as detrimental to Russian independent media, as it limits their access to support from international groups.

Most Russian media fall short in representing a spectrum of social interests. Only social media cover such topics. “The media don’t pay much attention to issues that really matter for an ordinary citizen,” one panelist observed. “Even independent media don’t really report any such issue. The media still follow the Soviet tradition where journalists did not feel that they were serving interests of their audiences.”

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.

15 Levada-Center. “‘Запад’: восприятие и стремление эмигрировать.” Press release, October 13, 2015. <https://www.levada.ru/2015/10/13/zapad-vospriyat-i-stremlenie-emigrirovat/>.

16 Levada-Center. “Информационные источники.” Press release, April 18, 2018. <https://www.levada.ru/2018/04/18/informatsionnye-istochniki/>.

According to the Guild of Interethnic Journalism website, Russia has more than 2,000 registered minority-language media, including about 1,500 print media. Their principal focus is preservation of minority culture and language. Since 2017, the guild has organized annual media forums to discuss the state of these outlets. Media representatives at the forums have raised concerns such as the need to secure state financial support and to provide journalism training for people who write proficiently in minority languages.

Traditionally, national media focus on national and international news, while regional outlets report on regional news and local outlets on local news. National media only report regional and local news if something exceptional happens — usually major natural disasters or man-made emergencies. Russia has very few independent regional and local media, so the majority of Russian citizens have no access to independent information on situations in their hometowns and regions.

OBJECTIVE 4: BUSINESS MANAGEMENT

1.11

Slow economic growth, declining citizen income, and a shrinking advertising market for print media continue to undermine the viability of media as an industry. One panelist described the market conditions by observing, “For about two years already, media stopped being business. The market is heavily distorted. Advertising money is scarce and monopolized. Political and legal risks of running a media business are enormous. Access to foreign investment is restricted.” Another panelist also lamented the financial stresses by stating, “We live in a

country that is progressively getting poorer. Media outlets that have access to state money have more chances to survive. The media sector is dependent on state support, [and] the media market is failing.” A third panel member said that state media outlets do not operate as efficient and self-sustaining enterprises, concluding that “if the government stops funding them, they will have to close.”

Channel One, the second-most popular national TV channel, is not able to operate without state funding, despite the growth of the TV advertising market. The channel fell into debt when state subsidies were cut substantially for 2018. Reportedly, it needed an estimated RUB 6.5 billion (\$102 million) to balance its budget but received only RUB 3.5 billion (\$55 million) in 2018. In 2017, the channel had received RUB 8 billion (\$125 million) in subsidies. At the end of 2018, Ostankino Television Technical Center, which provides the production premises and transmits the signal of Channel One, sued the channel to recover its debts. The channel and its contractors reportedly owe Ostankino about RUB 1 billion (\$15.7 million).¹⁷

Declining revenues have forced independent media to reduce budgets and the number of people on staff. “We cut our expenses from RUB 14 million (\$219,000) to RUB 8 million (\$125,000). To do so, we had to cut the number of staff to five people. Now we only have on staff elderly people who are already getting retirement benefits and young inexperienced journalists,” shared a panelist, an editor-in-chief of a small, independent local newspaper.

17 Afanas'eva, A. “«Первому» подали телесигнал.” , December 25, 2018. <https://www.kommersant.ru/doc/3842250>.

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.

Print media experience negative effects from the redistribution of advertising revenues in favor of internet and TV and from declining newsstand and subscription sales. In 2018, the Federal Agency for Press and Mass Communications (Rospechat) issued a report on the state of Russian press. Its figures showed that in 2017, Russian print media lost four to five percent of newsstand sales revenue, five percent of circulation sales revenue, and eight percent of advertising revenue.

One panelist, an editor for a Ural-region local newspaper, described print media's numerous financial woes: “The past year severely hit [print publications in] small markets in cities with less than 60,000 residents. All readers went online, even pensioners. Our newspaper's circulation dropped. National retail networks squeezed out local businesses that we depend on as our main

advertisers and sales points for the newspaper. We are on the edge of survival. In small cities, media is not a business anymore but rather a social information service for residents. Still, we plan to continue with the hard copy of the newspaper because there is no advertising money for an online version yet. And we don't have staff members who understand the rules of online media operation. We receive advice to start side businesses like private day care, online marketplaces, and print shops. This is ridiculous! What's the point in funding a newspaper with revenue from a laundry shop?"

To compensate for declining advertising revenue, media companies look for other sources of income. Some, including the online versions of newspaper *RBC* and *Delovoy Petersburg*, use a paywall. The national newspaper *Vedomosti* and the regional magazine *Expert-Yug* organize thematic conferences. Some try to use crowdfunding. For example, *Novaya Gazeta* launched a crowdfunding campaign in September 2018, *Mediazona* raised RUB 1 million (\$15,665) from its audience, and *The New Times* managed to raise RUB 25 million (\$391,625) to pay a fine through crowdfunding in four days.¹⁸

According to the Association of Russian Communication Agencies, in the first nine months of 2018 the Russian advertising market grew by 13 percent and total expenditure on advertising reached about RUB 323 billion (\$5.6 billion) without VAT. For the first time in Russian history, online advertising (141 billion rubles [\$2.2 billion]) exceeded TV advertising (130 billion rubles [\$2 billion]). While advertising revenue for online and

TV has been growing (22 percent and 12 percent respectively), newspapers have lost 12 percent of their advertising revenue. The regional advertising market made up only about one-tenth of the total market (about 34 billion rubles [\$533 million]) in the first nine months of 2018.

The advertising sales market is highly monopolized. The National Advertising Alliance (an advertising agency established by Channel One), VGTRK, National Media Group, and Gazprom-Media sold 95 percent of Russian TV advertising in 2016. Major advertising agencies ignore small regional media, so these outlets have to sell advertising themselves. "Advertising agencies stopped working with us," shared a panelist, an editor in a local independent newspaper. "They are replaced by public relations agencies that offer us money — for example, to publish negative information about Grudinin [the Communist party presidential candidate in March 2018 elections]."

Major advertisers in Russia are international fast-moving consumer goods companies. According to the AdIndex agency, the top five Russian advertisers were international: PepsiCo, Nestlé, Procter & Gamble, the national mobile provider MTS, and the national pharmaceutical company OTCPharm.¹⁹

The amount of advertising in Russian media is limited by law: advertising cannot exceed 15 percent of air time on TV, 20 percent of air time on radio, and 45 percent of space in non-advertising print media. As a result, news and information content does not get lost at the expense of advertising. In 2018, the law was amended to allow beer advertisements on TV, starting during the 2018 FIFA World Cup and continuing through

the end of 2018. State media are allowed to sell advertising and often offer advertisements at a low price that private media outlets cannot.

In 2018, the federal budget allocated RUB 82.9 billion (\$1.3 billion) for the support of Russian media. This included RUB 19.9 billion (\$312 million) for VGTRK, RUB 1.5 billion (\$23.5 million) for OTR, RUB 6.8 billion (\$106.5 million) for the Russia Today news agency, and RUB 2.2 billion (\$34.5 million) for the ITAR-TASS news agency. The 2019 budget allocates RUB 75.6 billion (1.2 billion) to media subsidies.²⁰ About RUB 550 million (\$8.6 million) was distributed as grants to newspapers.

Regional and local authorities subsidize regional and local media and contract media to provide the so-called "information services" that translate into favorable coverage. For example, the VGTRK branch in Bashkiria entered into a contract for RUB 34.65 million (\$543,000) with the Bashkiria government to "maintain a positive image" of regional authorities. Overall, Bashkiria government subsidies and contracts with media exceeded RUB 160 million (\$2.5 million).²¹ In 2018, the Kaliningrad regional legislature spent RUB 5.6 million (\$88,000) to commission media materials regarding its actions. The regional government planned to spend RUB 42.9 million (\$672,000) on media, including RUB 30 million (\$470,000) for coverage of government activities. The media budget for the city of Kaliningrad was RUB 19.5

18 Golubeva, A. "Медиа-2018: тренды." *Солта*, December 28, 2018. <https://www.colta.ru/articles/media/19900-itogi-2018-media-trendy>.

19 "Рекламные бюджеты в 2017 году." Adindex.ru, n.d. <https://adindex.ru/rating3/marketing/167049/index.phtml>.

20 Вести экономики. "Бюджетное финансирование СМИ в России сократится в ближайшие три года." November 21, 2018. <https://www.vestifinance.ru/articles/110536>.

21 Samoilova, I. "Господдержка СМИ из бюджета Башкирии в первом полугодии составила 70 млн рублей." *Коммерсант*, October 9, 2018. <https://www.kommersant.ru/doc/3765089>.

million (\$305,000).²² Government subsidies and information contracts go mostly to state and loyal media, leading to the subversion of editorial independence and distorting the market.

“We live in a country that is progressively getting poorer. Media outlets that have access to state money have more chances to survive. The media sector is dependent on state support, [and] the media market is failing.”

Only major media outlets have marketing plans and commission market research. Small media outlets do not have marketing budgets. Marketing is seen as a functional responsibility of editors, and they either conduct research themselves or forego it. “I know that we should do [market] research, and I know how to do it, but we don’t have money for this now,” said one of the panelists, an editor of a small local newspaper.

Since 2017, Roskomnadzor has selected a single company to measure broadcast ratings. Mediascope (formerly Mediascope/TNS, part of TNS Gallup Media) was granted a three-year media measurement contract, with the share of foreign ownership in the company not to exceed 20 percent. Mediascope has committed to improving the quality of the data it produces. It has started measuring TV viewership on desktop computers and mobile devices, as well as in dachas (country houses where residents of Russian cities spend

weekends and holidays and, in many cases, live during the summer months). Measuring how people view TV online has added up to a 30 percent broadcast rating, and measuring people watching TV in dachas has increased ratings by up to 20 percent.²³ Still, media measurements cover only cities with a population of more than 100,000 people, rendering small media markets invisible to advertisers.

The media sector has no reliable information about print circulation.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

1.67

Institutions that support the professional interests of independent media have existed for a long time but are not sufficient.

The National Association of TV and Radio Broadcasters (NAT) and the Union of Press Publishers (GIPP) were established in the 1990s as general Russian trade associations for media. Both associations cooperate with international trade associations; conduct trade fairs; publish industrial magazines; provide analytical, information, and training services to their members; and try to lobby the Russian government to advance members’ interests. For example, the 2018 Natexpo (NAT’s annual international congress), conducted with the financial support of Rospechat, was devoted to the topic “digital technologies in media.” NAT also conducted three workshops for media managers

within the framework of its educational program. The 2018 GIPP conference was devoted to the theme of “state, problems, and prospects of the Russian periodicals market.” Rospechat provided financial backing for this conference as well.

ANRI brings together media outlets that uphold journalism standards and endeavor to preserve editorial independence. ANRI also organizes conferences, provides training services to its members, and engages in lobbying. For example, in 2017 ANRI supported the organization of the international Summit of Independent Regional Publishers and conducted a series of webinars on the legal aspects of media operation.

However, under conditions of growing state control over media, these associations have very limited actual power to advance media interests. In addition, trade associations have to rely on state grants to organize their major events. “Trade associations have no real influence on the situation,” commented one of the panelists.

Membership in these associations is also declining. GIPP membership dropped from 272 members in 2017 to 128 members at the end of 2018. ANRI membership fell from 67 members in 2017 to 62 members in 2018.

RUJ does not protect journalists’ rights or promote quality journalism. “Like any institution in a sham democracy, the Russian Union of Journalists is an imitation,” one panelist noted, “Instead of protecting journalists’ rights, it conducts festivals, media forums, and workshops, or can arrange discounts for its members to go to resorts for rest and medical treatment.”

After the 2017 elections, RUJ increased its affiliation with state authorities and has become one of the channels for distributing state funds to media. In 2018, RUJ initiatives also included adopting the law that protects Russian journalists

22 Nevar, V. “Почем лояльность: СМИ региона получают от властей 70 млн рублей.” Новый Калининград, December 13, 2017. <https://www.newkaliningrad.ru/news/politics/16282696-pochem-loyalnost-smi-regiona-poluchat-ot-vlastey-70-mln-rublej.html>.

23 Golubeva, A. “Медиа-2018: тренды.” Солта, December 28, 2018. <https://www.colta.ru/articles/media/19900-itogi-2018-media-trendy>.

working in war zones outside of the country as well as establishing an honorary title, "Journalist Emeritus of Russia," awarded by federal authorities. At the end of 2018, the title was awarded to its first 15 media professionals.

According to the panelists, it is worth noting that Russian journalists do not feel much professional solidarity. Sixty percent of journalists who participated in research commissioned by the Mediastandard Foundation held the belief that only specific groups of journalists and media outlets can have common interests and goals and that this does not include the journalism community as a whole.²⁴

A small group of NGOs working to support free speech and media freedom was established in the 1990s, when Russia opened its doors to democracy. This group includes the Glasnost Defense Foundation, which monitors violations of media rights and runs educational programs; the Mass Media Defence Centre, which provides free legal advice and support to media; and the Press Development Institute-Siberia, which recently focused on promoting civic investigative journalism.

All three of these NGOs have been labeled foreign agents. This means they have increased administrative burdens with which they must comply, in addition to the standard high reporting requirements. Still, these NGOs continue their operations. For example, in 2018 the Mass Media Defence Centre provided more than 3,800 legal consultations to members of the media,

represented media in 85 court cases, and saved media outlets from paying RUB 23.5 million (\$368,000) in damages.

Russia also has several newer NGOs that provide support to media. In 2014, the All-Russia People's Front launched its Center for the Legal Support of Journalists. The Mediastandard Foundation was also launched in 2014 by the Civic Initiatives Committee. Mediastandard conducts research of the media sector, including the media development index for Russian regions, and runs workshops for regional journalists. For example, in 2018 the foundation launched an online course on standards for reporting and fact checking.

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 degree programs are offered in about 160 Russian schools of higher education and graduate about 30,000 journalism students per year.²⁵ But the quality of these programs varies. Journalism schools of major universities (e.g., Moscow State University, St. Petersburg University, and the Higher School of Economics) provide students with high-quality instruction and substantial practical experience, unlike many journalism programs in regional cities. "Journalism students from the nearby cities stopped coming to do internships with us," shared a panelist, an editor of a small newspaper in Central Russia.

However, media professionals have stated that graduates of regional journalism schools often fall short. "[They] don't know even the basic things," said Vladimir Soloviev, chair of the Russian Union of Journalists, at the 2018 media forum in Voronezh.²⁶ Elena Vartanova, dean of the Moscow University School of Journalism, lamented in one of her interviews that these graduates often "don't speak Russian properly, mispronounce words, and stress the wrong syllables."²⁷

Less qualified journalism graduates are ready to accept low pay, and this distorts the job market. Media outlets in Moscow and St. Petersburg often prefer to hire cheaper graduates of regional

24 Zadorin, I.V. et al.

. Moscow: Фонд медиастандарт, Циркон, и Комитет гражданских инициатив, 2018. <http://www.msindex.ru/wp-content/uploads/2018/10/Obraz-zhurnalista-v-massovom-sozdani-rossiyan-doklad.pdf>.

25 Nikitushin, A. "Долой гастарбатиризацию медиа!" ГИПП, November 19, 2018. <https://gipp.ru/overview/obzory-sobytiy-v-media-srede/doloy-gastarbatizatsiyu-media/>.

26 Polukhina, E. "«Шоу должного уровня все равно не получится». Как выжить региональным СМИ." РИА Воронеж, July 15, 2018. <https://gipp.ru/overview/obzory-sobytiy-v-media-srede/-171-shou-dolzhnogo-urovnya-vse-ravno-ne-poluchitsya-187-kak-vyzhit-regionalnym-smi/>.

27 Nikitushin, A. "Долой гастарбатиризацию медиа!" ГИПП, November 19, 2018. <https://gipp.ru/overview/obzory-sobytiy-v-media-srede/doloy-gastarbatizatsiyu-media/>.

journalism programs to save money. Television channels in economically better positions than print media are able to offer larger salaries and hire more qualified graduates. According to Vartanova, only 10 to 15 percent of journalism school graduates get jobs in print media. The majority go to work in TV, including terrestrial, cable, and online channels.²⁸

Media associations, NGOs, and universities offer numerous short-term training opportunities. But most of them require payment, so media outlets facing declining revenues cannot afford to have staff participate.

“Like any institution in a sham democracy, the Russian Union of Journalists is an imitation,” one panelist noted, “Instead of protecting journalists’ rights, it conducts festivals, media forums, and workshops, or can arrange discounts for its members to go to resorts for rest and medical treatment.”

Sources of media equipment, newsprint, and printing facilities are apolitical, are not monopolized, and are not restricted. Still, continuing hikes in newsprint prices undermines the economic sustainability of print media. In 2018, newsprint prices increased by 15 percent, and the total newsprint price increase since 2014 is more than 50 percent. This trend is due to the shortage of newsprint in the national market: Russian newsprint producers prefer to sell abroad, where prices are at least 25 percent higher.

Declining numbers of press kiosks and growing subscription delivery costs remain the

foremost barriers to distribution of the print media. In 2004, Russia had 42,000 press kiosks, while in 2018, only 16,500 remained. In the course of 2016 alone, the number of kiosks dropped by 6,000 — leading to a 15 percent decrease in newsstand sales in 2017.²⁹ Supermarkets see print as low-margin goods and therefore limit the number of titles on sale and refuse to sell local newspapers. In addition, supermarket networks regularly delay their payments to media outlets by 90 to 120 days.

Subscription rates fell from 217 subscriptions per 1,000 citizens in 2014 to 113 in 2017 — and continued to fall in 2018.³⁰ Local independent media often establish their own distribution systems to deliver subscriptions, so they can maintain circulation revenue. At the 2018 media forum in Voronezh, Indira Kodzasova, editor of the *Argumenty & Facts* newspaper, said that part of the problem is that “people don’t consider a newspaper to be an indispensable product” and stop subscribing and buying newspapers as their incomes fall.³¹

The transition to a digital TV distribution model has independent regional and local TV channels on the brink of extinction. The state plans to support free digital distribution for 20 national channels countrywide as well as one regional TV

channel per region and one local TV channel per city. In most cases, the preference is given to state-affiliated TV channels. Independent TV channels must go to cable networks, where they have to pay for digital distribution.

Overall, the information and communications technology (ICT) infrastructure meets the needs of the media industry and citizens. Ninety-eight percent of consumers have access to digital TV. Most of the population has access to mobile networks and mobile internet. However, the quality of infrastructure is disparate: residents of bigger cities enjoy better ICT infrastructure while people in rural areas still occasionally face electricity cutoffs and unstable mobile and internet connections. People from small and large towns and cities also access ICT differently: in small cities and rural areas, 44 percent of users access the internet from one device; while in large cities, the majority of people use two or more devices.

List of Panelists

Due to laws restricting NGO activity and contacts with U.S.-based NGOs, the participants in the Russia study will remain anonymous. This chapter was developed by a Russian journalist in December 2018 after a series of structured interviews with colleagues in the media sector.

29 Moiseev, S. “До тебя мне дойти нелегко. О кризисе распространения печатных СМИ в России.” *Журналист*, July 8, 2018. <https://gipp.ru/overview/obzory-sobytyi-v-media-srede/do-tebya-mne-doyti-nelegko-o-krizise-rasprostraneniya-pechatnykh-smi-v-rossii/>.

30 Ibid.

31 Polukhina, E. “«Шоу должного уровня все равно не получится». Как выжить региональным СМИ.” РИА Воронеж, July 15, 2018. <https://gipp.ru/overview/obzory-sobytyi-v-media-srede/-171-shou-dolzhnogo-urovnya-vse-ravno-ne-poluchitsya-187-kak-vyzhit-regionalnym-smi/>.

28 Ibid.

UKRAINE



MEDIA SUSTAINABILITY INDEX 2019

Tracking Development
of Sustainable
Independent Media
Around the World



UKRAINE

AT A GLANCE

GENERAL

- **Population:** 43,952,299 (*CIA World Factbook*, July 2018 est.)
- **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

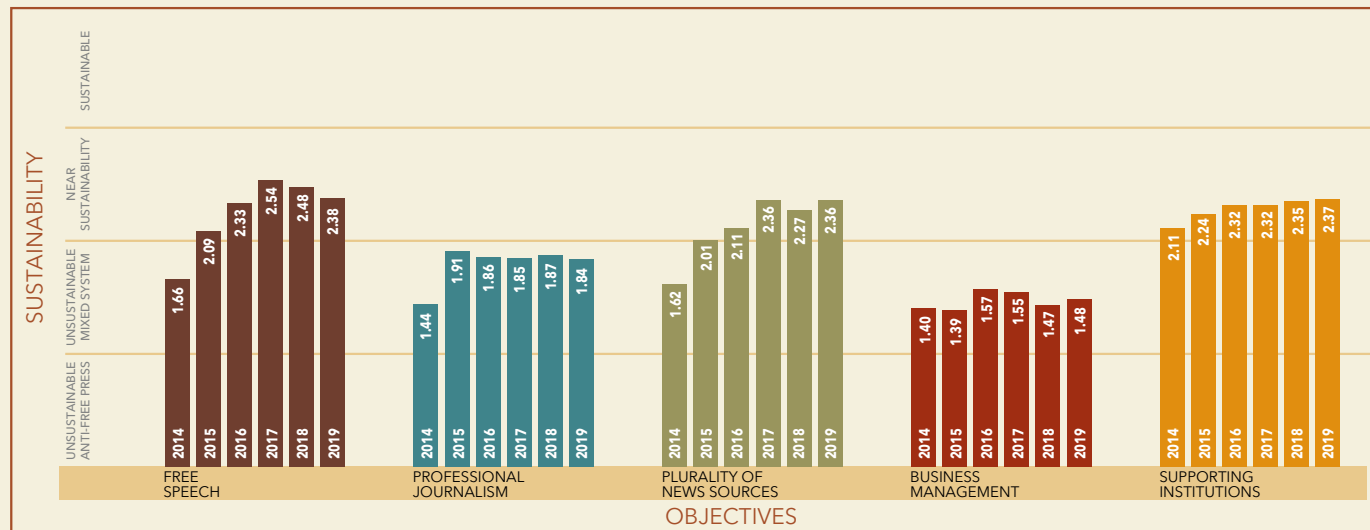
less than a quarter of the country's population, the Ukrainian Greek Catholic Church accounts for 8–10%, and the UAOC accounts for 1–2%; Muslim and Jewish adherents each compose less than 1% of the total population. (*CIA World Factbook*, 2013 est.)

- **Languages (% of population):** Armenian Ukrainian (official) 67.5%, Russian (regional language) 29.6%, other (includes small Crimean Tatar-, Moldovan/Romanian-, and Hungarian-speaking minorities) 2.9% (*CIA World Factbook*, 2001 est.)
- **GNI (2017 - Atlas):** \$101.55 billion (World Bank Development Indicators, 2017)
- **GNI per capita (2017 - PPP):** \$8,900 (World Bank Development Indicators, 2017)
- **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 print outlets, radio stations, television stations, Internet news portals:** Print: 3,349 subscription titles—2,292 newspapers and 1,057 magazines (Ukrposhta data, catalogue for 2018), plus roughly a thousand more periodicals in single-copy sales only, the same ratio between newspapers (68%) and magazines (one-third) (by UAMB expert estimate); Television: 28 national television broadcasters, 81 regional television channels; Radio: 16 national radio channels, 39 regional radio channels, and 8 satellite radio stations (National Television and Radio Broadcasting Council, 2018) <https://www.nrada.gov.ua/reports/>
- **Newspaper circulation statistics:** The top four newspapers (all private): *Segodnya*, *Vesti*, *Fakty i Kommentarii*, *Argumenty i Fakty* (Ukraine) (Media Consumption Survey in Ukraine 2018) https://internews.in.ua/wp-content/uploads/2018/09/2018-MediaConsumSurvey_eng_FIN.pdf
- **Broadcast ratings:** Top television broadcasters (all private): Kanal Ukraina, 1+1, ICTV, Inter, STB, Novyi Kanal (all private, ITC, Nielsen television panel, December 2018), audience 4+ y.o., all Ukraine) <http://tampanel.com.ua/rubrics/canals/>
- **Top network radio broadcasters (all private):** Hit FM, Radio Pyatnytsya, Lux FM, Shanson, Russkoe Radio Ukraina, (all private, Kantar TNS Ukraine, Reach, 12–65 y.o., cities 50+, third quarter of 2018) <http://sostav.ua/publication/dani-radioslukhannya-v-ukrajini-tretya-khvi-lya-doslidzhennya-2018-roku-80226.html>
- **News agencies:** UNIA Ukrinform (state-owned), Interfax (private), UNIAN (private), LigaBiznesInform (private), Ukrainski Novyny (private), Ukrainian National News (private), RBC-Ukraine (private)
- **Annual advertising revenue in media sector:** Television: UAH 9.27 billion (\$344,691,000); Print: UAH 1.612 billion (\$59,939,900); Radio: UAH 578 million (\$21,533,500); Internet: UAH 2.52 billion (\$93,883,000) (All-Ukrainian Advertising Coalition, 2018 est.)

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.

Scores for all years may be found online at <https://www.irex.org/msi>



Ukraine's overall score rose marginally this year, but it remains in the near sustainability MSI classification. Objective 1 (Freedom of Speech) and Objective 2 (Professional Journalism) saw decreases. Panelists attributed the declining scores to low professional and ethical standards, along with self-censorship in journalism; economic and editorial dependence of major media on their owners' interests; an oversaturated media market; and a lack of self-regulation.

Ukraine's media sector is quickly entering an important election cycle with presidential and parliamentary elections in 2019 and local elections in 2020—but it is saddled with the same chronic diseases it has had for many years running.

Russia's illegal annexation of Crimea and the armed conflict in Donbas have dragged on for five years now. A handful of oligarchs own the dominant news source—mainstream national television channels—and use their media for political purposes. Numerous unreliable, manipulative online sources and social networks complement these outlets, while the Zeonbud monopoly threatens the country's information security. Despite restrictions on Russian Federation media in Ukraine, media monitoring has documented frequent Russian propaganda on outlets within the country, including on Strana.ua, Vesti, 112 Ukraina, NewsOne, and Inter. The threat that Russian messages will spread during the 2019 elections as *jeansa* (commissioned stories and hidden advertising) from certain Ukrainian politicians and parties is expected. The state seems to lack political will to properly counter Kremlin-supported agents of influence.

The panelists explained low professional and ethical standards, along with self-censorship in journalism, by the economic and editorial dependence of major media on their

owners' interests, as well as the poor, oversaturated, distorted media market and a lack of self-regulation. Poor political will and sabotage by law-enforcement and judicial bodies undermine the application of sound legislation and augment impunity for crimes against journalists.

The public broadcaster shows stable editorial independence, but its development is threatened by the state's regular underfunding of it. Despite slight improvements, the media's professionalism and management remain unsustainable. Ukraine's economy is gradually improving but has not yet rebounded to the level of 2013. In 2018, Ukraine faced the long-awaited digital broadcasting switchover and introduction of 4G, but some regional broadcasters were denied digital licenses.

Many Ukrainian media profit from *jeansa*, which the industry seems to accept as inevitable and justified economically. At the opening of a new five-year USAID-funded media program in Ukraine, Tomas Fiala, a *Novoe Vremya* investor, said that Ukraine is the only country he knows where media hugely influence and are monetized by politics; he expressed amazement over the media's tolerance to *jeansa*. Yulia Mostova, *Dzerkalo Tyzhnya*'s editor-in-chief, said, "There is no economic basis for the survival of media in an honest and open way. The economy does not produce necessary volumes of goods that require advertising."

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

2.38

Oleg Khomenok, a senior media advisor at Internews, summed up the whole Objective 1 pessimistically: “Political influence and corruption have won the struggle for free speech between patriotism and the rule of law.”

Legal provisions protecting free speech are strong, but their poor application and societal reaction draw criticism. “Generally, aggression in the society is growing, as law-enforcement bodies are paralyzed,” said Kostyantyn Kvurt, board chair of Internews-Ukraine, adding, “In the course of reform, the law-enforcement bodies sabotage investigations of both journalists’ and average citizens’ rights violations. Only those who are better organized and more resourceful—i.e., business and politicians—are able to protect themselves. Societal interests are under threat as a result. Violations of journalists’ and citizens’ rights are not of a systematic and centralized nature, but anarchy, incompetence, laziness, and fear of responsibility of the Ukrainian politicians and state officials are threatening freedom of speech, press, and society as a whole.”

Sergiy Sydorenko, editor of the news website Europeyska Pravda, brought up the attempt by the prosecutor general’s office (PGO) to force journalists, including Natalia Sedletska and Kristina Berdyskykh, to disclose their sources. In an unprecedented move in September, the European Court of Human Rights (ECHR), rather than any Ukrainian authority, stepped in to reinforce their protection. The ECHR urgently intervened to protect the journalists’ right not to disclose their sources under Rule 39, which is usually applied by the court for a government to take urgent measures to prevent

human rights violations in cases of actual threat to somebody’s life—for instance, due to deportation or an acute need for medical treatment. Sedletska, the editor-in-chief of the Radio Liberty (RFE/RL) investigative reporting program Skhemy (Schemes), had been interrogated as a witness in criminal proceedings against Artem Sytnyk, the chair of the National Anti-Corruption Bureau of Ukraine. She cited her right to protect her sources in refusing to provide information requested. In turn, the PGO obtained a court decision in Kyiv to access data from the Kyivstar mobile operator on all calls, messages, and geolocator pings from her telephone for 17 months, starting in mid-2016. A similar court decision was obtained for Berdyskykh, a *Novoe Vremya* journalist. Sedletska’s lawyers stressed in their ECHR petition that the PGO’s demands were excessive, given that Sedletska or her team might have been in contact with their sources for other investigations, which could be put at risk. Due to ECHR interference, the PGO dropped its request for data from Berdyskykh’s telephone as well.

Sergiy Tomilenko, chair of the National Union of Journalists of Ukraine (NUJU), agreed with Sydorenko about the lack of rule of law inside the country. He added that parliament’s request that the National Security and Defense Council of Ukraine (NSDC) impose sanctions on seven companies owning Ukrainian television channels 112 Ukraina and NewsOne is obvious political interference. In October 2018, the lawmakers sought to halt their broadcasting by freezing their assets and annulling their broadcasting licenses, as these channels had come under the control of Ukrainian oligarchs and were directly lobbying for Russian interests and disseminating destructive propaganda. A public petition calling for the suspension of these anti-Ukrainian channels collected more than 25,000 signatures, compelling parliament to debate the

issue. At the time this Media Sustainability Index (MSI) study was written, the NSDC had yet to make a decision. Some parliamentarians also called for sanctions on Inter, another pro-Russian channel, and to investigate Ukrainian politician and oligarch Viktor Medvedchuk’s activities.

Balancing national security and freedom of speech poses a challenge for Ukraine. Under the law, only a court can revoke a broadcasting license. Numerous lawsuits seeking to annul 112 Ukraina’s licenses have been ongoing for several years. Media experts argue that the ineffective performance of the National Television and Radio Broadcasting Council (NTRBC) exacerbates the situation. Analysts acknowledge, though, that action taken against pro-Russian propagandists could also create a dangerous precedent for similar tools to be used selectively against independent media.

Kateryna Dyachuk, a chief of the free speech monitoring department at the Institute of Mass Information (IMI), said that pro-Kremlin media—such as NewsOne television channel, strana.ua news site, and others—abuse constitutional guarantees of free speech in Ukraine. Although the state does not regulate this under the law, draft laws have been submitted to restrict hate speech in the media.

In 2018, the parliamentary committee on freedom of speech and information policy advanced several amendments to protect Ukraine’s information space and counter fake news. However, it failed to secure a vote for amendments on the destatization of print media law, a ban to check media during elections, and the long-awaited law on audiovisual services. It also works to achieve infrastructural access to Ukrainian media after the analog signal turnoff and funds for facilities to neutralize Russian broadcasting. One member, Grygoriy Shverk, believes that the committee needs parliament’s approval to expand the NTRBC’s authority to

impose sanctions against media that deny Russian aggression and use hate speech.

Summer 2018 brought another attempt to adopt a law on countering threats to national security in the information sphere, which would allow websites to be blocked for 48 hours without a court decision. Experts from the nongovernmental organization (NGO) Digital Security Lab commented that blocking should not happen without proper verification that a certain website poses a danger. The relevant parliamentary committee eventually rejected the law, but for security reasons a new law was needed to regulate the issue of online propaganda. Most media and human rights NGOs have criticized this draft law as antidemocratic, although some do support transparent legal restrictions of access to Internet resources belonging to or financed by an aggressor country—for instance, by court decision. Others support marking such pages as propaganda rather than blocking them.

In May, the president's administration issued an updated list of 1,748 sanctioned Russian individuals and 756 sanctioned legal entities. The majority of media on the list, banned by then for three years, include the Russian federal television companies NTV and Pervyi Kanal, along with TNT, REN-TV, Russia-24, VGTRK, Zvezda Russian Ministry of Defense channel, 5 kanal of St. Petersburg, and Public Broadcasting of Russia. RozBiznesConsulting (RBC) did not appear on the 2018 list.

Ukraine's online media face no registration requirements, and the Ministry of Justice easily registers print media and information agencies. The NTRBC issues broadcast licenses.

Maryana Zakusylo, editor-in-chief of Detector Media (DM), said the NTRBC has not yet resolved the flagrant violation of the rights of 100 regional and local broadcasters from 2011, when frequencies allotted to them were given to several companies

that later became the national channel 112 Ukraina. Their licenses expired in September 2018, but the NTRBC purposely delayed consideration of the issue until the court issued a ban refusing to extend these licenses. "This showed that 112 Ukraina channel, despite all speculations about its closure, has been backed at the highest political level, which decided instead of the regulatory body that these disputed licenses would remain at its disposal. In addition to digital licenses, 112 Ukraina has a satellite license which is not under threat at all," she added.

Yulia Vynokur, general director of TV-4 Television Company in Ternopil, said that the 2019 elections may influence the NTRBC membership (the president appoints half of the members, and parliament the rest). However, she had hoped that this council would have solved the trouble of regional broadcasters denied digital licenses after the full analog turnoff. She pointed to Chernivtsi Television and Radio Company as an example. Their previous license granted an automatic transfer to the digital license—but they were denied. The broadcaster took the issue to court; it went all the way to the European Court of Human Rights—and was expected to win the case at the time the MSI was written.

Zakusylo pointed out that the regulatory body has grown more and more dependent on political influence and does not prioritize the public interest. In addition to public broadcasting, priority is given to the new state-owned (such as Armiya FM—a Ministry of Defense radio station) and municipal broadcasters. Having lost control over the public broadcaster, the government seems to be creating alternatives. Priority is also given to some commercial media holdings, such as Pryamyi Kanal and its daughter radio station, Pryamyi FM, or the Tavr-Media radio group.

Tomilenko agreed that the regulator refused a

license to Hromadske Radio, an independent news radio in Lutsk, and Kryvyi Rih—giving preference to music radio instead. Matsuka mentioned that the newly founded state Donechchyna TV obtained a license within a week—extremely fast. Kvurt said his sources told him the NTRBC has started to pay more attention to the financial and organizational capacity of broadcasters in its licensing decisions.

There are no business taxes that discriminate against media; in fact, the industry enjoys some privileges, such as a value-added tax (VAT) exemption on print media subscription sales. Since 2018, television channels have benefited from a five-year exemption of VAT and customs duties for original productions under the law promoting Ukrainian film production and distribution.

Despite decent legislative protections for journalists, crimes against journalists have not been properly investigated and prosecuted, said Ihor Rozkladay, a lawyer of the Center for Democracy and Rule of Law (CEDEM). Anna Skrypnyk, director of the Sigma Television and Radio company, believes that crimes against journalists obtain more attention thanks to growing civic awareness of Ukrainians, but the crimes go unpunished. Sydorenko feels that society tolerates interference with the work of journalists due to the general decline of trust in journalism.

According to Volodymyr Torbich, editor-in-chief of the Rivne Investigative Reporting Agency Chetverta Vlada—whose newsroom was torched in February 2018—crimes against journalists are increasing because perpetrators are held accountable too rarely. In his newsroom's case, it is extremely unlikely that the arsonists will be prosecuted. Even the accountability of perpetrators is in question; however, they were arrested, and court hearings were scheduled to begin in January 2019. Furthermore, Torbich added, journalists from

the Anticorruption Monitoring NGO had to cease operations in March 2018 after someone set fire to the doors of the apartment where the organization is registered.

The IMI counted 235 press freedom violations in unoccupied parts of Ukraine in 2018, compared with 281 cases the previous year. Physical aggression in the form of threats (33 cases) and attacks (31 cases) along with preventing journalists from carrying out their professional activities (96 cases) proved the most common violations in 2018, especially in the first half of the year. A severe attack on an activist from Kherson, Kateryna Gandzuyk, who died in November 2018 after being splashed with sulfuric acid in July 2018, may have had a chilling effect on regional journalists criticizing the government, IMI reasoned.

IMI also tracked 19 cases of denied access to public information and 15 cyberattacks. The assailants were primarily average citizens, as well as national and local government and law-enforcement officials. The regions with the most violations were Kyiv and its oblast (97 cases), followed by Mykolayiv (16), Dnipro and Poltava (12), Odessa (11), and Lviv (10). Two cases were registered in occupied Donbas, and 12 in illegally annexed Crimea.¹

Dyachuk commented that journalists do not feel safe in the country. Despite the criminalization of violence and threats against journalists, their families, and their property arising from their professional activities in 2015, the system breaks down at the pretrial investigation stage. Investigators often close criminal cases without even notifying journalists who have been victimized. The share of cases that make

it to the court is low, as law enforcement officers lack the desire or professionalism to properly prepare cases for court. "They have to prove that it was a journalist, performing their professional duties, and the malice of a perpetrator—which is too hard and complicated. Often, journalists have to prove that they are true journalists—especially those working for online media, which are not legally regulated. Nonetheless, attacks on journalists of famous television channels have not been properly investigated, either," she added.

IMI Executive Director Oksana Romanyuk noted that the Council on Protecting Professional Activities of Journalists and Freedom of Speech has not convened since the beginning of 2018. Set up by the president in February 2016, it used to meet quarterly. The number of investigations has sputtered and stalled to a stop, according to Romanyuk.

On the International Day of Impunity, Ukrainian media organizations called on the government to properly investigate and prosecute those who commit crimes against journalists. They also highlighted the dangerous situation of independent journalists in annexed Crimea and occupied Donbas: Stanyslav Aseyev, captured in 2017 by combatants in Donbas; Mykola Semena, under probation and banned from professional activity in Crimea; and Roman Suschenko, sentenced to 12 years imprisonment in Russia for espionage.

Since mid-2017 the NUJU, along with four other NGOs, has conducted its alternative index of physical security of journalists; it presented its methodology in April 2018. In March, eight leading media organizations openly expressed their distrust of NUJU's management and the index's methodology, primarily for including cases on NUJU members who may not be journalists at all. Tomilenko said that the physical insecurity of journalists has grown extreme and impunity has become systemic; NUJU's index

documented more than 160 incidents of physical aggression toward journalists since the beginning of 2017. According to the National Police's formal reply, only 10 percent of such cases reach the court. Additionally, there are no precedents of properly punished perpetrators, such as cases related to the brutal beating of journalists during the Euromaidan protests in 2013-2014. "I assume the government is not interested in protecting journalists and punishing the assailants in order to rely on physical aggression against journalists during the upcoming elections," Tomilenko said.

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 "235 Violations of Freedom of Speech Were Recorded in Ukraine in 2018 – IMI Study," Institute of Mass Information, January 17, 2019. Accessed February 20, 2019: <https://imi.org.ua/news/235-porushen-svobody-slova-zafiksova-no-v-ukraini-u-2018-rotsi-doslidzhennia-imi/>.

Khomenok mentioned that the pre-arranged murder of Russian journalist Arkadiy Babchenko did cause outrage in society, but further actions of the Ukrainian law enforcement bodies did not add trust and carried a whiff of manipulation.

The former head of the Independent Media Trade Union (IMTU), Sergiy Guz, named several challenges for journalists. Investigative reporters often clash with security services and law-enforcement bodies. Journalists face organized attacks from “troll factories,” or they might be accused, often emotionally and without facts, of pro-Kremlin or pro-government positions. The pressure can be so high that a journalist has to choose between their profession and their personal security.

Editorial boards have never protected the independence of private or state media. Their owners and funders, as well as the government, routinely interfere with editorial policy. The National Public Broadcasting Company (UA:PBC) was set up in early 2017, with management hired competitively and transparently, and supervisory and editorial boards to ensure its editorial independence. Yet amid important structural and content changes, the public broadcaster remains underfinanced, despite proper funding from the state budget specified under law. The government should have allocated UAH 1.5 billion (\$57,136,400) for it in 2018; but, in fact, parliament cut the sum in half for UA:PBC, leaving it with a critical deficit toward the end of 2018. The threat has been obvious since the beginning of 2018, and UA:PBC submitted numerous petitions to the relevant authorities—but Ukrainian media experts see political forces at work, especially ahead of the 2019 elections. On September 25, 2018, the state operator switched off the signal of UA:PBC across Ukraine due to its debt of almost UAH 70 million (\$2,666,370). For the year 2019, parliament voted for UAH 1.005 billion (\$38,281,400), UAH 810 million

(\$30,853,700) less than the sum specified under law. The UA:PBC Chair Zurab Alasania complained that with 2018’s debts to be covered, the 2019 budget is effectively even lower, threatening regional public broadcasting affiliates with closure.

Kvurt mentioned that parliament denied UA:PBC proper funding for refusing to provide 20-minute spots of broadcasting to each MP. Sydorenko praised the enduring sustainability of UA:PBC’s independent editorial policy despite such maneuvers. “The government wants to influence it but cannot,” he said.

The three-year print media destatization reform aiming to decrease state interference with media ended in December 2018 with 402 municipal newspapers (60 percent) and 23 state publications (25 percent) having been privatized. Some more may finish re-registration in early 2019. Authorities unwilling to let media go slowed down the reform effort, followed by editors and newsroom teams worried about losing their jobs. Attempts to amend the law to prolong the term, provide funding, or ease re-registration failed.

Libel has been considered a civil law issue since 2001. Defamation is a matter of civil law; plaintiffs must prove that journalists purposely disseminated defamatory information and malice. Rozkladay mentioned an attempt to criminalize libel in November 2018—which the relevant committee swiftly rejected. Lyudmyla Pankratova, a media lawyer with the Regional Press Development Institute (RPDI), confirmed that regularly—once every two to three years since 2001—someone submits a draft law to criminalize libel.

Despite many lawsuits requesting high damages filed recently, the courts tend to deny these sums, Pankratova said. For example, Pavlo Demchyna, deputy head of the Security Service of Ukraine, regularly files lawsuits—he has filed over

20 against journalists and civic activists since 2017. Although he either loses them or does not show up in court, he keeps journalists on edge. The courts also accept lawsuits for Facebook posts.

Vynokur added that the author and site owner are liable for publication of false or defamatory content. However, any plaintiff must fully identify them to bring a claim—a process that can be complicated due to lack of transparency in online media ownership.

Sydorenko stressed that access to public information worsened in 2018. Pankratova confirmed that despite solid legislation and a progressive stance by the courts, technical reasons impede access. Journalists may appeal rejections but must pay a court fee, from UAH 700 (\$26) for individuals or up to UAH 1700 (\$64) for legal entities. These fees are proving to be a real deterrent; she noticed a substantial drop in the number of lawsuits since 2016, and authorities use the prospect of these court fees to withhold information from journalists and media outlets.

“I assume the government is not interested in protecting journalists and punishing the assailants in order to rely on physical aggression against journalists during the upcoming elections,” Tomilenko said.

Administrative prosecution also has become less effective since the new ombudsperson, Lyudmyla Denysova, was appointed in March 2018; she is considered less knowledgeable and active in using this mechanism. Torbich confirmed that Denysova denied—for unlawful reasons—the complaint of a journalist denied information by a local municipal enterprise. The head of Rivne

oblast's administration refused, following the journalist's investigation, to comment or provide any information verbally to the Chetverta Vlada journalists.

Pankratova added, however, that Ukraine should be proud of numerous public databases now available in machine-readable format online, such as company registers, real estate, court decisions, e-procurement, and state treasury transactions.

The minister of justice's April 2018 signing of the Council of Europe 2009 Tromsø Convention on Access to Official Documents, [which recognizes a general right of access to official documents held by public authorities](#), marked another positive development involving access to public information. However, panelists noted that it needs to be further ratified by the Ukrainian parliament.

A recent law obligates local authorities to publish their budgets online. Skrypnyk said that local governments have become more transparent in recent years; however, top local officials still have sufficient administrative resources to limit access for "disagreeable" journalists. One town in the Dnipro region introduced accreditation to limit access for certain journalists, but Pankratova said it is easy to appeal that because, by law, accreditation is a tool without teeth.

Dyachuk mentioned an incident involving a journalist barred from a session in Kropyvnytskyi city for being late; the next day all the journalists showed solidarity with him and arrived late together.

Media outlets have access to and use local and international news and news sources. The panelists agreed unanimously that access is restricted by sanctions—not to Russian media, but to the means of mass propaganda that threaten Ukrainian security—although journalists can overcome these restrictions by using a virtual private network (VPN). No punishment is stipulated for using and

citing such sources. Dyachuk praised the Ukrainian journalists who are starting to translate and use more western news sources; previously, they typically used distorted translations by inosmi.ru.

Entry into the profession is free, with no licensing requirement. The panelists noted that anyone off the street can become a journalist. Press cards are easy to obtain or falsify, and as a result the industry faces a great challenge of trust and needs self-regulation in determining who merits the title of journalist. Moreover, in a mid-2018 discussion with NUJU, DM Chair Natalia Lygachova insisted that journalism rights and protection should not cover manipulators and propagandists hiding under the mask of a media employee. Professional media organizations, she said, should condemn such cases; otherwise, they provoke more physical aggression toward journalists and distrust of the media.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

1.84

Compliance with professional standards began to sink with the approach to 2019 elections, according to Zakusylo—and owners' interests dictate television content. "Once conflict between a media owner and the government or other oligarchs intensifies, it becomes very obvious on TV," she said, singling out 1+1, Ukraina, and Inter channels as prime examples.

DM continued to monitor professional daily news standards and look for commissioned stories (or "parquet" news that promotes officials and politicians) at seven national television stations: Inter, Ukraina, 1+1, ICTV, 5 kanal, STB, and UA:First (the national channel of UA:PBC).

Skrypnyk said that media's financial dependence on owners is the foremost factor skewing balance in journalism. A majority of Ukrainian media are financially dependent, and with the drastic reduction in advertising revenues in recent years, she noted that television channels can barely cover their expenses and equipment upgrades. "The deficit is covered by owners who can influence the content," she said. Tomilenko agreed that politicians and businessmen consider media a political tool, and therefore many media are founded to wield political influence, not to make a profit on honest journalism. "Although *jeansa* is a chronic disease of Ukrainian media, there are certain red lines," said Tomilenko. He cited the online discussion of Ternopil editors who refused to place stories discrediting Anatoliy Grytsenko, a presidential candidate, offered by an advertising agency. However, they placed softer, commissioned stories on the other candidate.

According to Kvurt, low professionalism, laziness, and corruption continue, and self-regulation is not working. Kvurt traces the vacuum of professional standards to 2006, when media organizations suspended trainings on standards and a new style of political talk shows emerged. Savik Shuster talk shows started to convert politics into entertainment, introducing the Russian meme of the "buffoonery of Ukrainian politics."

Dyachuk said the quality of news in Ukraine is not perfect, pointing to the lack of balance. News is often copied and pasted from other media or social networks, and it is not usually verified or fact-checked, she said. In a recent scandal, for example, major media republished the post of a student who accused a police chief she met on Tinder of harassment, without any verification or providing the opposite point of view. It turned out to be a provocation by two other people against

the policeman's wife, who is the deputy head of the State Bureau of Investigation.

In October 2018, the editor-in-chief of *Vogue* in Ukraine was caught up in accusations of plagiarism in her column; it was similar to one published in Russian *Bazaar* over a decade ago. After people found more plagiarism in her work for *Vogue* and *Kommersant*, she admitted that she used ghostwriters, whom she blamed for the transgressions. Following pressure from the media community over the unprofessional and illegal conduct, *Vogue* eventually fired her.

Almost two hundred media outlets, including news agencies and television channels, published fake news about a ball-lightning invasion based on a mock press release signed by a made-up organization on oceans and atmosphere. It was sent out on purpose, as a test, by Alyona Romanyuk from RPD1 within a German-funded project on media literacy. The Obozrevatel website even prepared informational graphics for this news. Only a few tried to verify the information.²

Telebachennya Toronto—a YouTube channel of the famous journalist Roman Vintoniv—also arranged an experiment with fake news about a deadly social media game for children. It got 17,000 reposts and reached a million in a week.

The panelists held up the public broadcaster UA:First and the journalism NGO Hromadske.ua as examples of balanced outlets. They also named the Ukrainska Pravda group, Liga.net, the state agency Ukrinform, and Hromadske.ua as balanced nationwide online publications. Other reliable media projects were named as semifinalists in the 2018

"High Journalism Standards" awards, founded by Vitaliy Lomakovych's "The Dreams Come True" charity with the Ukrainian Catholic University: Evropeyska Pravda, Bihus.Info, VoxUkraine along with the regional projects Nakipelo (Kharkiv) Crimean Tatars (Crimea), and the investigative reporting agency Chetverta Vlada (Rivne).

Zakusylo noted that advertisers prefer not to mark their advertising, and the media market is too weak to refuse *jeansa* offers. The panelists could name only a few media that do not publish *jeansa*: UA:PBC news, Ekonomichna Pravda, and Liga.net. Zakusylo recalled that Yulia Mostova, editor-in-chief of *Dzerkalo Tyzhnya*, stated at a recent public discussion that her publication does not print commissioned stories in the politics section and that the country's economy cannot support too many media. Kvurt noted that nobody actively disagreed with that at the discussion, but that a majority agree that *jeansa* is inevitable and that elections are for media to make money on—which distorts democratic processes. Skrypnyk said many media literacy programs in Ukraine teach critical thinking; other panelists agree but believe it is a long road to fight *jeansa* and propaganda.

Pankratova feels that *jeansa* will persist until measures, such as fines, are introduced—and that if *jeansa* is considered corrupt, then punishments should be introduced. Dyachuk noted that *jeansa* is so well-processed and sophisticated now that it is sometimes hard to distinguish from true journalism. Some media, Matsuka noted, are set up to make money on *jeansa* and commissioned stories rather than serve public interests.

Journalists ignore ethical standards. Zakusylo pointed to one of the most flagrant cases, when ICTV journalists pre-arranged an attack by far-right radicals on a Roma camp to shoot the staging of a massacre for "Nadzvychny Novyny" in June

2018. Sydorenko is optimistic that many previously apathetic journalists now discuss ethical standards as they relate to the Roma or other sensitive groups. Matsuka mentioned that journalists attending Donbas Media Forum actively discuss and are interested in learning the regulated principles of coverage and the definition of hate speech, and they care about conflict-sensitive reporting—a demand that must be satisfied. Pankratova also sees movement toward ethical codes, with support from the Independent Media Council (IMC) and the Commission of Journalism Ethics (CJE). However, the mainstream channels failed to fully agree on joint self-regulatory rules to report on sexually abused children in 2016 and suicide in 2017. Inter did not sign the first rules, and 1+1 refused the second set.

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).

² "Як Сотні Медіа В Гонитві За Кульовими Блискавками Запустили Фейк." Detector Media, September 14, 2018. Accessed February 19, 2019: <https://detector.media/infospace/article/140132/2018-08-14-yak-sotni-media-v-gonitvi-za-kulovimi-bliskavkami-zapustili-feik/>.

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Self-censorship is embedded in Ukrainian media and largely depends on owner's priorities in economic and political areas, according to Dyachuk. Khomenok connects self-censorship and the suppression of certain topics to opportunities to earn or to lose money, physical punishment, or low professionalism. Matsuka acknowledged self-censorship on topics such as separatists or Russian influence; journalists avoid covering certain topics so they cannot be accused of separatism or treachery to Ukraine. "In Donbas, some journalists would not cover any military issues or would ignore groups that support either very pro-Russian or pro-Ukrainian sides. Therefore, a part of the society is ignored and thus does not trust media and journalists," he said. Tomilenko noted additional pressure on media from radical groups that arranged protests and burned tires near newsrooms such as ZIK, NewsOne, and Inter channels.

Torbich confirmed that the level of professional and ethical standards in regional media, especially online, is generally low. In summer 2018, Television Company Rivne-1 censored a television investigation on the head of Rivne oblast's state administration, prepared by Chetverta Vlada agency. The news editor agreed to broadcast the investigation, but later the executive director refused without substantiation—despite arguments from a media lawyer about the investigation's safety. In another example, a representative of the advertiser—a company owned by Rivne oblast's state administration head—called the local newspaper's advertising department to complain about a critical story, and the advertising department tried to pressure the journalist.

Skrypnyk believes that self-censorship is more ingrained in municipal, locally-funded media. "Ukrainian communities are not yet conscious enough to stand up for unbiased editorial policies of

the municipal broadcasters (paid by their taxes)," she explained, adding that municipal media disproportionately publish "parquet" news at the expense of truly important issues.

According to Vynokur, media cover main events, regardless of ownership—but it is much easier for bloggers and online publications to promptly cover extraordinary events. In commercial media, especially national television, political allegiances obviously color coverage.

The panelists view low pay levels for journalists not as a temptation to corruption, but rather as a threat of talent flight to other media, larger cities, or related industries. "Pay levels for journalists are low—local media earn about \$100–\$200 per month," Skrypnyk said—which pushes them to look for additional sources of income, Vynokur added. Salaries for journalists at the regional public television station have climbed higher than commercial stations because advertising revenues fell substantially over the past few years. Since April 2018, UA:PBC has downsized—from 7,050 to 4,510 people. Some staff members were assigned to merged positions (and doubled salaries). Matsuka complained that many journalists are not officially employed, and those who cover conflict and warfare zones do not receive hardship pay or medical insurance. The media trade union should take this up as part of its work to protect the labor rights of the journalists, Matsuka said.

Sydorenko joked that news has not been eclipsed by entertainment, because it is a good source of *jeansa* and revenue to television channels. Zakusylo noted a healthy balance with some media—for instance, the Novyi Kanal channel added more entertainment, but a number of news channels appeared in recent years. In addition to a dozen news channels, two more gained licenses on the eve of elections. News radio shows also

increased in number. Vynokur agreed that news and entertainment is balanced. "Probably the increase in the number of news and informational programs will not be in favor of the channels. For instance, news radio 24, now renamed Radio Maximum, does not draw high ratings," she said.

The panelists generally agreed that newsgathering and distribution technology is growing more affordable and is not an obstacle to quality coverage. Still, broadcasters depend on elections to collect money for equipment upgrades. The under-funded national public broadcaster is poorly equipped and forced to rely on international donors for equipment to satisfy its needs.

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The economy still does allow for diversified, quality specialization, Sydorenko said. Investigative reporting has boomed in recent years, primarily due to extensive training support and funding by donors. There are well-known national investigative projects, such as Skhemy (a joint project of RFE/RL and UA:First), Slidstvo.info, Bihus.info, and Nashi. Groshi. Investigative programs are booming at the mainstream oligarch television channels, but their quality is often questionable, according to DM monitoring.

Vynokur said that among local media, investigative reporting is rare, due to limited legal, financial, and educational resources, and it is quite expensive. She also underscored a lack of experts and the

sense that young journalists seem disinclined to specialize. Universities do not provide specialization opportunities for journalism students, she added.

International donors do support coverage of anti-corruption, decentralization, and other key reforms, and Pankratova said that niche journalism is under development: “There are lots of training programs on covering certain reforms or topics, but these programs do not cover social issues. I believe that social issues remain underreported for communities.” She feels, however, that there is great potential in the quality coverage of education, health care, economics, and consumer issues; she cited the success of a small project, Court Reporter, launched by the journalist Iryna Saliy.

A decade ago, several business newspapers and magazines, a dozen online publications, and a few television channels—most maintained by sponsors, not investors—enriched Ukraine’s media offerings. The economic crises of 2008 and 2014 put some out of business, but *Economichna Pravda* and *Liga.net* are general-interest media that cover business issues professionally. The online *Delo.ua* is now independent and self-sustainable. Its editor, Lyubomyra Remazhevska, foresees that business media will become sustainable when they are strong enough to reject *jeansa* and produce useful content that readers will want to pay for—or when they master the practice of native advertising.

According to Oleksandr Kramarenko, *Den’gi*’s editor-in-chief, business media may rely on only 300,000 large businesses, while targeting small and medium businesses could expand the audience to about four million. Another problem is the absence of a stock market and a shortage of competent business journalists. He traces that to a general decline of qualifications, reduced in-house training, and declining salaries that have squeezed qualified journalists out of the industry.

Davydenko pointed out that Ukraine lacks a large, independent business media outlet—but economic revival may increase the chances for such a publication.³

OBJECTIVE 3: PLURALITY OF NEWS

2.36

Although in previous years panelists characterized Ukraine as having a plurality of oligarch-owned media, now they add to it a plurality of manipulative news sources and media, primarily online and social networks, that are expected to rise further. Despite an abundance of media, it is hard to find reliable information—making media literacy and critical thinking more important than ever. Khomenok said that although technology has opened up access to numerous information sources, the volume of rubbish in the stream exceeds quality and relevant news. Torbich added, “Although there is a lot of media and everyone has a choice, at the regional level—especially in small towns—it is hard to find enough quality local media.”

IMI and Texty.org.ua researched Ukraine’s top 50 news websites and rated their stories for unreliability, based on such criteria as untrustworthy sources, untrue news, manipulative headlines, and hate speech. According to their findings, the top 10 worst websites were kp.ru, from-ua, znaj.ua, Politeka, Strana.ua, Vesti.ru, Apostrof, KP.ua, Telegraf, and Lenta.ru. RBC Ukraine, *Ukrainska Pravda*, *Novoe*

Vremya, *Ukrinform*, *Radio Liberty*, *Liga.net*, and *hromadske.ua* led the way in professionalism, at the other end of the spectrum.

According to 2018’s media consumption survey conducted by InMind for USAID’s Ukraine Media (U-Media) program, implemented by Internews, television prevails as the top news source—74 percent depend on television for news. More than half cited the Internet as a major news source, followed by radio and press. Trust in media increased, with 61 percent expressing trust in national television, and 56 percent trusting regional television. National online media won the trust of 58 percent, slightly higher than the 52 percent who trust regional online news.

Torbich added, “Although there is a lot of media and everyone has a choice, at the regional level—especially in small towns—it is hard to find enough quality local media.”

Overall, social networks and radio expanded their audiences, but newspapers and magazines lost a total of 10 percent of their audiences from 2015. Russian online media are popular among eight percent of the population, primarily in Odessa, Zaporizhzhya, and Donetsk oblasts.

More than a third expressed unhappiness with commissioned stories, although 56 percent reported being able to spot such stories.

According to the survey, the most popular newspapers are *Segodnya*, *Vesti*, *Fakty i Kommentarii*, *Argumenty i Fakty*, and *Bul’var*; the top three radio stations are Hit FM, Shanson, and Avtoradio Ukraina. Facebook is used by 57 percent of respondents, while 21 percent use VKontakte and 15 percent use Odnoklassniki (Russian networks that are blocked in Ukraine). To visit blocked sites, more than half of

³ “When will the black line end in the history of Ukrainian business media?” Media Lab. Accessed February 19, 2019: <http://medialab.online/news/ripak/>.

the respondents use a VPN, while a small portion deploy browser extensions or proxy servers.⁴

Texty.org.ua clustered and analyzed 50,000 news stories for 10 months during 2018—analyzing 80 little-known websites selected out of some 150 websites that published anti-Ukrainian or pro-Russian propaganda. Various insider sources told Texty that these websites are created to profit from paid-for stories or to publish accusations against public figures, then blackmail them for payment to remove them. They typically provide no contact information, their design is very simple, and servers might be located abroad. Despite their inferior quality, they attract an audience of about 50 million per month, far outpacing news sources considered more reliable—such as *Ukrainska Pravda*, which draws 16 million readers per month, or *Novoe Vremya*, with 10.25 million readers.

Russian propagandists often use websites directly or via public relations agencies. Texty could not prove such deals but pointed to numerous reposts of Kremlin statements. Twenty-two websites surveyed are Russian-based media or edited from the occupied territories. They often refer to sources that are Russian or Ukrainian pro-Kremlin media, such as *Strana.ua*, *Vesti.ua*, *112 Ukraina*, and *NewsOne*. Texty concluded that, given the political dependence of many Ukrainian media along with overtly pro-Russian online media, the online space in Ukraine is very vulnerable to be exploited as a tool to manipulate public opinion.⁵

Although analog broadcasting was turned off

across most of Ukraine at the end of August, it will remain until May 2019 for UA:PBC and regional and local broadcasters that lack digital licenses, as well as the territories without transmitters at the Russian Federation border (including special broadcasting zones near Crimea and the Joint Forces Operation [JFO] zone in Donbas). More than 50 regional and local broadcasters that have successfully operated for decades risk disappearing, as they were refused (unfairly, some panelists maintain) digital licenses during the 2011 competition. In September 2018, the parliamentary committee on freedom of speech highlighted the need to provide set-top boxes to everyone who receives state subsidies, as well as to provide digital licenses to regional broadcasters and to establish competition to Zeonbud's monopoly as a provider of digital television in Ukraine. Zeonbud installed its digital transmitters at the tower of Concern RRT, which is even closer to bankruptcy with the loss of analog revenues.

The panelists mentioned that the urban-rural digital gap is gradually decreasing. "Access to media for inhabitants of small towns and villages remains complicated. The most problematic are territories close to borders where Ukraine tries to restrict the hostile influence of Russian propaganda," Kvurt said.

Zakusylo noted that the government blocked free access to Russian television channels, social networks, and hundreds of online sources from Russia and the occupied territories. Economic barriers could intensify as well, Zakusylo added. "Mainstream television groups plan to transfer to a paid-for content model: they plan to increase royalties for the providers, which, in turn, increases fees for cable and Internet television services. In June 2019, the largest television media holdings plan to code their satellite signal and transfer it to a paid-for basis via Viasat and XtraTV platforms," she explained. After coding, the satellite package

of Ukrainian television channels may cost UAH 70 (\$2.60) per month. Monthly fees for cable/IPTV television will increase by 15–40 percent in 2019. Viasat and GfK Ukraine research found that Ukrainians are willing to pay UAH 100 per month (\$3.75) for television.

"With analog turnoff in areas where digital signal coverage is imperfect, people are able to watch just a few channels," Skrypnyk said, noting that terrestrial television from Russia penetrates Ukraine's borders. Vynokur added that her television station noticed a decrease in paid greetings from rural inhabitants, and she now questions whether they could no longer afford it, or whether they lost access to her channel because they do not have the required set-top boxes. There are towns and villages in the Ternopil region that have been without a television tower since Ukraine's independence. Rozkladay added that television coverage gaps also mark the Chernigiv and Polissya regions, while the state improved television coverage for territories near Crimea and occupied Donbas, in Odessa oblast.

The panelists acknowledged the importance of the public broadcaster and its financially precarious state. Skrypnyk commented that public broadcasting is a media breakthrough, but it needs a better funding model—most likely a direct, fixed tax.

Matsuka criticized the public broadcaster more harshly for pro-governmental or partisan ideology. As an example, all state and public media covered events around obtaining Tomos (a decree from the head of a particular Orthodox church on issues such as the level of dependence of an autonomous church on its mother church) for the Orthodox Church of Ukraine without any critical analysis, he said.

Tomilenko said Ukrposhta (Ukrainian Post Office) *modus operandi* is the key force responsible

4 "Media Consumption Survey in Ukraine." Internews, June 2018. Accessed February 19, 2019: https://internews.in.ua/wp-content/uploads/2018/09/2018-MediaConsumSurvey_eng_FIN.pdf.

5 "We've got bad news!" Texty.org, November 28, 2018. Accessed February 19, 2019: <http://texty.org.ua/d/2018/mnews/>.

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for ruining print media distribution and print media accessibility in small towns and rural areas.

The panelists were very positive about the state-owned news agency Ukrinform and the private agency Interfax. However, they said the Ukrainian Independent Information Agency of News (UNIAN), tied to Ihor Kolomoisky's media holding, leans too heavily on *jeansa*. Sydorenko said that news agencies have suffered amid the economic crisis and reduced subscriptions; media typically try to get information for free. Most media, Vynokur said, can afford only a limited amount of news agency products.

Vynokur also said that a majority of television media, including local ones, produce and broadcast their own news, which draws the highest ratings. Viewers will even watch lower-quality local news, as Ukrainian news and events in eastern Ukraine are quite important for them.

Online media are not obliged to disclose their ownership; people can only guess the real owners. Print media registration documents contain limited data on publishers and owners. Since 2016, broadcasters have been legally required to disclose ownership and regularly update the NTRBC, which publishes the information online. Skrypnyk mentioned that any change of ownership must be reported and it is quite burdensome—and every amendment to licenses costs money. The NTRBC fined 173 license holders for disclosure violations, but that amounted to only UAH 500,000 (\$18,675). The law does not require media to disclose sources of financial support; the parliamentary committee approved a draft law that would address that issue in November with little hope that parliament would vote for it.

The consolidation of major media companies in the hands of a few conglomerates continues. The top television channels, along with popular

print, online, and radio media, belong to Ukrainian oligarchs with their own political interests. For instance, Ihor Kolomoyskyi (who sparked tensions with the government after the nationalization of his bank, Privatbank) owns 1+1 channel. The Ukrainian oligarch Rinat Akmetov owns the Ukraina channel. Dmytro Firtash owns the Inter channel. ICTV, and STB, while Novyi Kanal belongs to Viktor Pinchuk, the son-in-law of ex-President Leonid Kuchma. President Petro Poroshenko owns 5 kanal and is said to have influence over Pryamyi, which officially belongs to lawmaker Volodymyr Makeyenko. Vynokur believes that it is not difficult for viewers to judge which politicians are obviously supported by certain television channels, especially on the eve of elections. Internews's media consumption survey found that 52 percent of people admit knowing national media owners; just 35 percent of respondents reported knowing the identity of regional media owners.

Pro-Russian politicians have consolidated media ahead of the 2019 elections. In 2018, two popular news channels changed management, which the panelists connect to Russian influence.

According to an RFE/RL investigation, the 112 Ukraina channel was purchased by little-known German businessman Eduard Kats in April 2018; however, real control lies in the hands of Medvedchuk, as the mid-summer introduction of new management linked to the pro-Russian politician revealed. Although he served as an official representative of Ukraine at the Minsk talks, Medvedchuk is a critic of the Ukrainian government and favors rapprochement with Russia. The channel often covers him in a positive light, and he joined the political party *Za Zhyttia* (For Life), led by Vadym Rabinovych—a regular guest and anchor of the 112 Ukraina channel. In December 2018, the MP Taras Kozak, a close ally of Medvedchuk, became

the final beneficiary of all six channels that comprise 112 Ukraina and are 100 percent owned by Swiss Plirofories AG; Kats quit the media business in Ukraine. Another pro-Russian channel, NewsOne, is associated with Andriy Portnov, the former deputy chief of ex-President Viktor Yanukovych's administration.

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.

Summer IMI monitoring found that only 14 of 50 national online media publish their owners, editor-in-chief, and contact information: ZIK.ua, Hromadske.ua, Liga.net, KP.ua, UNIAN, Dzerkalo Tyzhnya, and Focus.ua. *Expres.ua* named the legal entity it belongs to while *Obozrevatel*, *Censor.net*, *Comments.ua*, *Bagnet.org*, *Facenews*, and *Enovosty.com* published full or partial contact data. *From-ua.com*

published none of those details; the rest showed insufficient data for two or three items. Four Russian media monitored (Lenta.ru, Vesti.ru, RIA.ru, and KP.ru) transparently named themselves as Russian sites funded by the state budget.⁶

In 2018, DM researched ownership of television channels in Ukraine's three largest cities: Kharkiv,⁷ Odessa,⁸ and Dnipro.⁹ Earlier, it had researched ownership of key media in 10 oblast centers—Kharkiv, Odessa, Dnipro, Lviv, Ivano-Frankivsk, Lutsk, Mykolayv, Zaporizhzhya, Kropyvnytskyi, and Cherniviv.¹⁰

Odessa is a champion with more than 30 television channels, several times more than in Dnipro or Kharkiv, but 23 of them serve the interests of local government—Mayor Gennadiy Trukhanov, "Grey Cardinal" Vladimir Galanternik, and their friends. Only a few channels try to cover events from different viewpoints. Kharkiv—larger than Odessa by 400,000 inhabitants—cannot maintain its channels

without owner funding, which implies that political interests are propping up the Odessa television channels.

A draft law to make Ukrainian the single state language, obligatory in all public spheres, spurred heated discussion among the panelists. It would preserve the right of national minorities or indigenous nations, such as Crimean Tatars, to publish press or online media in their languages, as long as identical content is produced in Ukrainian. The panelists admitted that the law's main purpose is to protect the Ukrainian language from the excessive Russian-language presence. However, it would force smaller ethnic groups to double their production costs for the second-language version. The panelists admitted that Ukraine needs less emotional and more professional discussion on the issue, as well as better defined laws. While the panelists agreed that Ukrainian language does need protection and promotion, they also noted that the government needs to explain the law carefully and not cause additional damage by either violating the ratified European convention on national minority languages or distracting older people who are used to Russian, especially near or within the occupied territories.

Ukrainian language quotas for broadcasters entered into full force in October, when the transition period closed. Now, 75 percent of television news programs and Ukrainian programming at national and regional channels must be in Ukrainian. Local broadcasters must comply with a quota of 60 percent. In November, full Ukrainian language quotas for radio stations went into effect, requiring 60 percent of news programs to be in Ukrainian, along with 35 percent of Ukrainian songs and 60 percent of EU songs. Over two years, the NTRBC has fined broadcasters UAH 1.724 million (\$64,228) for various violations of language quotas and believes that

due to this principled position stations have even exceeded the percentage of quotas.

Matsuka pointed to a lack of high-quality programs on human rights and LGBT communities. Vynokur agreed that gender equality and sexual orientation are poorly covered and risk becoming taboo due to resistance from traditional audiences. National minority issues are covered, but insufficiently, she said. Rozkladay believes that resistance to covering certain social issues stems not only from an expectation that they will not be popular with audiences, but that journalists lack the skills to present the issues interestingly enough.

During a Ministry of Information Policy of Ukraine discussion on Crimea's informational reintegration strategy, participants pointed out several issues. The strategy itself addresses the low quality of Ukrainian media and its ignorance of the needs of occupied territories as the main danger for the strategy's implementation. Ukrainian media do not want to cover Crimea systematically, and readers do not want to read about Crimea. Ukrainian audiences started to see Crimean issues only through the lens of the persecution of the Crimean Tatars. Gayana Yuksel, a Crimean Tatar journalist and Mejlis member, named 11 Crimean media that had to move to mainland Ukraine—but emphasized that Crimea should be covered widely by national Ukrainian media. Despite all the efforts to provide broadcasting to annexed Crimea, reaching the Crimean audience is very complicated.

The panelists agreed that Ukrainian media cover enough international news, but sometimes the coverage lacks quality or in-depth analysis and ignores some countries (such as India) and continents (such as Africa). Kvurt added that Ukraine is integrated in trade with the majority of the countries, but Ukrainian journalists have a poor tradition of covering that topic.

6 "Only 14% of national Internet media demonstrate the transparency of their data—the IMI study."

The Institute of Mass Media, November 23, 2018.

Accessed February 19, 2019: <https://imi.org.ua/news/lyshe-14-zahal-nonatsional-nykh-internet-zmi-demonstruiut-prozorist-svoikh-danykh-doslidzhennia-imi/>.

7 "Non-aggression pact, or Television in Kharkiv." Detector Media, December 6, 2018. Accessed December 6, 2019: <https://detector.media/rinok/article/143128/2018-12-06-pakt-pro-nenapad-abo-telebachennya-po-kharkivski/>.

8 "TV-bazaar, or as television is being made in Odessa." Detector Media, December 28, 2018. Accessed February 19, 2019: <https://detector.media/rinok/article/143694/2018-12-28-telebazar-abo-yak-telebachennya-robitsya-v-odesi/>.

9 "Television revolution in the Dnieper: new channels and old interests." Detector Media, November 12, 2018.

Accessed February 19, 2019: <https://detector.media/rinok/article/142512/2018-11-12-televiziina-revolutsiya-u-dnipro-novi-kanali-ta-stari-interesi/>.

10 "Media Ownership Map of Ukraine." Media Lab, 2019. Accessed February 19, 2019: <http://www.map.medialab.online/uk/about/>.

According to Vynokur, local media cover local news along with national news. National media cover national news more heavily than local news. She expects to see the launch of community media in the course of decentralization reform and the development of what are known as united territorial communities. Pankratova agreed that coverage of local news, which is now relatively underreported, will be on the agenda for future community media.

OBJECTIVE 4: BUSINESS MANAGEMENT

1.48

The panelists scored nearly all Objective 4 indicators a little higher than last year, recognizing the slight general economic recovery and restoration of the advertising market. Problems in all other areas remained, though, with the distorted media market hampering development of strong media as successful business models.

The media market is poor and oversaturated in certain sectors, such as television and Internet. There are just a few self-sustainable media holdings. For instance, TRK Lux and Tavr-Media media holdings claim to be self-sustaining. Many others rely on owner or donor funding.

Torbich noted that in the regions, local tycoons own many media. "There are small self-sustainable media, but often they are full of *jeansa* and thus can hardly be called successful," he said, adding that online media complain that Google and Facebook take the lion's share of money.

During elections, media make easy money; many regional outlets and news channels have been launched for election purposes. "In fact,

they are not business projects but just auxiliary PR tools," Zakusylo said. Noting that media are trying to diversify their revenue streams, he added, "Mainstream television channels of the four largest media holdings try to increase revenue from content distribution. They increase cable/Internet Protocol Television (IPTV) provider charges and code satellite signal for fees. Internet paywalls do not work in Ukraine, as copyright abuse is widespread. Unfortunately, Ukrainians are not ready to pay for what they used to obtain for free." He noted, however, some successful crowdfunding examples, such as Hromadske Radio and Istorychna Pravda.

Khomenok commented that in current conditions Ukrainian media struggle to find effective business models, which influences their behavior and quality. Sydorenko pinpointed the modest advertising pie, distributed among media—including many subsidized by their owners—as the core problem, leading to price dumping. He believes that crowdfunding opportunities are underestimated in Ukraine. Kvurt added that not only oligarchs, but also Russian interests distort the market; strana.ua, for example, soaks up lots of advertising.

Sydorenko highlighted online political advertising as an annoying trend that emerged late in summer 2018. Politicians buy banner ads with Google's AdSense tool and target reliable news sites, overwhelming them with aggressive slogans for or against certain politicians. Readers who are unfamiliar with AdSense might be tricked into thinking the newsrooms chose to display these banner advertisements.

According to Vynokur, primarily only national media implement business plans and marketing activities. That is partly because regional media often lack the requisite skills, due to limited training opportunities. However, the Ukrainian Media E-School set plans to expand in 2019 and provide

four module courses for various types of media managers.

From January 2019, monopoly provider Zeonbud will charge broadcasters 80 percent more for distribution of digital signals. The cost of newsprint, printing services, and post office distribution continues to increase significantly, while regional advertisers (primarily apartment building developers, health care facilities, and alcohol producers) decline. Additional revenue sources, such as greetings, are also declining. National advertising agencies do not typically work with regional media.

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Tomilenko pointed out nonetheless that none of the hundreds of privatized municipal newspapers have gone bankrupt. The panelists highlighted some small-scale successes—for example, a Lviv newspaper paid symbolic dividends to its six employees who became founders of a new outlet. Skrypnyk added that ABO NGO develops successful strategies, free platforms for websites, and advice for small regional media and those undergoing destatization. Still, program participants remain reliant on the government. Half of their revenue flows from the local government, which they

UKRAINE

continue to partner with under information coverage agreements. Skrypnyk also said that Ukrainian media have started to more actively develop revenue streams aside from advertising: special projects, auxiliary businesses, grants, etc. Foreign grants help Ukrainian media produce socially important and educational content as well.

Sydorenko does not believe paywalls hold promise in Ukraine, despite the attempts of some outlets. In December, 1+1 channel introduced paid subscriptions for its mobile application, 1+1 International 24/7, for \$9.99 per year. It is quite popular among Ukrainians living abroad. Liga.net introduced paywalls as a strategic goal: to focus on providing unique and premium content to several hundred thousand core readers. "This is the only chance for me to become an independent and full-fledged business," said Dmyro Bondarenko, Ligamedia's CEO.

Matsuka cited his own experience producing syndicated content within a network of independent media—such as Hromadske.ua, Hromadske.Donbas, and RFE/RL—which can make it cheaper for everyone, while the exclusiveness and high quality help to attract more expensive online advertising.

Mainstream media noticed a growth in income and consumption, and the inflow of money into the economy boosted advertising after a dry spell that stretched several years. Advertisers grow more active and are thinking several years ahead. Demand for television commercial spots exceeds space, and the leading clients are even interested in price increases that could cut off some of the competition. Mainstream television holdings want to increase prices to catch up with inflation rates and growth of their clients' markets.

According to the All-Ukrainian Advertising Coalition (AUAC), the 2018 media advertising market—including television, radio, print, and digital—totaled

UAH 13.98 billion (\$484,353,000), an increase of almost 24 percent from 2017. Television channels were in great demand, there was no room to fit all advertisers, and they had to increase their budgets to keep the same volumes. AUAC projected 27 percent growth for 2019, with two election campaigns in 2019 that are expected to fuel more advertising growth.

AUAC data indicate that regional publications' 24 percent growth is driven by national advertisers' increased interest in local press. Retail, pharmaceutical, and food industries are expected to grow further in the regional publications.

Radio advertising increased by 20 percent to UAH 578 million (\$21,533,500), according to AUAC. Of this figure, UAH 418 million (\$15,572,700) went to national radio, UAH 54 million (\$2,011,780) to regional radio, and UAH 106 million (\$3,949,050) to sponsorship. Radio is expected to grow by 24 percent in 2019. Several groups of advertisers, led by the pharmaceutical and food industries, discovered the power of radio campaigning in 2018. Radio draws a good share of high-income people; therefore, its biggest advertisers include real estate companies and automobile importers.

Internet advertising is leading by growth rates. However, the industry had to change the measurement methodology, remove search engine advertising gained by Google, Facebook, and other tech giants from the media market, and factor only banner advertising, digital video, and sponsorship into digital media advertising. With this change in methodology, the 2018 report revised the figure for 2017, reducing it even further. Digital advertising grew by 17 percent to UAH 2.52 billion (\$93,883,000) and is predicted to grow by 50 percent in 2019.¹¹

11 "Object of the Advertising-Communication Market of Ukraine 2018 and Forecasting of Marketing Oils 2019. Expert

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.

The Communication Alliance, which monitors media advertising in 130 publications, ranked the following general-interest publications among the top 30 publications by advertising revenue: *Novoe Vremya Strany*, *Segodnya*, *Delovaya Stolitsa*, *Kyiv Post*, *Korrespondent*, *Biznes*, *Vlast Deneg*, and *Fakty i Komentarii*.

The catastrophic underfunding of UA:PBC from the state budget undermines the quality of content development and threatens its editorial independence and daily operations, according to Zakusylo. In October, financial stress forced UA:PBC to introduce unpaid staff vacations, the suspension

Assessment of the All-Ukrainian Advertising Coalition." VRC. Accessed February 19, 2019: <http://vrk.org.ua/ad-market/>. An August 2018 forecast estimated Internet advertising at UAH 9.54 billion, thus exceeding television.

of recruiting and bonus payments to management, and the breakdown of payments to third parties into installments. It also eased restrictions on advertising and sponsorship, though it still does not accept ads on political projects.

With the end of print media destatization reform, the local government does not subsidize the press directly; however, it allocates money for informational coverage. The panelists cited issues with that strategy, though, including the level of funds, their distribution among media, and their effectiveness in informing the population. Some local councils and mayors are generous and vote for large budgets—for instance, in Kharkiv, where the mayor is a large media owner, Tomilenko said. In Ternopil, Vynokur said, these funds are more than modest. Torbich said that Rivne's mayor gives them out equally to almost all television channels and radio stations to be covered comprehensively—and expects a certain loyalty in response. In other places, local governments may channel the funds to a few favored media only. There are no procurement bids or regulations on media coverage as a result.

By law, two newspapers remained state-owned. For 2019, the parliament increased funding to governmental newspaper *Uryadovyi Kurier* to UAH 13.5 million (approximately \$500,000) and reduced funding for parliament newspaper *Holos Ukrainiy* and Rada TV to a total of UAH 44.7 million (\$1.65 million). The private Crimean Tatar channel obtains state support from the budget under the law on assistance to deported populations at UAH 45.3 million (\$1.67 million). The Ministry of Information Policy spent UAH 362 million (\$13.4 million) in 2018 on information campaigns, primarily in media.

Vynokur noted that national media tap market research for strategic planning and increasing advertising revenues. Regional media try to study audience needs on their own, with focus groups,

telephone interviews, and polls, as professional research is prohibitively expensive.

Average online media do not pay for research services, (e.g., Gemius) or focus groups. However, there are many free or inexpensive web audience research tools, such as Google Analytics, Google Tag Manager, and Facebook Pixel. Sydorenko agreed but noted that they are used infrequently. Vynokur reported that national companies measure program broadcast ratings, which regional media cannot afford to do regularly. Advertisers are primarily interested in national channel ratings.

Nielsen and the Communication Alliance, under the auspices of the Television Industry Committee (TIC)—a trade association of key oligarch-owned channels and media agencies—regularly measure the national television audience. TIC sets an artificially high price of UAH 1 million (\$37,000) to participate in the ratings process, which is prohibitively expensive for regional and specialty channels. The television panel is based on a national sample of 2,840 households, 1,900 in cities with more than 50,000 inhabitants.

In 2017, the Independent Association of Broadcasters (IAB) arranged for local television measurement of the regional broadcast audiences, covering 11 regional centers and expanded in 2018 for new cities.

Print media self-report their circulation figures without any verification, while Kantas TNS, contracted by the Radio Committee, measures radio audiences. There are several different monitoring services for website audiences, but they use different methodologies and thus are not comparable.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

2.37

Ukraine's media benefit from a well-developed network of media trade associations, unions, and supportive NGOs. Key trade groups include TIC (uniting the largest television groups since 2002), the Ukrainian Television Association (connecting eight niche channels in 2018), RC (radio), Independent Association of Broadcasters (regional broadcasters), the Association of Rights Holders and Providers (founded in 2011), the Ukrainian Association of Media Business (major publishers), the Association of Independent Press Publishers of Ukraine (private regional publishers), and the National Association of Ukrainian Media (for newly privatized municipal newspapers). For online media, the Ukrainian Internet Association connects Internet advertisers, while the Internet Association of Ukraine represents providers. Key players in the Ukrainian Internet advertising market—such as Google Ukraine, Admixer, Kantar TNS, GroupM, Publicis One, OLX, Media Grupa Ukraina, and Obozrevatel.com—established the Interactive Advertising Bureau (IAB Ukraine) as a chapter of IAB's New York-based international network. However, Matsuka noted, there is no association of online media—despite the need.

Generally, Ukraine's civil society sector is noticeable, influential, and growing, but it is not yet able to operate solely with Ukrainian funding sources, Kvurt said.

Skrypnyk noted that media trade associations are quite active. For instance, IAB delivers legal, mentoring, and training support to its members. It initiated a lot of industry events and discussions

related to the digital transfer. Vynokur considers IAB, with 18 years of uniting about 120 television and radio companies, an example of an experienced, well-recognized association, driven by the initiatives from local and regional broadcasters. Tomilenko noted that publishers' associations, along with NUJU, actively protest Ukrposhta's press distribution policy.

There are two main journalists' organizations in media: NUJU and the Independent Media Trade Union (IMTU). Both drew criticism from panelists. IMTU has failed to win the trust of journalists to protect their labor rights. Of course, defending labor rights is a tall order, as many journalists are not staff and management may terminate their contracts easily. Furthermore, IMTU's membership and fees were inadequate to fund its activities, and it also stalled due to internal conflicts.

Zakusylo said IMTU has in fact suspended its activities; Torbich confirmed that the media trade union is effectively dead in the regions. NUJU does play a part but is not taken into account by the government. Moreover, it needs to reform, as it is still heavily influenced by its Soviet background and retention of numerous members who are not journalists, he said.

In spring 2018, a number of media organizations expressed distrust in NUJU's commitment to free speech and violations of journalists' rights. Some experts even named "creative unions" as rudiments of Stalin's epoch, pointing out that the state allocated some UAH 20 million (\$750,220) to maintain unions of writers, journalists, etc. The state could better use these funds—and also sell their expensive real estate in downtown Kyiv. "NUJU tends to consider whoever they want to be journalists—those who have a press card, or bloggers, or people involved in conscious disinformation and propaganda instead of journalism. NUJU has not yet audited its 19,000 members," Zakusylo said.

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.

However, Tomilenko said that NUJU provides public support and defends all media from rights violations, while politicians encourage public hostility toward journalists and divide them into patriots and non-patriots. NUJU's priority is the fight against large-scale threats to free speech, demanding parliamentary hearings on physical security, etc. NUJU also demonstrates solidarity with journalists victimized by Russia's aggression. Over 2018, the last year of the press destatization reform, NUJU contributed to the success of privatized newspapers with training, advocacy, and legal support.

At the end of 2018, an initiative to establish a new journalists' movement met informally, aimed at supporting honest journalists who adhere to

journalistic standards—regardless of their ability to pay membership dues. The organizers were motivated by the industry's lack of self-regulation on compliance with professional and ethical standards, journalists' inability to summon the solidarity necessary to counteract moral or administrative pressure of media management, and the dependence of many media on their owners' political interests.¹²

Dyachuk said trade and professional associations as well as media development NGOs cooperate with the media and help advance their interests, and the civil-society sector promptly reacts to freedom of speech violations. The panelists also expressed appreciation for the training and legal support that media NGOs provide. "There are several collective NGO initiatives—for example, the Coalition for Free Internet or self-regulatory bodies, such as IMC or CJE, that raise the issues of ethics and professional standards," Zakusylo said.

The panelists were not as enthusiastic about formal training programs. There are too many university-level journalism programs, the panelists feel, and despite some improvements they still fall far short of satisfying the industry needs in practical preparation. According to Zakusylo, DM's 2018 research identified 46 higher-education establishments licensed to deliver academic journalism and media communications programs, but only 13 responded to DM's survey. DM's research, studying the opinions of students, graduates, faculty, and media employers, was published in October and found virtually no corruption. It also revealed that innovative courses have been introduced, but overall the instruction is far from real media work requirements. The content is outdated, with few opportunities to practice.

¹² <https://detector.media/infospace/article/143886/2019-01-09-ti-ne-odin-abo-yak-zakhistiti-profesiyu/>

Masters programs are heavy on theory, rather than media internships. Not all universities allow students to combine academic programs with jobs, a practice the Ministry of Education discourages. However, journalism departments often help students find jobs. Furthermore, not all departments researched possess sufficient technical equipment that is freely accessible to students. Vynokur agreed that academic journalism programs are very weak on practical components.

“NUJU tends to consider whoever they want to be journalists—those who have a press card, or bloggers, or people involved in conscious disinformation and propaganda instead of journalism. NUJU has not yet audited its 19,000 members,” Zakuslyo said.

Ministry of Education regulations requiring that a certain percentage of professors hold relevant scientific degrees force journalism departments to hire media practitioners only as guest speakers. Faculty members go abroad for study or internships more frequently than students. Ultimately, the survey found, a third of students do not plan to work in journalism, while a majority of editors and employers are dissatisfied with students' skills. Only 22 percent indicated a preference to hire individuals with a journalism degree.¹³

Pankratova mentioned that the Kyiv Institute of Journalists invited her and a few colleagues to deliver practical courses as guest professors to a few groups of students on media law, covering legal issues, and investigative reporting. The courses were

open for the faculty to attend as well. Noting that Mariupol University also invited them to speak, she said she believes that some journalism departments are attempting to change. She also highlighted the fact that the share of male journalists among the students is very low.

Rozkladay concluded that the deficiencies reflect the general decline of academic education in the country.

Torbich credits NGOs with providing training opportunities to hundreds of journalists all over Ukraine. “During a year we couldn't find an investigative reporter, although we offer an above-average salary in the region; this is evidence of the low quality of education with the three journalism departments in universities in the Rivne region. Our online media colleagues also complain that they can hardly find journalists,” he said. “I saw that Ostroz'ka Academy's journalism undergraduate exam contained questions about medieval journalism, but nothing about searching in databases.” Skrypnyk agreed, noting that journalism interns from Kharkiv, Dnipro, and Zaporizhzhya are given handbooks produced by NGO media trainers (Ihor Kulyas and Oleksandr Makarenko) and have to be trained from scratch. Training courses and in-service programs are more effective than the theoretical knowledge taught in the academic journalism programs, she said.

Short-term training courses are available courtesy of international donors. According to Kvurt, training programs are numerous and primarily qualitative, and it is NGOs that support the operation and development of independent media. Most short-term training courses are aimed at reporters, and many workshops for journalists encompass topics such as EU integration, decentralization, health care reform, gender, and internally displaced people.

The Independent Association of Broadcasters, along with Deutsche Welle Akademie, runs the Ukrainian Media E-School, which offers medium-length programs for media managers, sales directors, digital directors, and community media executives; currently more than one hundred have graduated. RPDJ delivered extensive capacity-building training for a dozen investigative reporting centers across Ukraine, with Dutch MATRA support. In 2018, Ukrainska Pravda and Deutsche Welle Akademie held two more economic journalism sessions.

The Kyiv School of Economics and Vox Ukraine continue to operate the invaluable Center for Excellence in Economic Journalism, mixing online and live courses, research, and discussions with economics and business professionals. Established with private funding in September 2017, it has a capacity of 35 students per course cycle. Sydorenko noted that due to the declining quality in media newsrooms and the rush in daily operations, it is no longer possible to expect that a novice can pick up enough experience on the job.

The market for printing facilities is fully monopolized and apolitical. According to Vynokur, television equipment can be easily purchased, but it is prohibitively expensive for local media and prices fluctuate in concert with foreign currency rates. The price for newsprint increased drastically, by about 45 percent (from \$600 to \$1,100 per ton) in the first half of 2018, due to the decade-long absence of a Ukrainian producer and the near-total dependence on imported Russian newsprint. Western sources of newsprint are even less affordable for Ukrainian media.

On the distribution side, Ukrposhta remains a monopoly and regularly raises tariffs for media distribution, delays payments, and offers the media disadvantageous contracts. Tomilenko noted that

¹³ “Journalism Education in Ukraine: Is the System Working?” Detector Media. Accessed February 19, 2019: <https://detector.media/community/article/142347/2018-11-06-zhurnalistyska-osvita-v-ukraini-chi-pratsyue-sistema/>.

NUJU, trade associations of publishers, and 120 editors of national and regional publications accused Ukrposhta's top managers of non-transparent pricing and of purposefully ruining the rural subscription delivery system. Distribution is very inefficient and contributed to the general downfall of subscription circulations by 30–40 percent.

Matsuka noted that in 2018, social media algorithms became as influential for online media as post office distribution infrastructure is for print media.

Two monopolies control broadcast transmission. The private Zeonbud installed 120 of 144 digital broadcasting transmitters at the towers at the state-owned Concern RRT (Concern of Radio Broadcasting, Radio Connection, and Television). Before the analog switch, broadcasters had to pay for both. The year of 2018 brought claims that the digital broadcasting signal did not sufficiently cover all of Ukraine, but Zeonbud maintains that coverage reaches the required 95 percent of the population. Concern RRT is close to bankruptcy; it received a warning that its electricity would be cut off in 11 regions for its debts. However, it will be receiving fees for analog broadcasting from UA:PBC and a number of regional broadcasters still using analog until May 2019.

Zeonbud's ownership is not transparent; its final beneficiaries are three Cypriots and a UK citizen. Viktoria Syumar, a chair of the parliamentary committee on free speech, said that its non-transparency threatens the state's information security.

According to DM, Zeonbud services to Ukrainian broadcasters amounted to UAH 13 million (\$495,000); Zakuslyo said that Zeonbud increased prices by 37 percent for broadcasters in 2019. Vynokur claimed that is, in fact, an 80 – percent increase for broadcasters, as it no longer provides a discount.

Rozkladay was anxious about the future role of Concern RRT, given the state's apparent lack of strategy. It is likely that it will go bankrupt and be privatized. There were plans to make it an alternative state digital signal provider, but the NTRBC explained in 2018 that all the digital frequencies were given to Zeonbud. Even if it provided the license, Concern RRT did not have the funds to build a network within a year—and the council would have to cancel the license.

Local cable operators may refuse to include any channel in their package, although they are obliged under the universal program service provisions, Vynokur said. Kvurt explained that this happens due to the aggressive policies of mainstream television channels, which suggest packages of their channels to the cable providers for the same price as major channels alone; this way they occupy the available number of channels.

Telecommunications infrastructure continues to develop gradually. Three apolitical operators dominate the mobile market: Vodafone Ukraine, Kyivstar, and Lifecell. The gap between large cities and rural areas in Internet and other technologies remains. Vynokur said, "High-speed Internet is available only in large cities; in some areas it may be absent."

Ukraine has introduced 3G and 4G, the latest in Europe. Ukraine's 3G coverage remains incomplete; 4G was first introduced in April 2018 only in oblast centers, resorts, and border transition sites, and it is forecasted that it will take another two years to cover all of Ukraine. Formally, Ukrainian mobile operators were to provide Internet access to 90 percent of inhabitants in each town with more than 10,000 people by 2021. The delays are connected with previous uneven distribution of frequencies between various operators, as well as many regulations, such as those regarding auctions and

licensing, that operators had to overcome—the principle of "technological neutrality" does not work in Ukraine. In addition, 4G started at 2,600 MHz frequencies, which require a larger density of basic stations. More acceptable frequency bands (850, 900, 1,800, and 2,100 MHz) have already been in use by CDMA, GSM, cable television, and 3G. Such frequencies required huge capital investments of the operators into licenses, then into the technical development of networks.

The operators claim that high-speed Internet access is available to 40–55 percent of Ukrainians. At the end of 2018, 4G users amounted to 3 million, 2 million, and 1.2 million at respective operators Vodafone Ukraine, Kyivstar, and Lifecell. All operators reported that users have started to consume "heavier" content; a half of consumer use goes to audio and video content.

Rozkladay positively assessed that the same law on transparency of media ownership provides for transparency of ownership of providers, but Kvurt said a large share of Internet traffic comes from Russia because it is very cheap—and that constitutes a threat to national security, protection of personal data, and the fight against piracy.

By October 2018, Internet penetration reached 63 percent of Ukrainians (20.8 million) over age 15, according to the Internet Association of Ukraine's Factum Group research. That figure has held fairly steady for the past two years. Seventy percent of regular Internet users obtain access via smartphones, 36 percent through home laptops or desktop computers, and 13 percent through tablets.¹⁴

14 "Internet Penetration in Ukraine." Factum Group Ukraine, November 2018. Accessed February 19, 2019: https://inau.ua/sites/default/files/file/1811/dani_ustanovchyh_doslidzhen_iii_kvartal_2018_0.pdf.

Panel Participants

Kateryna Dyachuk, chief of department on free speech monitoring, Institute of Mass Information, Kyiv

Oleg Khomenok, senior media advisor, Internews Network, Kyiv

Kostyantyn Kvurt, board chair, Internews-Ukraine, Kyiv

Oleksiy Matsuka, board chair, Donetsk Institute of Information, Kyiv/Sloviansk

Lyudmyla Pankratova, media lawyer, Regional Press Development Institute, Kyiv

Igor Rozkladay, lawyer, Center for Democracy and Rule of Law (CEDEM), Kyiv

Anna Skrypnyk, director, Sigma TV and Radio, Lozova of Kharkiv region

Sergiy Sydorenko, editor, Europeyska Pravda, Kyiv

Sergiy Tomilenko, chair, National Union of Journalists of Ukraine, Kyiv

Volodymyr Torbich, chief editor, Chetverta Vlada (investigative reporting agency), Rivne

Yulia Vynokur, general director, TV-4 television company, Ternopil

Maryana Zakusylo (Kucheruk), chief editor, Detector Media, Kyiv

Moderator and Author:

Kateryna Laba, media expert, Kyiv

The panel discussion was convened on December 21, 2018.



KAZAKHSTAN



MEDIA SUSTAINABILITY INDEX 2019

Tracking Development
of Sustainable
Independent Media
Around the World



KAZAKHSTAN

AT A GLANCE

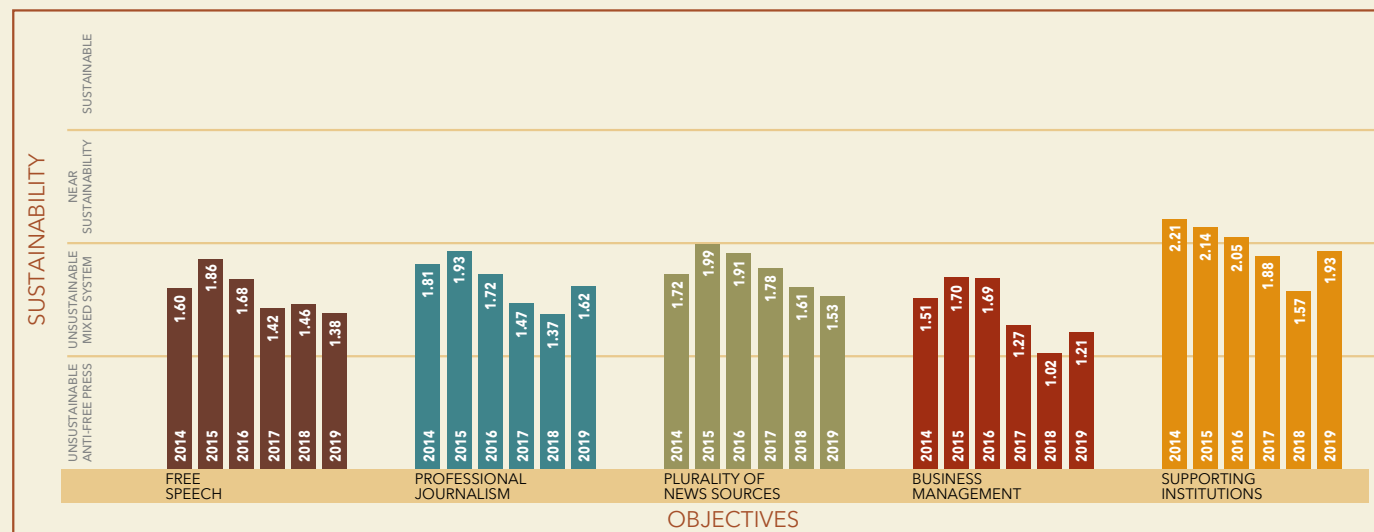
GENERAL

- **Population:** 18,376,178 (December 2017, Committee on Statistics, Ministry of National Economy, Kazakhstan, stat.gov.kz)
- **Capital city:** Astana
- **Ethnic groups (% of population):** Kazakh (Qazaq) 67.47%, Russian 19.76%, Uzbek 3.18%, Ukrainian 1.53%, Uighur 1.46% (2018 est., Committee on Statistics, Ministry of National Economy, Kazakhstan, stat.gov.kz)
- **Religions (% of population):** Muslim 70%, Christian 26% (mainly Russian Orthodox), 0.6% others (Committee for Religious Affairs, Ministry of Culture and Sport, Kazakhstan)
- **Languages:** Kazakh (state language) 64.4%, Russian (official, used in everyday business) 95% (2001 est., CIA World Factbook)
- **GNI (2017-Atlas):** \$142,275 billion (World Bank Development Indicators, 2017)
- **GNI per capita (2017-PPP):** \$23,440 (World Bank Development Indicators, 2017)
- **Literacy rate:** 99.8%; male 99.8%, female 99.8% (2015 est., CIA World Factbook)
- **President or top authority:** President Nursultan Abishuly Nazarbayev (December 1, 1991 to March 2019). President Kassym-Jomart Kemelevich Tokayev (elected March 20, 2019)

MEDIA-SPECIFIC

- **Number of active print outlets, radio stations, television stations:** Print: 2,790 newspapers and magazines; Television Stations: 128; Radio Stations: 70; Information Agencies and Websites: 340 (Ministry of Information and Communication, Kazakhstan, 2019)
- **Newspaper circulation statistics:** Top four by circulation: *Karavan* and *Karavan-Class* (partly private, in Russian, weekly), circulation 500,000 combined; *Yegemen Qazaqstan* (state owned, in Kazakh), five times weekly, 201,750; *Kazakhstanskaya Pravda* (state owned, in Russian), five times weekly, 100,000; *Ekspress-K* (partly private, in Russian), five times weekly, 100,000
- **Broadcast ratings:** Top four channels: 1 Channel Eurasia, NTK, KTK, 31 Channel (Kantar TNS Central Asia, 2018)
- **News agencies:** 41 news agencies, of which the most used are: Kazakhstan Today, KazInform, Bnews, Business Resource, Interfax-Kazakhstan (Ministry of Information and Communication, Kazakhstan, 2018)
- **Annual advertising revenue in media sector:** Advertising agency statements vary widely. Estimated annual revenue in media is \$154 million, distributed as follows: TV 67%, radio 12%, print 10%, internet 5%, outdoors 6% (Kantar TNS Central Asia, <2018)
- **Internet usage:** 77% (TNS Web Index, Kantar TNS Central Asia, 2018)

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.

Scores for all years may be found online at <https://www.irex.org/msi>



Kazakhstan's overall MSI score rose to 1.54, which still places it in the unsustainable/mixed system classification. This year's panelists observed that journalists limit themselves to safe content and reflections on topics discussed by experts, reducing Kazakhstan's media to opinions not supported by facts and statistics. Traditional print and broadcast media continue to experience financial pressure, as broadband and mobile Internet access is developing rapidly, social networks and bloggers are growing in popularity, and advertisers are redistributing their budgets in favor of websites and bloggers. Panelists also highlighted that the Internet and all user network activities are monitored and controlled. As a result, all discussions of current issues in the country have moved to social networks and instant messengers, which are not controlled by authorities.

In January 2018, for the first time in the history of the country and its central Asian neighbors, Kazakhstan headed the United Nations (UN) Security Council, an auspicious event for a country that is not a permanent member of the UN political body. Additionally, through presidential decision, Kazakhstan made a highly controversial official move from a Cyrillic-based alphabet to Latin. Observers believe that this change will further weaken Russia's influence over information and give the Kazakhstan government new impetus to enter the international arena.

A major tragedy during the year was the senseless and brutal murder of Olympic figure skating champion Denis Ten. This resonated widely in society and social networks, revealing a mood of protest and showing an active civil society demanding immediate and effective changes within the law enforcement system. The Kok-Zhailau campaign, which works against replacing a national park in Almaty with a ski resort, was a similar catalyst for civil activity.

The digitalization of all types of processes continued rapidly, including conversions in e-government, health care, and education. Civil activists began to engage in anticorruption investigations based on data readily available from the public procurement database.

Amendments to the law on mass media have come into force, with positive and negative outcomes. Key media events include the closure of one of the most popular independent news sites, Ratel.kz, and regular Internet blockages during broadcasts of the disgraced oligarch, Mukhtar Ablyazov. The Legal Media Center lost a lawsuit against the Ministry of Information and Communications (MIC) regarding MIC's failure to disclose how the government distributes funds to the media. All appeal courts, including at the supreme court level, have upheld the decision.

Officials also outlined their understanding of a journalist's responsibilities. Speaking at a youth conference, Dariga Nazarbayeva, a politician and the daughter of long-time President Nursultan Nazarbayev (who resigned in March 2019), said, "In my opinion, the biggest challenge facing journalism is to be the moderator, or mediator, between the state and society. To make government official gibberish understandable by the widest possible audience."

In 2018, Kazakhstan was ranked 158 out of 180 in the 2018 World Press Freedom Index published by Reporters Without Borders (Reporters Sans Frontières). Freedom House's Freedom in the World 2018: Democracy in Crisis report rated Kazakhstan at 6.7 points on a seven-point scale (seven being "least free") for lack of freedoms.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

1.38

During 2018, the situation regarding freedom of speech and information access did not change for the better. Major amendments were added to the law on mass media. Positive aspects include a ban on posting or printing images and personal data of children affected by violence as well as the individuals suspected of committing such crimes. The law has granted journalists more freedom in taking photos and videos in public places, and they can photograph people in public places without their consent. The list of exemptions of journalist liability has been expanded. Now, only the original source (i.e., a media organization registered in Kazakhstan) is held responsible for disseminating false information. The media law's penalties of suspension and media confiscation for minor technical offenses have been removed, and a liability penalty (a warning for a first-time offense) has been introduced.

Identification procedure is one of the controversial amendments. This procedure means that those users who want to leave comments on Kazakhstani information websites have to be registered. This has become a barrier to the expression of freedom of speech for both users and Internet resources. Many large mass media outlets (zakon.kz, sputniknews.kz, informburo.kz) decided to switch off the option of leaving a comment because it requires a lot of money and certain procedures. Currently, the Ministry carries out inspections to ensure compliance with this provision. Last fall, "Nasha Gazeta" received a warning that, if it did not introduce an identification procedure on its website,

legal consequences would follow. The newspaper was forced to turn off the comments option.

State bodies—such as the General Prosecutor's Office, the National Security Committee (NSC), the Ministry of the Interior, and the Ministry of Defense—can now block Internet resources in the case of a social, environmental, or man-made threat or emergency and during a state of emergency. The General Prosecutor's Office and NSC can execute all other types of blocks (by court decision, as directed by the authorized body).

In the past year, some mass-media were closed and blocked online. For example, Ratel.kz was closed by a court decision due to the site owner's death, and Editor-in-Chief Marat Asipov was banned from engaging in professional activities for three years. According to panelist Olga Kolokolova, the editor-in-chief of *Nasha gazeta* (*Our Newspaper*), its website Ng.kz was blocked on November 15, although they were not able to pin the blockage on a government agency. "For the entire month, we tried to figure out who had done that. We made inquiries to the MIC and Kazakhtelecom, the General Prosecutor's Office, and the police department," she said, "Officially, we were told that no one had blocked us. If this can happen to the site of a small regional newspaper, it would be not hard to imagine what would happen to real opposition press."

YouTube and Facebook access speeds slow down regularly in the evenings. Although this usually happens when outlets broadcast Mukhtar Ablyazov, leader of the banned party Democratic Choice of Kazakhstan (DCK), no one claims responsibility for the blackouts.

All Kazakhstan domain names must be hosted by a server located within Kazakhstan.

MIC and the Ministry of National Economy approved criteria for risk assessments and a checklist for monitoring compliance with current

media legislation. Now, all media are divided into three categories of potential violations: significant, insignificant, and major. Officially, this been implemented to reduce the number of media tax audits. However, the standards for categorizing raise many questions: print media is considered high risk, while Internet resources are regarded as low risk, and TV channels are not mentioned at all.¹

Panelist Lukpan Akhmediyarov of *Uralskaya nedelya* said that "often, when covering criminal events, incidents, investigations, and inspections, journalists are required to apply in writing to law enforcement agencies. This takes at least two working days, and by that time, the information has become hopelessly outdated."

Control over Kazakhstan's information space has intensified. The Center for Analysis and Information of the Ministry of Information and Communications receives about \$3 million annually in state funding for monitoring all media for compliance with the law and sends notifications on legislative violations to the media outlets' editorial staff. The number of supposed violations is

¹ Ministry of Information and Communications and Ministry of National Economy, Republic of Kazakhstan. "Совместный приказ Министра информации и коммуникаций Республики Казахстан от 9 ноября 2018 года № 473 и Министра национальной экономики Республики Казахстан от 15 ноября 2018 года № 69 Об утверждении критериев оценки степени риска и проверочного листа за соблюдением законодательства Республики Казахстан о средствах массовой информации." *Online.zakon.kz* (Online Laws of Kazakhstan). November 15, 2018. https://online.zakon.kz/Document/?doc_id=32508659#pos=4;-155.

KAZAKHSTAN

estimated to be in the thousands, with about half of them related to regional TV channels. After NGO and media industry intervention, lawmakers amended the monitoring procedures. Editors can now raise objections to notifications of legal violations, and the regularity of monitoring has changed. Data regarding the monitoring, however, is still considered classified information.

Receiving a license is easy enough but obtaining a frequency for broadcasting is nearly impossible. A commission within MIC still handles the allocation of frequencies, and the official reason for rejections is the lack of available frequencies.

Media market access is open to local businesses, although broadcast media are regulated closely. The law sets a limit of 20 percent foreign ownership in media boards, justified by needing to ensure that the information space is effectively protected from foreign influence.

Most printing houses in Kazakhstan were privatized a long time ago and have official private tax status. However, they are under the strict control of authorities, and the state can stop their activities at any time.

The mass media law has introduced an official definition of propaganda, along with requiring journalists to obtain consent from individuals prior to publishing any of their confidential information.

Kazakhstan has seen an increase in the number of court cases related to the incitement of national, religious, and social hatred. They have applied mainly to posts and comments on social networks and often have had a political basis. Practically no acquittals occur with these situations.

The criminal offense of spreading false information has also become popular. In April, Forbes.kz and Ratel.kz journalists were detained when Zeinulla Kakimzhanov, the ex-minister of state revenues (now a prominent business owner),

accused them of intentionally spreading false information that affected his business. At the time of this writing, the case is still in process.

The majority of criminal cases are initiated against Internet users. They are accused of committing crimes by using the media and calling for public action that is prohibited in Kazakhstan. Activists Ablov Jasmyev and Aset Abishev were convicted for reposting and "liking" publications of the prohibited political party DCK (Democratic Choice of Kazakhstan). They were sentenced to three and four years in prison, respectively. Legal experts said that these penalties are excessive and do not correspond to the degree of the committed act.

This year saw several notable legal cases involving the media. For the first time in Kazakhstan, police opened a criminal case on obstructing journalism. Galymzhan Kunakbayev, a senior executive at JSC ArcelorMittal Temirtau, was charged for impeding the lawful professional activities of journalist Oleg Gusev: Kunakbayev demanded that the journalist not write negative coverage about the company and threatened Gusev, who recorded everything and submitted it to the police. In another case, a Pavlodar city official's wife accused Ratel.kz journalist Dzhamilya Maricheva of disclosing her personal information when the journalist reported on foreign trips that were tracked through her Instagram account. The court decided to fine the journalist KZT 200,000 (approximately USD \$500) as compensation for "moral damages."

Also this year, journalist Irina Beketova was murdered, although police subsequently determined that it was committed by her husband.

On Independence Day (December 16), journalists and activists were detained in various regions of Kazakhstan. Journalists Maria Melnikova and Raul Uporov of the weekly *Uralskaya nedelya*

spent several hours in a police station and were later released without any explanation given. According to experts, the journalists were detained to avoid drawing new focus to the December 2011 massacre of striking oil workers in Zhanaozen. Panelist Gulnar Assanbayeva commented that this is "unprecedented evidence of the complete impotence of the state in its attempt to influence public opinion and its inability to work with the population."

Independent media journalists, especially investigative journalists, do not feel safe and encounter various obstacles when they want to travel abroad, panelists said.

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.

The media are still divided into public and private sectors. The state public media are 100 percent financed from the budget and has no competition. The amount spent for this purpose was about \$110 million. Private media are much smaller, but the majority also receive state funding through e-procurement or by decision of a commission that distributed money for the state information policy.

MIC has classified as “for official use only” its information on how much funding it allocates to private media. The Legal Media Center challenged this in court, with a demand to recognize such action as illegal. However, the courts rejected the demand. Thus, taxpayers are now officially denied the right to know where the state spends their taxes in the media sphere.

Unfair competition continues in the print media market, with citizens who are employees of state organizations (i.e., schools, hospitals) forced to support the state press through subscriptions to official publications.

Standards for accessing information have changed. Information is now divided into “official” and “other” categories. State bodies must respond to inquiries concerning official statements within three days, and to “other” statements within seven days. However, the law is violated continually. Government agencies do not respond in time and use noncommittal and incomplete answers, and access to official information is problematic, especially since almost any type of information can be classified as official by government decision. Panelist Lukpan Akhmediyarov of *Uralskaya nedelya* said that “often, when covering criminal events, incidents, investigations, and inspections, journalists are required to apply in writing to law enforcement agencies. This takes at least two working days, and by that time, the information has become hopelessly outdated.”

The law has no special prohibitions on

journalists accessing foreign sources of information. Government agencies attempt to inform the state media first about socially significant events and local information. According to Askar Shomshekov, this practice is rationalized as an attempt to minimize any manipulation of public opinion by private media as well as in the interest of national security.

As per 2018 amendments to the 2017 Law on Television and Radio Broadcasting, foreign television and radio channels are required to register a legal entity or a branch office representing them in Kazakhstan within six months. By July 9, 219 foreign media had met the requirements. However, 88 channels did not complete registrations and ceased broadcasting in August.

The law places no restrictions on becoming a journalist. A university graduate can begin working in journalism, as can any person without specialized education. Accreditation is still necessary for certain events, such as those in which the president participates.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

1.62

While attending a youth conference, MIC Minister Dauren Abayev was quoted as saying, “Over the past 15 years, journalism in some areas has lost its sharpness, while conversely in others, it has been re-sharpened by going from one extreme to another. You need to understand all the intricacies of the profession. If you ask the right and smart questions, you will get the right and smart answers.” This statement caused a flurry

of disputes in social networks.² The Union of Journalists of Kazakhstan’s Board Chair Seitkazy Mataev considered these remarks inappropriate, commenting, “What kind of sharpness can we talk about if there is practically no information in the country that is different from the state ideology?”

Events in Kazakhstan are not always covered objectively, as the government’s media financing is contained in the framework of social service procurements. Only a few media organizations avoid receiving money from the state as a matter of principle to retain their editorial independence. The overwhelming majority are regular recipients of state funding, which local authorities use to give directives to editors on what topics they cannot cover. As a result, all central publications and most regional media avoid reporting on protest events.

In the pursuit of sensationalism, some journalists create and spread fake information. Others, working on state information orders, just copy the propaganda sent to them by government bodies. Panelist Igor Bratsev, director of MediaNet International Center for Journalism, noted that the media has had a dumbing-down effect: “Today, Kazakh media is increasingly becoming just a rebroadcaster of news generated by the state sector, which does not stimulate critical thinking within the public. The news has become nothing more than obvious propaganda.”

Panelists noted that Kazakh journalists do qualitatively analyze situations in other countries but limit themselves to factual statements when it

2 Turzhan, Nurila. “Абаев считает, что форум Jas Qalam станет эффективной площадкой для решения проблем в журналистике.” *BNews.kz*. October 12, 2018. https://bnews.kz/ru/news/za_poslednie_15_let_zhurnalistika_poteryala_svoiu_ostrotu_abaev.

concerns events in their own country.

Within the journalist community, ethical norms and rules work in a very dubious way. The media sphere has no common standard of ethics or self-regulatory institutions, such as a media or press council. These shortcomings lead to a large number of lawsuits and court hearings.

Kazakhstan does not have a single media entity that fully meets professional standards. New media outlets ignore such ethics and only chase after “likes” and page views. Traditional media are forced to maneuver between how reporting should be done and how the advertiser or owner insist on it being done.

Journalists often violate ethical guidelines that concern children. For example, in a high-profile case of a boy who was raped, the media showed the faces of his relatives and disclosed the details of the case.

According to the panelists, the media sector’s guiding factors are bias and poor-quality journalism, mass publication of paid advertising and public relations, and constant high-level corruption in the industry. News commercialization by the media remains high. Social networks have an active presence of bloggers who promote consumer goods and services, as well as cover events on a paid basis and through bartering. In addition to gifts for journalists, “blogger care” has also increased in popularity: bloggers are assembled in groups, put in a vehicle, and taken to events where they receive presents, good food, and drinks. In return they are expected to write positive articles.

According to the results of a study conducted in 2018 by the MediaNet International Center for Journalism, more than 65 percent of Kazakhstan’s media specialists believe that censorship exists to a varying degree. At the same time, almost all reporters, editors, and owners point out

that self-censorship by journalists and even by publication owners is the primary problem. Reporters themselves not only know the limitations from their editorial offices on covering certain individuals and topics, but the editors also are fearful when preparing materials on social and political issues. Any unguarded word can lead to complaints from officials and lawsuits, which could result in losing work and ruining the media company. So reporters whitewash, preferring to cover safer, noncontroversial topics.

Assel Janabayeva, a journalist with Obk.kz and Factcheck.kz, explained that “self-censorship in editorial offices is called ‘flagging’ — that is, the editor, depending on who pays them, sets up topics their journalists can write about, with the reservation [that they] write nothing at all about certain persons or write only good things about them.”

Igor Bratsev noted, “Today, Kazakh media is increasingly becoming just a rebroadcaster of news generated by the state sector, which does not stimulate critical thinking within the public. The news has become nothing more than obvious propaganda.”

Panelists said all media, regardless of ownership, are aware of a number of persons, social movements, and topics that constitute a blacklist. For example, Kazakhstan media are directly banned from mentioning the fugitive politician Ablyazov and his political party DCK, labeled as extremist by the courts. Many journalists do not understand how best to write about them, and consequently have been summoned to the prosecutor’s office and advised not to publish such material. Any articles about Ablyazov and DCK could be regarded as incitement

propaganda for extremist activities.

Media degradation is also driven by the pursuit of traffic and ratings in social networks. Serious material gives way to short news items of criminal content (traffic accidents, murders, rapes) and to reports on the life of “stars” and descriptions of online community life. Social network posts often become “news” without proper verification and editing — for example, by not redacting hate speech.

Against the background of the economic crisis, journalist salaries are falling, the number of reporters is decreasing, and some publications have ceased to exist. At the same time, highly specialized journalists remain in demand due to a shortage. The salaries paid to journalists vary greatly, depending on the region and the financial health of their media organizations. Private independent media outlets often pay “gray” wages, given that media businesses have no tax benefits and their incomes have been decreasing yearly. According to a National Chamber of Entrepreneurs (NCE) survey of 24 universities, the average salary of a journalism graduate from 14 of the universities is less than KZT 100,000 (\$260) per month.³ The difference between fixed salaries at independent media and state publications is significant. To compensate, journalists of independent media often do side work as freelancers.

At many publications, it is considered a norm for newspaper executives to ask their local administration to “recommend” that, for example, school and hospital employees subscribe to their newspapers; similarly, it is common for publications to use “contractual” advertising and plugola (hidden

3 Atameken. “Рейтинг Вузов: Какие Образовательные Программы Вызывают Вопросы у Бизнеса?” *Atameken.kz*. July 23, 2018. <http://atameken.kz/ru/news/30084-reyting-vu-zov-kakiye-programmy-vyzyvayut-voprosy-u-biznesa>.

advertising or advertising under the guise of news reporting). Commercial advertising buys outflow to such global networks as Facebook, Google, and Mail.ru, which deprives local media of any realistic monetization prospects.

Journalists are taking fewer risks in their coverage and are more oriented to non-political news. Reporters limit themselves to safe content and reflections on topics discussed by experts, reducing Kazakhstani journalism to opinions not supported by facts and statistics, panelists observed. This is especially true for regional media that are exposed to administrative and economic pressures. Entertainment TV always wins out over informational news on important sociopolitical events. The breakdown is the same for Internet content.

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).

Internet access in Kazakhstan is affordable, given that the equipment for online media is not as expensive as a mobile TV unit for a TV channel, for example. With regard to technical capabilities, many media organizations have switched to a mobile journalism format. State media is equipped with the most modern of technology. High-quality specialized journalism is represented primarily in the business segment. Consumers can observe active contributions from well-known businesspeople on social networks. The National Bank and the Ministry of National Economy have also become significantly more active in social media.

The media are unofficially prohibited from publishing investigations concerning certain businesspeople (e.g., Kenes Rakishev, Zeynulla Kakimzhanov, Timur Kulibayev), the president's family, and the head of the National Security Committee's family. Information about them is not published even in so-called "open" sources.

Foreign investors are still passive in the media market, due to a 20 percent cap on their ownership in any company. Russian information resources actively promote themselves in the Kazakhstan market, including those funded by grants from the Russian Federation. The presence of Kazakhstan's media abroad remains minimal, but panelists underscored that Armanzhan Baytasov (Forbes.kz owner) was invited to take charge of the Russian edition of *Forbes* magazine; and Alexander Vorotilov, who was the deputy chief editor in the magazine *Forbes Kazakhstan*, was appointed to a similar position in *Forbes Russia*.

OBJECTIVE 3: PLURALITY OF NEWS

1.53

According to MIC, Kazakhstan has 2,897 media outlets: 87.7 percent produce print publications, 6.2 percent are electronic editions, and 6.1 percent are news agencies and network publications. In addition, the entire territory of Kazakhstan is covered by national satellite television channel OTAU TV, with 81.7 percent covered by digital broadcasting. The media is divided into two categories: state and private. No community-based media exist in Kazakhstan.

The trend of pushing traditional print and electronic media out of the market continues. The shift is a result of broadband and mobile Internet access developing rapidly, as well as social networks and bloggers growing in popularity. Advertisers continue to redistribute budgets in favor of new media websites and bloggers. People prefer those channels as sources of information because traditional media are very much dependent on the government and cannot cover many important topics. Bratsev identified the risk of believing online posts over news reporting. "People's distrust of traditional media motivates them to use social networks as an alternative information platform. The problem is that those networks contain unverified and often deliberately false information," he said.

In the panelists' view, bloggers present themselves as opinion leaders, but still cannot assume the role of "the ruler of people's minds." Their scope of knowledge is narrow, they are fascinated with hype, they participate in plugola, and they lack clear principles, panelists said.

Because consumers do not receive all the news information they need, a new media source

has emerged and is gaining strength: instant messengers and, in particular, WhatsApp.

According to the research company Analysis and Consulting Team (ACT) Kazakhstan, the popularity rating of social networks ranked from highest to lowest is as follows: VKontakte, Odnoklassniki, Instagram, Moy Mir, Facebook, and Twitter, with most users located in Almaty, Karaganda, Shymkent, and Astana. YouTube is particularly popular, and although the Kazakh authorities deliberately slow down the speed of the Internet when Ablyazov is streaming, it only increases public interest in what he says, panelists observed.

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.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.

Government agencies are now maintaining accounts on social networks, where authorities comment on certain topics. Journalists actively use their comments as official sources of information. Business and financial material can be found there, as they are in the public domain.

A new website, Compr.kz, has emerged. This site compiles data on businesspeople and commercial companies and then provides the information to the general public. Another new website, Publicbudget.kz, describes all the financial operations of social programs sponsored by the state.

Panelists noted positive technological developments: almost all state print media have web versions that allow displaying "mosaic" multimedia content, thereby focusing on consumer needs. More and more online media entities are creating mobile applications as well.

Kazpost JSC, the dominant subscription company for periodicals, provides low-quality service. Publication of daily newspapers has practically ceased due to Kazpost JSC's high cost for services and its inability to deliver newspapers to subscribers in a timely manner.

Citizens' access to foreign media is not limited by law, but consumers have economic restrictions: they must pay for cable TV to receive access to foreign media, because cable operators must also pay for that channel to include it in their packages. Cable operators also practice self-censorship; for example, many do not include in their packages the Ukrainian channels because of the ongoing conflict between Ukraine and Russia.

Several information agencies are available, including Interfax-Kazakhstan, Kazinform, KazTAG-Kazakh Telegraph Agency, Reuters, and Bloomberg. These agencies represent the most effective and reliable sources of information, and all types of

media have subscriptions. Some of the information provided by news agencies is available through free access, and the rest is purchased, as the price is quite affordable for many publications. Also, the Chinese agency Xinhua has appeared in the market.

Private media produce their own content, mostly in news format. In this respect, TV channels are the most independent: they generate their own news and analytical programs. At the same time, the state-owned media offer non-controversial content, both in terms of topics and key messages. Private media offer a more critical approach in covering events and problems of the state, but due to the reasons described above, they often limit themselves to writing on insignificant topics and even avoid certain issues completely.

State media cover international news and conflicts very poorly, with no analysis of the issues. Against this background, Russian informational content remains in demand, even though it cannot be regarded as impartial. However, its high technical and professional quality makes it attractive to an uncritical audience.

Many media organizations belong to financial and industrial groups and monopolies. But media ownership transparency remains a serious problem. The ultimate owners of the media remain unknown to general society, and the government has not supported efforts to disclose this information.

The year of 2018 witnessed a noteworthy lawsuit brought by the Legal Media Center against MIC. They sued MIC for refusing to provide information about media organizations that receive government financing. Despite the arguments of the plaintiffs that the information is socially important, the court upheld the MIC minister's claim that the information is confidential.

The spectrum of public interests is covered narrowly in traditional and new media, social

networks, and instant messengers. Such stories are mostly subordinated to either government orders or the interests of advertisers. The opposition press and online sources have practically disappeared from the market, and only individual users of social networks express any opposing viewpoints.

“People’s distrust of traditional media motivates them to use social networks as an alternative information platform. The problem is that those networks contain unverified and often deliberately false information,” Bratsev said.

Media representing Kazakhstan’s ethnic diasporas are in a difficult position due to a reduction in their audience, and they almost always serve the ideological interests of the state. The national state newspaper, *Deutsche Allgemeine Zeitung*, is the only paper directed toward ethnic Germans in Kazakhstan. The paper is published once a week, with a circulation of 1,000 copies, and is supported by funding from the MIC and the Institute for Foreign Cultural Relations of Germany. A Korean-language newspaper, *Korea Ilbo*, has a circulation of 1,650 copies.

The varying media have their individual approaches to religious, national, and sexual minorities. Minority topics are presented from a positive perspective as per state orders, and mostly concern the larger religious minorities (Islam and Orthodoxy) as well as issues of national unity and friendship among peoples. Sexual minorities are practically not discussed at all. Non-government entities cover these topics in a harsher way, often by using discriminatory language. This is especially characteristic of the Kazakh-speaking media, who

are subjective in the discussion of such issues and sometimes even openly intolerant about sexual minorities.

The Internet campaign “NeMolchi” (Don’t Stay Silent), organized by activist Dina Tansary, received wide media coverage in 2018. This campaign emphasized the detrimental effects of not speaking up on rape, bullying, and violence against women. The campaign was recognized by many governmental agencies, activists, and foreign communities. The Kok-Zhailau campaign, protesting the construction of an expensive ski resort in a forest in the foothills of Almaty, was of the same scale.

The media will only use foreign content that most positively reflects the country’s government and its leadership, government programs, visits of top officials, and the Eurasian Economic Union. Publications on the international agenda determine their tone and topics largely by the positions of official institutes. These publications are also influenced by propaganda campaigns of neighboring countries such as Russia, China, and Turkey. As a rule, Kazakhstan’s media do not have their own correspondents in other countries, nor do they have full-time employees specializing in international topics.

Local news is aired in the national media but in a truncated format: only incidents, criminal cases, and in particular high-profile crimes. The media have an interest in regional life just in cases of a “state order” or in the event of a scandal related to a municipality or its head — when such reporting is ideologically advantageous to the authorities.

Sometimes topics arise that most people prefer not to discuss. In a recent case of a rape of a child by minors, the story was hushed up by all possible means. Journalists, lawyers, and social activists came under pressure from law enforcement agencies and even from the Ombudsman for Children’s Rights

— although they saw the situation as an opportunity for public relations.

OBJECTIVE 4: BUSINESS MANAGEMENT

1.21

The national media continue to suffer from the negative impact of macroeconomic conditions in Kazakhstan. One factor is the weak exchange rate of the Kazakh tenge versus the US dollar and the Russian ruble, especially because Russia is the main supplier of newsprint. High inflation is problematic, and the state information procurement order system is challenging.

Media management is relatively ineffective, in essence just receiving and implementing state orders. With regard to management quality, media companies are significantly inferior to leading companies in other economic sectors. According to Dorofeev, “The editor-in-chief and the entire editorial staff usually do not think about financial issues. They don’t even have basic knowledge about business planning, marketing, and so on.”

The panelists said that these low management ratings indicate the obvious problem of lacking editorial independence. They held the view that independence should be a main priority of Kazakh media, regardless of who owns the outlet.

Today, the media industry is facing the following problems:

- ▶ The state holds a dominant position as media owner.
- ▶ State-owned media are managed inefficiently. According to estimates by the accounts committee of Kazakhstan, government funds are spent

inappropriately and ineffectively.

- ▶ The state's announced goal of increasing media competitiveness has not been achieved.
- ▶ Advertising is restricted at the legislative and institutional level. Top advertising sellers work only with specific TV channels.
- ▶ The state media, with 100 percent government financing, competes in the advertising market along with the private media.
- ▶ Kazakhstan has only one measurement meter for television audiences, and no circulation ratings at all for print media.
- ▶ Government funds are not allocated to infrastructure projects encompassing the media market; instead they go to individual media outlets, mainly state-run.
- ▶ Media enterprises have no tax relief.

Most media depend on foreign investments by their founders and grants from international organizations. At the same time, self-sustaining media organizations diversify their sources of income as much as possible via subscriptions, distribution, advertising, special projects, and government orders. These sources are used to varying degrees by many private media outlets.

The advertising market is still small. Because advertisers are looking for mass coverage they are gradually moving toward social networks. Television remains the most attractive for media advertisers, but it requires large budget outlays. Global players such as Facebook, Google, and YouTube are gradually consuming more and more of the advertising market share. The effectiveness of banner advertising is decreasing as well. These issues have led to a crisis in the financing of the media advertising model.

At the regional level, significant parts of advertising budgets are redistributed in favor of social networks. They have become a good source of income for bloggers and specialists in social media marketing. In such an environment, the print media has been forced to compensate for losses by raising subscription prices. The increase has led to a drop in print media circulation, to only half or a third of previous levels. For example, in 2018, the *Star of Priirtyshya*, once the most popular newspaper in the Pavlodar region, had a circulation of only 10,000 copies. That total is four times less than its 2015 circulation, and 7,000 copies less than 2017's total.

Consequently, publications with revenues that depend on subscriptions are becoming biased toward entertainment content. On the other hand, outlets receiving state funds allocate significant airtime and printed pages to coverage and implementation of government programs.

According to Kantar TNS Central Asia, the total volume of advertising increased by 18.6 percent during the first half of 2018, compared to the same period in the previous year. However, print media volume decreased by 22.7 percent, while radio had an increase of 8.5 percent, and TV 22.6 percent. This growing trend shows that advertisers are independently approaching consumers through social networks to offer their goods and services in Kazakhstan's advertising market. The shift has reduced advertising revenues of the media, public relations, and advertising agencies.

Non-profit public advertising is poorly represented in the Kazakh media.

Most of the regional media companies do not have clear business plans. Print media are the main type to have management staff. As such, most media's business decisions are made based on crises, such as staff cuts and state funding revisions. The accounting departments of such media outlets

have the same shortcomings. They do not make adequate use of new technologies capable of automating financial processes.

The government distributes funds among the media in a non-transparent manner. Media companies have seen improvements, though, compared to previous years. The changes include the formation of a special commission that now works with public representatives; editorial staff members developing new projects; and outlets' popularity and ratings now being considered in funding decisions. But in general, the distribution of government procurements is done without proper public control. These practices partially explain why MIC refuses to disclose information on how state procurement orders are allocated.

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. | |
| ▶ 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. |

Most media outlets, especially print and online publications, do not conduct any regular marketing studies. This choice is largely due to insufficient funding. As a result, media entities either do not understand or have an incorrect understanding of their target audience. The exceptions are TV channels, many of which measure their target audience using several parameters, and online media outlets, which use corresponding measurement tools (Google Analytics, Yandex Metrica, Mediator, etc.).

According to Dorofeev, “The editor-in-chief and the entire editorial staff usually do not think about financial issues. They don’t even have basic knowledge about business planning, marketing, and so on.”

TV ratings are measured by Kantar TNS Central Asia. But according to the panelists, professionals are increasingly questioning its audience measurements. The primary criticism is Kantar not controlling for social, linguistic, and geographical factors that, according to some experts, may cause distortions of the true data.

Several tools are used to measure audiences for specific online publications, and often these outlets use the findings to attract advertisers. The government agencies that distribute funds within the framework of state public orders also use these indicators when forming the terms for procurement offers. This results in a bid offer having technical specifications that often just fits the parameters of a particular media organization, making it impossible to apply to a different service provider.

Kazakhstan has no unified circulation service for measuring the print media, and this leads to an overestimation of the circulation of newspapers

and magazines. The practice of overestimating is widespread. In 2018, in the city of Pavlodar, an authorized agency conducted an inspection of media outlets and demanded that they provide actual circulation numbers of each publication on its release. It was discovered that the actual number of copies in circulation was two to three times less than what was being declared.

Online media commonly attempt to artificially increase the traffic and attract advertisers, and bloggers use similar methods. In 2018, the news website Informburo.kz announced its withdrawal from the Internet statistical service Zero.kz. Nur.kz, 365info.kz, Gizmeteo.kz, Kolesa.kz, Krishna.kz, and other popular resources had already withdrawn from Zero.kz.

Costly marketing research is only affordable for large advertising agencies affiliated with the national media. Often, this also leads to research results being falsified in favor of the customer. The same situation can be observed in the conducting of rating studies.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

1.93

Among the business associations that provide services to media owners and managers is the National Association of Television and Radio Broadcasters of Kazakhstan. The association includes regional TV channels as well as the Internet Association of Kazakhstan. They provide various consulting services for developing the media market and try to influence legislative bodies that regulate the media. The Association of Information and Communication Technologies Companies, as well as the Association of

Kazakhstan's Internet Business and Mobile Commerce, are engaged in the improvement of Internet conditions. The Association of Financiers of Kazakhstan actively participates in discussions of legislative changes regarding the Internet.

Professional associations include the Association of Satellite TV, the Association of Publishers of Kazakhstan, and the Club of Chief Editors. As a rule, they only represent the interests of a limited circle of people. A trade union to back all media workers has never been created, although many media stakeholders have made attempts.

NGOs play an essential role in significantly helping media organizations defend their right to freedom of speech. They also offer professional development, participate in lawsuits, conduct public campaigns, and actively participate in the legislative process. In particular, the Legal Media Center regularly monitors state funding of the media and contacts government agencies with the aim of protecting media rights.

Legal assistance to independent media is provided by Adil Soz, the Foundation for Protection of Freedom of Speech, and by Internews Kazakhstan, which constantly monitors violations of freedom of speech and information access. Although these organizations operate mainly in larger cities of state significance, such as Astana and Almaty, they cooperate actively with the regional media as well. Often journalists persecuted for their professional activities are defended by individuals known as “people’s lawyers,” such as Ayman Umarova, Baurzhan Azanov, and Bakhtiyar Galimzhanov.

The work of Kazakhstan's NGOs has a minimal effect on the overall situation, according to Dorofeev: “The statement that if Kazakhstan's human rights activists did not defend the human rights to freedom of speech, then the current situation would be

much worse, is of little comfort. Media NGOs are fully dependent on grants from international organizations or from the state budget.”

Recently, the National Chamber of Entrepreneurs of Kazakhstan (NCE) Atameken surveyed journalism departments in 24 universities. They found that the best departments are North Kazakhstan State University, Kazakh University of International Relations and World Languages, Atyrau State University, International University of Information Technology, and Al-Farabi Kazakh National University. Universities enjoy academic freedom: they can program up to 85 percent of their course content curricula.

Some employers are sharply critical of journalism education quality, and this has led to the creation of the Alma Mater of Journalism Club. The club includes the heads of journalism departments, practicing journalists, and media managers and is designed to upgrade educational programs in journalism. The club held two main forums in 2018, one of which was in Turkistan.

A study conducted by the NGO MediaNet International Centre for Journalism confirmed the following: “After four years of studies in the university, the market receives mainly media experts, lecturers-theorists, and media researchers rather than practicing journalists who are willing to work directly in media editorial offices.”⁴ MediaNet is actively working on fact-checking.

The quality of academic education and vocational training in Kazakhstan’s traditional universities do not meet actual media demands. In particular, journalism faculties do not cover

multimedia formats or information regarding promotion in social networks. Most importantly, academic institutions do not develop students’ ethical approach to journalism as an institution serving society. “Almost all universities are preparing propagandists and not journalists,” asserted Akhmediyarov.

Panelists also pointed out examples of effective cooperation between universities and NGOs. The Legal Media Center, with support from the UN Children’s Fund (UNICEF), introduced a training module “Covering Children’s Rights in the Media” that was offered in 10 universities.

Short-term training programs are organized mainly by NGOs and international institutions. In the middle of the year, with European Union support, Internews launched a project⁵ that aims to increase capacity building of journalists, civil activists, and media professionals for the creation of high-quality media content. The project also focuses on increasing civil society’s level of critical media consumption.

This year, a 15-month online campaign called “Three Points” was held, focusing on media literacy, social media, and platforms of instant messaging exchange within Central Asia. This campaign was the first of its kind in Kazakhstan.

The panel members described several other educational offerings. In December, Internews launched a five-year project, funded by USAID, for media development called Central Asian Media Program (CAMP) in all five central Asian countries. The program is directed at developing quality journalism, and increasing media literacy for all

segments of the population, conducting research on media consumption and the level of media literacy in the country, and possibly improving legislation. Some countries’ embassies—such as China, Germany, and the United States—organize press tours and seminars for journalists and bloggers. Financial organizations and state bodies including the Ministry of Agriculture and the National Bank are also active in holding such events. The Public Council, which includes well-known business journalists, continues its work with the support of the United Pension Fund. In addition, educational courses on analytical topics for Kazakh-speaking journalists are beginning to be offered.

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.

4 MediaNet International Center for Journalism. “Брошюра: Журналистское образование в Казахстане независимая рыночная оценка академических программ.” *MediaNet.kz*. November 1, 2018. <https://medianet.kz/ru/biblioteka/novaya-statya-536>.

5 New Reporter. “Internews запустил новый проект ‘Содействие стабильности и миру в Центральной Азии’.” *NewReporter.org*. May 17, 2018. <https://newreporter.org/2018/05/17/internews-zapustil-novyyj-proekt-sodejstvie-stabilnosti-i-miru-v-centralnoj-azii/>.

Kolokolova said that *Nasha gazeta* provides its staff with study opportunities. “For a long time, we have been training our own journalists independently. We actively use courses, seminars, and webinars, which are conducted by public organizations and international foundations. Currently, we find that this is the most effective school to develop journalistic excellence.”

However, organizers of short-term courses sometimes have problems. The editorial board of *Uralskaya nedelya* invited a Ukrainian journalist, Alexander Verkhovsky, to conduct training for local journalists on the topic of fact-checking. However, the police did not allow it to proceed, and the court imposed a fine for violating immigration laws.

“Almost all universities are preparing propagandists and not journalists,” asserted Akhmediyarov.

In Kazakhstan, the sources of newsprint paper, printing equipment, printing houses, and Internet service (except Kazakhtelecom) are private establishments, but the state fully controls all activity. Even after the recent large-scale privatization of state assets, the government continues to own national media assets. The state also owns the press distribution key companies, such as Kazakhstan Temir Zholy and Kazpost. In the Internet market, the national company Kazakhtelecom is the main lever of state control.

The quality of work of printing houses is acceptable, but they have little chance for steady development given the constant increase in paper cost and the complete dependence on Russian producers for paper supply. Russian companies sell paper to Kazakhstan's printing houses with a substantial profit margin of 20 percent. This markup

leads to higher prices for media products, as well as reduces the competitive advantage of Kazakhstan's press over Russian media — itself represented in the Kazakhstan market through a large assortment of publications.

The Kazakh digital broadcast technical infrastructure is monopolized, which has become a critical issue for the national broadcasting industry and for the general public. Kazteleradio, the provider and a government company, has the right to apply fees for the inclusion of TV channels in the digital multiplex, and the fees are not affordable for most small regional TV stations under private ownership. Also, favorable conditions for inclusion in the multiplex are created only for state channels. Kazteleradio's local executive bodies have refused to help socially vulnerable segments of the population purchase decoders during the transition to digital broadcasting, which began in 2018 and is scheduled to be finalized in 2021. The audience for free digital television remains unknown as well. Private broadcasters do not receive any guarantees for continuing their activities and are highly dependent on good relations with the authorities, especially in the regions. After switching to digital, channels that had previously broadcast in analog mode lost their autonomous infrastructure for transmitting their signal.

The retail distribution system of print media has been practically decimated in Almaty, the largest city. More than 60 periodical kiosks were dismantled during 2018 under the pretext of reconstruction and improvement of the urban environment. So far, nothing has taken their place.

Print media continue to experience difficulties with subscriptions. The problems stem from the high delivery costs, especially to rural areas and over long distances; and the government still forcing its employees to subscribe to state print media.

According to Finprom.kz, the number of Internet users at the end of the year was 2.5 million, which is two percent less than the previous year. The value of Internet services provided during the first three quarters of 2018 amounted to KZT 180.5 billion (\$474.7 million). This is a 6.7 percent increase over the year before; however, experts on the panel noted that some remote areas have no Internet connection at all.

Panelists also highlighted that the Internet and all user network activities are monitored and controlled. Also, now that identification is mandatory for users who post information on the network, all discussions of current issues have moved to social networks and instant messengers, which are not controlled by authorities.

KAZAKHSTAN

List of Panel Participants

Olga Didenko, media lawyer, Internews-Kazakhstan, Almaty

Tulegen Askarov, financial journalist; president, BIZ-Media, Almaty

Gulmira Birzhanova, media lawyer, Legal Media Center, Astana

Assel Janabayeva, journalist, Obk.kz, Factcheck.kz, Almaty

Gulnar Assanbayeva, senior lecturer, KIMEP; independent media expert, Almaty

Igor Bratsev, director, MediaNet International Center for Journalism, Almaty

Igor Nevolin, editor, *Time*, Almaty

Inga Imanbay, independent journalist, Almaty

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

Michael Dorofeev, editor-in-chief, Informburo.kz, Astana

Olga Kolokolova, editor-in-chief, *Nasha gazeta*, Kostanay

Ascar Shomshekov, media manager, *Ertis-Media*, Pavlodar

Lukpan Akhmediyarov, *Uralskaya nedelya*, Uralsk

Moderator & Author

Diana Medvednikova, director, Legal Media Center, Astana

The Kazakhstan study was coordinated by, and conducted in partnership with, the Legal Media Center, Astana.

The panel discussion was convened on December 5, 2018, in Almaty.

KYRGYZSTAN



**MEDIA
SUSTAINABILITY
INDEX**

2019

Tracking Development
of Sustainable
Independent Media
Around the World



KYRGYZSTAN

AT A GLANCE

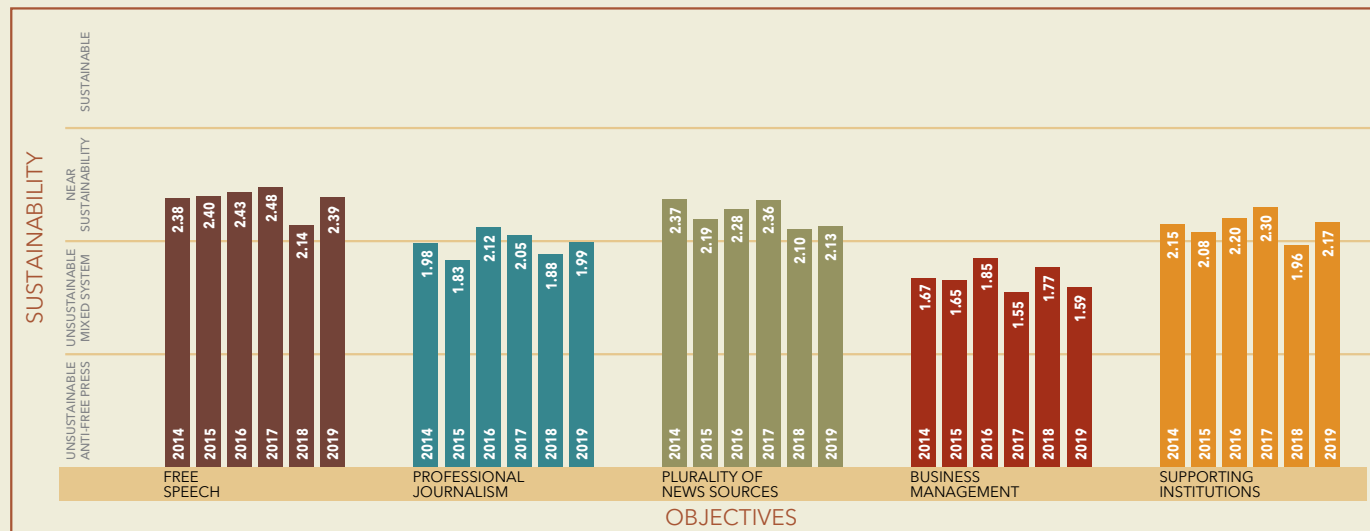
GENERAL

- **Population:** 6,256,700 (National Statistical Committee, 2018)
- **Capital city:** Bishkek
- **Ethnic groups (percent of population):** Kyrgyz 73.3%, Uzbek 14.7%, Russian 5.6%, Dungan 1.1%, Uighur 0.9%, other 4.4% (National Statistical Committee, 2018)
- **Religions (% of population):** Muslim 75%, Russian Orthodox 20%, other 5% (CIA World Factbook, 2009)
- **Languages (% of population):** Kyrgyz (official) 73.2%, Uzbek 14.4%, Russian (official) 9%, other 5.2% (CIA World Factbook, 2009)
- **GNI (2013-Atlas):** \$6,990.03 billion (World Bank Development Indicators, 2017)
- **GNI per capita (2013-PPP):** \$3,620 (World Bank Development Indicators, 2017)
- **Literacy rate:** 99.52%; male 99.64%, female 99.41% (UNESCO Institute for Statistics, March 13, 2016)
- **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 terrestrial, 3 local cable networks, 3 IPTV (Ministry of Justice, 2013)
- **Broadcast ratings:** Top-three television: OTRK (state-owned), KTRK Musyka (state-owned), Pervyi kanal (Russian Federation) (M-Vektor, 2017)
- **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, but appears to have recently gone online only), *Avtogid* (private Russian-language weekly with 12,000 circulation) (unofficial estimates)
- **News agencies:** AKIpress (private), 24.kg (private), Kabar (state-owned), K-News (private), www.kyrtag.kg (private), Vesti (private), Kaktus Media (private), Kloop Media (private), Turmush (private), Region (private), KyrgyzToday.kg (private)
- **Annual advertising revenue in media sector:** Television: \$16.5 million, radio: \$2.7 million (Expert Consulting Agency, January–December 2017), Internet: \$500,000 (Expert Consulting Agency, January–September 2013)
- **Internet usage:** 2.11 million users (We are Social, 2018 Global Digital Report)
- **Mobile subscription:** 7.91 million or 130% of population (We are Social, 2018 Global Digital Report)
- **Active social media users:** 1.30 million or 21% of population (We are Social, 2018 Global Digital Report)

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.



Almost all of Kyrgyzstan's objective-level scores increased, resulting in a higher overall score of 2.05 and placing the country in the "Near Sustainability" MSI classification. Objective 4 (Business Management) is the only score that regressed, which MSI panelists attributed to factors such as lack of business and management strategies, scarce advertising, and a dearth of dedicated business-focused staff working in media outlets. Other challenges facing the media sector include governmental pressure on journalists and media organizations, self-censorship, low levels of media literacy, and inadequate university-level journalism programs.

An anticorruption campaign snared a number of high-ranking politicians and set off an information war in Kyrgyzstan's media coverage of political and economic events in 2018. The series of high-profile arrests targeting members of former President Almazbek Atambayev's inner circle began with Prime Minister Sapar Isakov, and later included Kubanychbek Kulmatov, the former mayor of Bishkek. Notably, the key source of opposition to coverage of the developments came from the Aprel television channel—a spring 2018 newcomer founded by Atambayev.

The popular media played up a series of interviews of Atambayev broadcast by Aprel, along with President Sooronbay Jeenbekov's rebuttals and counterattacks. To counter the attacks on the current government, all the court cases against media outlets and public figures—featuring the news agency 24.kg and journalist Kabay Karabekov as defendants, with multimillion sum pretenses for the damage of honor and dignity of Jeenbekov—were revisited and dropped. Atambayev followed suit and dropped the financial aspect of his five lawsuits

against journalist Naryn Ayip, Editor-in-Chief of Zanoza.kg news outlet (now Kaktus.Media) Dina Maslova; and human rights defender Cholpon Jakupova (also director of the legal clinic Adilet), reducing the charges to demands that they publish rebuttals of their accusations against him.

Jeenbekov has expressed his support for the independence of the mass media as the foundation of democracy and ensured his willingness to cooperate with mass media. His change of heart did not stop at purging the ranks of his political opponents but stretched to "economic" cases with an obvious political pretext.

The long-running battle for the private company Vecherniy Bishkek—along with its printing house and newspaper, and the advertising company Rubikon—took a new turn after Aleksandr Ryabushkin, with help from close associates of then-President Atambayev, muscled out its owner, Aleksandr Kim, in 2014. In 2018, Ryabushkin was arrested, and Vecherniy Bishkek was returned to its former owner, Kim.

**OBJECTIVE 1:
FREEDOM OF
SPEECH****2.39**

The legal framework in Kyrgyzstan, including the constitution, guarantees freedom of the press and freedom of speech. Nevertheless, the authorities kept up their prosecution of media outlets, journalists, and human rights activists; denied several journalists access to public meetings; and did not always honor their obligation to release official information upon request.

In 2017, three main codes relevant to media were revised and amended: the criminal code, the criminal procedure code, and the correctional code. In addition, two new codes, covering violations and offenses, were introduced. The idea behind the change was to humanize the legislation; many violations were removed from the criminal code and included in the codes on violations or offenses, thus relaxing the punishments. The humanization of the legislation also includes hindering professional journalists' activity, which will be decriminalized and considered an offense under the new legislation effective January 2019. In a view backed by other panelists, Begaim Usenova, director of the Media Policy Institute, considers the change "a signal to society that the state does not consider freedom of information as one of the values that should be protected by criminal law."

Cases that undermined freedom of speech laws in 2018 included accusations against journalist Elnura Alkanova, who gained fame for her investigative reports of officials' economic crimes. In February, the state service charged her with illegally receiving and disseminating information constituting commercial secrets; the case was dropped for lack

of evidence.

In another case in January, the state national security committee opened a criminal case against a Facebook user, Temir Bolotbek, accusing him of inciting interethnic discord with a comment suggesting "those who love the USSR go to Russia" on a thread about architectural styles. Bolotbek denied the charges and said that his words were misinterpreted.

Then in April, the Supreme Court considered an appeal related to the case of Abdulloh Nurmatov, charged in 2016 with spreading extremist materials by Osh's city court. He received a one-year suspended sentence for sharing several materials about the Hizb ut-Tahrir religious organization, considered an extremist organization. The Supreme Court upheld the verdict.

The panelists did not see any barriers in mass media licensing and registration; in fact, they said officials simplified the process in 2018. The draft law on introducing amendments to the Law on Mass Media passed in the Kyrgyz Parliament; it stipulates that the government decides the order of mass media registration and re-registration. The amendments also shortened the time line for mass media outlet registration from one month to just 10 days. However, Eldiyar Arykbaev, editor-in-chief of Kloop Media, noted that the absence of a license has not prevented his outlet and its journalists from working and positioning themselves as mass media.

Few attacks on journalists were documented and reported on in 2018. In some cases, journalists failed to bring identification and wear it to clearly identify their role. The panelists agreed that none of the cases received much attention either in mass media or on social media. Moreover, according to Arykbaev, none of the attacks were premeditated; rather, the attackers were simply ignorant of or disregarded the norms of free information—for

instance, security guards who tried to prevent the Aprel channel camera crew from filming in a supermarket. The channel's director general, Dmitriy Lozhnikov, said that 10 people, including supermarket employees and a private security company, surrounded the crew, took away three cameras, and removed a memory card from one of the cameras. The journalists called the police, who helped them get their equipment back—but all the footage was erased, and the memory card was lost. The journalists sustained minor injuries and filed a complaint with the police.

In August, security personnel attacked Kaktus. Media journalist Nikilay Potryasov while he filmed a long-delayed construction site in Bishkek. Although Potryasov was not trespassing, several people in security guard uniforms demanded an ID, which he could not produce, and surrounded him and beat him. The media community, including the Union of Independent Journalists of Kyrgyzstan, reacted quickly and condemned the attack. The Media Policy Institute maintained that the journalist acted appropriately.¹ But some panelists found it unprofessional and disappointing that he did not carry ID and later withdrew his official complaint.

There were several other minor attacks on journalists throughout the year. In September, a journalist from Sputnik Kyrgyzstan began filming a traffic violation by a car belonging to the parliamentarian Tazabek Ikramov, which was stopped by the traffic police. The parliamentarian's driver attacked the journalist and tried to take away the phone. The police intervened. Then in November, a journalist based in Jalal-Abad, Sanrabiya Satybaldieva, was

¹ "Media Experts Commented on the Attack on the Journalist of Kaktus Media," Kaktus Media. August 30, 2018. https://kaktus.media/doc/379071_mediaspecialisty_prokommentirovali_napadenie_na_jurnalista_kaktus.media.html.

attacked by an unknown man in the street; she sustained a knife injury to her arm that required treatment at a hospital. Satybaldieva declined to file a complaint with the police, as police informed her that if the attacker could not be found she would be charged with false testimony.²

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.

Usenova mentioned that the cases did not create public outrage, suggesting that the public is not concerned about journalists. She also put some

of the blame on the journalists, for either not filing police complaints or retracting them after coming to an agreement with the attackers. To Media Policy Institute's request for official statistics, the Ministry of Internal Affairs responded that it did not possess any information about crimes against journalists for 2018.³ Usenova felt that it just illustrates the lack of law enforcement and protection of journalists in Kyrgyzstan, despite the fact that legislation prohibits hindering journalists' activities.

Almaz Ismanov, a *Novye Litsa* newspaper journalist, believes that crimes and persecution of journalists are rare now because people fear their deeds will be exposed on social media. In his opinion, new methods of pressure, such as economic pressure and threats of lawsuits, are now favored. He mentioned the press secretary of the state ecological inspection, Anara Mambetalieva, who blew the whistle on a corruption scheme involving three co-workers in August and was fired for a sit-down strike. Rather than following regular judicial procedures and having the court deal with the case, Jeenbekov asked the Security Council to investigate. After the council's commission found evidence to support Mambetalieva's claims, she was quickly reinstated; the investigation into corruption schemes will continue.

The editorial independence of state-owned and public media is non-existent, all the panelists agreed. Elena Voronina, columnist at Sputnik Kyrgyzstan online media outlet, and Usenova emphasized that the current broadcast law does not define the public status of mass media; Kyrgyzstan Tele-Radio Company (KTRK) is still a state-owned enterprise

and not a public media outlet. The members of the steering council that makes all editorial decisions are political appointees, according to the panelists. Furthermore, their selection is not transparent; the process is rigged to make sure it includes people the officials find suitable, according to Daniyar Sadiev, director of Media School named after T. Tursunaliyev. Similarly, he claimed that several members of the Yntymak public regional broadcast company's steering council were approved in violation of the organization's charter, which prohibits the inclusion of political party members and heads of mass media outlets. Moreover, he noted that material from the Department of Information released via social media just two days before the deadline included details about the competition for the positions.

In terms of libel, the panelists agreed that the dropping of lawsuits against journalists and human rights defenders by the current and former presidents marked a positive trend in 2018. However, they did not buy the notion that it was done to promote freedom of speech, and they saw political motives at play. While Atambayev agreed to dismiss financial damage claims against Ayip, the court did ultimately side with Atambayev in requiring Ayip to publish retractions of the disputed statements in his three articles.⁴

Voronina noted that there is an independent Commission for the Examination of Complaints on Mass Media tasked with publishing refutations and retractions for viewers and readers. However, few comply with the commission's decisions. Lack of mediation between the disgruntled subjects of news articles led to several new lawsuits

2 "In Kyrgyzstan, a Wounded Journalist Refused to Write a Statement," Radio Azattyk. November 12, 2018. <https://rus.azattyq.org/a/29595352.html>.

3 Kostenko, Yulia, "The Kyrgyz Ministry of Internal Affairs Has no Information about Attacks on Journalists," 24.kg. November 2, 2018. https://24.kg/obschestvo/100535_mvd_kyrgyzystana_neraspolagaet_informatsiy_onapadeniyah_najurnalistov/.

4 "Naryn Ayip Was Forced to Disprove His Article from Zanoza.kg on His Author's Site," 24.kg. March 3, 2018. https://24.kg/obschestvo/77630_naryina_ayyipa_obyazali_oprovergnut_statyu_izZanoza_kgnasvoem_avtorskom_sayte/.

against journalists and media. Usenova said that Media Policy Institute lawyers worked on 25 lawsuits against mass media in 2018, but they are understaffed, with just three lawyers to cover all the cases.

In March, Alga Kylychev, a participant in the political events of April 2010 and member of the Social Democratic Party of Kyrgyzstan (SDPK) party, filed a lawsuit against KyrgyzToday journalist Begaly Nargozuev, who also serves as the head of the committee to protect freedom of speech. Apart from being yet another lawsuit against a mass media representative, the case became famous for the record compensation amount requested by Kylychev—KGS 70 million (\$1,005,000)—for the alleged moral harm he sustained.⁵ There are no reports on further developments, but there is speculation that the case was closed.

The multimillion lawsuits against journalists on the premise of insulting the honor and dignity of the former and sitting presidents spurred lawyers of Media Policy Institute and the legal clinic Adilet to file complaints to the Supreme Court's Constitutional Chamber declaring the relevant clause of the law unconstitutional. In October 2018, the Constitutional Chamber acknowledged the unconstitutional nature of the clause and ordered the government to amend the law. The panelists stressed the necessity of changing the legislation related to the protection of honor and dignity because it fails to provide a mechanism for determining the degree of moral damage. As Usenova explained, everyone has a different threshold for affronts to dignity and honor, and the court system works in a way that

absolves accusers from providing evidence of moral damages. Panelists referred to the former speaker of the Parliament, Akhmatbek Keldibekov, who filed a number of lawsuits against media in 2018, including Argument.kg and Asia-News journalist Aslan Saparbaev for printing information about his criminal charges and the resulting fines. In December 2018, Saparbaev lost the court case and, along with Asia-News, was ordered to pay Keldibekov KGS 1 million (\$28,717); he intends to appeal in Bishkek City Court. Keldibekov also expressed intent to sue Atambayev for voicing false information about Keldibekov's corruption schemes during an interview on April.

Almaz Ismanov, a *Novye Litsa* newspaper journalist, believes that crimes and persecution of journalists are rare now because people fear their deeds will be exposed on social media.

Regarding access to public information, Arykbaev said that it grew more difficult to receive responses from state bodies in 2018. For example, the Ministry of Justice no longer provides information about the founders of legal entities and companies' charter documents. "This made working on investigations, in which it is necessary to know the owners of legal entities, much more difficult; the register of court proceedings (act.sot.kg) works inconsistently and does not publish all judicial decisions; shorthand notes of Parliament meetings cannot be found in open access and are not released upon request, although this information is obviously of public interest and should be open," Arykbaev stated.

Usenova relayed that on October 29, 2018, a General Staff of Armed Forces of the Kyrgyz

Republic press conference denied attendance to a 24.kg journalist, Aida Jumashova, following an article she wrote that criticized the state body. The head of the press service maintained that they reserve the right to choose their journalists, but Usenova noted that the move is conflicts with national legislation and international agreements aimed at preventing government officials from denying media outlets and journalists access to information. She also called out weaknesses in the legislation related to access to information: Although it defines classified and sensitive information, the wording is vague and thus loosely interpreted by officials. For example, she said, Osh's mayor issued a regulation prohibiting city services from providing any information to the press without his approval.

Sadiev brought up the case of the prime minister's visit to Jalal-Abad oblast in December 2018. The prime minister asked a private television channel videographer to stop filming local deputies discussing the poor quality of roads and the failure of local authorities to address the issue. Sadiev also mentioned another case: In December, the chair and vice mayors at an Osh City Council committee meeting asked a T Media television and radio company journalist to leave. A panelist who wished to remain anonymous added that state-affiliated mass media enjoy an advantage in dealing with the state press services, such as in the mayor's office and the Department of Internal Affairs of Osh. Voronina mentioned that Bishkek City Council, which normally provides access to its meetings either in person or online, closed its meetings to journalists beginning last fall.

Moreover, several panelists noted the failure of government bodies to abide by the law on access to information's requirement that officials provide responses to written requests within two weeks. Arykbaev said that during Kloop's investigation into

⁵ "A Participant in the April Events Sued Askarbekov and Journalists," Kaktus Media. March 22, 2018. https://kaktus.media/doc/371991_uchastnik_aprelskih_sobytiy_podal_v_syud_na_askarbekova_i_na_jurnalystov.html.

plagiarized dissertations among Kyrgyzstani officials, the Higher Attestation Commission took months to respond and did so only after Kloop filed an official complaint and threatened a lawsuit. Arykbaev said, however, that the lack of systematization of data in the state bodies is sometimes the real problem. For example, the state's environment and forestry agency delayed its reply for months but eventually asked Kloop Media to help sift through piles of paper documents to find the necessary answers.

Ismanov did not see a problem with access to local and international news for media outlets. On the contrary, he pointed out a different issue: because the audience also has access to local and foreign stories, local media outlets have to work that much harder to gain a lead in coverage of a story. "They do not use the full potential of the access to foreign media and publish stories when the audience already knows them in detail," Ismanov concluded.

However, some panelists mentioned that not all media outlets have clauses on using other media's materials. Usenova provided the example of Turmush.kg, an Internet-based news outlet that published photographs of Tobias Marschall without a proper citation. After Voronina pointed out the mistake on Facebook, the outlet corrected its mistake and credited the photographer.

Voronina remembered two cases involving the use of photos from foreign photographers without permission. AKIpress used photographs of Pamiri Kyrgyz by a Canadian photographer; Azattyk used a photograph by an Uzbekistani photographer, Elyor Nematov, on the topic of migration. Sanjar Eraliev, working for Azattyk-Osh, said that they received the photo from the American University of Central Asia (AUCA) press service, but he was contacted by a Sputnik Kyrgyzstan staff member who claimed that Azattyk used their photo without permission.

Upon realizing the mistake, Azattyk republished the article, including the photograph and the name of the photographer, in their publication. Arykbaev, however, mentioned Azattyk, along with Kaktus Media and 24.kg, as some of the few media outlets that set a trend of respecting intellectual property rights, while emphasizing that, generally, author's rights are not upheld by media in the country. Several panelists noted that Kloop.kg has become one of the few resources for fact-checking and flagging false information.

While entry into the journalism profession is not restricted or limited officially, as detailed earlier, officials sometimes curtail individual journalists' access to public events. And the panelists reported that many media outlets are urging journalists to move to a professional licensing system, but it is in response to financial issues, given poor advertising prospects. Makhinur Niyazova, correspondent with *ResPublika* newspaper, explained that having salaried employees is non-remunerative when a project amount is small and the company cannot cover social security taxes, forcing employees to buy licenses (called patents in Kyrgyzstan). Sadiev also noted the absence of such license categories as journalist and editor, compelling those professionals to buy licenses for video and audio recording or proofreading, which is a legal violation.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

1.99

Turning to the consideration of the professionalism of journalists, several panelists described reporters as mere "re-transmitters of information"—passing on information without checking reliability and putting speed over quality.

Panelists agreed that journalists do not use a wide spectrum of sources, favoring the views of the media owners. Usenova added that the state's hold on digital television's social package, which includes such channels as the state-owned KTRK channel family (news, sports, music, kids content), plays a negative role in the freedom of expression and access to a variety of information.

Overall, Arykbaev considered the quality of journalism poor. "It is not only those who write in the Kyrgyz language, as they say, but also those who represent the key online media outlets in the country—Kaktus Media, 24.kg, AKIpress, and Sputnik Kyrgyzstan," he said. He listed several fact-checking lapses to illustrate his point. For example, after Focus Economics stated that Kyrgyzstan is on the list of the top-10 poorest countries in the world, other outlets picked up the story without question—but his outlet, Kloop Media, questioned the study's methodology and found out that a number of developing countries, such as Afghanistan and Malawi, were not included in the study, calling its conclusions into question.⁶ Ismanov pointed to an example involving a *Vecherniy Bishkek* headline that indicated that some imams in Kyrgyzstan prohibit playing musical instruments, although the article itself contained information about Uzbekistan.

Niyazova agreed that in pursuit of flashy headlines, mass media stray from responsibility. Nevertheless, she stated, "I always debate myself about the headlines of my articles, because if I write headlines that fit all the ethics norms, nobody would read them." Another vice noted by Niyazova is publishing press releases and gathering

6 Khasanova, Saviya and Arykbaev, Eldiyar, "Fact Check: Kyrgyzstan Is in the Top 10 Poorest Countries in the World (in Fact, Not)," Kloop.kg. June 15, 2018. <https://kloop.kg/blog/2018/06/15/faktchek-kyrgyzstan-vhodit-v-top-10-bednejshih-stran-mira-na-samom-dele-net/>.

information on social media. Yet several panelists, including Niyazova, see evidence that fact-checking is improving for the media and social media communities, citing a new resource, factcheck.kg, established by the Media Development Center (with financial support from the Soros Foundation-Kyrgyzstan). The website exposes fake stories in Kyrgyzstan and beyond, relying on the journalism ethics code and Kyrgyz legislation.⁷ Ydyrys Isakov, a regional reporter for Azattyk Media, tried to justify the poor quality of the materials among regional journalists by noting their lack of resources, experience, and training.

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).

7 "Factcheck—a New Developing Resource in Kyrgyzstan," Factcheck.kg. November 2018. <http://factcheck.kg/ru/post/123>.

Panelists agreed that most journalists are not aware of the existence, or content, of the journalism ethics code. The new Commission for the Examination of Complaints on Mass Media launched a "flash mob" on Facebook, asking tagged users to quote and interpret a passage from the ethics code. Although that brought the code to life for a short while, Niyazova said that both the commission's decisions and the ethics code are advisory rather than mandatory and largely ignored. For example, Voronina could remember only a few television channels labeling their advertising material as public relations. Niyazova added that gifts are not a novelty for journalists; the president's office gives them out to almost all media outlets on the Day of Information and Press.

Arykbaev said that Kloop has developed its own more detailed code of ethics, which prohibits gifts from any side of a conflict or paying for interviews or information and requires visible labeling of commercial material.

Voronina brought up a case illustrating an ethical challenge for the press. A reporter with the "TV Kaiguul" (Watch) program was filming traffic police who stopped a car with tinted glass windows, which are illegal in Kyrgyzstan. While the police were talking to the driver, a woman inside screamed for help. Neither the police nor the reporter helped the woman. Moreover, the press coverage emphasized the tinted glass window violation rather than the fact that the police and media representative failed to address cries for help.⁸ Among the panelists, only Voronina viewed the journalist's failure to question the police's negligence as an

8 "The Girl Shouted in a Tinted Car, but the Traffic Police Did Not React. What Is Known?" Kaktus Media. December 9, 2018. https://kaktus.media/doc/383687_devyshka_krichala_v_tonirovannom_avto_no_sotrydniki_gyobdd_ne_reagirovali_chno_izvestno.html.

ethical violation.

When journalists cover stories on suspected criminals, they do not blur faces despite the fact that their guilt is yet to be proven; the same goes for victims of crime. Not only are their faces shown but also vivid photos of injuries are published without warning.

Some of the panelists agreed that lawsuits fuel self-censorship. They pointed to the removal of a Wikipedia article titled "The Corrupt Clan of the Matraimovs,"⁹ which relayed alleged links between mafia and Kyrgyzstan officials. Azamat Tynaev, an Internews content consultant, commented that several online news outlets removed articles about Matraimovs—and the payment for such a "service" reaches \$15,000. Arykbaev, however, said that Kloop Media, which also published an article on the topic, received a phone call from Matraimov's sister asking them to remove the article along with other mentions of children of rich politicians, but no money was offered (Kloop refused).

Religion is one topic that journalists generally prefer to avoid—especially, Sadiev said, corruption in religious institutions, the state of religious education in Kyrgyzstan, and the construction of new mosques. Eraliev and Voronina also listed top politicians, mass media owners, the LGBTIQ community, and sexual health among the taboo topics.

Eraliev relayed that earlier in 2018, he wrote about early marriages and interviewed young wives in Jalal-Abad and Nookan. Consequently, the police paid him a visit; he later learned that local mullahs threatened his family. He filed a complaint, but the police refused to investigate. Although the

9 "An Article about the 'Corrupt Clan of the Matraimovs' Appeared in Wikipedia," Kaktus Media. December 10, 2018. https://kaktus.media/doc/383750_v_vikipedii_poiavilas_statia_pro_korruptsiionnyy_klan_matraimovyh.html.

mullahs eventually apologized, with the help of the muftiat, Eraliev still feels pressure, especially on his family. He added that after writing several pieces about people who underwent gender confirmation surgeries in 2017, he himself was stigmatized by his colleagues, who pressed him on why he would cover such cases and questioned his “normalcy.” Now, he chooses to avoid such stories.

Tynaev believes that journalists resort to “selling their services in the interests of political parties and certain political leaders, and centers of political or religious influence because there are no civilized business models in mass media, nor instruments of crowdfunding.”

Media salaries are lower than those in other white-collar sectors, ranging from KGS 10,000 to KGS 15,000 (\$145–\$215) a month, which the panelists say does not foster financial security. The exceptions are journalists working for Azattyk and the Russia-funded Sputnik. Salaries in the regional media outlets are much lower than in the capital: editors are paid approximately KGS 2,500 (\$36) and journalists KGS 1,500 (\$15) a month.

Salaries of journalists working for state-owned media remain low and tend to attract early career journalists or those who cannot leave for other reasons. The state dictates the personnel policy and does not allow for the reduction of superfluous staff. Journalists are forced to work for several media outlets or find additional sources of income to make a living. Some transition to other fields or even move abroad as labor migrants.

Tynaev believes that journalists resort to “selling their services in the interests of political parties and

certain political leaders, and centers of political or religious influence because there are no civilized business models in mass media, nor instruments of crowdfunding.” Niyazova pointed out that some media outlets receive funding from international organizations and NGOs. For instance, Internews provides many grant opportunities, but most of the funding “goes to cover technical support; the salaries remain below average.” Usenova mentioned that Internews helped the new online talk show *Govori*. TV purchase equipment. Despite isolated success stories, one panelist mentioned the absence of labor contracts as another widespread problem that journalists encounter. It leaves them without social security, leave allowances, and at a disadvantage when it comes to negotiating payment terms for professional fees. Ismanov mentioned Yntymak, which used to receive international donor support but is technically a public media. Its employees went without pay from August 2017–February 2018 while the finance ministry held up its budget approval, driving many journalists to quit.

Despite the presence of many channels dedicated entirely to entertainment content, such as KTRK and now the EITR channel families, which offer sports and music programming, panelists do not feel that entertainment content prevails over news, especially when it comes to locally-produced television. Talk shows usually discuss political news; entertainment talk shows are rare. Voronina mentioned that Internews supports multimedia storytelling programs on local television. Sadiev explained that media outlets do not have the funds to produce such programs, and a lack of journalists skilled in the medium is another obstacle.

Adel Laisheva, director of the Center of Media Communications at Kyrgyz Public Radio and Television Corporation, noted that audience preferences still lean toward entertainment, pointing

to the popular *Super Info* entertainment newspaper. She also suggested that private and state-owned mass media outlets cover the same news but with a different angle, while quality analytical pieces are rare.

The local Expert Consultancy Agency study of television media conducted in January 2018,¹⁰ analyzing the content of 20 television channels belonging both to the social and commercial channel packages, confirmed that while there are several channels dedicated entirely to entertainment content—such as KTR Music, TV1, NBT, Pyatnitsa, and Semeinyi—the most popular television channels allocate a fair amount of time to news.¹¹ State-owned EITR and KTRK dedicate a majority of their time to news, followed by NTV and NTS. Nevertheless, even periodic studies on media consumption do not offer a realistic distribution of shares of entertainment and news content. It is not clear whether talk shows that touch on politics, for instance, are classified as entertainment or current events.

Panelists agreed that media outlets in Bishkek have adequate equipment, unlike their colleagues in the regions. “How can one speak of convergence journalism in the regions when not all regional mass media have modern equipment or can afford to provide their employees with Internet access for a reasonable price? On top of that, there is a lack of computer literacy and cybersecurity,” commented

10 Eshenalieva, Ainura, “Analysis of Video Content and Language of Broadcasting Channels of Kyrgyzstan,” Media Policy Institute. March 13, 2018. <http://www.media.kg/research/analiz-video-kontenta-i-yazyka-veshchani-ya-telekanalov-kyrgyzstana/>.

11 “Survey ‘Media Preferences of the Population of Kyrgyzstan,’ 8th Wave, 2017” Internews in Kyrgyzstan. December 14, 2017. <http://internews.kg/glavnye-novosti/issledovanie-mediapredpochteniya-naseleniya-kyrgyzstana-8-ya-volna-2017-god/>.

one panelist. Many reporters in Bishkek and in other regions tend to depend on smartphones with decent cameras.

Kyrgyzstan ranks behind many of its neighbors in Internet speed.¹² Ismanov noted that Internet speed in the regions is adequate for individual work, but not so much for the work of a television company.

Panelists agreed that specialized reporting is underdeveloped, and media outlets neglect quality for the sake of quantity and speed. Several panelists also pointed out the lack of coverage of topics, including the economy and ecology. As Tynaev explained, “The remuneration scheme in media outlets does not provide an incentive for journalists to focus on certain topics, because that would be time-consuming and require constant qualifications upgrade.” Another panelist added that authors do not always feel safe, considering the consequences of a journalistic investigation.

However, almost all the panelists mentioned investigative journalism pieces, particularly those conducted by Kloop Media, in 2018. One investigation that made a big splash on social media uncovered plagiarism in the dissertations of Kyrgyzstani public figures; some were stripped of their degrees as a result.

Arykbaev said that Kloop aims to develop new branches of journalism at their school, including data journalism, data visualization and analysis, and journalistic investigations. He noted that there is a lack of specialized professionals in the country, which is why they had to invite one from Ukraine.

Regarding requirements that television

channels provide a set amount of Kyrgyz language and locally produced content, Voronina highlighted the lack of regulation and monitoring from the Ministry of Culture, Information, and Tourism. Other panelists agreed that locally-produced content cannot compete with rampant broadcasting of pirated content on several television channels and local streaming websites. Yet the channels specializing in rebroadcasting, staffed with just a few employees, have as much claim to the advertising pie as channels shouldering significantly higher staff, equipment, and content production expenses. Local television channels responded by establishing the Association of Television and Radio Organizations, chaired by panelist Jainak Usen uulu, director of NTS TV and Radio Company, with the central goal of demanding the observance of legislation and monitoring from the responsible state body. Moreover, members of the association will demand the inclusion of locally-produced content in the public procurement of social services. Voronina, however, warned that the public procurement is done via a tender, which requires giving the order to the lowest bidder—which she said would result in low-quality content.

OBJECTIVE 3: PLURALITY OF NEWS

2.13

According to the Media Policy Institute’s 2018 survey on media literacy in Kyrgyzstan,¹³ television remains the main source of political

¹³ Usenova, Begaim, “IMP Publishes a Report on the Results of a Study of the Level of Media Literacy in Kyrgyzstan,” Media Policy Institute. February 2, 2018. <http://www.media.kg/news/imp-publikuet-otchet-po-itogam-issledovaniya-urovnya-mediagramotnosti-v-kyrgyzstane/>.

information for residents, with 94 percent of respondents citing it as their primary source. About 75 percent said they watch it every day. While 71.8 percent reported access to the Internet, most access it via smartphones.

Social networking sites and apps are also popular in Kyrgyzstan; the report cites 1,000,000 users of Instagram and 700,000 users each for Facebook, Odnoklassniki, and V Kontakte. The study also revealed that young people prefer to consume news in an entertainment format via social networking sites by looking at pictures and short videos—a notion backed by the popularity of Instagram-based news outlets, such as News.kg, with over 600,000 subscribers, and omks_video (which hosts “One Million Kyrgyz Stories”), an entertainment page, with more than 800,000 subscribers. Niyazova mentioned that many mass media outlets established their channels on Telegram messenger, where they publish news. She also noted the appearance of a new format: one-liner news.

Formally, there are no restrictions on access to information via various sources, the panelists agreed. However, media preferences and media literacy leave much to be desired. Several panelists, including Sadiev and Ismanov, noted the rise of fake news in Kyrgyzstan. The study also raised concerns over the media literacy of Kyrgyzstani audiences. Many respondents, especially those older than 52, had difficulties distinguishing facts from the opinions they read.

Ismanov underlined the importance of popular messenger apps, such as WhatsApp, in sharing news—including, unfortunately, fake and provocative news, such as videos about interethnic conflicts that took place in 2010.

Several newly registered television channels have appeared as well: Aprel, openly owned

¹² “Kyrgyzstan Is Lagging Behind Uzbekistan, Armenia and Azerbaijan in Access to the Internet,” Kaktus Media. October 21, 2018. https://kaktus.media/doc/380739-kyrgyzstan_otstaet_po_dostypu_k_internetu_ot_yzbekistana_armenii_i_azerbaydjana.html.

by Atambayev; NewTV; and the Internet-based GovoriTV. Several YouTube channels received recognition for reaching 100,000 subscribers: SuperKG, OshTV channels, and Chubak Aji Jalilov, former head of Kyrgyzstan's Muslim Spiritual Authority.

“For instance, if Uzbeks in Osh do not see [representatives of their ethnicity] on KTRK, if they are edited out, what will they do? They will turn to other channels—Russian, Uzbekistani ones.”

Aprel has taken on the function of a watchdog, providing a critical perspective on the state and public administration. While state-affiliated television channels continued the tradition of obsequious coverage and minimizing the government's failures, Aprel, along with some moderately positioned channels such as NTS, offered alternative political views. Thus, after the dismissal of Prime Minister Isakov, imprisoned for corruption charges, Aprel was the only channel that invited him for an interview and gave him a platform. Nevertheless, Sadiev remains optimistic that television's switch to digital broadcasting, which improved coverage and access to a wider array of channels, will lead to improvements.

The Ministry of Justice has closed open access to the mass media registry, making it difficult to assess access to local and foreign media. Nonetheless, a number of foreign media outlets are very popular in Kyrgyzstan: the Russian-funded convergence media outlet Sputnik, the Kazakhstani NBT TV channel, and Chinese and Turkish media outlets, as well as the Russian Channel One, which remains on the first button of the remote control

and is included in the social multiplex along with the Russian RTR and Mir channels. Local and foreign media work on equal terms, with the exception that foreign reporters must undergo accreditation with the Ministry of Foreign Affairs.

Foreign ownership of mass media is limited to 65 percent of shares under the mass media law, creating the grounds for parliamentarian Tazabek Ikramov to suggest citizenship checks of all mass media owners and heads in a December 2018 parliamentary meeting.¹⁴ Ikramov expressed concern that foreign-owned media impose foreign values on the Kyrgyzstani people.

Eraliev said that the only foreign offerings from digital television packages are Russian channels, which offer a one-sided view. The report on media literacy revealed that close to 40 percent of respondents to the Media Policy Institute's survey on media literacy do not trust foreign media, although it varies by region.

However, panelists did not report legal or technical issues with access to local and international news, although Laisheva said the lack of knowledge of foreign languages constitutes a barrier.

Ismanov also noted the unstable provision of television channels in the southern region of Kyrgyzstan, where three channels became inaccessible for a short period of time because of a damaged cable. The main hindrance to digital television access, however, is cost. Approximately 300 settlements do not have digital signal transmitters; the residents were advised to buy satellite antennas that cost KGS 3,500–6,000 (\$50–86)—too expensive for many. Ismanov also

noted that the offer of new Internet tariffs has improved access to the Internet in the regions.

There are no studies on the comprehensiveness of coverage of political life in the country and any political bias of mass media. The panelists did not address charges that mass media do not serve the public interest—a concern not reflected in the public or in Kyrgyzstan's legislation either. The panelists feel that events covered by state-owned media present the news from whatever angle flatters the state.

In Kyrgyzstan, the concept that local news is dying out has just recently surfaced. Only a few media outlets reflect life in the regions and remote areas—for example, Turmush.kg (AKIpress's thematic website), which only offers anecdotal stories, not analytical pieces. Residents of the regions do not have representation in mass media, nor do they influence the media agenda. Eraliev said ethnic minorities are rarely shown on television, which, in his opinion, results in their lack of trust toward mass media.

He believes that the concept of local information agencies is disappearing in Kyrgyzstan as well. Rather than generating news and spreading it among news outlets, agencies now compete with other news outlets. Niyazova noted that AKIpress, 24.kg, and Kabar call themselves information agencies, but do not provide information to other mass media. Rather, they publish the news and provide open access. Only branches of international media outlets use international information agencies; local media outlets cannot afford them.

According to the panelists, private media outlets are understaffed and underfunded, making it difficult for them to produce their own content. Panelists referred to the outcome as “press release journalism,” when media materials heavily rely on the opinions of politicians and press releases shared

¹⁴ “Tazabek Ikramov Decided to Check the Citizenship of the Founders of the Media,” Kaktus Media. December 13, 2018. https://kaktus.media/doc/383908_tazabek_ikramov_reshil_proverit_grajdanstvo_ychrediteley_smi.html.

by state institutions. Furthermore, radio channels and smaller online media outlets are no longer the only outlets resorting to rebroadcasting news feeds gathered from such information agencies as AKIpress, Kabar, and 24.kg. Even large and experienced television channels, such as Piramida, one of the first private channels to produce its own news, have omitted news programming altogether.¹⁵ Several television channels, such as KTRK, EITR, and NTS, are building up their capacity to produce their own news and analytical programs, but the new and former regional channels that entered the commercial multiplex are still struggling in that respect.

According to the panelists, coverage of local news in the regions is insufficient. The information agency Kabar, which used to cover news of local significance, no longer does so. A new private radio station JashFM in Isfana was established in January 2017, and Voronina mentioned community media outlets established on the local level in seven municipalities with the support of USAID. Apart from that, panelists did not note new media in the regions.

There is no reliable media ownership information available to the public, with just a few exceptions. Most notably, Aprel openly claims a high-ranking politician, Atambayev, as its sole owner. Panelists noted a few other channels whose owners are known to the public, such as Govor. TV, established by journalist Katya Urumkanova, and NextTV channel, which does not hide the fact that it was established by Ravshan Jeenbekov, a former parliamentarian. Knowledge of ownership of

other outlets is speculative: For instance, tracing the ownership of Kalys Media to parliamentarian Janar Akaev and of NTS to former presidential candidate Omurbek Babanov. The panelists revealed that even media experts struggle to name media outlet owners.

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.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.

Information sources in the languages of ethnic minorities are very limited. Sadiev noted just two multilanguage television and radio companies—Yntymak and NurTV—that offer information in Kyrgyz, Russian, and Uzbek. Radio Dostuk also offers programs in minority languages. Uzbek-language newspapers, including *Ush Sadosi*, *Jalalabot Tongi*, and *Dustlik*, are still more or less popular. The

Uzbek-language *Akhborot*, which was relaunched in 2017, is mainly focused on education and distributed in educational institutions. Media Policy Institute's media literacy study revealed that there is a gap between the supply and demand of information provided in the Uzbek language, but Sadiev mentioned that the lack of content in the Uzbek language is balanced by access to Uzbekistani channels that became available with digital satellite television.

Eraliev pointed out the lack of ethnic representation on one state-owned KTRK channel, which, according to him, mainly shows ethnic Kyrgyz: "For instance, if Uzbeks in Osh do not see [representatives of their ethnicity] on KTRK, if they are edited out, what will they do? They will turn to other channels—Russian, Uzbekistani ones."

It is primarily Bishkek-based media that cover national and international news. When it comes to local media outlets, according to one panelist, editors make a conscious decision not to reflect issues and problems of local significance in order to avoid confrontation with the authorities—preventing local journalists from writing about anything of importance. While discussing the lack of regional newspapers, some panelists, including Ismanov, noted a new threat to their existence: a multi-ministry initiative to reorganize local print media, including shutting down all regional state-owned newspapers and turning them into media centers. The organization of the proposed media centers is unclear, but the panelists said that local journalists did not embrace the idea of reorganization, which was subsequently postponed indefinitely.

¹⁵ "The Video Series 'Analysis of Video Content and Language of Broadcasting Channels of Kyrgyzstan,'" Expert Consulting Agency. January 2018. <http://www.expert.kg/ru/monitoring/180>.

**OBJECTIVE 4:
BUSINESS
MANAGEMENT**

1.59

The panelists do not see private media outlets in Kyrgyzstan as business enterprises, nor do they believe that media are profitable. They lack business and management strategies, as well as staff dedicated to these purposes. Mainly, outlets make money for *jeansa* journalism (i.e., hidden advertising, public relations (PR) stunts, and “black PR”). Arykbaev said that media try to diversify their sources of income with crowdfunding, grants, and commercial projects. However, Ismanov and Tynaev noted that crowdfunding is unpopular among audiences.

As in previous years, panelists named the state-funded OTRK and foreign-funded Azattyk and Sputnik Kyrgyzstan as financially viable; however, there is no reliable data to back that impression.

Three private newspapers shut down in November for lack of funds: *Fabula*, *Tamchy*, and *Allo reklama*, which specializes in advertising. The head of the printing department of the Media Support Center that printed the newspapers said that with the trend toward online outlets, newspaper circulation has decreased by 30–35 percent over the past few years. The mass media law requires print media to state its readership circulation on every publication, but many newspapers fail to do so, making it difficult for the public to assess the scale of print media consumption. Media Support Center is the only publishing house that states circulations. The most recent print media content and circulation monitoring took place in 2015.

Internews representatives in Kyrgyzstan selected a number of media outlets to undergo organizational diagnostics and receive financial aid

for organizational development. Over the course of 2018, these outlets underwent trainings on launching sales departments and monetizing media products. A number of trainings were dedicated to media management. Panelists present at the training noted that many media outlets representatives were calculating the costs of program production and breakeven points for the first time. Several panelists, including Voronina and Sadiev, believe that these interventions are crucial for building the management capacity of media outlets and will bear fruit in the next few years. However, only six organizations won the competition to attend—three in Bishkek and three in the regions. Sadiev noted that other similar events organized by Internews lacked representatives of regional mass media.

As in previous years, the panelists said that subsidies from obscure owners constitute the main source of income of private media outlets. While panelists believe that advertising is scarce, other experts suggested that the market for digital advertising is growing.

The Expert Consultancy Agency's annual study in 2018 suggested that the volume of television advertising amounted to \$17.2 million, 4.4 percent higher than last year, while radio advertising climbed nearly 30 percent to \$3.5 million.¹⁶

The leaders in terms of ad budget are KTR (12 percent of the total television ad budget within the studied period), followed by NBT and OshTV (10 percent). The top-three radio stations included Evropa+ (25 percent of the total radio ad budget within the studied period), trailed by Avtoradio and Kyrgyzstan Obondoru. However, the study authors warned that these are only estimates, as they used

16 “Volume of Television and Radio Segment in 2018 in Kyrgyzstan,” Expert Consulting Agency. 2018. <http://www.expert.kg/ru/monitoring/195>.

the official price lists of the channels, while in reality, significant discounts are provided.

Panelists tended to distrust the Expert Consultancy Agency's research, however, and believe it is difficult to estimate the volume of the advertising market, which most of the panelists agreed is shrinking for all media outlets. With the appearance of a variety of channels in digital packages ranging from those striving to produce their own content to those who merely retransmit foreign content or pirated content, the pricing policies vary significantly and highlight an absence of standards in the share of advertising profits in the overall income of mass media.

State-owned mass media enjoy an advantage over private media, says Sadiev, because the state covers their salary expenses and broadcasting fees, allowing them to lower their ad prices.

Usenova noted the appearance of Internet-based promotion services, such as targeted advertising, Search Engine Optimization (SEO)-promotion, and social media marketing, which suggests that advertising on the Internet is gaining popularity. Among media outlets that can sustain themselves on advertising revenue, Niyazova named AKIpress and Kaktus Media, but that is not based on evidence.

Tynaev brought up the issue of media outlets trying to provide attractive advertising products on their own, as “they do not have staff copywriters and designers who could produce creative advertising. They do not develop business models and business strategies; they cannot offer the clients anything new, but rely on old, traditional advertising formats.”

The lack of reliable information about media management and media funding streams, including a lack of donor interest in media outlets outside of Bishkek and traditional media outlets, may explain why the panelists feel that advertising profits are narrowing. The list of Internews grant winners in 2018¹⁷ includes a wide array of actors and newly established media, as well as very few traditional media outlets.

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.

A few advertising agencies dominate the private advertising market, including Quattro Media and Qausar, which work with large media outlets—mainly

television and radio. There are no reliable data about the volume of the advertising market, but Usen uulu speculated that it is approximately \$6–\$7 million, while Usenova believes it is about \$9 million. According to the law on advertising, television and radio channels that do not specialize in advertising cannot sell more than 25 percent of their broadcast time; television channels studied by the Expert Consultancy Agency in 2018, at least, appear far from reaching that threshold.

Usen uulu emphasized the problem created by the arrival of digital television. Currently, 60 channels compete for a fairly small advertising market, which has led to widespread dumping prices and further deflation of the market. He pointed to television channels specializing in pirated content as the main threat to the media's survival. It is difficult for channels to produce their own content, staff their companies, and buy expensive equipment to compete with television channels that stream pirated content with just a few staff members and no other expenses. According to the Law on Television and Radio Broadcasting, half of the content broadcast between 7:00 a.m. and 10:00 a.m. and between 6:00 p.m. and 11 p.m. must be locally produced. However, according to the Expert Consulting Agency study, on average, the 20 monitored channels broadcast only 31 percent local content—42 percent of the content is in Russian and another 25 percent is foreign.¹⁸ Outside of those time slots, some channels significantly decrease the broadcasting of local content, and others broadcast none at all. Only a few channels, such as KTR, KTR-sport, KTR-Musyka, NTS, and EITR meet the standards required by the law.

Despite the results of the studies and the impressions of the panelists about the growth of the advertising market, the chair of the Chamber of Tax Consultants public association, Tatiana Kim, claimed that the ad market is shrinking. She suggested that international companies and social networking sites, such as Google, Yandex, and Facebook, should pay value-added tax in Kyrgyzstan because they receive direct payments for advertising from Kyrgyzstani users.¹⁹ Such “Google taxes” were introduced in Russia and Belarus in 2016 and 2017.

When it comes to regional media, Sadiev noted that they are not in a position to dictate prices to advertising agencies and cannot work directly with large advertisers, and thus rely on the pricing policies of Bishkek-based advertising agencies.

State-owned mass media enjoy an advantage over private media, says Sadiev, because the state covers their salary expenses and broadcasting fees, allowing them to lower their ad prices. Nevertheless, state funding is used as a point of pressure and manipulation by the government. When it comes to non-state-funded media outlets, Tynaev believes that the share of advertising placed by the state is so small that it does not contribute significantly to their profits. Moreover, some state-owned mass media, such as *Slovo Kyrgyzstana*, do not receive any state funding, which drives the outlets into debt to pay the printing houses.

There are several private companies, including M-Vektor (a research company), Expert Consultancy Agency, and Siar-Bishkek, that regularly publish the results of their media studies on television channel ratings, advertising market volume, and audience

17 Eshenalieva, Ainura, “Internews: 15 Recipients for Content Production Identified,” Media Policy Institute. May 15, 2018 <http://www.media.kg/news/opredeleny-15-poluchatelej-grantov-na-proizvodstvo-kontenta/>.

18 “Analysis of Video Content and Language of Broadcasting Channels of Kyrgyzstan,” Expert Consulting Agency. January 2018. <http://www.expert.kg/ru/monitoring/180>.

19 “Google Tax: Why Don’t Google, YouTube, Facebook, Yandex and a Number of Search Engines and Instant Messengers Pay Kyrgyzstan?” Tazabek. March 22, 2018. <http://www.tazabek.kg/www.tazabek.kg/news:1438303?f=cp>.

preferences. However, every year, panelists express their doubts about the data's reliability.

The panelists did not believe that media outlets apply strategic planning to increase their revenue and say they rarely refer to research data to attract advertising. One of the reasons is a lack of trust in the data; the other reason, Sadiev said, is that content production relies heavily on the owner's agenda.

According to Niyazova, Google Analytics remains the go-to tool to measure Internet traffic, along with Yandex.Metrika, which the panelists report is gaining popularity. Sadiev, however, noted that many online sites hide their visitor statistics, using them only for internal purposes. Niyazova hopes that the situation will change with the introduction of Peplemeters in 2019.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

2.17

Business associations in print media, although technically present, do not effectively represent the interests of mass media owners. Despite the Association of Publishers and Distributors of Print Media's revival two years ago, it has made little progress on stemming flagging newspaper circulations and high paper prices.

Digital Technologies LLC, headed by Usen uulu, established with the introduction of digital television, unites 22 private television and radio stations and is dedicated to widening the digital signal delivery network to the residents of all regions.

In addition, a new association of television and radio broadcasters, the Association of Television and Radio Organizations, was established in September

2018; it unites nine television channels under the mission of demanding the application of Kyrgyzstani legislation related to television and radio content and broadcast language. The laws on broadcasting and advertising are designed to promote the production of original content and to protect local television channels from competition with channels specializing in rebroadcasting foreign content.

The chair of the association, Usen uulu, said that its working group sent a written request to the Ministry of Culture, Information, and Tourism to speed up the execution of the Law on TV and Radio Broadcasting and to take measures in relation to those channels that violate the law and present pirated content. The Ministry asked all channels to provide copies of all content broadcasted over three days; a majority of the channels ignored the request. The association pressed the issue, but the Ministry published a press release that claimed it lacked the manpower to monitor video content. Usen uulu does not see the excuse as justified, as the Republican Production Association of Radio-Relay Lines of Television and Radio Broadcasting (RPO RMTR), a branch of the state-owned Kyrgyztelecom tasked with signal delivery of the channels in the social digital package, has a department dedicated to monitoring television and radio content. "They have RPO RMTR with a monitoring center; they have Kyrgyztelecom with an army of employees; there is the state Department of Information and Communication, which are actually responsible for the sphere," observed Usen uulu. Nevertheless, it is private research agencies—Expert Consultancy Agency and TNS—that end up conducting the monitoring and revealing which channels do not follow the broadcasting regulations stipulated by law. The panelists believed that it is still too early to see whether the association will bring about change.

Despite the numerous lawsuits against media

and journalists, the two main professional associations, the Union of Journalists and the Independent Union of Journalists, remain inactive. Panelists could not name any notable cases of professional associations standing up for their colleagues in the past year. Voronina believes that solidarity among journalists is weaker than solidarity between media and human rights activists when it comes to representation and protection of journalists' rights.

Sadiev noted that in the regions, universities do not uphold educational standards, nor do they try to incorporate new technologies and media tools. Journalism students generally graduate lacking practical experience because there are no modern labs and equipment.

Media Policy Institute remains one of the few NGOs that provide legal protection to journalists encountering lawsuits for their work, but, as mentioned by its director, Usenova, it is understaffed and struggles to process all the cases. Last year, the work of the legal clinic Adilet, which represents the rights of journalists, stalled while its director, Cholpon Jakupova, numbered among the defendants in the *Atambayev vs. Zanoza.kg* case. As soon as the case was dropped, Adilet got back on track. Another organization mentioned by panelists was the legal company Precedent, which provides consultations and legal expertise, and takes on cases related to freedom of speech. Arykbaev noted that these organizations are concentrated in Bishkek, but there are similar organizations dealing with cases in the regions, such as Ventus in Issyk-Kul oblast.

The panelists noted that Internews Kyrgyzstan provided a number of activities and opportunities

in 2018. Their training and funding opportunities are aimed at supporting the development of local mass media, access to information, and cooperation of mass media and civil society on issues of transparency and accountability. In April 2018, Internews organized the first “Media Tootoo” forum, which offered a platform for local journalists across the country to discuss new media developments. The presentations and panel discussions included journalists and media experts from Central Asia, as well as Russia, Ukraine, and the USA, and the Soros Foundation-Kyrgyzstan supported the participation of journalists from the regions.

The Industrial Media Committee, an association of legal entities established in 2011, underwent a revival and grew more prominent in 2018 during the Media Tootoo forum. The association stands for the development of the media sphere through research of the media market and broadening of the advertising field.

It is notable that NGOs have expanded their scope beyond building the capacity of journalists and media outlets to building the media literacy and critical thinking skills of the population. The Media Support Center, for example, launched Media Sabak, a project aimed at students and building a network of teachers in the three southern oblasts.

Although seven universities offer journalism as a major, the panelists unanimously said that the quality of higher education in journalism leaves much to be desired. For example, there are no graduate-level journalism programs. This year, Kyrgyz-Russian Slavic University (KRSU) students launched a flash mob on social media with the hashtag “I am not afraid to say,” raising issues, including cold, unsuitable facilities; outdated teaching materials and curriculum; and a lack of courses that would help students become convergence journalists.

Voronina and Arykbaev, who both teach journalism at universities, said that they have received complaints from their students about the quality of education. Voronina also noted that the 45 seats allocated for first-year students this year were filled with 80 newcomers, suggesting that journalism as a profession is in demand. Several panelists noted that KRSU and AUCU graduates are still above average, but most panelists assessed Manas University graduates as the most adequately trained. Eraliev confirmed that Azattyk is usually satisfied with their writing skills and level of education.

Sadiev noted that in the regions, universities do not uphold educational standards, nor do they try to incorporate new technologies and media tools. Journalism students generally graduate lacking practical experience because there are no modern labs and equipment. Usen uulu believes that the majority of recent graduates have to be retrained upon hiring.

Short-term courses offered by a number of organizations help meet these needs, ranging from the beginner to more specialized levels. Kloop.kg continues to offer beginner's courses in Bishkek and Osh, mainly attended by high school and university students in their first years of study. The media school Yntymak, established in 2016 and affiliated with Yntymak public broadcaster, also offers courses on the foundations of journalism and new multimedia tools. Television channels, such as NTS, offer specialized courses for television hosts as well.

In 2018, Internews broadened its short-term journalism training opportunities by introducing courses on fact-checking, data journalism, and hosting talk shows. It is also conducting a number of projects and competitions aimed at original content production, increasing media profits via improved business practices, and audience research. Other organizations offer thematic courses and topics

linked to current events; such courses are usually offered by the NGOs specializing in a certain topic or within donor programs that are trying to improve journalists' knowledge in their field of work. The School of Peacebuilding and Media Technologies in Central Asia, with the support of the Democracy Commission of the US Embassy, offered training on preventing extremism and propaganda in media. The Institute for War and Peace Reporting is implementing a project to help Central Asian researchers improve their skills in writing analytical pieces on the region for mass media. Kyrgyz-language course offerings are limited; panelists mentioned only trainings by the NGO Journalists, which provides training for Kyrgyz-speaking journalists.

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.

Private printing houses may serve as an instrument of political pressure and fight for property redistribution. Thus, the printing house belonging to *Vecherniy Bishkek*, along with the advertising company Rubikon, underwent yet more turnover in November 2018 as its former owner, Aleksandr Ryabushkin, was jailed for abuse of authority and causing property damage to the newspaper's former owner, Aleksandr Kim, who lost the newspaper to Ryabushkin in 2014. Given the unstable situation concerning the company's ownership, rumors about the printing house shutting down began floating around, which the newspaper contradicted in print.

When it comes to broadcast media, since 2017 state-owned Kyrgyztelecom company is not the only distributor of channels via RPO RMTD, as Digital Technologies also began delivering signals. The number of transmitting stations increased in 2018 to 23 across the country, up from eight in just the main cities. The director of Digital Technologies, Usen uulu, shared that modernizing its equipment and increasing coverage to 90 percent of the country has led to increased expenses, which has turned out to be unaffordable for some of the channels. As a result, the modernization process has stalled for now. Usen uulu noted that the main expenses for private television channels are signal delivery and broadcasting, which is mainly done through RPO RMTR. As the tariffs for maintenance and renting masts are constantly increasing, it becomes too expensive for some channels, leading to the restriction of broadcasting zones or even disconnection from broadcasting.

Regarding the transmission of television channels via cable television providers, Usen uulu said that Aknet, one of the main cable television providers, is rumored to set very high prices for including a channel in its package. Other channels, such as TNS, however, reach agreements with such

providers via bartering for ad placement on their channels. Some Internet providers, such as Megaline Smart, deliver signals for some channels where they have coverage: Bishkek, Osh, Jalal-Abad, and Issyk-Kul.

The panelists did not note any issues with access to the Internet in Bishkek or the regions. They credited Kazakhstani OI, a new Internet provider, with expanding online access to the regions. Nevertheless, one regional panelist said the regions still suffer from a lack of provider choice, problems with the quality, and issues with the cost of the Internet—as well as power cuts.

Drone video recording and photography is gaining popularity among journalists. While most media outlets cannot afford them, some production studios offer them for rent. Internews, for example, supported the purchase of a 360-degree virtual reality camera, which the grantees used to create a photo and video series titled “Disappearing Kyrgyzstan,” which is dedicated to raising awareness about Kyrgyzstan’s environmental problems.

List of Panel Participants

Adel Laisheva, director, Center of Media Communications, Kyrgyz Public Radio and Television Corporation, Bishkek

Elena Voronina, media expert and senior lecturer, Kyrgyz-Russian International University, Bishkek

Sanjarbek Eraliev, journalist, Azattyk Media, Bishkek

Azamat Tynaev, content consultant, Internews in Kyrgyzstan, Bishkek

Makhinur Niyazova, correspondent, Res Publika, Bishkek

Begaim Usenova, director, Media Policy Institute, Bishkek

Eldiyar Arykbaev, editor-in-chief, Kloop.kg, Bishkek

Almaz Ismanov, journalist, Novye Litsa, Bishkek

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

Sahira Nazarova, reporter, Eho Osha, Osh

Ydyrys Isakov, regional reporter, Azattyk Media, Osh

Daniyar Sadiev, director, Media School named after T. Tursunaliyev, Osh

Jainak Usen uulu, director, NTS; chairman, Digital Technologies LLC; chairman, Association of Television and Radio Organizations

Moderator and Author

Gulnara Ibraeva, media analyst, Bishkek

The panel discussion was convened on December 15, 2018

TAJIKISTAN



**MEDIA
SUSTAINABILITY
INDEX**

2019

Tracking Development
of Sustainable
Independent Media
Around the World



TAJIKISTAN

AT A GLANCE

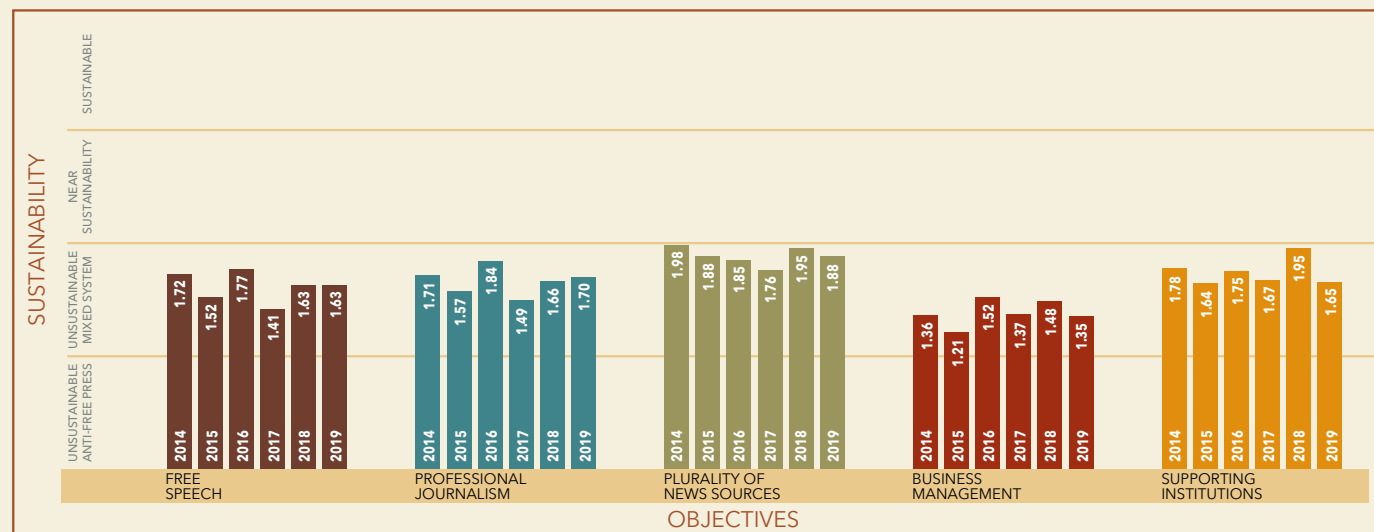
GENERAL

- **Population:** 9.1 million as of the end of 2018 (Statistics Agency under the President of the Republic of Tajikistan)
- **Capital city:** Dushanbe
- **Ethnic groups (% of population):** Tajik 85.4%, Uzbek 12.5%, Russian 0.4%, Kyrgyz 0.8%, other 2.1 % (2010 Population and Housing Census, Republic of Tajikistan)
- **Religions (% of population):** Sunni Muslims 90%, Ismaili Muslims 6%, other faiths 4% (State Committee on Religious Affairs)
- **Language (% of population):** Tajik (official), Russian (formalized in the Constitution as the language of interethnic communication)
- **GDP:** \$7.3 billion
- **GDP per capita:** \$802
- **Literacy rate:** Adult: male 99.8%, female 99.72%; Youth (15–24): male 99.86%, female 99.8% (UNESCO Institute for Statistics)
- **President or top authority:** Emomali Rahmon (elected on November 6, 2013)

MEDIA-SPECIFIC

- **Number of active media outlets:** 371 newspapers (262 non-state), 243 magazines (130 non-state) (Ministry of Culture), television stations: 40 (31 non-state), radio: 30 (20 non-state) (CIA World Factbook, 2016)
- **Broadcasting ratings:** Top television channels are Jahonnamo, Shabakai Yakum, Safina, Bakhoriston, Sinamo, Varzish, Shakhnavoz, and Dushanbe
- **Newspaper circulation statistics:** The largest independent (private) newspapers are *Asia-Plus*, *The USSR*, *Reklamnaya Gazeta*, *Faraj*, and *Samak*. The largest state-run newspapers are *Jumhuriyat*, *Sadoi Mardum*, and *Minbari Halq*
- **News agencies:** 11 news agencies are registered, 1 governmental, and 10 non-governmental. Top news agencies are Asia-Plus, Khovar, Avesta, TajikistanTimes (pressa.tj), TAG news (tajikta.tj), Faraj, Sugd News (sugdnews.tj)
- **Annual advertising revenue in media sector:** \$6 million (Statistics Agency, Government of Tajikistan)
- **Internet usage:** 1.705 million (CIA World Factbook, 2016)

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.

Scores for all years may be found online at <https://www.irex.org/msi>



Tajikistan's overall score dropped from 1.73 in last year's study to 1.65 this year. Three out of the five objectives studied by the MSI saw declines, with only a modest increase in the score for Objective 2 (Professional Journalism), while the score for Objective 1 (Freedom of Speech) held steady at 1.63. The country remains in the unsustainable/mixed system category. Panelists cited a number of issues that challenge the health of the country's media sector, including: a corrupt judicial system, frequent pressure on media outlets and journalists from government bodies and law enforcement, pervasive self-censorship, narrowed space for dissenting views, a weak economy, and lack of effective professional organizations.

One of the major events in Tajikistan in 2018 was the launch of the Rogun Hydropower Plant's first turbine, which eliminated rolling blackouts in Tajikistan's provinces. Once completed, it will become the largest hydropower plant in Central Asia. Also, relations with Uzbekistan improved: the borders were opened and visa-free travel for Tajikistani and Uzbekistani citizens was introduced. Tajikistan's parliament is developing a unified information code to replace all existing laws regarding mass media to regulate all issues related to information, communication, and information protection.

Terrorism continues to be one of the major national security threats. In July, a group of ISIS and Islamic Renaissance Party terrorists attacked seven foreign cyclists who were traveling from Dangara to Dushanbe, killing four of the cyclists. The leader of the attack was sentenced to life imprisonment. Moreover, for the first time in history, a Tajikistan citizen was held criminally liable for visiting and leaving comments on extremist-terrorist websites, and sentenced to three years in prison. Because of the threat of terrorism, the State Committee for National Security (GKNB) decreed that Tajikistan citizens can now have only one SIM card in their mobile phone; only cell phone company service centers can now sell these cards, and the price for one card has risen dramatically. About seven million people in the country are subscribers of mobile operators, and 25 to 28 percent use the Internet through their phones.

Journalists increasingly complain about frequent pressure from local, tax, and prosecutorial authorities and law enforcement agencies. According to the MSI

panelists, the government maintains total control over private media under the pretext of fighting terrorism, resulting in media outlets applying strict self-censorship. Traditional methods of curbing freedom of speech and information still occur through the hacking journalists' and civil society activists' e-mail and social network accounts, creating fake accounts and tapping telephone lines. Dangers also include the hacking into a users' personal data and physical surveillance through access to geolocation data, Internet protocol (IP) addresses, and other digital tracking tools.

The role of social networks in Tajikistan has increased; they have become a place for free expression of opinions, different political positions, and criticism of authorities. However, information access is hampered by the ongoing practice of extrajudicial blocking of Internet sites to independent media and social networks. In 2018, Facebook, YouTube, Odnoklassniki, VKontakte, Asia-Plus, and Ozodi were blocked six times with no reason given.

Because of a corrupt judicial system, state bodies and influential individuals can easily prosecute journalists and the media in civil law proceedings. Last year, there were no high-profile cases against the media and journalists, although this can be explained by the fact that journalists themselves have become more cautious. Since October 2018, the Independent Center for the Protection of Human Rights resumed, providing representatives of the media with free legal protection and legal analysis of their material before publication, thus minimizing possible risks.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

1.63

Article 30 of the Constitution of Tajikistan guarantees free speech, but the reality is that these freedoms are continually trampled. Power is concentrated in just a few hands, and the judiciary is corrupt. As a result, fair treatment under the judicial system is not expected, and the rule of law has not yet been established in all areas.

Registration and licensing procedures for media outlets have remained unchanged. Licensing and registration are compulsory only for electronic mass media, television, and radio. All legal entities are registered with tax authorities. Print media is entered in the registry of active media organizations through a certificate issued by the Ministry of Culture, whereas television and radio companies operate on the basis of a license issued by the Committee for Television and Radio Broadcasting. "Legislation on broadcasting and telecommunications, especially on licensing, remains undemocratic. Independent TV channels are licensed by the State Committee for Television and Radio Broadcasting, which is itself a player in the field of service provision. The mechanism is not transparent, the possibility of appeal is nonexistent," commented Abdumalik Kadyrov, director of Internews Network.

Because of fierce competition between state-owned and independent media, market entrance conditions worsen every year. Today, it is almost impossible to register new independent media that would criticize the government, since a reference certificate from the GKNB is required for registration. "Independent media outlets have to register as a separate enterprise, usually as a

limited liability company," said Nabi Yusupov, director of Media Consulting. The conditions for entering the media market are the same as for any other business structure, and outlets need authorized capital. In addition, registration is impossible without a significant investment in equipment.

There are few obstacles for starting up print media in Tajikistan; however, current economic conditions make them insufficiently profitable or even unprofitable, and thus many print media have curtailed their activities. For television and radio companies, licensing still serves as a lever of pressure. "A license in this country is issued in exchange for loyalty within a corrupt framework, which practically makes it impossible to carry out an independent [editorial] policy," commented Makhmudjon Dodobaev, director of SM-1, an independent TV and radio station. Media in Tajikistan do not receive any tax breaks, even though the journalism community has repeatedly requested such relief from the government. "Obtaining a license in all areas of the media and communications requires a large amount of collateral capital and disclosure of the sources of income—the main reason and pretext for refusing to issue a license," said Khurshed Niyozov, director of the Center for Journalistic Investigations and chief editor of *Faraj*.

When journalists are illegally persecuted or pressured, the perpetrators remain hidden because officials close ranks and cover for each other. In cases where freedom of speech is violated, the instigating actions or inactions of officials may be appealed to higher authorities or to the courts. However, doubts exist regarding the independence of the courts, as court decisions in cases involving freedom of speech violations are not always impartial. Yusupov believes that judicial and law enforcement authorities are constantly interfering with the mechanisms in place to implement the

law by exerting pressure on journalists and media editors.

In July, a Khujand city court sentenced journalist Khayrullo Mirsaidov, who recently headed the national KVN (Club of the Funny and Inventive) comedy team, to 12 years in prison. He was detained shortly after the publication of his letter accusing a high-ranking official from the Sughd region of corruption and was found guilty of "misappropriation or embezzlement of public funds," "falsification of documents," and "deliberately false denunciations." He was only released after protests by international organizations (among others) but was required to pay an \$8,500 fine. The Tajik Prosecutor's Office stated in its official press release that the discussion and criticism of the court's verdict by the media "can be interpreted as obstruction of justice which goes beyond journalist ethics." Mirsaidov currently resides in Europe and does not plan on returning to Tajikistan.

"The progressive part of society believes that an independent media brings about great benefits to the state and society, whereas the opposing side thinks that a media that criticizes authorities only exacerbates situations in society and introduces antagonism between different social strata," said Yusupov.

The media, including independent outlets, are used by security services to defame undesirable individuals or groups. Independent bloggers and human rights activists are under pressure, and their voices have practically disappeared from the media, having been replaced by fake postings in social networks and bizarre websites used for propaganda

or libel against civil society activists and the opposition. The blocking of websites, news portals, and social networks is increasingly being used to exert pressure on media and independent voices.

The surveillance of journalists—inspecting their mail and monitoring their correspondence in social networks and “likes” for particular publications—has increased, and journalists are illegally persecuted by authorities who place pressure on their elderly parents and relatives; this includes journalists who have left Tajikistan for various reasons. Journalists’ presence on social networks, especially Facebook, are often targeted for attacks.

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.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

All the panelists believe that authorities make every effort to divide public opinion. “The progressive part of society believes that an independent media brings about great benefits to the state and society, whereas the opposing side thinks that a media that criticizes authorities only exacerbates situations in society and introduces antagonism between different social strata,” said Yusupov.

An independent editorial policy for state-owned media is impractical, because they are all controlled by the government.

Access to information is one of the main problems for journalists. “It is very hard for independent journalists to obtain access to government documents, especially regarding government expenditures and credit certificates,” said Kadyrov. The panelists note that the professionalism of journalists and the availability of personal connections in the government remain a decisive factor in obtaining information.

Ministries and departments, especially security and law enforcement agencies, are represented by the state-owned news agency Khovar, and other media just republish their information. Almost all ministries and agencies respond to media questions through written request only. Some ministries and departments do work in a timely manner, but if an agency has not responded within three days, a complaint can be filed against it. “Even so, the agency is still clearly late in providing time-sensitive information; their feed usually consists of three to four news items on Tajikistan, and the rest is foreign news,” said Jamila Huseynova, editor of *The USSR*. Negmatullo Mirsaidov, editor of *Varorud*, observed that there is no access to government documents.

“Security and law enforcement agencies are practically closed to the media; the heads of ministries and departments are inaccessible to

non-government media. Interviews with ministers, the speakers of Parliament, the prime minister, or the president are not to be found on radio, television, or the pages of the printed press,” said Zebo Tadjibaeva, executive director of Asia-Plus. According to Huseynova, a double standard has long been applied to government and non-government media, resulting in the media losing their watchdog function.

Although the Law on Press explains how to protect the sources of confidential information, in reality, security officers and law enforcement agencies often pressure journalists to disclose their sources of information to them. According to the National Association of Independent Mass Media in Tajikistan (NANSMIT), in March and July 2018 two journalists were summoned to law enforcement agencies, where they were required to disclose their sources of information concerning corruption in prosecution authorities and inform on their colleagues. Such cases have a negative effect on freedom of speech and expression.

Authorities often attempt to restrict journalists’ access to information that is socially important. “It is very difficult for journalists who practice investigative journalism, especially those covering religious extremism. For instance, the authorities created all types of obstacles for two journalists, Jamshed Marupov and Orz Bedimogov from Khujand and Kurgan-Tube (Bokhtar), who were conducting investigations for the Institute for War and Peace Reporting [IWPR],” reported Lola Khalikjanova, IWPR’s program manager.

Illegal blocking of sites and social networks by the Tajik Communication Service has continued. “We have repeatedly stated that restricting access to information resources on the Internet as alternative sources of information is a violation of citizens’ constitutional rights and have stressed the need

to develop mechanisms for pretrial settlement of content on the Internet,” said Nuriddin Karshiboev, the chair of NANSMIT and the director of Tajik Press Council. Internet service providers violate the rights of users out of fear of losing their businesses. Access to such sites such as Asia-Plus, Ozodi, Facebook, YouTube, Odnoklassniki, and Instagram are regularly blocked. According to the GKNB, more than 80 sites are on Tajikistan’s banned website list.

Access to international news is always open, owing to multiple TV and radio channels, as well as Internet sites. Although the cost of Internet service is high in relation to average individual income, satellite and cable TV are extensively used to obtain alternative information from abroad.

No professional training is required to start working in journalism. The new Law on Mass Media clearly defines a journalist as a media employee who works as a staff member or by contract and who is a member of the Union of Journalists of Tajikistan. Although anyone is free to become a journalist, a practicing journalist who has published critical pieces may end up on a list of “unreliable persons,” which means that law enforcement and special services will constantly monitor the journalist’s activities, putting at risk the journalist’s job in the media. Journalists are trained in eight universities throughout the country, but very few of them are professionally ready or desire to work in the media. All panelists note that future journalists lack literacy and experience, and there are language barriers.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

1.70

Journalists are trying to be more objective and use several sources of information when they cover events in the media. “However, out of fear, almost all independent journalists apply self-censorship or refuse to comment under various pretexts,” said Khalikjanova.

The lack of a broad expert community results in a lower professional level of published materials. Journalists in the independent media try to adhere to at least some standards when they report on events in Tajikistan. “However, due to constant pressure, they are forced to conform to the rules dictated by the GKNB staff,” said Tadjibaeva.

Tajikistan has adopted ethical standards for journalist activities. The Media Council—which has been in place for nine years, incorporates 88 editorial offices of newspapers, magazines, electronic media, and media organizations—oversees the implementation of ethical standards for journalists; accepts appeals from interested parties; discusses these appeals at its meetings; and comes up with advisory decisions that are subsequently published in the media. These standards, based on international experience, are applied by both journalists and associations of journalist organizations. “All the media outlets that signed them subsequently ignored them due to the circumstances they were in. Today, almost all independent media outlets are forced to publish defamatory materials against persons out of favor of the authorities. This year, both state-owned and a number of independent media in Tajikistan have been actively used as a tool in the information war declared against Iran by Tajik authorities,” commented Tadjibaeva.

According to Huseynova, official sources of information are scarce because government bodies are almost completely closed to the independent media. Key state officials rarely agree to be interviewed by journalists. Yet all the panelists believed that the journalists themselves are partially responsible for this, as they often misattribute quotes or pull them out of context, thus changing the essence of the information provided by an official. It is often difficult and sometimes impossible to verify information, even if a journalist wants to. Attempts to officially verify information obtained from unofficial sources often cause problems both for the media and the journalist. “Often, the journalists themselves are guilty, as they do not even try to avoid subjectivity and provide multilateral coverage of events, including the comments of all participants. Having not studied the events properly, such reporters prepare sloppy materials and interviews,” Yusupov said.

However, the image of journalists is heavily damaged by unscrupulous media representatives who receive bribes from information sources or other subjects of media relations. “The ‘media dealers’ who have appeared in the media landscape of the country are engaged in shady affairs, but the Media Council does not bring them to justice, which leads to discrediting bona fide journalists,” said Niyozov.

The Media Council received 15 complaints and applications in 2018, mainly regarding print and electronic media. Complaints included print media that were dissatisfied with each other’s articles, authors complaining that their responses were not published, complaints about insults in articles, noncompliance with ethics in terms of information verification, and violation of journalists’ solidarity.

Self-censorship is practiced in all media outlets with no exceptions; moreover, each editorial board

has a list of persons who cannot be criticized under any circumstances. "Today, we cannot even write about things we used to write about at the beginning of the year. The Asia-Plus website was blocked for posting information about the tax exemption of a private hotel run by people close to the president's family," said Tadjibaeva.

Karshiboev believed that the reason for self-censorship stems from a fear of offending certain political circles or of crossing a red line that may result in the closure of a media outlet. "Certain business interests of financial-industrial groups, advertisers, or media partners must be taken into account," he said. Therefore, independent media resort to powerful self-censorship, and state-owned media prefer not to cover problematic issues at all.

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Despite the National Strategy on Countering Terrorism and Extremism, which emphasizes the necessity to expand contacts and work more closely with the media and civil society, security services often provide belated information that is beneficial to them, creating problems in covering national security issues. An example is the prison riot that took place in November 2018 at a penitentiary in the city of Khujand in the Sughd region. "None of the security agencies gave reliable information about the riot, and journalists cited unverified sources;

therefore, the number of prisoners reportedly killed during the suppression of the rebellion ranged from one to 50 people and the number of reportedly injured, from six to 120," Kadyrov observed. Only in December, during a meeting in Brussels, did the Ministry of Foreign Affairs of Tajikistan announce official data that 21 prisoners and two guards were killed, and six prisoners were injured.

The influence of social networks on the information field of Tajikistan increased in 2018. "Now, almost all the media in Tajikistan have a Facebook page, where they publish information, articles, graphics, long reads, and photos," said Yusupov.

The level of payment for journalists' work and the ability to provide them with modern and effective equipment for information collection and processing leave much to be desired. Independent journalists are increasing quitting the profession, and most migrate to Russia for work. Because of low salary levels, some journalists work for several media outlets; therefore, television, radio, and newspaper content are often very similar. "Freelance work is almost unpaid, which is precisely the reason why the volume of journalist materials produced by freelancers has markedly decreased in the last year," said Nosirjon Mamurzoda, a lecturer in journalism at Kurgan-Tube State University and the deputy editor of the newspaper *New Khatlon*.

"No, Tajik media can't compete with the foreign media that work in Tajikistan. Salaries in local media outlets are much lower, and this also affects the quality of media work," commented Kadyrov. Salaries in state-owned media are higher; they receive TJS 3,000 (about \$320) a month or more, and they have a larger staff. "My salary at *The USSR* newspaper is TJS 1,200 (about \$128) a month, and we can only receive up to an additional 20 percent," Huseynova said.

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).

There is no balance between entertainment and information programs and print media materials in Tajikistan. "Even in the government newspaper *Jumhuriyat* (Republic), there are many more entertainment articles than news and political reports," said Zinatullo Ismoilzoda, director of the Media Academy of Tajikistan and chair of the Union of Journalists of Tajikistan. Tadjibaeva reported that non-state media began printing more entertainment content, as it is safer for journalists and the media; the readers also seem to be tired of negative news—a beneficial feature in that it is the only way to survive in the market and attract advertisers and readers.

Television channels in the regions give preference to entertainment programs. The share of entertainment programs comprises 70 to 75 percent of airtime on the state-owned television,

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60 percent on state-owned radio, and more than 80 percent on private FM radio stations. News programs represent no more than 40 percent of the volume of broadcasting on the seven channels of state-owned TV and 20 percent on private TV and radio channels.

The viewers who can watch numerous satellite channels more often choose entertainment programs, concerts, and talk shows. "TV viewers can find out what is happening in Africa or America but do not have the opportunity to learn about important events in their own country's regions, especially if they disagree with the official position of the government," said Kurbon Alamshoev, chairman of Kuhhoi Pomir (Pamir Mountains), an NGO that has been involved in democratic social reform in Tajikistan, in strengthening principles of democracy, and in supporting civic initiatives to maintain and enhance the spiritual and cultural values of the mountains and the identity of its population..

All seven state-owned television channels have switched to niche TV, including a sports channel, a movie channel, a children's channel, a news channel, and a cultural and music channel. "It is very difficult for independent channels to compete with state-owned TV, with its digital broadcasting, modern equipment, and good salaries—all funded by the state," commented Dodobaev.

The media suffer from a lack of modern technical equipment and a shortage of equipment. All state-owned media outlets have modern equipment for collecting and disseminating information through terrestrial, digital, and satellite broadcasting, but independent broadcasters only use terrestrial broadcasting. Since regional channels do not have the means to convert to digital, the rural population of the country may soon remain without alternative sources of information.

Many international donor organizations are

providing multimedia equipment instead of financial awards to journalists. Equipment for print media is mainly provided by international donors. Although journalists in state-owned media outlets in Khorog have modern equipment, there are problems with Internet access, as it is often turned off and is very expensive compared to city residents' salaries.

Over the past two years, the professional level among journalists in certain areas of expertise such as political, economic, and parliamentary correspondents, has decreased. "There is no high-quality specialized journalism in Tajikistan. The media themselves are not interested in providing this content exclusively, as there are not enough readers in the country to make such media profitable," said Karshiboev.

Except for sports, specialized journalism in Tajikistan is rare. "Investigative journalism developed several years ago but came to a halt; its quality has fallen dramatically. Investigations are conducted only on grants from international organizations. The editors themselves cannot pay the expenses," Karshiboev said. Only eight investigations on socioeconomic topics and human rights were published in 2018.

OBJECTIVE 3: PLURALITY OF NEWS

1.88

Despite the variety of media in Tajikistan, almost all the country's media express the same position as the authorities, and the space for pluralism is narrowing every year. The editorial policy of most media outlets does not permit expressing different points of view. In the state-run media, there is only one correct point of view. "[Media] cannot express the whole spectrum of political

views for several reasons. First, this spectrum is practically nonexistent in the country due to limited political freedom. Second, existing political views cannot be conveyed to the public because people themselves refuse to talk about issues openly," Karshiboev said.

Social networks and the Internet are flourishing. "More and more people prefer information obtained from social networks to that published by mass media," said Mirsaidov. However, Internet and social media sites like Facebook, YouTube, OK.ru, and VKontakte are often subject to blocking, as are domestic and foreign Internet resources when major political events are occurring within the country.

Many print and other media outlets have created their own websites and social network pages to present news; some of them have apps for mobile phones or communicate through instant messaging. The number of social network users and those who read news from their smartphones is growing every year. "But since social networks and VPNs are often blocked in Tajikistan, it is becoming increasingly difficult for readers to access them. Independent media have to not only overcome self-censorship and fight for access to information but also solve technical issues related to the delivery of information to readers," said Tadjibaeva.

"The influence of media from neighboring and foreign countries is observed in the information space of Tajikistan, especially in electronic media," said Karshiboev. Plagiarism still flourishes in all print and electronic media. According to the Law on Mass Media, informational material is not subject to copyright, so such material is republished. "Foreign media—Radio Liberty, and foreign Internet portals Sputnik and Akhbor.com—are becoming the most convenient sources of information, though the latter often publishes unverified and deliberately

misleading information,” commented Niyozov.

“Nevertheless, people have access to satellite television; there is also a cable television network, although [it is] regulated, and the rural population has access to them along with urban city dwellers,” added Huseynova. There are a few obstacles: not everyone can afford a good choice of TV channels, and problems still exist with the electrical supply in some regions.

Readers in the capital city of Dushanbe, along with those in the major regional centers of Khujand and Kurgan-Tyube, have greater access to information because of their proximity to the center, a larger variety of media sources, and better financial security than residents in the remote regions. Although the latter have access to FM radio and television, newspapers are not delivered there on a regular basis; also, many rural residents cannot afford the subscriptions that increase several times a year.

There is still compulsory subscription to state-owned media. According to official figures, 44 state-owned newspapers and four magazines are published in the Khatlon region, one of the largest regions of Tajikistan. Out of 44 state-owned periodicals (including two party and nine industry periodicals), 40 newspapers are printed in Tajik, two in Russian, and one in Uzbek. Most of these periodicals are run by local governments and are published one to four times a month.

Overall, there are about 50 local print and electronic media in southern Tajikistan, including one private newspaper and two non-government television stations. Local TV stations are specifically aimed at broadcasting news for the region's residents. “Citizens can learn more about local news through local and regional media because national channels are more focused on nationwide information,” said Ismoilzoda.

All state-run media receive subsidies from the state budget, while independent media do not receive any financial assistance—despite the fact that the law provides for state support of all media. Because of a greater number of central television and radio channels and a large circulation of print media, state-owned and government mass media have a more significant impact on shaping public opinion. State-owned media do not reflect the whole spectrum of political life in the country, and they do not provide a platform for the viewpoints of any other party except for the ruling People's Democratic Party. The division of the media into state-owned and independent leads to unhealthy competition and antagonism between journalists.

Regional state-run media only publish material covering the activities of central and local authorities; criticism is not allowed. “There is not a single independent newspaper, radio, television station, or news agency in Khorog. There was a newspaper that worked via a grant, but once it expired, they could not survive on their own, as there is no support from local authorities,” said Alamshoev.

Despite joining the World Trade Organization (WTO), no public media has yet been established in Tajikistan, even though it is a condition for the country's membership in the organization. “The issue of having one public TV channel, which was an obligation of Tajikistan when joining the WTO, has not been resolved yet. First, the Law on Public Television has to be adopted,” said Karshiboev. Given the pressure from authorities on virtually all independent media, it is crucial to establish a nationwide print media and a public TV and radio company.

There are 15 independent TV stations in the country, 12 of which operate in the Sughd province in the north. “Independent television and radio stations in this area are supported by local

governments and businesses,” says Dodobaev. All but one of the regional chairmen have shown no interest in establishing independent television and radio companies in their regions.

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.

There are 11 news agencies registered in the country (one of which is independent; the rest are private), but only seven are currently active, with Asia-Plus being the leader. It mostly practices an independent editorial policy, but strong self-censorship often prevails.

Private media have their own news and information programs. The content is quite rich, but most of it is entertainment. Both the news and entertainment content of privately-owned media is

different from the news programs of government media. “The difference is that the content provided by private owners is often more objective and relevant; it is also more diverse and is of better quality than that of the state-owned media,” said Kadyrov.

Independent media in the Sughd region produce their own news that differs from the news programs of state-owned channels. “We produce news in compliance with international and ethical standards, so our news programs are of better quality than those of the state-owned channels,” commented Dodobaev. However, readers rarely know who owns what media outlet. Although the law prohibits the monopolization of media, 92 percent of the electronic media are state-owned.

“But since social networks and VPNs are often blocked in Tajikistan, it is becoming increasingly difficult for readers to access them. Independent media have to not only overcome self-censorship and fight for access to information but also solve technical issues related to the delivery of information to readers,” said Tadjibaeva.

A fairly wide range of ethnic interests is presented in the Tajik media, including information resources in minority languages. In 2018, 22 print media were published in the Uzbek and Kyrgyz languages; however, Russian language newspapers are more popular in the regions. The range of topics covered in publications in the languages of national minorities is quite broad, but forbidden topics exist: the president and his family, regional authorities, and local security and law enforcement agencies.

“A wide range of public interests are presented in the independent media, and there is no discrimination, which cannot be said about the state-owned media. The latter has a list of people who are forbidden to work for state-owned TV, radio, or newspapers,” said Yusupov.

Analytical and news programs in the Russian and Uzbek languages are on the three state-owned television channels. Ovozi Tochik radio broadcasts in Uzbek, Russian, and Arabic for one hour every day. There are news releases in Arabic and English on Channel One; news in the same languages are broadcast daily on the Jahonnamo national news channel.

When preparing foreign news, all state-owned TV channels use news segments from Russian TV channels, Euronews, BBC, Russia Today, CNN, and Al Jazeera. All newspapers reprint articles of the leading world news and local news agencies with a link to the original content.

State TV rarely shows emergencies, clashes, terrorist attacks, or natural disasters on the news, although there are special TV broadcasts of security and law enforcement agencies on state TV channels several times a week. The media do not cover problems of corruption, HIV/AIDS, and issues regarding sexual and religious minorities.

The media do not touch on the subjects of the families and private lives of the president, the prime minister, local regional leaders, or business partners with whom they have agreements; corruption in the higher echelons of power and the activities of special services are not discussed. “Also, due to various circumstances, all independent media are forced to publish mainly defamatory material prepared by GKNB ‘experts.’ There are no exceptions to this; both small independent media and large corporations carry it out,” commented Tadjibaeva.

OBJECTIVE 4: BUSINESS MANAGEMENT

1.35

Tajikistan’s economic situation and the lack of a full-fledged market policy are the main negative factors affecting the media’s current situation. The media in Tajikistan has not been self-sustainable since 2015. The financial and economic situation in the media, especially in the printed press, worsened in 2018, and independent media executives complain about the loss of readership. “All [of] this is due to the decline in circulation and reduction in advertising revenues; the prices for consumables and printing services have risen again; the circulation of even the most popular newspapers and magazines have experienced a 40 to 60 percent decrease over the past year,” said Tadjibaeva.

Advertising, public relations, circulation, organizing events, roundtables, and conferences remain the main sources of media income. Many independent media outlets are not growing because of the financial crisis but are trying to stay in the market by any means necessary. Media outlets in Tajikistan, especially the independent ones, are working under harsh conditions caused by the financial crisis. “Most of them are not self-sustainable, [and] thus are unable to hire highly skilled professionals,” commented Karshiboev. Many media outlets are attempting to attract talented managers and journalists. Bloggers mostly work on their own initiative, but it is impossible to make a list of successful bloggers in Tajikistan, as there are not any.

“Three years ago, the media outlets used to draw up business plans, try to make informed decisions on their expenditures and personnel,

and plan capital investments. But due to the economic crisis, such business plans are considered unnecessary expenses, and now all independent media operate in survival mode,” said Niyozov. Mamurzoda added, “The regional media do not have resources for stable and sufficient funding. Therefore, even small sources of income, such as financial stipends from local authorities, affect editorial policy, management, and the content of media material.”

All news agencies are affiliated with media holdings: Asia-Plus through Asia Plus Holdings, Pressa.tj through Oila, Avesta and Tajikta.tj through the *Business and Politics* newspaper, and Sugdnews.tj through Faraj. News agencies have begun publishing more promotional materials and press releases to survive. Unlike state-owned media, private media are more focused on advertising, commercials, and PR materials. “Independent media mostly remain afloat due to advertorials commissioned by private individuals; these are not always PR or commercials but rather personal congratulations or settlements of private affairs,” asserted Tadjibaeva.

It is impossible to attract foreign capital in media companies because it is limited to 25 percent by law. Nonetheless, foreign capital is present in Tajikistan’s media through grants and technical assistance/donations from international organizations and financial institutions. Most private (independent) media operate either on grants—the number of which has significantly decreased because of the global financial crisis—or on funding from their founders.

According to official data from the government’s Statistic Agency, the advertising market amounted to about \$6 million in 2018. The advertising market in the country is underdeveloped and is represented mostly by medicines, pharmacies, private medical centers, and advertising for Internet

providers, banks, and mobile operators. Because of the economic crisis, advertisers have also reduced their participation in the market; on top of that, about 150,000 small- and medium-sized enterprises closed in 2018.

Internet advertising, tickers on the websites of newspapers and news agencies, and outdoor banners are flourishing. Famous foreign brands and cellular companies place advertisements mainly on banners and outdoor screens. “Many advertisers have started posting their ads on Facebook and VKontakte social networks, where it costs only \$7 a week; our rate is \$27 a week,” reported Tadjibaeva. “Only a small part of funds is spent on traditional media since advertising agencies receive a greater percentage of the profits from outdoor advertising than from other media,” added Yusupov. Advertising prices are set by the media outlets themselves, but no one strictly adheres to the price lists for fear of losing an advertiser.

There are six advertising agencies in Tajikistan, but many of them are quite biased along political lines and place all of their advertising in the same media; the rest have to maintain their own staff of advertising managers. There are advertising departments in all seven channels of state-owned television and in the Oila, Orienia-Media, Asia-Plus Radio, Imruz, Vatan, Love Radio, and Khovar media corporations.

According to official data from the Ministry of Culture and the Committee on Television and Radio, advertising in the independent media accounts for 30 to 40 percent of newspaper space and 10 to 15 percent per hour on television and radio. The ratio for state-owned media is 20 percent for printed editions and 30 percent on radio and TV. Of the state-owned enterprises, only the Tajik Aluminum Company (Talco), Tajik Air, and Somon Air advertise in the media. Although state-owned radio and

television channels receive subsidies from the state budget, they are also engaged in commercial activities and advertising; this process is not transparent at all.

The advertising market of Tajikistan’s independent media is notable for a large share of advertising by international organizations and nonbusiness enterprises. “For example, foreign embassies, the OSCE [Organization for Security and Co-operation in Europe] bureau, the European Union office, and others constantly advertise in the independent media,” said Ismoilzoda.

Not all independent media have been able to adapt to new requests from advertisers, leading to a decrease in the volume of advertising in the independent media. “Due to the economic situation, the volume of advertising in the independent media has decreased dramatically,” said Kadyrov.

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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While state-owned media have enough business funds and receive beneficial rates for renting office space, paying utility bills, printing services, and broadcasting, the private and independent media have meager budgets and can only rely on small incomes from sales and advertising. Private media may end up in a dire situation without external assistance and government support. The successful development of the media as a type of business is constantly hampered by bureaucratic and legal obstacles, heavy taxes, and increased attention—including unauthorized inspections—from fiscal and other regulatory bodies.

“Three years ago, the media outlets used to draw up business plans, try to make informed decisions on their expenditures and personnel, and plan capital investments. But due to the economic crisis, such business plans are considered unnecessary expenses, and now all independent media operate in survival mode,” said Niyozov.

Privately-commissioned marketing research is performed, but the results are not considered reliable because such studies are generally believed to be tailored exclusively to the client. This applies to ratings, circulation, and statistics. “The results of marketing research are barely used. Only a very small number of media outlets study and apply data obtained from research. Most managers are unable and unwilling to learn how to work with marketing research,” revealed Mirsaidov.

The decline in media circulation, the reduction of revenues from the sales of products and commercial activities, and the lack of government support are the causes of media vulnerability,

leading them to be unable to act as an effective institution for democratic transformation in Tajikistan.

Circulations of print media have continued to fall. “State-owned print media are funded from the state budget and receive considerable additional income from compulsory subscriptions. For independent print media, subscriptions comprise no more than 10 percent of their total circulation,” related Niyozov. “Circulations of print media are indicated in their output data, but this year, they have become significantly overstated in order to retain their advertisers,” added Tadjibaeva.

Only one newspaper, *Imruz News*, is published daily in Tajikistan; two state-owned newspapers *Sadoi Mardum* (Voice of the People) and *Jumhuriyat* (Republic) are printed three times a week, and all other print media are published weekly on Wednesday or Thursday. The Russian version of the *Asia-Plus* newspaper is published on Mondays and Thursdays, and its 2018 circulation was in the range of 3,000 to 4,000 copies.

According to official data from the Ministry of Culture, the total circulation of all newspapers published in 2018 did not exceed 110,000 copies, falling short of the previous year’s count by 10,000 copies. As of today, there are 371 newspapers (109 are state-owned, 262 are non-state-owned), 243 magazines (113 state-owned, 130 non-state-owned), 313 printing houses (36 state-owned, 277 non-state-owned), and 11 news agencies (one state-owned, 10 non-state-owned). According to the Press Department of the Ministry of Culture, 58 state-owned newspapers are regularly published in the regions, but their circulation does not exceed 1,000 to 1,200 copies.

The mouthpiece of the ruling People’s Democratic Party, the newspaper *Minburi Khalq* (People’s Tribune), has a circulation of 40,000 copies and more than 35,000 subscribers. The

government newspaper *Sadoi Mardum* (Voice of the People) has a circulation of 25,000 copies and 22,000 subscribers; the parliamentary newspaper *Jumhuriyat* (Republic) has a circulation of 32,000 copies and 30,000 subscribers; the magazine *Bovuvoni Tochikiston* (Women of Tajikistan) has a circulation of 14,000, out of which 10,000 are subscription.

Any Tajikistan resident who has sufficient funds can access the Internet—which is common in large cities, despite its high price. It is much less widespread in the regions because of its low speed, high prices for local residents, and power outages. Approximately four million users out of nine million people in Tajikistan have access to the Internet, including mobile Internet. Some sites count not the number of visitors but the number of views instead, although there are counters of unique visits that record each visitor by IP address.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

1.65

Authorities are always cautious when registering media organizations to check if their charter contains an article on the protection of journalists’ rights. “The necessity of establishing trade unions has been discussed often. Meanwhile, there is no clear vision of how this will be done, no leader who could lead such an association, and no guarantee that this association would be able to become self-sufficient,” said Yusupov. One possible reason for the latter is that many media outlets are not ready or willing to pay decent union dues. “A trade union of journalists exists only in the Khatlon region,” added Karshiboev. Media

owners are also worried about a national trade union of journalists because then journalists can defend their legal labor rights and demand social guarantees.

Although there is a sufficient number of professional associations in the country, they do not represent the interests of all media, and only a few are effective. Most often, media outlets are on their own in defending their interests. The only business structure that indirectly protects the interests of the media is the National Association of Small and Medium Businesses of Tajikistan. And for any journalist association to work, it must receive financial support or grants from the government and partner organizations, but the state has placed yet another obstacle for non-governmental organizations in Tajikistan; they must now account for grants received to the Ministry of Justice.

Professional associations, such as the Union of Journalists of Tajikistan, the National Association of Independent Media, the Media Alliance, and the Media Council, protect the rights of journalists but, because of limited financial resources and increased pressure from the state, their assistance is not always enough. The Independent Center for Human Rights Protection provides free legal advice to editorial offices and journalists on a project-by-project basis. Many media associations cannot speak out against the government's illegal actions toward journalists because there are no mechanisms for such reactions in the country.

An association of TV and radio broadcasters headed by Ismoilzoda was created by the Internews Network project. The association members include 19 TV and production studios, and depends on grants, but it has not yet made any significant progress in advancing media interests because of weak management.

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.

Except for the Union of Journalists, all associations are independent of the government and have certain statutory duties. NANSMIT mostly deals with the issues of training journalists and the protection of media rights; the Media Council is more concerned with compliance to ethical and professional norms; the Union of Journalists promotes the interests of journalists among state authorities. NANSMIT is an official partner and the Central Asian representative for Reporters Without Borders. It also cooperates with the OSCE, the Committee to Protect Journalists, Article 19, and others to promote freedom of speech and the media.

Despite limited financial resources, NANSMIT carried out several activities on digital security,

fact-finding, and coverage of cross-border issues in 2018. "Control over the media is increasing in light of the restrictions on access to information under the pretext of combating extremism and terrorism. We held two conferences and three trainings on legal, digital, and physical security with the support of Deutsche Welle," said Karshiboev.

The level of journalism training does not meet the requirements of modern journalism. Currently, journalists are trained at one faculty and eight departments in different universities throughout the country. University administrations, with the exception of the Russian-Tajik (Slavonic) University, are still quite reluctant to invite well-known independent journalists for lectures and seminars. The only opportunity to improve the skills of young journalists is through trainings conducted by local and international organizations, although students are not always allowed to attend such programs.

More than 20 training workshops on the theoretical basis and practical skills for the preparation of analytical materials, investigative journalism, and television and radio reports on terrorism and extremism were conducted in 2018 with the support of international organizations, such as the OSCE, Internews, the Open Society Foundation, the German Wave Academy, and IWPR. "All key events related to the media usually take place in the larger cities, and their participants are mainly composed of journalists from the central region. Journalists from the periphery are rarely invited to such events. As a result, the regions are often lagging behind the big cities," commented Alamshoev.

A media academy has been established to retrain media workers in Tajikistan. "More than 185 journalists from state-owned and independent media took various courses there in 2018. The Media Academy has a distance education department

where university students of the country can combine theoretical skills with practical activities in the academy," said Ismoilzoda. Journalists were delighted about the opening of the Media Academy in Tajikistan, but until now, the academy rarely conducted seminars and trainings in remote regions.

"All key events related to the media usually take place in the larger cities, and their participants are mainly composed of journalists from the central region. Journalists from the periphery are rarely invited to such events. As a result, the regions are often lagging behind the big cities," commented Alamshoev.

About 300 journalism students graduate annually in Tajikistan. "Young people who want to study journalism abroad can freely enter foreign universities and work in the domestic media upon return," said Tadjibaeva. Journalism students can currently study abroad only on a private basis.

The number of Russian-speaking journalists is decreasing, and very few journalists know English, thus inhibiting participation in advanced training programs in foreign countries. All Tajik media are in dire need of multilevel educational training for economic, political, and legal issues that would include internships with their colleagues in neighboring countries.

Equipment sources for media, newsprint, and printing are neither politicized nor monopolized, but they are still quite dependent on the authorities. Authorities can verbally inform owners of printing houses if they want to stop an undesirable publication, and the issue will not be printed.

The same applies to the distribution channels. The Unified Switching Center opened last year, making it possible to block unwanted sites without involving Internet providers. The quality of communication and Internet speed have sharply deteriorated; moreover, connections are frequently dropped altogether. The state-owned Teleradiocom is now a monopoly. "They have extremely high fees for services, and independent broadcasters are unable to pay them; the solution is to establish an alternative operator that would allow them to broadcast [to] maintain their editorial independence," said Ismoilzoda.

The lack of an effective distribution system for the print press hinders information access in the remote regions of the country. Print media distribution channels are still politicized. Kiosks owned by Tajikmatbuot (the postal service of Tajikistan) often do not sell issues of independent, opposition newspapers, and in some cases, all issues of a newspaper that has published a critical article have been withdrawn.

The quality of printing and access to equipment is restricted because of the printing facility's politicization and dependence on the authorities. Printing houses cooperate effectively with the media, but they warn everyone not to criticize the government. "There is a long practice of printing houses' not printing a newspaper if it does not please the authorities," said Karshiboev. Media freedom in Tajikistan can hardly be discussed when there are no independent printing houses.

The technical condition of many printing houses, especially in the regions, is at a very low level, although some quality private printing houses exist. All leading private printing houses buy paper, plates, and film themselves, but there are only three or four businessmen who supply newsprint and plates; thus, they set the pricing policy.

Equipment supply sources for the media are not politicized, but there are obstacles to importing equipment, including transmitters for television and radio stations. "Import duties are very high for independent broadcasters. At the same time, there are no limitations for state-owned broadcasters on buying equipment from abroad," said Dodobaev. Television, radio, transmitters, Internet, and mobile communications are all controlled by the Committee on Television and Radio Broadcasting and Communication Service, thus increasing the difficulties in organizing media production. Many private television and radio companies have not transitioned to digital broadcasting, as serious obstacles existed for such a transition.

Not all independent television and radio stations have their own transmitters, and if they do, they are usually quite weak. The state-owned Communication Service and Tajiktelecom (the state-owned national telecommunications operator) monopolize frequency allocation and distribution channels; both can interrupt or even close down the broadcasts of non-state electronic media who rent distribution channels from them. As of the beginning of 2018, the Communication Service has required all providers to access the Internet only through the government-owned Republican Data Transmission Network. Prior to this, providers purchased Internet access from Kyrgyzstan and other countries. Mobile operators have expressed their dissatisfaction with this decree, as Internet access was previously cheaper and not monopolized by the state. Authorities have repeatedly stated that all control measures in the field of telecommunications and the Internet are aimed at preventing radicalization, but it is assumed that the Communications Service enjoys economic benefits by being a monopoly.

All television and radio towers belong to the government, so even independent stations that have

T A J I K I S T A N

their own transmitters must still rent a state tower. Six cable channels exist in Tajikistan, and cable broadcasting is subject to compulsory licensing.

List of Panel Participants

Kurbon Alamshoev, chairman, Kuhhoi Pomir, Khorog

Makhmudjon Dodobaev, director, SM-1, Khujand, Sughd region

Zinatullo Ismoilzoda, director, the Media Academy of Tajikistan; chair, the Union of Journalists of Tajikistan, Dushanbe

Nuriddin Karshiboev, chair, National Association of Independent Media of Tajikistan; director, Tajik Press Council, Dushanbe

Abdumalik Kadyrov, director, Internews Network, Tajikistan branch, Dushanbe

Nosirjon Mamurzoda, lecturer in journalism, Kurgan-Tube State University; deputy editor, *New Khatlon*, Kurgan-Tube

Negmatullo Mirsaidov, editor, *Varorud*, Khujand, Sughd region

Khurshed Niyozov, director, Center for Journalistic Investigations; chief editor, *Faraj*, Dushanbe

Zebo Tadjibaeva, executive director, Asia-Plus, Dushanbe

Nabi Yusupov, director, Media Consulting, Dushanbe

Lola Khalikjanova, program manager, Institute for War and Peace Reporting, Dushanbe

Jamila Huseynova, editor, *The USSR*, Dushanbe

Moderator and Author

Lidia Isamova, media expert; correspondent, *RIA Novosti*

TURKMENISTAN



MEDIA SUSTAINABILITY INDEX 2019

Tracking Development
of Sustainable
Independent Media
Around the World



TURKMENISTAN

AT A GLANCE

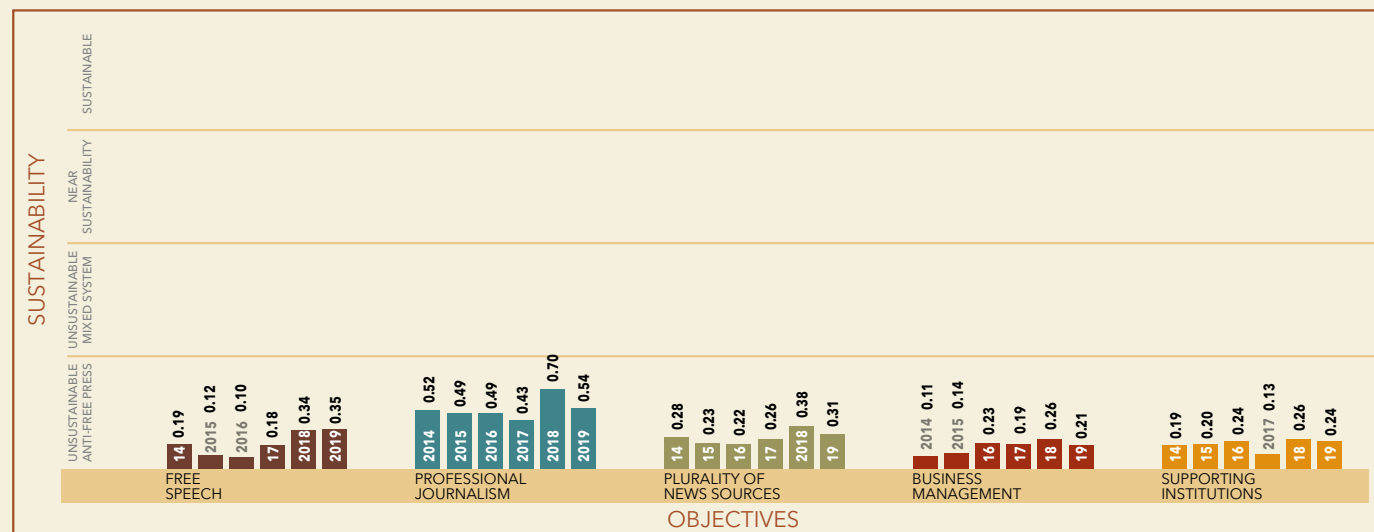
GENERAL

- **Population:** 5,411,012 (July 2018 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 (2017 - Atlas):** \$36.75 billion (World Bank Development Indicators, 2017)
- **GNI per capita (2017 - PPP):** \$17,250 (World Bank Development Indicators, 2017)
- **Literacy rate:** 99.7% (male 99.8%, female 99.6%) (*CIA World Factbook*, 2015 est.)
- **President or top authority:** President Gurbanguly Berdymukhammedov (since February 14, 2007)

MEDIA-SPECIFIC

- **Number of active print outlets, radio stations, television stations, Internet news portals:** Exact numbers are unknown but Turkmenistan appears to have seven state-owned television stations; four state-owned radio stations; 20 to 40 national and local newspapers and magazines, including one “private” print outlet that is widely considered state-controlled, and 1 genuinely private print outlet affiliated with the controversial Turkish spiritual movement of Fethullah Gülen; at least 13 Internet-based news entities, including the official government press release service, and at least one news website dedicated to countering the news reports of an independent outfit.
- **Newspaper circulation statistics:** No clear statistics are available. The main print publications by official circulation figures are *Neutralny Turkmenistan* (Russian- and English-language state-owned daily), *Turkmenistan* (Turkmen-language state-owned daily), *Watan* (Turkmen-language state-owned thrice-weekly), *Habarlar* (Turkmen-language state-owned three times weekly), and *Rysgal* (Turkmen-language weekly ostensibly owned by the Union of Industrialists and Entrepreneurs).
- **Broadcast ratings:** Not available.
- **News agencies:** Turkmen Dowlet Habarlary (Turkmen State News Agency, state-owned).
- **Annual advertising revenue in media sector:** Not available.
- **Internet usage:** 951,925 users (16% of population) (2016 est., source: *CIA World Factbook*, January 2019).

MEDIA SUSTAINABILITY INDEX: TURKMENISTAN



SCORE KEY

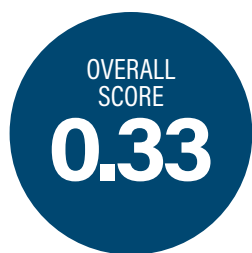
Unsustainable, Anti-Free Press (0-1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

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.

Scores for all years may be found online at <https://www.irex.org/msi>



Turkmenistan's overall score shows a drop from the 2018 MSI score of .39, placing it even further down the scale in the unsustainable classification. There was a small improvement in this year's Objective 1 (freedom of speech) score, reflecting recent changes to the law on mass media that brought small parts of it more in line with international standards.

Objective 2 (professional journalism) is Turkmenistan's only strong performer, thanks to the government's investment in media technology; however, despite these investments the technical quality of media output remains low, and journalists are expected to support the government without question.

Turkmenistan remains one of the world's most secretive countries. "Publication of any information deemed against the state view is severely punished, and even data and most official statistics remain a state secret," said an MSI panelist. (For security reasons, IREX does not disclose names of any Turkmenistan panelists.) The last known census was conducted in 2012, but the state has never revealed its results. National budgets lack details and common-sense line items, forcing observers to engage in numerical tea-leaf reading to decipher the government's spending priorities.

The conditions in Turkmenistan are dire by multiple measures. The government depends increasingly on China for its gas sales and struggles to hide the security situation along its troubled border with Afghanistan, while its population of approximately 5.8 million people is squeezed financially. Citizen journalists have managed to sneak out footage of food shortages at government retail outlets. Private stores and bazaars remain relatively well stocked, but their prices have doubled or tripled.

Turkmenistan's citizens are force-fed a media diet of prosperity, bliss, and international renown rather than the poverty, misery, and international obscurity that actually plague their country.

Newspapers across the country publish verbatim the same "news" reports, one after another, all celebrating the nation's glory and prosperity. Meanwhile, television is filled with Berdymukhammedov's staged exploits: race car driving, horseback riding, competitive cycling,

weightlifting, and even a New Year's discotheque jam performed on live television and co-starring his grandson.

Nonetheless, 2018 saw cracks in the monolithic media façade. For instance, television anchors have acknowledged so-called "claims" of food shortages, while trying to deflect by showing stores bursting with goods but devoid of customers. The reports have been in conjunction with authorities announcing the end of subsidies of basic goods, rent, and utilities in 2019. Officials insist that the de-subsidization is a sign of prosperity and liberalization. Observers, however, see the move as an austerity measure to shore up the national budget.

The totalitarian nightmare is reflected in the MSI's overall score for 2018 of 0.33, down from last year's 0.39 and well below 2008's 0.42. "The media are far from their purpose of informing the citizenry or providing public discussion on issues that matter in the country," one panelist said. "Their only function is to serve the government and hail its policies."

Technological advances are offering some flickers of hope. Turkmenistan has better mobile phone penetration than other totalitarian states, although service quality is certain to decline with the December 2018 departure of Russian telecom company MTS, due to an ongoing dispute with the government over profit-sharing. Some information, such as YouTube tourist videos, still leaks out — and authorities indirectly confirm the bad news by attempting to neutralize it. Some ordinary people are growing restive and beginning to bravely speak out.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**
0.35

Eking up to 0.35 from 0.34 in last year's MSI study, Objective 1's slight increase may be attributed to the 2018 changes to the law on mass media, which was ratified in 2014. The changes preserved most of the text of the original law, while bringing bits and pieces more in line with international standards.

Yet, as panelists repeatedly pointed out, the Berdymukhammedov regime has made an art of empty legislative gestures. On paper, freedom of the press and speech are protected. In practice, however, those guarantees are violated daily. The ban on private media in Turkmenistan is not *de jure*, but *de facto*, one panelist explained. "Similarly, the constraints on state media doing their job are complete, but they're also all *de facto*," the panelist said.

Panelists said that the rules in state media are enforced indirectly, through incentives and the unspoken threat of dismissal. "It's not clear how much Turkmenistan's journalists are paid, but with unemployment estimated to be more than 60 percent of the eligible workforce, it's unlikely anyone with a job would complain," another panelist said. The regime also flagrantly uses blackmail, intimidation, abuse of power, and violence against the handful of independent journalists and their sources that do operate in the country.

Personnel of the Prague-based Radio Free Europe/Radio Liberty's Turkmen Service (known inside Turkmenistan as Azatlyk Radiosy and AzatHabar.com) have been the targets of violence so often that the news agency keeps a tally on its website. For instance, Saparmamed Nepeskuliev,

a stringer with Azatlyk as well as with ANT, disappeared into the prison system in 2015 for reporting on Awaza, an enormous government-built resort complex on the Caspian Sea. *The Telegraph* once described the facility as "the most ill-conceived resort ever built." Nepeskuliev resurfaced briefly in June 2016, when ANT interviewed a Kazakh man who claimed to have shared a jail cell with the journalist. It was eventually learned that he had been convicted for possession of narcotics, which the international community has denounced as false charges. Released from prison in May 2018, he has suffered harassment from unknown assailants, including having rocks thrown at his home in Balkanabat in October. Another example is Omurzak Omarkuliyev, a 20-year-old student activist who vanished in March 2018 after an interview with Azatlyk. In June, he was discovered inside the notorious Ovadan-Depe prison serving a 20-year sentence.

"The media are far from their purpose of informing the citizenry or providing public discussion on issues that matter in the country," one panelist said. "Their only function is to serve the government and hail its policies."

Nepeskuliev and Omarkuliyev's cases are reminders of the ever-present danger of disappearance within Turkmenistan — a terrifying problem that was forcefully brought to international attention this year when Human Rights Committee (HRC) finally ruled on Ogulsapar Muradova's death, holding the government responsible.

Muradova's tragic story bears repeating in detail. In June 2006, following a documentary she had helped produce about human rights in Turkmenistan, police in Ashgabat arrested her. They also took into

custody two other activists, her brother Sapardurdy Khajiev and Annakurban Amanklychev, and her three adult children. (Her children were released a few weeks later.) In August 2006, a secret trial convicted Muradova, Khajiev, and Annakurban on fake charges alleging possession of bullets and spying for Western intelligence agencies. The court sentenced Muradova to six years in prison and Amanklychev and Khajiev to seven. Only a few weeks later, in September 2006, Muradova's family was informed that she had died in prison. Turkmenistan's authorities have variously attributed her death to natural causes or suicide, but her family-members — who were permitted to see her body shortly after her death only after a major diplomatic intervention — have testified that her neck showed signs of strangulation by a cord of some kind, suggesting murder.

Professional journalists are not the only reporters in danger. In previous years, news sources and citizen journalists in touch with the outside world have proven savvy enough to report using pseudonyms and other counter-surveillance tactics on the Internet. However, during 2018, many fell silent. The panelists, along with other observers and experts consulted for this year's MSI, attributed the frightening drop-off to various issues. One is a slowdown in Internet connections, which are already among the slowest in the world.

Some say the decline in connectivity is due to the withdrawal of MTS, the Russian telecommunications corporation, which had previously been Turkmenistan's largest service provider with an estimated 1.7 million subscribers. Forced by authorities to discontinue its services in 2017, MTS began dismantling its infrastructure in the country in December 2018 (while suing the Turkmenistan government for \$750 million in lost profits). Others say the slowdown is a purposeful action taken by the state telecom, TMCell.

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.

Meanwhile, online surveillance, already intensive, is said to have markedly increased. Reporters Without Borders has listed Turkmenistan as an "Enemy of the Internet" every year since the organization introduced that dubious distinction in 2006. In June 2018, Human Rights Watch (HRW) called upon German technology companies to publicly disclose their sales to Turkmenistan, after state media reported that Berdymukhammedov held a meeting with a senior vice president of Rohde and Schwarz, a German cybersecurity firm. Citing a knowledgeable source, HRW said Berdymukhammedov had inquired about technology for monitoring and blocking mobile

and satellite communications.

The regime has been pursuing other means to cut off its citizens from the outside world. Consumers use television receive-only satellite dishes, or TVROs, to circumvent censorship, in what has become a tradition in the country. These dishes beam foreign content, principally from Russia, directly into living rooms. The exact number of TVROs in Turkmenistan has always been debated. But their obvious ubiquity has invited reprisal and has provided a pretext for authorities to remove dishes in the name of "urban beautification." Over the years, the raids themselves have also become customary, forming an uneasy ritual between authorities and citizens. However, the dynamic worsened in 2018 when authorities dramatically revved up the campaign. As early as May, the dish removal was so thorough in Turkmenistan's outer provinces that Azatlyk declared it had caused an information blackout in rural and small urban areas.

Turkmenistan's laws do not explicitly deny the right of citizens to access information from outside the country. In practice, this right is primarily limited to top-ranking officials, as a presidential decree permits official ministries and state media to consume selected foreign news. State journalists are also allowed to browse external news websites in order to seek out positive content on Turkmenistan. "Any opinion that is not in line with the official policy is persecuted harshly," one panelist said. "The purpose is to create a completely apolitical society and to discourage any public debate."

International travel was severely curtailed during 2018, with authorities granting far fewer permissions for its citizens to go abroad as in previous years. (The exact number of Turkmenistanis traveling abroad is unknown.) The import of newsletters, journals, magazines, and newspapers produced abroad is under a longstanding ban. Suitcases, computers,

phones, and thumb drives are checked at the airport. Authorities search cabs, trunks, and cargo of cars and trucks at the country's highway border crossings, under the pretense of checking for weapons. Turkmenistani citizens, foreigners, and tourists alike are subjected to these searches.

Turkmenistan is as intolerant of the freedom of conscience as it is of the freedoms of speech, press, and information. For years there has been a steady trickle of anecdotes on authorities detaining and interrogating young, observant, male Muslims and examining their phones for merely mentioning religious beliefs online. Authorities also surveil the population by penetrating the "offline" social networks of homemakers, pensioners, the chronically unemployed, and social and sports clubs. Panelists said that gossip in particular is documented and collected by police and security forces into extensive dossiers.

Some observers fear that citizens are spying on their own neighbors, friends, and even families on behalf of authorities in exchange for money, favors, or resources. Whether the regime is succeeding with that is questionable. Regular people are also continuing efforts to get out information that counters Turkmenistan's campaign for a pristine image. Independent news agencies such as Azatlyk, ANT, and the Europe-based Chronicles of Turkmenistan (CT) are prying apart closed doors thanks to citizen journalists, who are often aided by friends and family. As mentioned in a previous example, ANT published a remarkable video report in December in which pensioners, furious with the government, proclaimed that revolution is a possibility.

OBJECTIVE 2:
PROFESSIONAL
JOURNALISM

0.54

As has long been the case, Objective 2 is Turkmenistan's only strong performer, thanks to the Berdymukhammedov regime investing in media technology. However, captures of the state media's televised and streaming content reveal a persistent failure to use its investments adequately, with poor quality evident in everything from television show image resolution to newspaper typography.

As for professionalism in reporting, Turkmenistan has virtually none. It is unclear whether state journalists simply have no sense of professional norms and standards, or they know how their craft ought to be done but dare not buck the authorities. According to one panelist, "Self-censorship lies at the heart of their routine work," suggesting that Turkmenistan's state journalists do know better. Some have served as regular sources for Azatlyk, ANT, and CT — relationships that presumably would expose them to proper journalism. "I came to know some who are talented and would be interested to find out more; professionals who are interested in the truth," the same panelist said.

The truth may depend upon the individual journalist and personal incentive: "All local media outlets are state-owned, and journalists and editors are expected to unconditionally speak in support of and promote the state ideology," another panelist said. "Any action otherwise leads to termination of employment, followed by persecution."

As a whole, observers have taken to calling Turkmenistan's state journalists "palace writers," akin to the court poets and entertainers of monarchs. Television journalists are seen as the most

obsequious, literally following Berdymukhammedov wherever he goes and reporting on every antic that his handlers stage. "There is no other setting for reporting than following the president's every footstep on ceremonial days," one panelist explained. "Investigative reporting is taboo."

"All local media outlets are state-owned, and journalists and editors are expected to unconditionally speak in support of and promote the state ideology," another panelist said. "Any action otherwise leads to termination of employment, followed by persecution."

This pattern of behavior has intensified as Turkmenistan's economic crisis has deepened — to the point that EurasiaNet, a New York City-based English news website, riffs on televised stunts in nearly every installment of its weekly *Akhal-Teke Bulletin*. The bulletin was 32 entries strong by the end of 2018.

As the exaggerated exploits of the president fill the airwaves and newspapers, some moments stand out for their surrealism. One was a New Year's discotheque jam performed on live television by Berdymukhammedov and his grandson, which included lyrics in German. Another has been a proliferation of official portraits showing the 62-year-old president with natural gray hair — an abrupt break with the established precedent of depicting him with jet-black hair. These subtle signs could be interpreted as the regime yielding to the tangible realities of the economic crisis, the German lyrics a reference to the recent discovery of billions of dollars reportedly in German bank accounts that may have once been owned by Niyazov, and the gray hair

an acknowledgement of the increased frailty of life inside Turkmenistan as its people grapple with the financial gloom.

Still, the media have spoken nary a word about five cases against Turkmenistan before the World Bank's arbitration panel. One case in particular by Iran, a key neighbor and erstwhile business partner, could exacerbate the delicate economic situation: Turkmenistan stopped gas exports to Iran in January 2017, alleging that Tehran was in arrears to Ashgabat by between \$1.5 and \$1.8 billion. Tehran has disputed the claim.

The media cover-up did falter this past year. Television reporters endeavored to portray scenes of plenty at state stores in reaction to claims of shortages. However, the reporters contradicted themselves blatantly. One television channel reported that a Turkmenistani province had met its annual quotas for grain but then a few days later reported that Berdymukhammedov had fired the official in charge of the harvest for "shortcomings in his work." Such slips do not go unnoticed by viewers. "If audiences watching television detect a slight shift from the normal reporting, it becomes big news among them, because all reports normally follow the same schemes," one panelist explained.

Since the formation of an anti-corruption agency in 2017, state media have covered the theme of corruption. This move suggests that the regime recognizes that it must at least appear to address citizens' concerns about this issue. Throughout 2018, state media trumpeted the tightening of anti-corruption laws and the sackings of crooked officials.

Panelists disagreed on whether salaries for state journalists are low or adequate for Turkmenistan, especially considering that no one really knows either the average salary or cost of living. In 2016, panelists and other observers generally said that they believe pay levels for state

journalists are sufficient to discourage corruption. However, in 2017 one panelist claimed corruption had become “widespread” and “often endorsed by state officials as a ‘thank you’ for a good story.” Occasional claims of corruption among journalists continued through 2018.

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).

As in previous years, the most fertile ground for hope remains the “Turkmenet,” the Turkmen-language corner of the Internet. Turkmenetizens also include Turkmen from across Central Asia, the Middle East, and beyond. Comparing the country to infamous dictatorships, one panelist commented, “Turkmenistan is not Eritrea — mobile data does exist — or North Korea — the domestic Internet is connected to the global Internet.”

Digital citizen journalism, both individual and collaborative, declined during 2018. But it continues

to play a vital role in sustaining the lifeline of inside information to those on the outside. Citizen journalism in Turkmenistan covers a broader range of topics than in other closed societies, for even the weather sometimes must be a subject of independent and crowdsourced reporting. Bank machines no longer dispensing cash, infections among farm animals, salt storms in May and September hitting northern and eastern regions and devastating crops, flash floods, even earthquakes — the outside world knows about these developments and more largely because of the efforts of citizen journalists.

OBJECTIVE 3: PLURALITY OF NEWS

0.31

Turkmenistan’s score for Objective 3 has sunk from 0.38 in the 2018 edition to 0.31 for the 2019 edition — not the worst that Turkmenistan has ever scored for plurality of news, but certainly not the best. Fundamentally, little has changed in the media landscape for Turkmenistanis, either inside or outside the country. Given that the state owns all media, “Media ownership is highly transparent — in negative terms,” one panelist said.

In addition to Azatlyk, ANT, CT, and EurasiaNet, Western-backed (and often Western-based) external news agencies and websites that cover Turkmenistan include Gundogar, openDemocracy, The Diplomat, the Jamestown Foundation’s Eurasia Daily Monitor, Global Voices Online, and the Ferghana News Agency (based in Moscow). SalamTurkmen and NewEurasia Citizen Media were also significant forces for several years, until funding shortfalls shuttered them in 2015

and 2016, respectively. From Russia, RT (formerly Russia Today), Rossiya Segnodniya, Sputnik, and EurAsia Daily also cover Turkmenistan. From the Middle East, the Iran-based PressTV service covers Turkmenistan to a degree, as does the Turkey-based TRT World. Several Twitter accounts and blogs are also available, hosted by experts and journalists from around the world, including India, the Middle East, Russia, Turkey, and Western countries.

Agencies not backed by Western entities occasionally get correspondents temporarily accredited, although usually for one-off, politicized reports that serve the agendas of the reporters’ governments. For example, Russian outlets have earned Ashgabat’s ire by periodically running uncorroborated reports depicting Turkmenistan as a breeding ground or “corridor” for Islamic radicals — a narrative intended to buttress Moscow’s strategy in the Middle East and Central Asia.

Turkey’s TRT World is another example. As Ankara desires good relations with Ashgabat, in 2017 the channel ran a bizarre feature defending democracy in Turkmenistan following the internationally panned presidential election (which Berdymukhammedov won by 97 percent). During the second half of the live broadcast, the host unsuccessfully went toe-to-toe with Azatlyk’s then-interim director Farruh Yusupov, defending “a little freedom” in Turkmenistan. “Would you be willing to give [Berdymukhammedov] any credit?” the host demanded, to which Yusupov replied, “I would correct you. There is not ‘little freedom.’ There is no freedom. Freedom of media is nonexistent. Freedom of speech is nonexistent. Free will is nonexistent.”

The Western external news agencies pose the most concerted threat to the Berdymukhammedov regime’s pursuit of total information control. The danger is not their resources, which have been

dwindling since the first Turkmenistan MSI in 2008 and now pale in comparison to what Russia-backed agencies can deploy. The reason is their commitment to liberal, impartial, and watchdog-style reporting. The panelists said they consider these agencies often to be a “surrogate free press” in a media landscape controlled by the state.

Given that the state owns all media, “Media ownership is highly transparent – in negative terms,” one panelist said.

As with media from other regions, Western media’s independence is debated and willfully misunderstood by authorities. Azatlyk, for example, is an element of the US Agency for Global Media (USAGM, formerly the Broadcasting Board of Governors) and hence is ultimately funded by the US Congress. It was on this basis that Muradova and her colleagues were accused of working for Western intelligence agencies in 2006, ultimately leading to her death.

Internally, Turkmenistan’s media landscape is dominated by print. The country’s main newspapers are *Neutralny Turkmenistan* (Neutral Turkmenistan, named for the country’s official foreign policy of “neutrality”) and *Turkmenistan*. Both are dailies with Soviet pedigrees dating back nearly a century, the first publishing in Russian and running since 1924 originally under the name *Turkmenskaya Iskra* (The Turkmen Spark), the second publishing in Turkmen since 1920. The sole determining factors of prominence are output and circulation size, calculated in a back-of-the-envelope fashion by combining the hazy figures that the government periodically releases and the panelists’ anecdotal impressions. All news subscriptions are involuntary – essentially forced upon state workers and citizens

– so circulation figures also reinforce that these two newspapers are the regime’s main mouthpieces.

Following this logic, second-tier titles appear to be *Watan* (Homeland), also dating back to the 1920s and publishing three times weekly in Turkmen; *Habarlary* (Reports or The News), publishing three times weekly in Turkmen since 1975; and *Rysgal* (Welfare), which is supposedly a private business weekly, but in fact is state-run, and has been published since 2010.

Several ministries and state-run social organizations have their own dedicated titles (sometimes newspapers, sometimes magazines) and variously in Russian or Turkmen. Confirmed titles include (in alphabetical order): *Adalat* (Justice – Ministry of Justice), *Altyn Asyr Ykdysadyyeti* and *Berektli Toprak* (Economy of the Golden Age and Fertile Soil, respectively – Ministry of Agriculture and Water Resources), *Biznes Reklama* (Business Advertising – Ministry of Trade and Foreign Economic Relations), *Diýar* (Home – presidential cabinet), *Dunya Edebiyaty* (World Literature – Turkmen State Publishing Service), *Edebiyat we Sungat* (Literature and Art – Ministry of Culture and Broadcasting), *Esger* (Soldier – Ministry of Defense), *Galkynysh* (Development – Democratic Party of Turkmenistan, successor of the Communist Party and the ruling party since independence), *Garagum* (Black Desert – Turkmen State Publishing Service), *Gunesh* (Sun – Ministry of Education), *Mugallymlar Gazety* (Newspaper of Teachers – Ministry of Education), *Nesil* (Generation – Makhtumkuli Youth Organization), *Saglyk* (Health – Ministry of Health), *Turkmen Dunyasi* (Turkmen World – Humanitarian Association of World Turkmen), *Turkmen Sporty* (Turkmen Sports – State Sports Committee), *Turkmenin Yupek Yoly* (The Silk Road of Turkmen – Ministry of Railways), *Turkmenistanda Ylym we Tehnika* (Science and Technology in Turkmenistan – unknown affiliation), *Vozrozhdenie*

(Rebirth – Democratic Party of Turkmenistan), and *Zenar Kalby* (Woman’s Heart – Women’s Union of Turkmenistan). Urban areas and larger rural regions also have their own dedicated newspapers.

It is a fake abundance, though, as every media outlet in Turkmenistan presents only one point of view. Content produced by the Turkmen Dowlet Habarlary (Turkmen State News Agency) is published verbatim across all print platforms. Panelists commented that police officers are said to have begun regularly investigating public and private restrooms across the country for signs of newspapers being used as toilet paper. Police investigations into the “misuses” of newspapers began in 2017, when, according to the Ferghana News Agency, children in Dashoguz were detained and tried for defacing newspaper photos of Berdymukhammedov by drawing a moustache and beard on his face.

In addition to its four radio stations and seven television channels, the regime maintains some flashy websites. The most prominent of these is Altyn Asyr (the Golden Age, Turkmenistan.gov.tm). The governmental press release service is maintained by Dowlet Habarlary, publishing in Russian, Turkmen, and English. Dowlet Habarlary also maintains its own website (Tdh.gov.tm), and likewise offers content all three languages. Other news websites include Turkmenistan.ru, Ashgabad.net, Turkmenportal.com, Infoabad.com, Arzuw.tm, Ork.tm, Turkmeninform.com, Halkara.com, Murgap.net, Krasnovodsk.net, and Gundogar-news.com.

Gundogar-news.com is an indicator of the lengths to which the regime will go to protect its image. In a transparent attempt at spoofing, Gundogar-news.com publishes reports countering those of Gundogar.org, a legitimate democracy and human rights website that runs analytical-style news reports.

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 lone reputable private media operation known to exist inside Turkmenistan is *Zaman Turkmenistan* (Times of Turkmenistan). An autonomous edition of the *Zaman* newspaper of Turkey, it is unclear when exactly it launched, but IREX has been able to confirm its existence to at least 2011. In 2016, the Turkish government seized its parent organization for its ties to Hizmet, the spiritual movement headed by the controversial Muslim cleric Fethullah Gülen. One panelist said that Ashgabat, eager to maintain good ties with Ankara, may be targeting *Zaman Turkmenistan* for closure on the same grounds.

On December 23, the online social network Bizbarde (We Are Here) was launched to great fanfare in a special event held at the Concert Hall of the Republic. Bizbarde is the fourth attempt at a

Turkmenistan-specific online social network. Both the company ostensibly behind it, Sungat Esseri, and its chief executive officer, Eziz Beknazarov, are a mystery. They have the whiff of a front operation for either national security or an entrepreneurial regime insider, panelists said. One commented that the chief executive is "an unknown; a nobody" and that the company "was set up just overnight to make it happen; this is my guess."

The linguistic topography of Turkmenistan's media landscape remains unchanged from previous years. English is increasing incrementally, though — especially online. Turkmen dominates screens and airwaves. Text content is published primarily in Turkmen, using the Soviet-era Cyrillic and independence-era Latin alphabets, but not the Arabic alphabet that Turkmen use in Afghanistan, Iraq, and Iran. The second-most common language, spoken and in print, is Russian, followed distantly by English. Although nearly 10 percent of the country's population are ethnic Uzbeks, panelists could not confirm official press in their language.

Panelists had little sense of how state media are faring financially in the present crisis. Turkmenistan's main attraction has been its natural resources, with the government attempting to rapidly diversify away from natural gas and export electricity to its neighbors. Foreign investment into the media sector is nonexistent and panelists said it would probably not be permitted. If intrepid foreign entrepreneurs were to inquire about the media sector, they would probably be struck by Turkmenistan's arbitration battles with corporations. The Global Arbitration Review too recently noted "a line of cases the state has faced from investors [alleging] state interference in projects and termination of contracts without payment."¹

¹ <https://globalarbitrationreview.com/article/1175731/turkmenistan-faces-two-new-icsid-claims>

**OBJECTIVE 4:
BUSINESS
MANAGEMENT**

0.21

It is not possible to properly discuss either business or management of Turkmenistan's media sector. For some context, a bright spot noted in the 2017 MSI was the appearance of OSCE's journalism training courses and the degree programs offered by the International University of the Humanities and Development. In 2016, the positive news was the smattering of private advertisements for goods and services placed on billboards, on television shows, and in newspapers for the first time in memory.

While both phenomena continued throughout 2018, the panelists now do not see them as signs of potential progress. "Advertising plays no significant role in the affairs of the state media," one panelist said, "There is no market research, nor is there any particular strategy behind the programming of the local media outlets. The only strategy appears to be that these outlets are viewed as another state body, obliged to promote state ideology."

Authorities have never published broadcast ratings, and the figures for circulation and Internet usage they occasionally provide have been impossible to verify independently.

Radio advertisements barely exist, and printed advertisements and commercials appear only slightly more often. Most advertising is visual (billboards, posters, stickers, etc.). According to the US International Trade Association, entities not registered within Turkmenistan are not permitted to place advertisements in media outlets. Given that it is almost impossible for a foreign entrepreneur to register without at least a powerful

insider connection, the overwhelming majority of the ads that citizens see feature products and services that are likely connected to regime affiliates.

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.

With respect to management practices, Turkmenistan's media simply have none that would be recognizable to most outsiders. State media do not develop business plans, conduct market research, or elaborate personnel policies. Broadcast media evince no ratings system, and the circulation figures of newspapers are conflated with the number of copies printed rather than verified readers. As explained earlier, the regime's control over media is fundamentally a matter of practice and not law, which enshrines freedom of the press. However, formal power is a factor. With precious few exceptions, the government accredits

only state media employees. This lopsided power dynamic pervades the entire structure of media inside Turkmenistan. Berdymukhammedov appoints toady editors, and standards are set by high-level officials according to his whims, real or perceived. Panelists said that the government is believed to control its journalists' social benefits and even housing.

The rabbit hole of control goes deeper and darker: national security "supervisors" — essentially modern-day commissars, or "*politruki*" — stalk the hallways of private media offices and production studios. According to one panelist last year, they "literally check every single word before it is published or aired. That's why there is hardly any live streaming [or] live talk shows." Panelists could not say whether authorities deploy an informant system among state journalists similar to the one they deploy among private groups, but such speculation is warranted.

"Advertising plays no significant role in the affairs of the state media," one panelist said, "There is no market research, nor is there any particular strategy behind the programming of the local media outlets. The only strategy appears to be that these outlets are viewed as another state body, obliged to promote state ideology."

Media "business management" does tell one story, albeit unfortunate, in the uniquely prosperity-maniac version of totalitarianism cultivated by the Berdymukhammedov regime. According to the panelists, if the government does not replenish or at least stabilize its coffers soon, it could conceivably deploy the same faux liberalization

that it used to justify ending subsidies for ordinary citizens, which supposedly was to restructure state media.

De-subsidization would be a disaster for state media in Turkmenistan. They would not be able to sustain themselves even in a fake free market. Too many crucial changes would need to happen: The content would need to be diversified; the space for creativity and imagination for state journalists would need to rapidly expand; advertising would need to suddenly become a major industry; private companies would need to bubble into existence, in order to re-employ much of the eligible workforce; and household incomes would need to abruptly increase in order to sustain purchasing advertised products and news subscriptions at real rates.

**OBJECTIVE 5:
SUPPORTING
INSTITUTIONS**

0.24

Turkmenistan's score for Objective 5 for the 2019 edition is 0.24 — up from 2017's all-time low of 0.13 but remaining unsustainable. With regard to this objective's technology indicator, all media equipment and distribution tools are owned by the state and tightly controlled by "handlers." Although Objective 5 is mainly examining the presence of civil society organizations (CSOs), they do not exist in Turkmenistan. Again, the dearth is not because the law expressly denies freedom of assembly, but because in practice, authorities restrict it into oblivion.

The government has near-complete control over its airwaves. Once MTS fully departs, Ashgabat will have undisputed dominion over whatever remains of Turkmenistan's information communication

infrastructure. The regime also maintains an impressive, if antiquated, network of kiosks across the country through which it distributes print materials churned out on a daily and weekly basis.

Turkmenistan saw much fanfare around the launch of communications satellites into space, and the shining Turkmenistan Teleradio Merkezi (an enormous signals, communications, and observation tower) is very visibly situated upon the foothills of the Kopet Dag mountains outside Ashgabat. But according to the panelists, the Berdymukhammedov regime seems to be quietly pursuing a strategy of de-modernization, given that diminished telephony and archaic kiosks actually strengthen rather than weaken its control over information flow and access.

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.

Turkmenistani law requires that a would-be CSO have a citizen as its founder, who must register with the Ministry of Justice and the Ministry of Economics and Development. At first glance, these requirements do not seem onerous. However, applicants must procure a membership list of 500 names and addresses for the authorities — a terrifying prospect in a totalitarian surveillance state. Further, once established, a CSO must also routinely notify authorities of all its activities, as well as permit representatives of the Ministry of Justice to be present at meetings and events. Punishment for unregistered activities range from fines to short-term detentions and confiscation of property.

With the government the only owner of media, Turkmenistan effectively has no need for media owner associations.

For several years, IREX has tried unsuccessfully to confirm whether two journalist labor unions that once operated in Turkmenistan still exist in any fashion. One is the Soviet-era Union of Journalists of Turkmenistan, initially established in 1958 and re-registered in 1992 with an ironic mission: "the protection of journalists' interests against state and public organizations, founders, and publishers of the media." The other labor union is the Shamshyrag Association of Journalists of Turkmenistan, which the outside world last heard from in 2001.

"Whatever journalism training exists, it is geared toward training solid propagandists and not actual journalists," one panelist said.

Media members do have some training opportunities. In fact, the panelists held that the only genuinely positive change in recent years has been the state's occasional willingness to permit students, instructors, and media professionals to

pursue journalism training abroad. Panelists also said, however, that the content offered within Turkmenistan is actually detrimental to professionalism. "Whatever journalism training exists, it is geared toward training solid propagandists and not actual journalists," one panelist said.

OSCE is one of the only international organizations permitted by the regime to train state journalists. But it focuses its workshops entirely upon technical matters and not practical skills. Another example is the International University of the Humanities and Development, which Berdymukhammedov opened in Ashgabat in 2014. Panelists continue to give it an F for quality: "The curriculum is wholeheartedly in line with the state ideology."

List of Panelists

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 2019

Tracking Development
of Sustainable
Independent Media
Around the World



UZBEKISTAN

AT A GLANCE

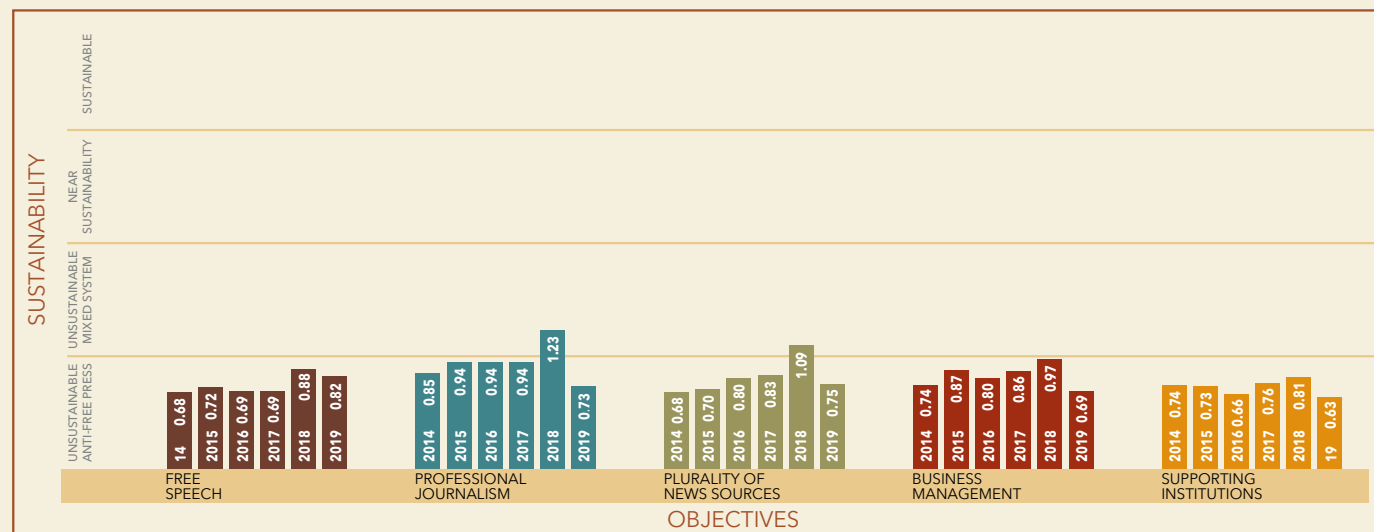
GENERAL

- **Population:** 30,023,709 (July 2018 est., CIA World Factbook)
- **Capital city:** Tashkent
- **Ethnic groups (% of population):** Uzbek 83.8%, Tajik 4.8%, Kazakh 2.5%, Russian 2.3%, Karakalpak 2.2%, Tatar 1.5%, other 4.4% (2017 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 (2017-Atlas):** \$64.83 billion (World Bank Development Indicators, 2017)
- **GNI per capita (2017-PPP):** \$7,140 (World Bank Development Indicators, 2017)
- **Literacy rate:** 100% (2016 est., CIA World Factbook)
- **President or top authority:** President Shavkat Mirziyoyev (since Sept. 8, 2016)

MEDIA-SPECIFIC

- **Number of active print outlets, radio stations, television stations, Internet news portals:** Print media: 1,015; Radio Stations: 35; Television Stations: 65; Internet: 395 websites registered as media (Government of Uzbekistan, 2017).
- **Newspaper circulation statistics:** Total newspaper readership is unofficially estimated at between 500,000 and 1 million; top publications are believed to include *Halk Suzi* and its Russian-language edition *Narodnoye Slovo* (state-run daily) and *Pravda Vostoka*.
- **Broadcast ratings:** N/A
- **News agencies:** UzA (state-owned), Jahon (state-owned), Turkiston-Press (ostensibly private but effectively state-owned), and UzTAG (owner unknown).
- **Annual advertising revenue in media sector:** N/A
- **Internet usage:** Between 28% and 50% of the population (estimates from International Telecommunication Union and Freedom House). Based on the July 2018 population estimate from the CIA World Factbook, the total range is approximately 8.4 million to 15 million.

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.

Scores for all years may be found online at <https://www.irex.org/msi>



Uzbekistan's scores all declined this year, with the largest drops in Objective 2 (Professional Journalism), Objective 3 (Plurality), and Objective 4 (Business Management). Despite the country's tentative thaw under President Shavkat Mirziyoyev, overall reform efforts and their impact on the media sector has been uneven, with panelists noting that the relative freedom the media has gained in the post-Karimov era highlights deficiencies and problems in the journalism sector. As a result, Uzbekistan remains in the "unsustainable/anti-free press" MSI classification.

Since succeeding the late, long-ruling autocrat Islam Karimov in 2016, President Shavkat Mirziyoyev has pursued a path of cautious reforms. Indeed, Reporters Without Borders applauded his efforts by moving Uzbekistan up four notches to 165th out of 180 countries in its 2018 World Press Freedom Index. However, the ultimate extent of these reforms is not yet clear. For now, Uzbekistan continues to be an authoritarian regime where, according to Freedom House's 2018 Freedom in the World report, press independence "remains severely restricted."

The first two-and-a-half years of Mirziyoyev's presidency have witnessed media outlets covering previously sensitive subjects, such as forced labor, police torture, and corruption within local government. At the same time, censorship is still alive and well. The government continues to restrict the media sector through a combination of formal procedures and incarcerations as well as informal clientelism and leverage. For example, according to the 2018 Human Rights Watch (HRW) report *You Can't See Them, but They're Always There: Censorship and Freedom of the Media in Uzbekistan*, several high-profile journalists and human rights activists have been released from prison, including Solijon Abdurakhmanov, Muhammad Bekjanov, Yusuf Ruzimuradov, and Dilmurod Saidov. However, new politically-motivated criminal charges were filed against the author Nurullo Otakhanov, the journalist Bobomurod Abdullaev, and the blogger Hayot Nasreddinov.

Very often, journalists themselves aid and abet these problems by practicing self-censorship or shoddy reporting. The media sector in Uzbekistan "is slowly waking up to its function of a check on the executive," one of the panelists remarked, "[But] many journalists have been trained to serve the government, and that's a hard habit to get rid of."

With an average age of 28.5 years as of 2017 according to official statistics – constituting as much as 58.5 percent of the total population by the calculation of the United Nations Development Program (UNDP) – and the numbers of mobile Internet users rapidly increasing according to the World Bank, Uzbek- and Russian-language media are both experiencing a period of growth and change. Authorities are beginning to unblock critical news websites, and journalists are being allowed to access and make use of overseas information sources. Finally, citizen journalism appears to be steadily on the rise. The most notable – even heroic – instance was when citizen reporters brought to light the tragic murder of a school student.

In general, the panelists held that media members have reason to remain hopeful, if still cautious. In the words of one panelist, "The media in Uzbekistan have a long way to go before they would be at a level necessary to fully adhere to international standards, but they have also come a long way from where they were only three years ago."

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

0.82

While Uzbekistan's constitution and laws on the freedoms of speech and press have always had very problematic aspects, they have also not been wholly repressive. Free speech is singled out as one of several protected intellectual freedoms in Chapter 7, Article 29 of the constitution. The Law on Media declares that all media shall be free, while the Law on Protection of the Professional Activities of Journalists prohibits authorities from interfering in journalists' work.

The real problem lies in how the effectiveness of these laws is undermined by numerous formal exceptions and loopholes, the most notorious being Article 46/1 of the Law Code on Administrative Liability. The article prohibits "illegal collection or dissemination of information about a person's private life, constituting his personal or family secret, without his consent." Violations can lead to a substantial administrative fine for the first offense and to jail time for the second. Uzbekistan's journalism community, including those working for the state and for private and independent organizations, have feared that the article's true purpose has been to deter reporters from disclosing information about the income streams and luxuries of the families of the country's ruling elite. "Insulting" or "slandering" either the "honor of the president" or the "honor of the Uzbek people" — offenses that are unclear, legally speaking — are other punishable offenses for journalists that can result in jail time.

However, the ultimate freedom-of-speech problem is informal state practice. For example, the Agency of Press and Information (UzAPI) is responsible for licensing media outlets, as well

as overseeing them for any violations of rules or laws via its Center for Monitoring of Mass Communications. Although the licensing procedure is rather simple, UzAPI is infamous for rejecting licensing applications without explanation — or approving them in exchange for bribes. In general, UzAPI's fusion of registration and monitoring powers "strengthens the leverage of the government of freedom of speech," assessed one panelist.

Private-media content is also subject to indirect state vetting via the National Association of Electronic Media (NAESMI). Nominally a professional association of private broadcasters founded in 2004, it unites more than 50 private broadcast media outlets. NAESMI states that its purpose is to establish an equal market for broadcasters and support regional broadcasters, yet panelists cited its nebulous presence as a means to enforce self-censorship on non-state journalists. Indeed, despite the supposed voluntary nature of membership, NAESMI's members are reportedly compelled to join the association under the threat of losing their licenses, according to the panelists.

"Usually, journalists and human rights activists are perceived as reckless people fighting against the government and rarely get popular support."

Accreditation seems tailor-made to quash independent journalism. Per a 2006 law signed by then-Prime Minister Mirziyoyev, only the state can decide who is permitted to practice journalism. Defying this law results in severe punishments for locals and foreigners alike, as German journalist Edda Schalger learned in 2016. She was detained and then deported for reporting on Karimov's death from inside Uzbekistan while on a tourism visa.

The accreditation process itself is said to be tortuously long and lacking formal criteria for assessment. "Getting an accreditation is virtually impossible, especially if the trip has not been agreed [to] by the highest political elite," Schlager remarked, following her deportation.¹

Indeed, the state continues to deny accreditation to locals as well as foreigners who were affiliated with any of the Western press agencies expelled from Uzbekistan following the 2005 Andijan massacre. These agencies include Reuters, the Associated Press, Agence France-Presse, BBC Uzbek, Deutsche Welle, the Fergana News Agency, Radio Free Europe/Radio Liberty (RFE/RL), and Voice of America (VOA).

That said, in 2017 and again in 2018 authorities permitted BBC Uzbek to base a correspondent in Tashkent.² And in 2018, reporters from *The Wall Street Journal*, the *Financial Times*, *The New York Times*, and *The Diplomat* were allowed to enter Uzbekistan for short reporting trips. According to the Ministry of Foreign Affairs' website, as of January 2018 Uzbekistan had 41 foreign correspondents from non-Western press agencies. At least 10 of the agencies were pro-government or government-affiliated Russian, Chinese, and Turkish media outlets.

Even if an applicant is successful in attaining state accreditation, obstacles continue to appear. Individual government agencies manage their own accreditation procedures, so journalists with state accreditation may be unable to obtain approval

1 Volosevich, Alexey. "German Journalist Deported from Uzbekistan." *Uzbek-German Forum for Human Rights*. November 16, 2016. <http://uzbekgermanforum.org/german-journalist-edda-schlager-deported-from-uzbekistan/>.

2 Safo, I. "Президент Мирзиёев Ўзбекистонда Би-би-си-га рухсат берилишини айтди." *BBC.com*. October 8, 2018. <https://www.bbc.com/uzbek/uzbekistan-45787208>.

for press conferences or for interviews with officials. The state also reserves the right to revoke an accreditation at a moment's notice without explanation.

The issues around licensing have seen some positive developments. For example, the online news agency Hook Report received its license as well as approval for its online domain, even though it regularly reports on sensitive issues, including corruption, monopolistic practices within the economy, and gender issues.

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.

Meanwhile, in something of a new routine, state media outlets are reporting on corruption among lower-level officials. Also, state media have occasionally reported accusations of police using torture on suspects to obtain confessions.

Uzbekistan has seen an apparent increase in citizen journalism, which has been instrumental in reining in abuse by local officials. Videos taken by mobile phones and sent to local and foreign media outlets have led to reprimands and even dismissals of dozens of village, town, district, and regional officials as well as school teachers and police officers. Another important incident occurred in the 2017 case of Jasurbek Ibragimov, a lyceum student who was beaten to death by his classmates. Citizen journalists revealed the incident to the public and organized a petition online that eventually led to the trial and conviction of those involved.

However, the panelists pointed out important caveats to the new openness. "Media outlets refrain from reporting on any suspicious or questionable activities by top officials," one panelist explained. Another concurred: "Obviously, they never discuss the very high echelons of the government, including the president, but seem to have a fair coverage of everything else." Moreover, Mirzoyoyev has made his own publicly critical comments, which cover a number of issues in governance, social well-being, education, and healthcare. Journalists use such comments as a weather vane to determine what they can and cannot report.

In November 2017, HRW was permitted to resume its work in Uzbekistan. Its staff interviewed 22 journalists, editors, and media owners from 17 individual domestic and international media outlets or publications operating inside Uzbekistan. Of the domestic outlets, some had been officially registered by the state, while others operated illegally without registration. HRW also interviewed

political observers, human rights activists, lawyers, and the relatives of journalists working abroad. The interviewees described a period of positive change under Mirziyoyev, but all pointed to censorship and fear of repression by security services as continuing major factors in how they conduct their work.

A giant leap toward freedom of speech occurred during the trial of journalist Bobomurod Abdullaev, blogger Hayot Nasriddinov, and business owners Ravshan Salaev and Shavkat Olloyorov. They were accused of "conspiracy to overthrow the constitutional regime" for articles they had written under the collective pseudonym Usman Khaknazarov about the Karimov era. The defendants were given diminished sentences in March after Mirziyoyev directly intervened. One of the most notable features of the trial was when the judge granted Abdullaev permission to be examined for signs of torture. While the examination did not lead to the case's dismissal, it was nonetheless a dramatic departure from the established norm in Uzbekistan, where courts invariably ignore all allegations of torture against authorities.

Impressive as the Abdullaev case was, only a few months later in September, four bloggers were arrested for posts they had written calling for a greater role for Islam in Uzbekistan — an extremely sensitive subject for authorities, who have been anxious to maintain the country's secular character.

Another important change has been authorities' diminished wariness with respect to media outlets accessing and relaying information from the outside world. Media can now and often do use foreign sources for information, although they must adhere to "a list of foreign resources that is available in the country," said one panelist. It is unclear whether this list is an official document or something informal that authorities have communicated to editors.

Finally, the panelists also drew attention to the

general population's antagonism toward journalists as another remaining obstacle to freedom of speech in Uzbekistan. "The country and society have not fully grasped the idea of free speech," one panelist said. The widespread cultural principle of *uyat* (shame) often makes audiences, especially in rural areas, resistant to the occasional critical news reports that circulate through society. "Obviously, what constitutes offensive material is a matter of subjective values, thus severely limiting what many would find to be free speech," one panelist explained, also noting that violations of journalists' human rights rarely provoke public outcry, "Usually, journalists and human rights activists are perceived as reckless people fighting against the government and rarely get popular support."

OBJECTIVE 2: PROFESSIONAL JOURNALISM

0.73

"Generally speaking, journalists in Uzbekistan are in a similar situation as Snow White waking up from a very long and deep sleep," remarked one panelist. Uzbekistan's score for professional journalism declined significantly in this year's study. Another panelist explained that the decline reflects how "the relative freedom of the media gained after 2017 has revealed many problems in media standards and the level of professionals in the field of journalism."

Journalistic professionalism in Uzbekistan has long been noted as weak, with the causes attributed primarily to the state. But internal conditions also play a key role, and according to our panelists, the rabbit hole goes deep. Reporting in Uzbekistan is "far from fair [or] objective and not well sourced,"

said one panelist, adding that reporters frequently fail to verify sources or conduct basic background research and fact-checking. Very often journalists even use the same single source of information. Plagiarism of each other, and occasionally of foreign press agencies; advertorials; active misquoting and manufacturing of quotes; and manipulation of photographs all remain persistent problems. International standards of journalism are either not known or are disregarded. "The world has moved on, and there is much catching up to do," one panelist lamented.

One way the situation could be addressed would be for Uzbekistan's expatriate journalist community to return and share their training and experiences from abroad; interest in returning is growing within this community, if measured. The vast majority of Uzbek journalists living abroad left due to persecution in the Karimov era, and they are waiting to see whether Mirziyoyev makes good on his promises of a less hostile regime. In 2018, VOA correspondent Navbahor Imamova dipped her toes in the water when she was permitted by authorities to conduct some lectures and workshops with journalism students as well as meet with colleagues in state media outlets.

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The Uzbek media sector is crippled by a major knowledge dearth not just in terms of basic journalistic skills, but also news beats. The panelists said that Uzbekistan's journalistic community is being confronted with the need to cover topics that were off limits during the many decades of the

Karimov era. Some journalists and news agencies, especially those based on social media platforms, do attempt to cultivate beats or niche reporting. They regularly focus on specific issues of interest either to themselves or their communities, but usually lack the expertise to cover their own topics.

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).

Transparency International ranked Uzbekistan 158th out of 180 countries for its 2018 *Corruption Perceptions Index*, indicating that corruption is rampant. Yet, two of the panelists sharply disagreed with each other regarding whether corruption is a regular practice among journalists in Uzbekistan — and if so, to what extent. According to one panelist, who is based overseas, the type of control the government exerts over the media sector means journalists have little opportunity and little need for

bribery. If the state wants the media to report — or not to report — on something, it can simply use sheer coercion to do so, rather than money or gifts. The other panelist, who is based within Uzbekistan, argued that this ignores bribes coming from other parts of society. “The profession is not prestigious at all,” the panelist said, “[The lack of status] leads to corruption, hidden advertisement, and lobbying.” To this, the first panelist remarked that “hypothetically” such lobbying could indeed occur but only “as long as the policy does not contradict that of the state.”

Journalists on the panel reported that the average salary of a media professional in Tashkent is between USD \$150 and \$200 per month, with state journalists on the low end of the average and private journalists on the high end. Moreover, journalists are in the middle of the spectrum for professional wages — paid less than lawyers but more than teachers and physicians. “Journalism appears to represent a steady job, which is an important benefit in a country where between two to four million citizens annually seek work outside the country,” commented one panelist.

Journalistic equipment and facilities are assigned via state organizations and are more or less adequate, depending on the institution. For instance, the National Television and Radio Company of Uzbekistan controls fairly advanced equipment and is capable of producing polished programming, whereas most rural print media remain chronically ill-equipped. InHowever, an urban-rural divide also pervades, with urban journalists being both more exposed and better trained to use technology than their rural counterparts.

OBJECTIVE 3: PLURALITY OF NEWS

0.75

As of 2017, according to Mirziyoyev himself Uzbekistan has more than 1,500 registered media outlets. Other statistics indicate that this includes 65 television channels, about 1,000 print media, and nearly 400 websites. To outward appearances, Uzbekistan’s media sector under the new regime has become more diverse “than any time in the past except for a brief period in the early 1990s,” in the words of one panelist. Yet, on close examination, media outlets are actually “rather homogeneous,” said another panelist, “What differentiates between the media outlets and their content is the quality of their materials.” Private and state media alike, and in particular television channels, focus on entertainment content rather than news. “Today, the news and materials on politics, economic reforms, and social issues are in high demand, but qualified journalists remain absent in almost all specialties,” remarked the same panelist.

Another panelist specifically noted the purveyance of official statistics by journalists in lieu of independent investigation and analysis. Worse yet, said the panelist, official statistics are typically manipulated if not altogether fabricated.

Much of the shallow content is a legacy of the Soviet era. For example, nearly all trades and professional spheres in Uzbekistan, ranging from education, health care, and journalism to law enforcement and military, have their own specialized journals.

According to one panelist, 40 percent, state media is a nominal part the media landscape in Uzbekistan. But in fact, it dominates both

directly and indirectly. In terms of sheer reach, the country has four top news agencies: the Uzbek National News Agency (UzA), the Jahon News Agency, the Uzbek Telegraph Agency (UzTAG), and Turkiston-Press. Jahon (a branch of the MFA) and UzA are directly owned and controlled by the state. UzTAG and Turkiston-Press exclusively run content produced by authorities — the very same content run by UzA and Jahon.

According to the International Trade Administration (ITA), the most widely read economic and business journals are *Bisnis Vestnik Vostoka* (BVV; Eastern Business Review), *Darakchi* (Herald), *Prestizh* (Prestige), *Argumenty i Fakty* (Argument and Fact) and *Ekonomicheskoe Obozrenie* (Economic Review). ITA claims that television channels such as *Yoshlar* (Youth), *Kino* (Cinema), and *Sports* tend to have relatively small audiences, but this was disputed by the panelists.³

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Uzbekistan does have a number of media outlets centered on minorities, representing the country’s Russian, Tajik, Karakalpak, Kazakh, and Korean communities. The circulations are quite limited, despite some of the communities being spread across the country. Moreover, they rarely bring up the most pressing issues for their people, as the government is exceedingly sensitive about

³ <https://www.export.gov/article?id=Uzbekistan-Trade-Promotion-and-Advertising>

ethnic and inter-ethnic issues. This is especially the case for Karakalpak-language media, as the autonomous Republic of Karakalpakstan constitutes the northwestern half of Uzbekistan and has several, if small, independence movements.

Programming from Russia is periodically rebroadcast but quite noticeably delayed, due to authorities' review. In general, whether local or foreign, "any content Uzbek censors deem undesirable is removed before airing," one panelist noted.

Uzbekistan has a relatively well-developed printing and distribution industry, but the government controls it via UzAPI. Print media are distributed via subscriptions or kiosks by the companies Matbuot Tarqatuvchi and Matbuot Uyushmasi.

The Internet remains a beacon of genuine diversity for those who know how to use it. According to the BBC, 50 percent of Uzbekistan had access to the Internet in 2018. Critical but local websites, such as the Hook Report, Gazeta.uz, and Sreda.uz, can be accessed from within the country. However, blocking of foreign human rights and news websites continues unabated, notwithstanding denials by the state provider monopoly, Uzbektelecom.

Ozodlik Radiosi, the Prague-based Uzbek-language branch of RFE/RL, was banned from the country in 2006. However, it still commands a primarily in-country audience of approximately one million followers across Facebook, Twitter, and the Russia-based Odnoklassniki. (For context, Uzbekistan's total population is approximately 32 million.)

Journalists from Uzbekistan have long noted the use of virtual private networks, proxy servers, and Tor by everyday users. The Russian-based Vkontatke is popular among labor migrants working in Russia.

Meanwhile, WhatsApp and especially Telegram have grown enormous and serve as channels to the outside world and forums for social and political discussion. For example, Zhenskiy Uzbekistan is a private channel on Telegram dedicated to feminism and lesbian, gay, bisexual, and transgender affairs — topics so taboo that even most liberal and critical independent media outlets dare not tackle them.

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.
- A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- 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.
- Broadcast ratings, circulation figures, and Internet statistics are reliable.

In mid-2018, Uzbekistan led the world in the number of Telegram users, with 300,000 subscribers to the Kun.uz channel alone.⁴ The popularity of

the app has even spawned a phrase in Uzbek — *Telegramlashamiz*⁵ ("Call you soon")—and prompted Uzbektelecom to launch its own rival service, Uzphone⁶. Unsurprisingly, app download figures from Uzbekistan⁷ show that Uzphone has been a flop, while Telegram has remained in the top three servers.

Facebook came in from the cold in 2017, when Mirziyoyev himself launched a Facebook page and urged other officials in the country to do the same. Since then, many critical media outlets have moved onto that platform, as well as onto YouTube. However, both services experienced periods of blocking for long periods of time during 2018, without explanation.

Internet connection quality remains stubbornly low while prices continue to rise, in part because Internet service providers have no alternative to Uzbektelecom, an administrative relic from the Soviet era. For several years, including 2018, Uzbekistan has ranked 127th out of 130 countries in the Speedtest Global Index report, conducted by the Seattle-based Ookla, a data testing and analysis company.⁸ In 2017, Mirziyoyev promised that Internet speed in Uzbekistan would become 2.5 times faster by the end of 2018. As of February 2019, the government claimed to have succeeded by a whopping 88 percent and stated that Uzbekistan's continued low rank was actually the result of "dozens of new

5 <https://decryptmedia.com/6632/telegram-fever-crypto-messenger-app-russia-iran-popularity>

6 <https://www.spot.uz/ru/2018/01/17/uzphone/>

7 <https://www.similarweb.com/apps/top/google/store-rank/uz/all/top-free>

8 Ookla. "Uzbekistan: March 2019." *Speedtest Global Index*. March 2019. <https://www.speedtest.net/global-index/uzbekistan>.

4 Yeniseyev, M. "Telegram, stifled in Russian and Iran, gains popularity in Central Asia." *Caravanserai*. May 25, 2018. http://central.asia-news.com/en_GB/articles/cnmi_ca/features/2018/05/25/feature-01.

countries" being added to Speedtest's index as well.⁹ (Ookla could not be reached for comment.)

The inadequacy of Internet access is primarily felt among low-income citizens and among those who live in rural areas, where electricity and telecommunications infrastructure are patchy. Despite this, the authorities have spent more resources on surveilling the Internet than expanding it. In 2015, the Milan-based Hacking Team, a company that sells online surveillance tools to governments around the world, confirmed that Uzbekistan spent more than €500,000 (\$560,000) on its proprietary software. An Uzbek Internet security expert, speaking anonymously on the Russian-language television channel Nastoyashee Vremya in 2016, said that Uzbekistan's security services began using Italian-made spy software in June 2015. In July, the quality of Skype calls, file exchanges in messengers Viber and WhatsApp, and other Internet services deteriorated in the country.

According to the panel, such control and surveillance practices continued right through 2018. For example, mobile phone operators are required to check the content of SMS communications, and they are even empowered to switch off services at a moment's notice from authorities. In addition to Uzphone, the government has established its own social media networks in an attempt to supplant Vkontakte, Odnoklassniki, and Facebook. But just as with UzPhone, such efforts so far appear to have failed.

9 Redaktsiia zhurnala. "Скорость фиксированного интернета в Узбекистане, согласно рейтингу Speedtest Global Index, увеличилась за год на 88%." *infoCom.uz*. February 19, 2019. <http://infocom.uz/2019/02/19/skorost-fiksirovannogo-interneta-v-uzbekistane-soglasno-rejtinga-speedtest-global-index-uvelichilas-za-god-na-88/>

OBJECTIVE 4: BUSINESS MANAGEMENT

0.69

The media industry in Uzbekistan is unsustainable, both in terms of its liquidity and its business management, according to this year's panelists.

The spectrum of potential revenue streams remains severely constrained, despite Mirziyoyev's moves to loosen the economy after decades of state control. State media, and private media even more, have been impacted by the depreciation of the som (Uzbekistan's currency, or UZS) and soaring inflation, which rose to 14.4 percent in 2017 and fell to a still quite painful 10.5 percent in 2018. With the advertising market in its infancy, the media sector continues to be reliant on either subsidies from the government or cash infusions from owners. Government subsidies, however, are not distributed systematically; rather, said one panelist, "only loyal media receive support."

Meanwhile, corruption scandals involving the media sector periodically erupt into public view, exposing the decrepit management behind the scenes. For example, in 2014 an independent media source revealed that officials at the National Television and Radio Company embezzled almost half of all its advertising revenue. In 2017, the former head of the UzAPI was accused of misappropriating USD \$60,000.

According to UzAPI, 60 percent of licensed media are privately owned. However, "due to Uzbekistan's authoritarian political environment, very little information is known about the true ownership identities of [these] entities," one panelist lamented. Hence, there is skepticism as to whether many of the country's private media outlets are genuinely

private or are actually fronts for national security services and the ruling elite.

Turkiston-Press is a good example of how ownership structures can obfuscate the real dynamics of Uzbekistan's media landscape. The entity describes itself as a "nongovernmental information agency" and a closed joint-stock company whose mission is to "to deepen democratic processes, expand media freedom and strengthen [Uzbekistan's] market-based economy and democratic principles."¹⁰ However, it was founded in 1998 by a consortium of government-affiliated entities, including the oil and gas national holding company Uzbekneftegaz and the state-run airline Uzbekistan Airways. It claims that its target audience is international diplomatic missions and foreign corporations operating in Uzbekistan, but it provides no statistics regarding either its website's traffic or its bulletin's circulation.

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As for the other major and ostensibly private news agency, UzTAG, questions surround its independence and even its purpose. It is the Uzbek branch of a network spanning Central Asia that was founded in 2014 whose websites, according to the Afilias database, are registered in Almaty, Kazakhstan. This network includes KazTAG (Kazakhstan), KyrTAG (Kyrgyzstan), TajikTA

10 Wikipedia. "O'zbekneftgaz." *Howling Pixel*. n.d. <https://howlingpixel.com/i-uz/O'zbekneftgaz>

(Tajikistan), AfTAG (Afghanistan), and IrTAG (Iran), as well as the Silk Road News Information Agency, which provides content in Russian and Chinese. All of the branches are seemingly specialized in running government press releases, producing none of their own content. A whois query does not reveal any information regarding the network's owner, and the network's financing is obscure.

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.

Uzbekistan's Soviet-era system of trade and professional journals survive entirely from state subsidies and sheer coercion, as state workers, tradespeople, and professionals are forced by their superiors to pay for subscriptions. In previous years, it has been reported that citizens receiving state benefits, such as pensioners and disabled people, have also been compelled to pay for subscriptions. Yet, there are no reliable circulation statistics beyond raw figures of the number of subscribers. Moreover,

"editorial independence is still a distant dream" for these journals, as "censorship is very much alive," one panelist explained.

According to analysis by Nordea Trade, Mirziyoyev's attempts to slightly liberalize the economy dramatically increased purchasing power and personal shipments into Uzbekistan in 2018. The goods come either directly from neighboring countries or via e-commerce purchases from China and Turkey¹¹ — a change that bodes well for the advertising market.

At the same time, the average Uzbek consumer is not particularly wealthy. According to the Asian Development Bank, 11.4 percent of the population live below the poverty line, while according to Trading Economics, it is 62.1 percent. According to the World Bank, over 63 percent of the overall population resides in rural areas, constituting 75 percent of the total low-income demographic of Uzbekistan according to the UNDP. Hence, the advertising market will remain dependent on the urban middle class for some time to come.

Local and foreign brands are advertised in Uzbekistan. The automotive industry appears to be a particularly active player in the market, with advertisements for GM Uzbekistan's Ravon brand appearing in Tashkent and other urban centers. Several Western and local advertising firms are based in Tashkent, the most notable being Avesta. Print and television are the most popular means of advertising, according to ITA. Radio, billboards, and the panels of taxis, trains, and buses are also common venues for advertising. Interestingly, advertisers prefer to place their content with cable

television providers that offer access to Russian and the occasional American program, possibly because of the likely middle-income profile of these channels' average viewer. However, one panelist asserted that such decisions are more the result of guesswork than real market research and planning.

Advertorials have long been on the rise within Uzbekistan's media sector, and increasingly they come at the expense of reporting. According to the panelists, it appears to be a quite lucrative practice: the average price for a business or product promotional article in a newspaper or journal in 2018 was between USD \$150 and \$200. For context, Uzbekistan's official statistics committee reports that the average monthly salary in 2017 was USD \$125.

General statistics are not available on the popularity of websites in Uzbekistan, as the country has no real reliable statistical agency that systematically examines Internet readership or other relevant figures. Nevertheless, the panel claimed that bloggers could earn additional money by acting as "influencers" and essentially leasing their public image to promote products.

In the view of the panelists, the entertainment industry has actually been a relatively well-run corner of Uzbekistan's media sector — to the point that it has generated some legitimate revenue. The newspaper *Halk Suzi* and its Russian-language edition *Narodnoye Slovo* (*The People's Word*), the newspaper *Pravda Vostoka* (*True East*), and the television channel UzReport earn enough to support their operations fully. The panel singled out UzReport in particular as more or less a success story, given that it can hire qualified experts plus invest in new talent. However, one panelist noted that UzReport's head, Ravshanbek Juraev, is believed to have connections with national security services — thereby suggesting the channel may not be entirely what it seems.

11 Export Enterprises. "Advertising and marketing in Uzbekistan." *Nordea Trade Portal*. March 2019. <https://www.nordeatrade.com/en/explore-new-market/uzbekistan/marketing>.

**OBJECTIVE 5:
SUPPORTING
INSTITUTIONS**

0.63

The story of Uzbek civil society organizations and other institutions specifically supporting journalism remained just as dismal in 2018 as in previous years. Although such organizations exist, they are at best ineffectual and at worst complicit in the repression of journalists.

According to the panel members, journalists' ire is particularly directed against the Union of Journalists and NAESMI. One panelist angrily dismissed the union as "useless," even though journalists are obliged to pay it monthly dues that are deducted automatically from their salaries. Another concurred: "To date, there is no publicly available evidence that the union has ever attempted to intervene with authorities in defense of an embattled media outlet or individual journalist." Meanwhile, NAESMI occupies a central role in Uzbekistan's media landscape, as non-state private media outlets are required to conduct and coordinate their activities within its aegis. But "de facto, the organization is another monitoring body of the online media," one panelist explained.

The notorious 2013 arrest of the organization's head, Firdavs Abduholikov, also revealed that NAESMI is deeply enmeshed with the upper echelons of power. Following Abduholikov's incarceration, it emerged that he was potentially connected to Karimov's eldest daughter, Gulnara Karimova, who has been accused by Western governments of extorting nearly \$1 billion from Western telecommunication companies. NAESMI shut down all operations until one year later, when the charges against Abduholikov were dropped. (Karimova was placed under house arrest, from

which she has yet to be released.)

It is widely believed among Uzbekistan's journalism community that the union and NAESMI serve not only as window dressing but as additional state mechanisms of reward and punishment. For example, the union organizes an annual professional competition called Oltin Qalam (Golden Pen), and only the most loyal reporters win.

One of NAESMI's many functions is to provide grants for upgrading technical equipment. Yet, independent journalists have accused the association of directly controlling the editorial policies of its member outlets, in part by using its grants as leverage.

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.

Prior to 2005, the situation was not so severe, as Uzbekistan had greater international presence in support of independent journalism. However, following the intense international outcry following the Andijan massacre, the Uzbek government shut down nearly all foreign-sponsored non-governmental organizations working in the country. Organizations that offered support to media and journalists were also forced to cease operations. The situation began to reverse in 2017, when HRW and other international organizations were permitted to return. For example, UNESCO conducted a workshop in November 2018 in Tashkent that provided joint training to representatives of law enforcement and state media outlets.

A potentially seismic change may be coming in 2019, with the intended establishment of a press ombudsman. According to the Tashkent Times, a private English-language news website, the new office will "prevent groundless interference of government bodies into the activities of media outlets and mediate in disputes between the media and government bodies, individuals, and legal entities."¹² Yet, dark clouds remain on the horizon, for the press ombudsman's remit will also include monitoring "compliance by the media with legislation and handle individuals and legal entities' complaints on 'any controversial' news."¹³

Journalism education does exist, and panelists said that students do not appear to face any ethnic, religious, or gender barriers to enrollment. However, pedagogical quality is extremely poor. Training

12 *The Tashkent Times*. "Press Ombudsman set to be established in Uzbekistan." TashkentTimes.uz. February 8, 2019. <http://tashkenttimes.uz/national/3505-press-ombudsman-set-to-be-established-in-uzbekistan>.

13 *The Tashkent Times*. "Press Ombudsman set to be established in Uzbekistan." TashkentTimes.uz. February 8, 2019. <http://tashkenttimes.uz/national/3505-press-ombudsman-set-to-be-established-in-uzbekistan>.

materials are scarce and extremely outdated, internship opportunities are dependent on informal contacts, and instructors often lack practical experience. Media ethics, or any sense of professional identity, are simply not taught. According to one panelist, journalism students only learn “the implied understanding of topics that can be covered, and those authorities consider off-limits,” and learn that to succeed in their future careers, “they need only adhere to state policies on coverage.”

“To date, there is no publicly available evidence that the union has ever attempted to intervene with authorities in defense of an embattled media outlet or individual journalist.”

One of the more serious challenges in journalism education is a paucity of instructors with either international standard training or overseas professional experience. Uzbekistan has virtually no trainers that could potentially address the knowledge and skills gaps wrought by so many years of isolation. Such journalists tend to be clustered in the nearby cities of Almaty, Kazakhstan and Bishkek, Kyrgyzstan and further afield in Prague, Brussels, New York City, and Washington, DC. Bishkek in particular has served as a training hub due to the activities of the OSCE Academy and, to a lesser extent, the American University of Central Asia and Deutsche Welle Akademie.

Still, anyone who wants to teach journalism in Uzbekistan would be faced with depressed wages and under-prioritization by school administrations. In a remnant of Soviet-era practice, journalism is typically taught within linguistics and philology departments and not as a subject in its own right. Good news in this respect finally came in September

2018, when the government established the University of Journalism and Mass Communication in Tashkent. Unfortunately, its rector — Sherzod Kudratkhodjayev, a former Karimov-era presidential spokesperson —almost immediately became embroiled in controversy among independent and private journalists. Kudratkhodjayev produced a television documentary that criticized female school students and teachers for wearing short skirts and in general being “too Western.” At the height of the controversy, a video of Kudratkhodjayev speaking pejoratively about ethnic Russian women appeared online. “Right now he is a person [no one] respect[s],” one panelist remarked.

List of Panel Participants

IREX did not conduct an in-country panel discussion because of Uzbekistan’s evolving environment. This chapter represents desk research, interviews, and the results from questionnaires filled out by people familiar with the state of media in the country.