



Monitoring Media Pluralism in Europe: Application of the Media Pluralism Monitor 2017 in the European Union, FYROM, Serbia & Turkey

2018 Policy Report

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Note: the MPM2017 data collection covers the period January 1, 2017 to December 31, 2017

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EXECUTIVE SUMMARY

The year 2017 was marred by the assassination, in Malta, of investigative journalist Daphne Caruana Galizia, an event which represented the darkest hour for media freedom and media pluralism in the European Union since the 2015 Charlie Hebdo massacre in France. This crime has profoundly shaken Europe and has had an impact on its image as a bastion of human rights and democratic values.

Publishers continued to face significant economic pressures and 2017 confirmed the decline of revenues for the press sector and for many local and community newspapers across Europe, a worldwide trend signalling continued job losses in the sector and a lower viability of the media business as organisations struggle to find sustainable business models in the face of digital transformation.

The spread of online disinformation and hate speech, including concerns about their impact on elections and referenda in 2016, represented major areas of debate in the course of 2017. States, international institutions, and private enterprises have discussed or adopted measures – legislative and non-legislative – to address these phenomena and several of these measures have, in turn, raised concerns about their impact on freedom of expression and the respect of the rule of law.

Due to the aforementioned concerns with regard to economic difficulties faced by publishers, as well as online hate speech and disinformation the, 2017 was noteworthy for an increased interest in the analysis of the influence of major online platforms in public debate and in public opinion. Queries over accountability, transparency and overall effect on democracy of the digital platforms have escalated. In 2017 several stakeholders expressed concerns over such platforms' use of machine learning and algorithms in personalising news feeds, as well as their use of users' data for targeted advertising purposes.

The European Commission, in recent years, has taken steps to tackle the spread of illegal content, hate speech and disinformation online. In 2016, some IT platforms committed themselves to the EC's initiative for a Code of Conduct on countering hate speech online. Measures include reviewing flagged content and removing or disabling such content that is found to be illegal or in violation of the Code, within 24 hours. The agreement with the Commission also foresees a reporting and transparency obligation by the online platforms on the implementation of the Code.

Another EC initiative involved the setting up of a high-level group of experts to advise on policy initiatives to counter fake news and the spread of disinformation online. The HLEG was announced in 2017 and established in January 2018.¹

This report presents the results and the methodology of the 2017 implementation of the Media Pluralism Monitor (MPM) in EU-28 countries and in FYRoM, Serbia and Turkey (MPM2017). The MPM is a tool developed by the Centre for Media Pluralism and Media Freedom (CMPF) at the European University Institute to assess the risks to media pluralism in a given country². The MPM project is co-funded by the European Union³.

1 The outcome of the Group is a report designed to call for a review of best practices in the light of democratic fundamental principles, and develop adequate policy responses.

2 Prior to the 2017 implementation, the tool has been implemented in 2016 and tested under two pilot-projects co-funded by the European Union in 2014 and 2015. These two pilot-test implementations built on the prototype of the MPM that was designed in the 2009 Independent Study on Indicators for Media Pluralism in the Member States – Towards a Risk-Based Approach carried out by KU Leuven, JIBS, CEU, Ernst&Young, and a team of national experts (http://ec.europa.eu/information_society/media_taskforce/doc/pluralism/pfr_report.pdf).

3 Prior to the 2017 implementation, the tool was tested under two pilot-projects co-funded by the European Union in 2014 and 2015 (CMPF 2015; CMPF 2016) and applied in EU-28 and Montenegro and Turkey in 2016 (CMPF 2017). The two pilot-test implementations built

The MPM focuses its analysis on news and current affairs. Different news media are covered: legacy media (print, radio and audiovisual) with their online editions, native digital media (and to some extent search engines and social media in the context of market plurality). The MPM further considers different types of media: public service, commercial, and non-profit community media.

The Monitor assesses the risks to media pluralism based on a set of twenty indicators covering a broad notion of media pluralism that encompasses political, cultural, geographical, structural and content related dimensions⁴. The risks for media pluralism are measured in four different areas: Basic Protection, Market Plurality, Political Independence and Social Inclusiveness. The indicators cover legal, economic and socio-political questions.

National experts, composing the MPM network of local teams, provided the data to assess the levels of risk at country level, drafted the country reports, while the CMPF supervised and guaranteed quality and consistency of the data collection and assessed the levels of risk. The CMPF team also directly implemented the MPM in Italy and Malta.

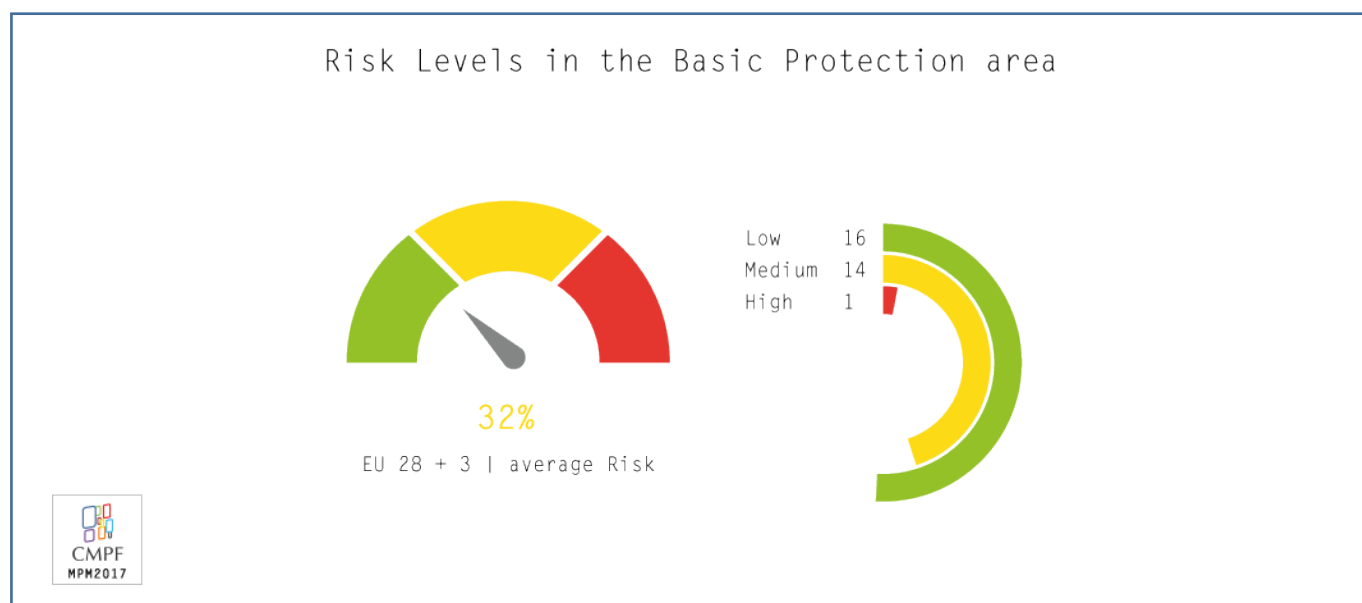
The assessment of the risk to media pluralism in a given country by the MPM does not necessarily represent an effective lack of pluralism in a given context. The results, the data collected and the analysis provide useful information for policymakers - both at national and EU levels - researchers, and civil society to better understand the threats to media pluralism in different media contexts and to plan relevant media policy or advocacy measures, where needed. The results of the MPM implementation are presented according to three categories of risk: low, medium and high. The subsequent paragraphs provide a short description and the main results per area.

The analysis of MPM2017 data shows that one area scores an average low risk - although close to medium risk - (Basic Protection, 32%), while the other three areas score an average medium risk (Market Plurality, 53%; Political Independence, 46%; Social Inclusiveness, 54%). The most prevalent sources of risk detected are related to incomplete information - or lack of information - on media ownership; concentration of ownership; political and commercial pressure on editorial content, including through non transparent distribution of state advertising; lack of independence of public service media governance and funding; inadequate access to media for minorities; and gender inequality in media management and content production. In addition, the risks for media pluralism and media freedom in the Basic protection area result from a growing threats to both physical and digital safety of journalists; and a lack of protection for whistleblowers.

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⁴ Commission staff working document - Media pluralism in the Member States of the European Union /* SEC(2007/0032 */ , <https://publications.europa.eu/en/publication-detail/-/publication/4c7c6eb5-fb51-40f4-9125-33ef824e685b/language-en>

Figure 1 - Basic Protection Area



In the **Basic Protection area**, the MPM assesses the fundamental factors which must be in place in a plural and democratic society, namely the existence and effectiveness of the implementation of regulatory mechanisms to safeguard freedom of expression and the right to seek, receive and impart information; the status of journalists in each country; the independence and effectiveness of the media authority; the universal reach of traditional media and access to the Internet.

In MPM2017 most of the countries analysed score low risk when it comes to the Basic Protection area: 16 out of 31 countries are assessed at low risk (namely Austria, Belgium, Czech Republic, Cyprus, Denmark, Estonia, France, Finland, Germany, Ireland, Lithuania, Luxembourg, Netherlands, Slovakia, Sweden, United Kingdom); 14 are assessed at medium risk (Bulgaria, Croatia, FYRoM, Greece, Hungary, Italy, Latvia, Malta, Poland, Portugal, Romania, Spain, Serbia, Slovenia) - with 4 countries moving from low to medium risk (Italy, Malta, Portugal, Slovenia) and 2 countries from medium risk to low risk (Austria, Luxembourg) - a decrease in comparison with MPM2016, where 18 out of 30 countries were assessed at low risk. Turkey, as in MPM2016, is the only country that scores high risk in this very fundamental area.

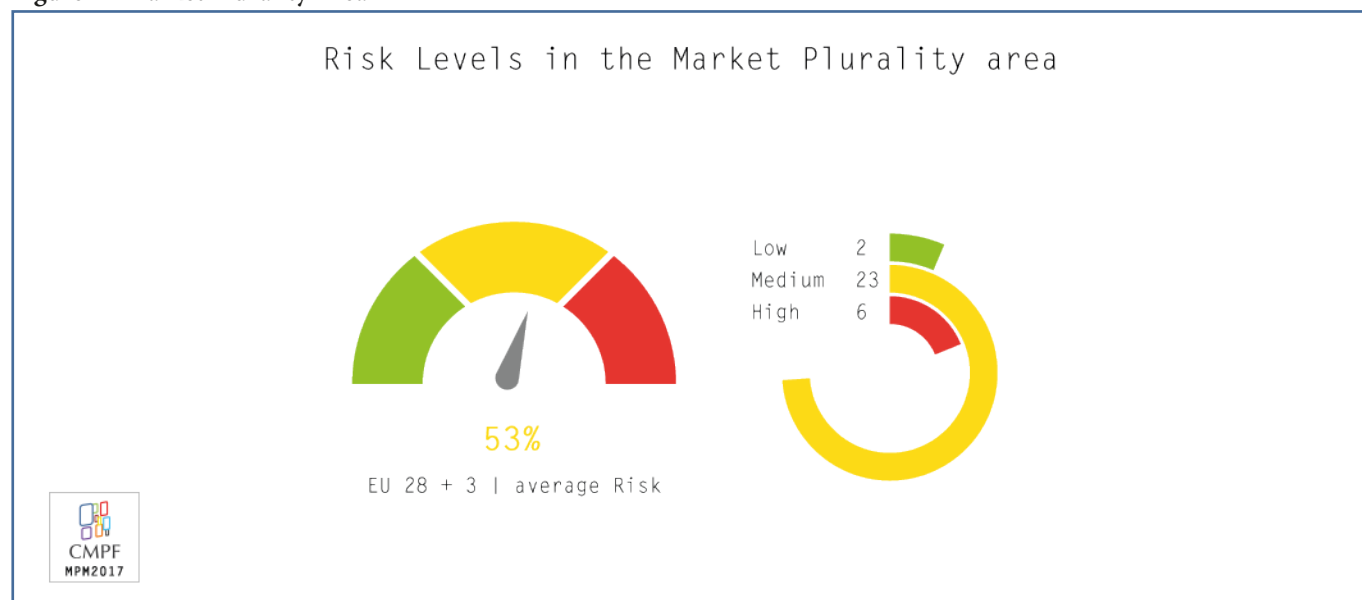
The average score for the area of Basic protection is 32%, a percentage that is very close to the threshold denoting medium risk. The higher average score, in comparison to MPM2016 (28%) shows a deterioration in the basic conditions required for media pluralism. Particular concerns are raised for Poland as regards criminal defamation. In the country, protection of public officials continues to be supported by the use of Criminal Code procedures against journalistic criticism. It must be noted that the 32% average risk is also partly due to the introduction of a few new variables in the analysis of the indicators (i.e. the assessment on whistleblower protection in the indicator on Right to information) and to higher standards used to assess the risks for broadband coverage and access to the Internet. In particular, protection of whistleblowers turned out to be at risk in most of the countries analysed (24 countries scored either medium or high risk for this sub-indicator, including Luxembourg, facing in 2017, court cases against the whistleblowers in the so called LuxLeaks affair).

Regrettably, 2017 was marked by the assassination of blogger and investigative journalist Daphne Caruana Galizia in Malta. MPM2016 had already referred to certain legal threats, namely defamation cases, accompanied by the freezing of her bank accounts which Daphne Caruana Galizia was facing and the risks for media pluralism in her country (Nenadic, 2017). Most of the risk-increasing factors in the MPM2017 for Malta are linked to the assassination of Ms Caruana Galizia and to the deficiencies in the protection of journalists and whistleblowers in the country which her assassination starkly exposed.

As a general trend, the MPM2017 depicts an alarming situation for journalists and other media actors in most of the assessed countries including Greece, Hungary, Italy, Malta, Romania and Turkey: the working conditions of journalists have deteriorated and journalists are facing all kinds of threats (physical, online and other) directed at them by citizens, politicians and organised crime. The MPM2017 results point to the fact that several Member States may be neglecting their obligations, according to the standards on safety of journalists of the Council of Europe, imposing on states the positive obligation of guaranteeing an enabling environment for journalists which permits them to carry out their job without fear.

Turkey scores high risk for all the indicators in the Basic Protection area. After the attempted coup in 2016, the country continued to experience serious threats to freedom of expression and media pluralism, due to the high number of journalists and intellectuals that are detained, both as a pre-trial measure or as the results of a judgement that is not in compliance with the basics of the rule of law.

Figure 2 - Market Plurality Area



In the **Market Plurality area**, the MPM assesses the risks to media pluralism linked to lack of transparency and concentration of media ownership, commercial and owner influence over editorial content, and the economic conditions in which the media operate (media viability).

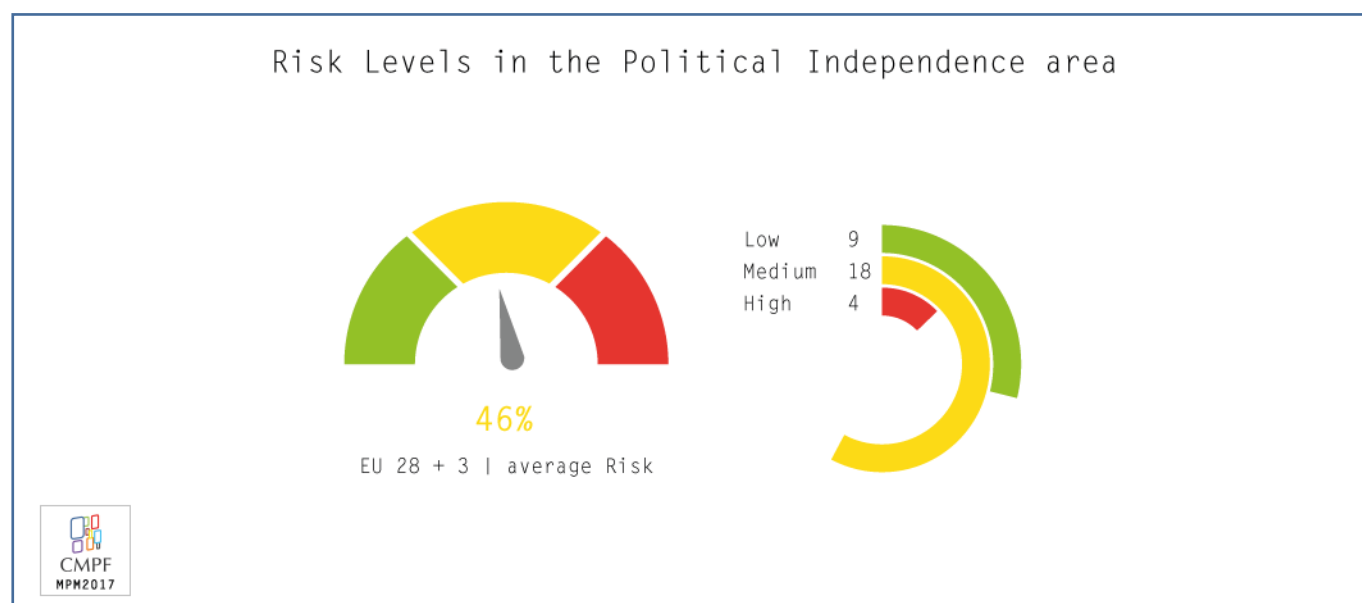
The average score for the area of Market Plurality is 53%, which is slightly higher than in the MPM2016 (49%), partly due to the changes in some variables, especially in the indicator of transparency of media ownership and a more detailed assessment of the indicator on media viability.

As in MPM2016, in 2017 the majority of countries in this area score medium risk (23 out of 31), 6 countries score high risk (Bulgaria, Czech Republic, Estonia, Finland, Poland, and Romania), and only 2 countries show a low risk result: France and Germany.

Market Plurality has the second highest average risk among the areas of the Monitor, being just 1 percent behind the Social Inclusiveness area. Media ownership concentration (horizontal) is one of the two indicators of the MPM2017 that performs overall the worst (66%), with no country scoring a low risk in this regard as in MPM2016. Commercial and owner influence over editorial content continues to be an issue of concern for most EU countries and for the three EU candidates under consideration, although it registered a small decrease in terms of risk in comparison to MPM2016.

The result of the indicators in MPM2017 confirms that market concentration is a source of medium or high risk for media pluralism in all EU countries without exceptions. The economic difficulties of different traditional media outlets, illustrated by several indicators, especially horizontal and cross-media concentration and media viability, suggest that media concentration is a phenomenon unlikely to recede in the future. In particular, as different types of media will continue to merge in an attempt to economically survive in the face of reduced resources, a possible decline of market plurality remains an ubiquitous element of risk for the MPM project to monitor and investigate in EU countries.

Figure 3 - Political Independence area



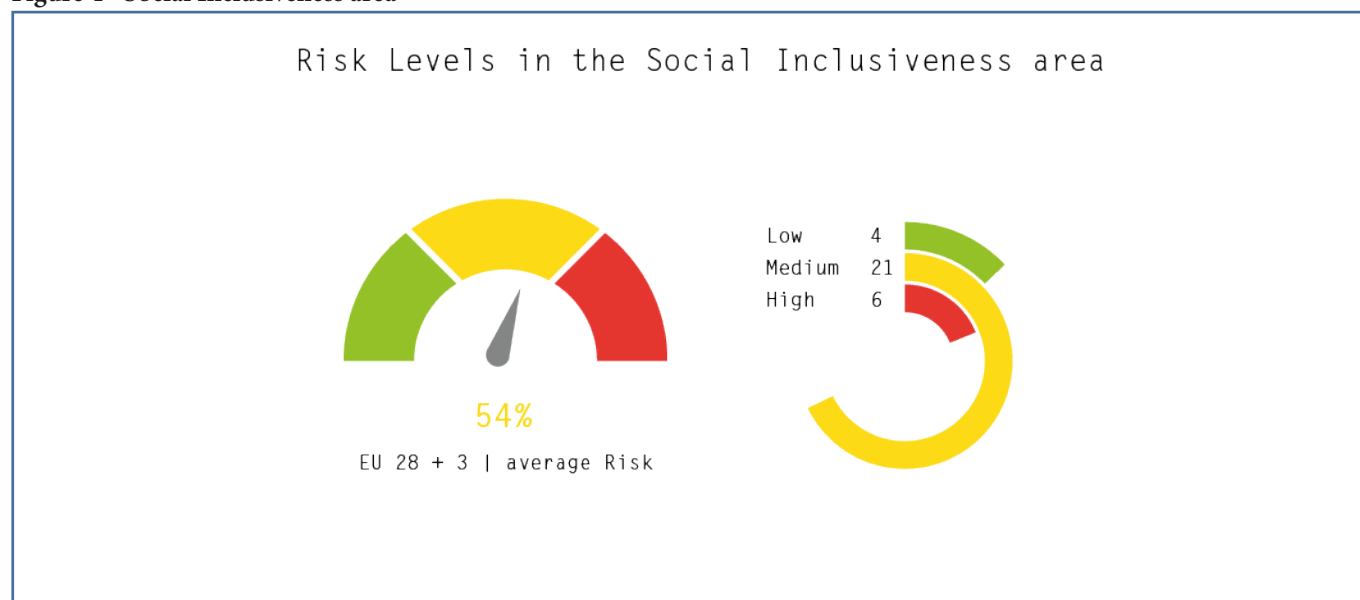
Political Independence is assessed using indicators that evaluate the extent of the politicisation of the media system, media organisations, newsrooms, media reporting and the public service media.

The year 2017 brought no major changes in the results of the MPM in the area of Political Independence. A vast majority of the countries examined continue to score a medium risk (18), 9 are at low risk (Belgium, Denmark, Estonia, France, Germany, the Netherlands, Portugal, Sweden, and United Kingdom), and 4 are found to be at high risk from political interference: Turkey and three EU member states, namely Hungary, Poland and Slovenia.

Turkey is the only country that scores high risks for all five indicators in this area, and the lack of political independence is of highest concern there. Candidate countries Serbia and FYRoM score, respectively, high and medium risk overall, though the independence of public service media in FYRoM results in a high risk score too.

Overall for all 31 countries examined most risks in the area of Political Independence relate to a general lack of political independence of media resulting either from non-existence of regulations to prevent conflict of interests or from their poor implementation, as well as from other indirect means of political control over media, including state advertising. Public service media, especially in Central and Eastern Europe, are at risk of government interference through the appointment of politically dependent management. Moreover, editorial autonomy in most countries is not well protected by regulation or by self-regulation.

Figure 4 - Social Inclusiveness area



The **Social Inclusiveness** area looks at access to media by various social and cultural groups, such as minorities, local/regional communities, people with disabilities and women. In addition, the Monitor considers media literacy as a precondition for using media effectively, and examines media literacy contexts, as well as the digital skills of the population.

On average, the area of Social Inclusiveness scores the highest risk (54%) among the four areas, but still in a medium risk band. Two thirds of the countries (21) score medium risk, 6 countries (Bulgaria, Cyprus, FYRoM, Greece, Luxembourg, and Turkey) score a high risk, and 4 countries (Denmark, France, the Netherlands, and Sweden) are at low risk.

The highest scoring indicator of this area, and the only one within the MPM2017 that results in the high risk band, is access to media for women. Only two countries score a low risk on this indicator - Denmark and Sweden. In almost half of the countries (15) women are either not represented in PSM management boards or their share is 29% or lower. The results are even more worrisome at the top executive positions: in 22 out of 31 countries these posts are occupied by men only.

Access to media for minorities also continues to be an area of concern. In the majority of countries (17), minorities seem not to have adequate access to airtime which results in a high risk score. This re-confirms the results of the MPM2016 and suggests that no progress on this matter was achieved during 2017.

These results, to a large extent, confirm the trends that have been highlighted in MPM2016. Overall, in comparison with MPM2016, the average risk level scores per area have been rising, with the exception of the Political Independence area, where there is no difference with MPM2016 (the risk level remained at 46%). This general shift to higher scores is partially due to the changes in the research methodology for a limited number of indicators, especially in the Social Inclusiveness area (see Part 2 of this Report), but, mostly, to the effective deterioration of some legal and socio-political conditions for freedom of expression and media freedom in the analysed countries.

It should be pointed out that the MPM2017 data collection covers the period January 1, 2017, to December 31, 2017 and does not, therefore, include the murders of Slovak investigative journalist Ján Kuciak and his partner Marina Kušnírova. This was a terrible crime and an unacceptable threat to media freedom that occurred in Slovakia in February 2018. At the time of his murder Kuciak was investigating connections between Slovak politicians and Italian organised crime.

INTRODUCTION

Freedom of expression, independent journalism and media freedom and pluralism constitute the foundations of any democratic society as they are considered prerequisites to guarantee that individuals have access to a variety of information and may form their opinions by taking into account different perspectives and views which allow them to effectively participate in public discourse as informed citizens. Article 11 of the European Union's Charter of Fundamental Rights lays down that the freedom and pluralism of the media shall be respected. The protection and promotion of pluralism and the freedom of the media are essential to guarantee a democratic environment for all EU citizens, for the legitimacy of the Union as a whole and for the health of democracies.

In 2017, the Centre for Media Pluralism and Media Freedom carried out the second EU-wide implementation of the Media Pluralism Monitor (MPM). The 2017 MPM implementation also covers three candidate countries, for a total of 31 countries (EU-28, the Former Yugoslav Republic of Macedonia (FYRoM), Serbia and Turkey). The CMPF decided to cover Turkey for the second consecutive year with the purpose to monitor the situation in a country that has been facing a dramatic crackdown on media freedom in the recent past. Further, the CMPF extended the research to two new candidate countries, Serbia and the Former Yugoslav Republic of Macedonia, as recent events there have highlighted that freedom of expression and media freedom and pluralism are facing particular challenges in the current political climate, as also mentioned by the relevant EC Progress Reports on these two countries.

The research design of the Monitor is based on a tested tool⁵ including a sophisticated questionnaire that was filled in following a common and rigorous methodology by national country teams made up of experts in media pluralism and media freedom. A second group of experts, including national stakeholders and experts in the area, conducted a review of the selected answers that requires a qualitative type of measurement and/or that lack measurable and easily verifiable data. In order to ensure the comparability of the answers and the consistency of their quality, the CMPF centrally monitored the data collection and raised questions in cases where inconsistent or incomplete answers were provided by the country teams. This central control activity proved to be essential in a cross-national study of this size and type.

The MPM assesses the risks to media pluralism by considering four areas of risk:

- Basic Protection
- Market Plurality
- Political Independence
- Social Inclusiveness

taking into account the data grouped in 20 indicators.

5 See the MPM pilot tests in 2014 and 2015 and the 2016 implementation in EU-28 and two candidate countries <http://cmpf.eui.eu/media-pluralism-monitor/>

Figure 5. List of indicators per area

BASIC PROTECTION	MARKET PLURALITY	POLITICAL INDEPENDENCE	SOCIAL INCLUSIVENESS
Protection of freedom of expression	Transparency of media ownership	Political control over media outlets	Access to media for minorities
Protection of right to information	Media ownership concentration (horizontal)	Editorial autonomy	Access to media for local/regional communities and for community media
Journalistic profession, standards and protection	Cross-media concentration of ownership and competition enforcement	Media and democratic electoral process	Access to media for people with disabilities
Independence and effectiveness of the media authority	Commercial & owner influence over editorial content	State regulation of resources and support to media sector	Access to media for women
Universal reach of traditional media and access to the Internet	Media viability	Independence of PSM governance and funding	Media literacy

It must be acknowledged that for the 2017 exercise, CMPF has modified the composition of some indicators, in order to deepen the analysis on certain topics and further improving the quality of the questionnaire, taking into account the bigger role played by the online dimension in media pluralism and to collect data on issues that are increasingly important to detect risks for media pluralism in the new online environment. Therefore, in particular for indicators under the Social Inclusiveness area, results are not **fully** comparable with MPM2016 (see below 2.2 Research and fine-tuning of the variables).

Moreover, it must be noted that the MPM is not a ranking instrument but a scientific tool, comprising many dimensions of risk analysis related to the pluralism of the media in a country, which can provide indications of relevance to policy choices. Its results must be read in the specific context of the country analysed. Each indicator is the result of the assessment of numerous variables and sub-indicators and in many cases the granular data at the level of variables and sub-indicators explain and provide a more nuanced analysis and explanation of the assessment for a specific indicator. We invite the reader to consult the narrative country reports for more details.

The focus of the MPM is not solely the detection of deficiencies of a country-specific media environment: it also provides an analysis of the structural conditions of the media system in a given constitutional, economic and socio-political context. The rationale behind the Media Pluralism Monitor is the identification of concrete indicators to assess in an objective way the levels of risks for media pluralism in a given country. “Risk assessment” is taken to mean “a systematic analytical process based on predetermined risk criteria, professional judgment and experience to determine the probability that an adverse condition will occur”⁶. This analysis is, then, balanced against available data that constitute a form of “reality check” thereby allowing an assessment of the situation for a given country having regard to both the conditions conducive to more or less pluralism and the actual situation on the ground of each country (Brogi and Parcu, 2018). This approach differentiates MPM from other indices and ranking instruments which privilege events that, in a specific time frame and in a country context, affected journalists and other media actors⁷.

The MPM2017 data collection covers the period January 1, 2017 to December 31, 2017 which means that this assessment does not cover the murders of Slovak investigative journalist Ján Kuciak and of his partner Marina Kušnírova which occurred in Slovakia in February 2018.

⁶ Commission staff working document - Media pluralism in the Member States of the European Union /* SEC/2007/0032 */, 16.12.2007. Available at <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52007SC0032&from=EN>

⁷ For instance, the index of Reporters without Borders gives relevance and weight to the data on abuses on journalists and media actors, reflected in the final score and ranking position.

1. ANALYSIS

1.1 ANALYSIS OF BASIC PROTECTION

The indicators that fall under the area of Basic Protection are designed to describe and measure the elements that are essential conditions for a pluralistic and democratic society. The first and fundamental component of the area is the level of Protection of freedom of expression, a very basic prerequisite for any functioning democracy. Freedom of expression is necessary for individual dignity and fulfilment and “constitutes [an] essential foundation for democracy, rule of law, peace, stability, sustainable inclusive development and participation in public affairs”⁸ Along with freedom of expression, and stemming from it, the right to access information is another fundamental ingredient of democracy. It is of the utmost importance that effective transparency of public administrations is guaranteed and information in the public interest can be circulated to feed the political debate and, in the end, democracy. Whether it is important that freedom of expression and freedom of information are effectively safeguarded, a free and plural media environment must rely also on free journalism. This means that access to the journalistic profession should be open, that journalists should be able to obtain decent working conditions and should be able to work without constraints. An “enabling environment”⁹ allowing journalists and other media actors to freely express themselves without fear, even when their opinions are contrary to those held by the authorities or by a significant section of public opinion, should be guaranteed by member states. The MPM therefore considers safety of journalists, both physical and digital, as a parameter to assess whether the basic conditions for a plural media environment are fulfilled. Impartiality and independence of the institutions that oversee the media market is another basic element for a plural media environment. Especially, independence of media authorities is of paramount importance when implementing media specific regulation and media policy, as the shape of the market has a direct impact on market plurality. Finally, the Basic Protection area includes an assessment of universal reach of traditional media and access to the Internet. These are conditions that contribute to assessing whether citizens have, or at least potentially have, access to a wide variety of content. The indicators aim to capture risks in relation to specific legal standards, by measuring both the existence of legislation in a given area and its implementation. In addition to this, the Monitor assesses what are the effective socio-political conditions that practically affect the specific area of investigation.

Summarising, the five indicators under Basic Protection are:

- *Protection of freedom of expression*
- *Protection of right to information*
- *Journalistic profession, standards and protection*
- *Independence and effectiveness of the media authority*
- *Universal reach of traditional media and access to the Internet*

In 2017, 16 countries score low risk in the area of Basic Protection, namely Austria, Belgium, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Ireland, Lithuania, Luxembourg, Netherlands, Slovakia, Sweden, and United Kingdom; 14 score medium risk (Bulgaria, Croatia, FYRoM, Greece, Hungary, Italy, Latvia, Malta, Poland, Portugal, Romania, Serbia, Slovenia, Spain) and 1 country, Turkey, scores high risk.

Overall, the majority of EU countries still fall within the low risk assessment in this area, but the number of countries assessed at medium risk nonetheless has increased as compared to the previous analysis. In MPM2016, 18 countries scored low risk, 11 medium risk, and 1 (Turkey, as in MPM2017) high risk. The increased number of countries assessed at medium risk and the generally higher scores explain why the Basic Protection area overall score shows an average risk of 32% in 2017, which still means a low risk, but in its upper band and alarmingly close to the medium risk range. Most of the medium-risk countries are the same that received a similar score in 2016, except for Luxembourg and Austria that in 2017 have got a lower score of, respectively, 31% and 29%: the score for Austria benefits of the introduction of the sub-indicator on whistleblowers under the Indicator on Protection of right to information. Based on the MPM data collection, Austria seems to have an effective regulatory framework on whistleblowers. As regards Luxembourg, the MPM detects a positive element in the Luxembourgish legislation, as there is a regulatory framework

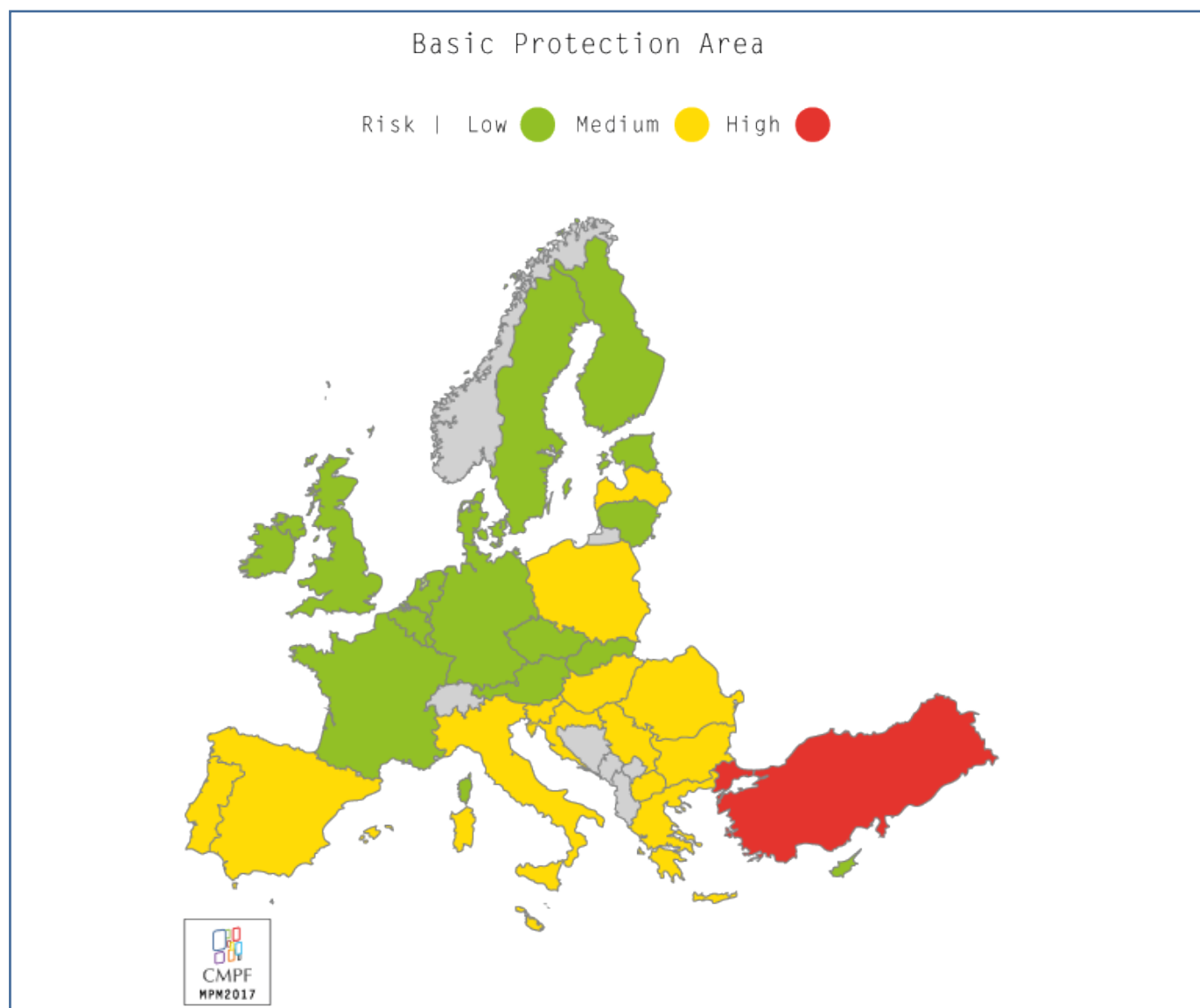
⁸ Council EU, EU Human Rights Guidelines on Freedom of Expression Online and Offline, 12 May 2014, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/142549.pdf.

⁹ ECtHR, case Dink v. Turkey, 2668/07, 6102/08, 30079/08, 7072/09 et 7124/09, Judgment on September 14, 2010. See also Council of Europe, Committee of Ministers, Recommendation CM/Rec(2016)4[1] of the Committee of Ministers to member States on the protection of journalism and safety of journalists and other media actors, https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016806415d9

in place for whistleblowers, even if the MPM country team for Luxembourg acknowledges it may not be effective¹⁰. The law “is considered to be too restrictive because it is mainly limited to cases of corruption, trading in influence or money laundering, and the protection can concern only employment relationships” (Kies and Schall and al 2018).

In MPM2017, Italy shifts from low to medium risk and receives an average score of 36% in the Basic protection area, reporting an alarming assessment on the status of journalists (in particular, about journalists’ physical safety): the same result applies to Malta where the score is raised by the assassination of Daphne Caruana Galizia. Portugal and Slovenia also shifted from low to medium risk due to various reasons, including the absence of law on whistleblowing. Portugal also shows a poor performance in terms of DTT coverage and implementation on net neutrality rules, while Slovenia reports some risks when independence of the media authority is assessed. Serbia and FYRoM, two of the three candidate countries encompassed by the MPM2017, are assessed as medium risk (reducing to 12 the EU member states assessed in the medium band).

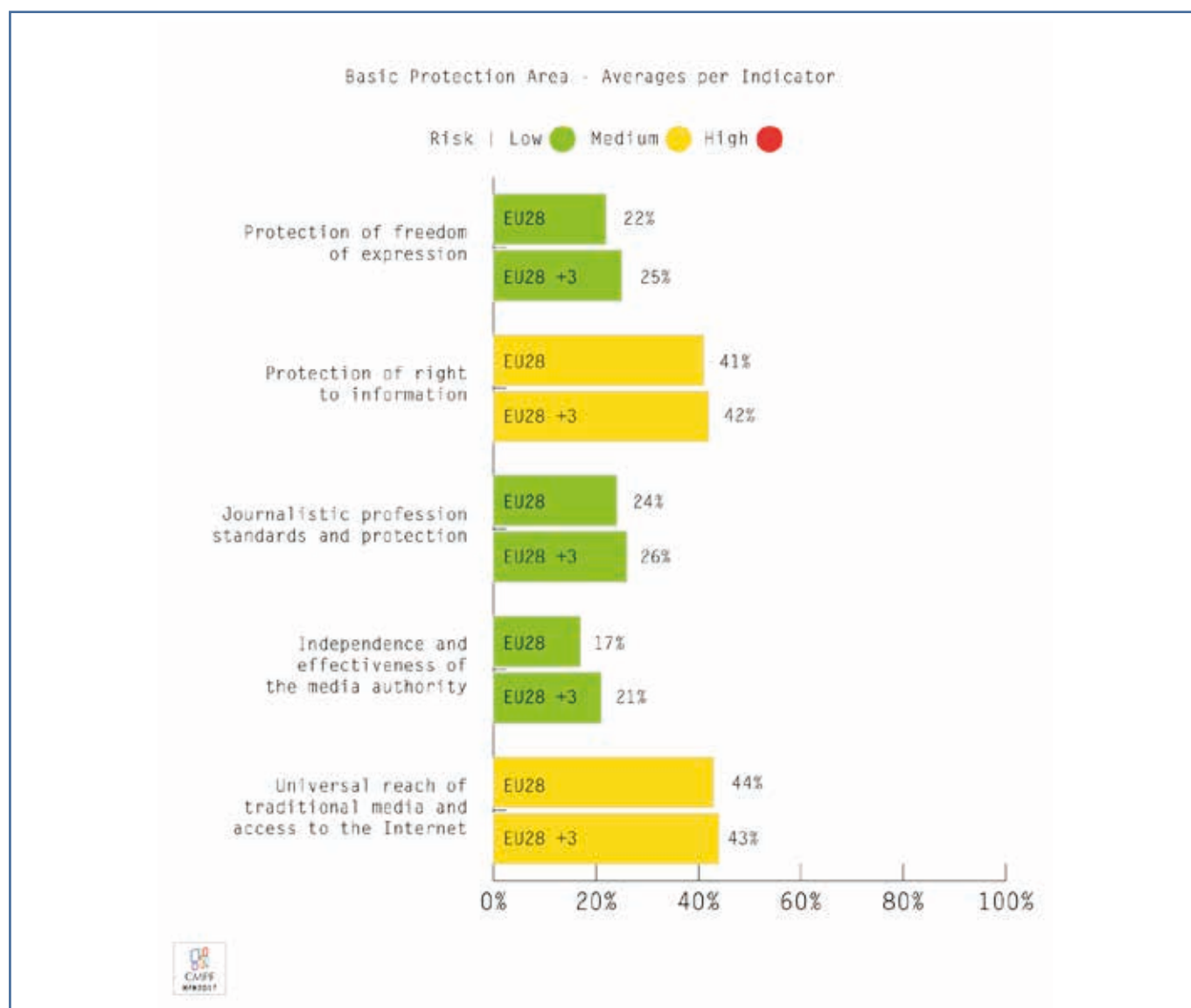
Figure 1.1.1. Basic Protection area - Map of risks per country



As regards the indicators of the Basic Protection area, the overall situation remains comparable with MPM2016. The only indicator that had a considerable increase in the average risk is the one on the Protection of right to information (42%), due mostly to the inclusion of a new important sub-indicator on the protection of whistleblowers. The indicators that present higher risks in the Basic Protection area in MPM2017 are Protection of Right to Information and Universal reach of traditional media and access to the Internet, both scoring on average a medium risk.

¹⁰ The status of whistleblowers has been at the centre of many debates in recent years in Luxembourg, due to the so called “LuxLeaks affair”. On March 15, 2017, Antoine Deltour and Raphaël Halet, the two whistleblowers in the case, were recognised as alert launchers and at the same time sentenced to jail with sursis and a fine of 1000 and 1500 euros, raising questions about the effective recognition of the status of alert launcher. In January 2018 the Luxembourg’s highest court overturned the verdict for Deltour and fully recognised him as a whistleblower. Luxleaks whistleblower Antoine Deltour has seen his conviction quashed <https://www.bbc.com/news/world-europe-42652161>. Raphael Halet’s sentence of a €1,000 fine was upheld by the court.

Figure 1.1.2. Basic Protection area - Averages per indicator



The assessment regarding the indicator on the Protection of freedom of expression is a 25% average risk, meaning low risk. The assessment is similar to the 24% provided under MPM2016. Freedom of expression is in general protected, but the international standards in that regard are particularly neglected in part of the assessed countries when it comes to proportionate balance between protection of freedom of expression and dignity and, in some cases, respect of rule of law as regards freedom of expression online. Criminalisation of defamation raises concerns in Poland. In particular, due to the fact that “Protection of public officials continues to be supported by the use of Criminal Code procedures against journalistic criticism” (Klimkiewicz, 2018).

Within this very essential indicator, around two-thirds of the countries (22) score within the low risk range. Again, as in MPM2016 only Turkey is assessed in the high risk range. FYRoM and Serbia are assessed as medium risk for this indicator, while Turkey scores high risk. This explains the sensibly higher average for the EU28 +3 candidates as shown in Figure 1.1.2.

The increase in risk for the indicator on the Protection of Right to Information in comparison with MPM2016 (average low risk) is mostly due to the inclusion, within the composition of the indicator, of the sub-indicator on the Protection of whistleblowers. There are 2 countries that score an overall high risk for the indicator on Protection of Right to Information, namely Turkey, because of the many exemptions to access to information provided in the law and Luxembourg, as the country has no law on access to information), 20 countries score medium risk (Austria, Czech Republic, Finland, FYRoM, Hungary, Lithuania, Slovakia, United Kingdom, Poland, Slovenia, Bulgaria, Croatia, Cyprus, Greece, Romania, Malta, Spain, Estonia, Latvia, Portugal) and just 9 countries score low risk (Belgium, Denmark, France, Ireland, Germany, Italy, Netherlands, Serbia, Sweden).

The decrease in the percentage of risk for the indicator on Journalistic profession must be interpreted in the light of some changes in the composition of the indicator itself. The score modification is mostly due to the inclusion of two new variables on arbitrary arrests or imprisonments, and killings of journalists because of the exercise of their profession, what in most countries reduced the risks for this indicator (as explained in the methodology part of this report - see Part 2.), except in the case of Malta and Turkey. As a consequence of the killing of Daphne Caruana Galizia, a blogger and investigative journalist in 2017, the risk for this indicator increased from low to medium risk in Malta¹¹; as a consequence of the imprisonment of many journalists after the attempted coup of July 2016, the risk also increased in Turkey.

From the data analysis of the MPM2017 it is possible to assess a stable and positive trend in relation to the indicator on Independence and effectiveness of the media authority that scores low risk in 23 countries (in MPM2016, 24 countries scored low risk for this indicator). Nonetheless, as shown in Figure 1.1.2, it must be noted that the difference between the average of EU28 and the average of all the 31 countries under analysis is quite important. Again, FYRoM and Serbia are assessed in the medium risk band and Turkey in the high risk one. The particular high score for Turkey (80%) raises the average for this indicator.

The increase in the percentage of risk for the indicator on Universal reach of traditional media and access to the Internet, in comparison with MPM2016 can be explained with the fact that MPM2017 assessment is based on thresholds that are very demanding and tailored on an already developed environment in terms of connectivity. It must be noted also that a few countries received also a high score as they were not assessed compliant with the EU Regulation on Open Internet (net neutrality).

PROTECTION OF FREEDOM OF EXPRESSION

Freedom of expression is considered to be the cornerstone of democracy. Freedom of the press, freedom of the media, right to access information - being essential conditions for a public sphere dialogue in which public opinion is based upon the free exchange of information and opinions - stem from freedom of expression. In addition to that, freedom of expression also 'enables' other rights, like the right of assembly, the right to join a political party, the right to vote. Its protection is thus at the very core of any democratic society. EU member states share and are bound to the respect of freedom of expression as it is enshrined in Art 11 of the EU Charter of Fundamental Rights and as it is at the core of their common constitutional traditions. It is also a right that has been effectively promoted under the Enlargement and Accession process (Brogi, Dobрева and Parcu, 2014) and by the Council of Europe framework of protection of human rights (Voorhoof, 2014).

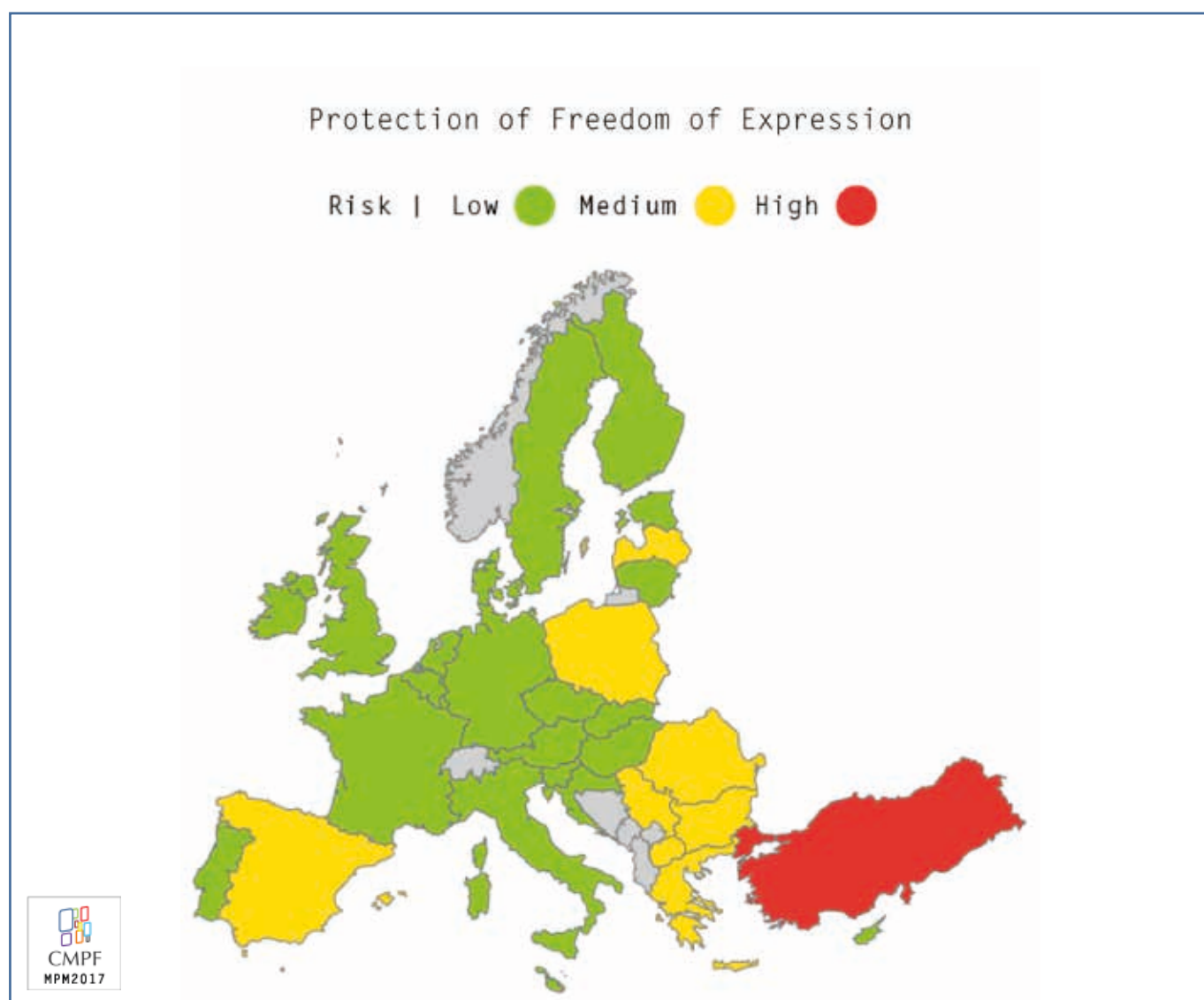
The indicator on Protection of freedom of expression under the MPM2017 aims to assess the existence and effective implementation of regulatory safeguards for freedom of expression in a given country. A country may have good laws protecting freedom of expression, but they may not be implemented or enforced effectively. Sometimes constitutional guarantees and international treaty obligations may be eroded by exceptions and derogations or by other laws that may limit freedom of expression in an arbitrary way. In order to assess the levels of protection of freedom of expression, the MPM uses the standards developed by the European Court of Human Rights (ECtHR) under the interpretation of Art. 10 of the European Convention of Human Rights (ECHR). According to these parameters, freedom of expression must be protected under the rule of law: restrictive measures should have a legal basis in domestic law, should be accessible to the person concerned and foreseeable to its effects; limitations must have a "legitimate aim" and be "necessary in a democratic society". The ECtHR has interpreted broadly the scope of freedom of expression, as it is considered essential for the functioning of a democratic society: "the dynamic interpretation by the Court of what is to be considered 'necessary in a democratic society' together with the limitation of the 'margin of appreciation' by the member states has been crucial for the impact of Article 10 of the Convention on the protection of freedom of expression in Europe" (Voorhoof, 2014).

The indicator includes also a sub-indicator that is specific on defamation laws. While defamation laws are an important tool to protect people from false statements that damage their reputation, they can easily be misused and criminalisation of defamation may pose risks for freedom of expression, producing a chilling effect on journalistic freedom. Journalists, instead, should enjoy a position to exercise their job without fear.

Online violations of freedom of expression are growing in frequency and importance. Another element that is therefore taken into account in the indicator is whether freedom of expression online is limited on the same grounds as freedom of expression offline. In this regard, the indicator takes into account whether Art 10 of the ECHR is respected, and, in particular, whether restrictive measures resulting in blocking, removing and filtering online content comply with Art. 10.2 ECHR (i.e. limitations on freedom of expression are prescribed by law, pursue a legitimate aim, and are necessary in a democratic society). The indicator also takes into consideration whether filtering and blocking practices by Internet service and content providers and by a given state are arbitrarily limiting freedom of expression online.

11 The MPM2017 application covers 1st January 2017 -31 december 2017 time frame: that is why it does not refer to the murder of Ján Kuciak, journalist, and of his partner Marina Kušnírová, shot dead in Slovakia in February 2018.

Figure 1.1.3. Indicator on Protection of freedom of expression - Map of risks per country



The Indicator on the Protection of freedom of expression scores low risk for 22 countries (3 countries less than in MPM2016) namely Austria, Belgium, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Italy, Lithuania, Luxembourg, Malta, Netherlands, Portugal, Slovakia, Slovenia, Sweden, United Kingdom, while 8 countries score a medium risk (Bulgaria, FYRoM, Greece, Latvia, Poland, Romania, Serbia, Spain). Turkey is assessed high risk. It must be noted, however, that the average of all the 31 countries analysed is significantly higher than the average of the scores of EU-28 countries (25% vs 22%). While Turkey scores a very high risk of 82%, Serbia (48%) and FYRoM (35%) score medium risk, contributing to a higher general average score (the average of the three candidate countries examined is 55%). The results of MPM2017 for this indicator are essentially similar to the ones provided by MPM2016.

Constitutional and legal protection for freedom of expression is formally guaranteed in all the countries considered under the MPM2017. It is enshrined in all the constitutions and/or in the national laws. As a general trend, the relevant international human rights conventions which are particularly relevant for freedom of expression standard setting, namely the International Covenant on Civil and Political Rights (ICCPR, Art 19) and the European Convention on Human Rights (ECHR, Art 10) have been ratified with no particular exemptions, with only Malta having two significant reservations to Article 19 of the ICCPR, as highlighted in the MPM2016 general report¹² (see also Nenadic, 2018). It is important to highlight that France¹³ and Turkey maintain the derogation from certain rights that are

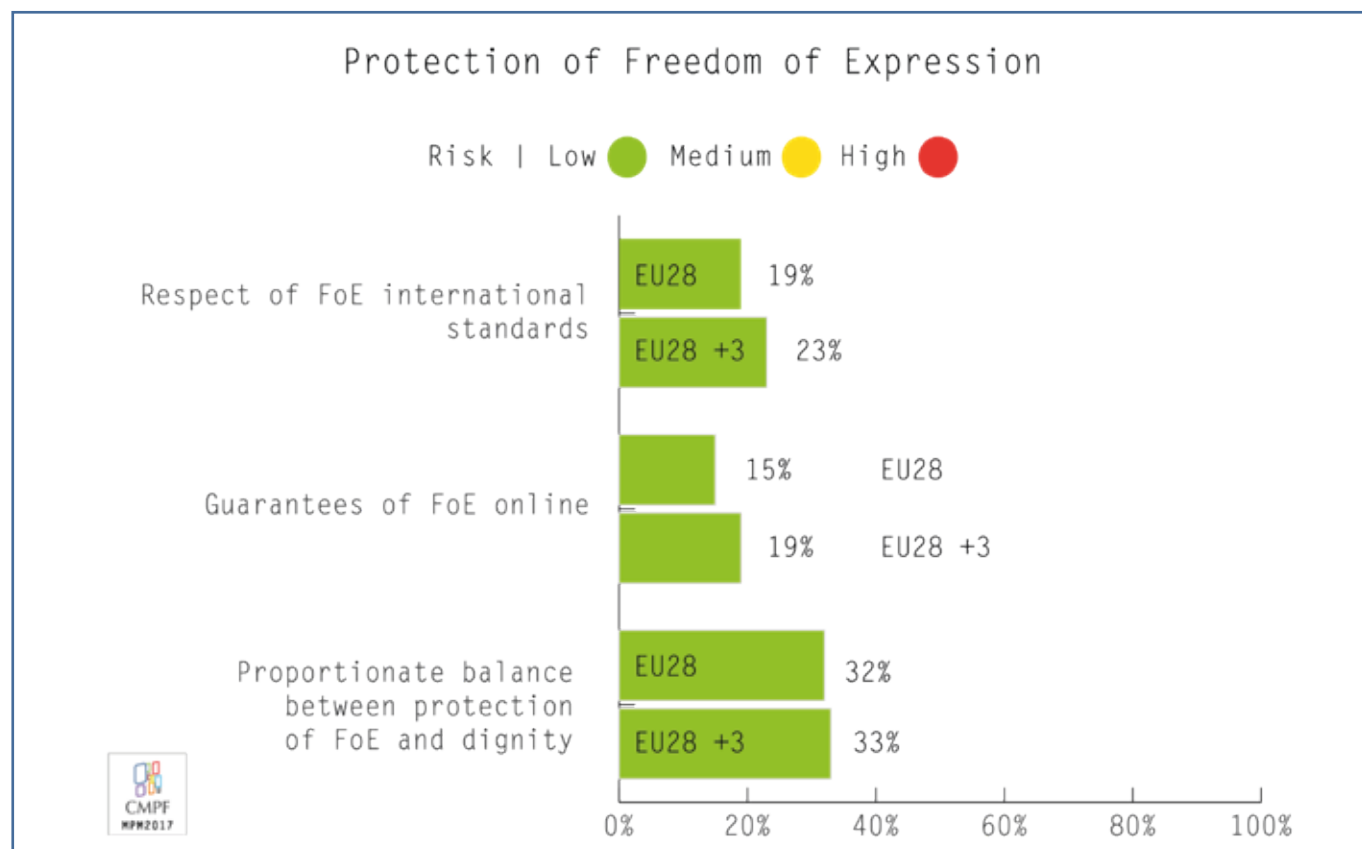
¹² Malta has made two peculiar and significant reservations to Article 19 of the ICCPR that may affect the assessment of the risks for freedom of expression in the country, declaring that Article 19 ICCPR does not affect the Constitutional provision that allows for restrictions on the freedom of expression for public officials, as long as such restrictions are “reasonably justifiable in a democratic society”. According to the Code of Conduct of Public Officers in Malta, public officers are precluded from taking an active part in political discussions or other political activity during working hours or at the workplace. Malta also reserved the right not to apply Article 19 to the extent that non-application is fully compatible with domestic legislation that regulates “the limitations on the political activities of aliens”, and in accordance with Article 16 of the ECHR (Restrictions on political activity of aliens).

¹³ France formally lifted the “état d’urgence” on November 1st, 2017, but some derogations from the rights guaranteed by the ECHR

guaranteed by the European Convention on Human Rights, due to the states of emergency decreed in those countries following, respectively, the terrorist attacks in France and the coup d'état in Turkey (Art 15 ECHR).

The main differences between the various legal systems in this area is to be found in the limitations to the freedom of expression allowed under each constitution or special laws and in the proportionality of the specific limitations on the basis of interests of “national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary” (Art. 10(2), ECHR). Countries that are assessed as medium risk usually have a satisfactory or solid regulatory framework in place, in line with international standards, but demonstrate poor implementation which leads to systematic violations of the exercise of freedom of expression in practice.

Figure 1.1.4. Indicator on Protection of freedom of expression - Averages per sub-indicator



It is not surprising, therefore, that, in the detailed analysis of the components of the indicator, the sub-indicator that scored the highest risk is, once again, the one relating to Proportionate balance between protection of freedom of expression and dignity (33%) though there has been a slight improvement as compared to MPM2016 (35%), which is mostly due to the fact that 2 variables of this sub-indicator were merged in MPM2017. Under this sub-indicator 4 countries score high risk (Latvia, Poland, Portugal, Turkey), 9 countries medium risk (Austria, Czech Republic, Finland, FYRoM, Greece, Italy, Luxembourg, Malta, and Slovenia), and among the countries that score low risk, 2 of them (Croatia and Spain) are in the highest range of low risk, almost at medium risk (33%). In particular, all countries have legislation on defamation, but the scope of it varies from country to country and the limitations on the ground of honour and reputation often are shaped in laws that are not fully homogeneous or comparable and may be not consistent with international standards on freedom of expression (CMPF, 2017). Imprisonment for defamation (libel) is possible in most EU member states (even if often not implemented in practice), along with pecuniary sanctions; high damages requests are very common remedies to libel when it comes to civil defamation. Among the countries that score highest, Poland should be singled out given that while most sentences result in a fine, or community service, there have been also cases in which the courts handed down suspended sentences of deprivation of liberty. It must be added that the crucial role in deciding about legitimate use of restrictions on freedom of expression in Poland is played by common courts and the Constitutional Tribunal. In recent years, both the Constitutional Tribunal and common

were transposed to the new anti-terrorism law (Loi 2017-1510) adopted on 30 October 2017. See, for instance, <https://www.ouest-france.fr/terrorisme/fin-de-l-etat-d-urgence-les-4-mesures-qui-ne-disparaitront-pas-5349720>.

courts underwent legal reform, which raised broad concerns about judicial independence¹⁴ (see Klimkiewicz 2018).

Defamation laws, particularly Penal Code Article 299 (Insult to the President) and Article 301 (Insulting Turkishness) are problematic for press freedom in Turkey. The Venice Commission of the Council of Europe recommended changes to the crimes, pointing to the “vague wording” of the law. The request was repeated by CoE Parliamentary Assembly debate on 25 April 2017¹⁵.

According to the BIA Media Monitoring Report, between April and June 2017, two journalists are standing trial in defamation cases facing 9 years and 4 months in prison in total¹⁶. In the same period, 18 journalists stood trial on charge of “Defaming President Erdoğan”: nine of these were sentenced to 4 years, 5 months and 20 days in prison as well as to punitive fines¹⁷.

Within Protection of freedom of expression, the MPM analyses also whether freedom of expression online is formally guaranteed and respected in practice. This specific focus is interesting as it gives an overview of how different countries interpret and apply the rule of law for freedom of expression online. In general, the laws are not specifically drafted to protect freedom of expression online: according to international standards, online expression should be limited to the same grounds and extent as offline expression. Nonetheless, this may lead to an incoherent enforcement of the provisions regarding restrictions online, to a different set of remedies to tackle illegal content online, as well as to a lack of predictability and foreseeable consequences of expression online. The sub-indicator on guarantees of freedom of expression online seeks to analyse whether restrictive measures of blocking, filtering and removing online content comply with the three conditions set by Article 10(2) ECHR, namely that limitations on freedom of expression are prescribed by law, pursue a legitimate aim foreseen in Article 10(2) ECHR, and are necessary in a democratic society according to the case-law of the ECtHR. Another aim of the sub-indicator is to collect information on and assess risks stemming from blocking and filtering practices of governments and online intermediaries. It must be noted that in 2016, at EU level, the Commission agreed a Code of Conduct on combatting illegal hate speech, signed by major IT companies, which delegates to private online platforms to remove or block access to content that, was deemed illegal hate speech by platforms themselves¹⁸.

The sub-indicator on the Guarantees of Freedom of Expression online is the one at the lowest risk within this indicator, with 8 countries scoring medium risk level (Bulgaria, Germany, Greece, Latvia, Poland, Romania) and or high risk (Serbia and Turkey). Among relevant developments on this issue the German NetzDG, Network Enforcement Act, adopted in 2017, requires social network companies (including Facebook, Twitter and Google) to remove content that is considered illegal according to the German Criminal Code, within 24 hours of it being brought to their attention. The law, undoubtedly, is a first attempt to respond to the massive spread of illegal content online, but it was criticised for delegating the interpretation and the enforcement of some articles of the Criminal Code to private companies¹⁹. Nonetheless the law foresees a monitoring mechanism on the implementation: platforms are obliged (Section 2 of the Network Enforcement Act) to report bi-annually on the implementation of the law (first results expected in the 2nd half of 2018).

Other countries that score medium risk have seen cases of convictions for insults on Facebook (Bulgaria), a lack of clarity of the rules applicable for the online environment and the use of criminal defamation proceedings. In Poland, journalists and media professionals are facing political pressure and self-censorship seems to grow when controversial issues are at stake²⁰ (Klimkiewicz 2018). Turkey scores high risk for this sub-indicator, with very high risks reported for

14 In July 2017 (http://europa.eu/rapid/press-release_IP-17-2205_en.htm) the Commission launched an infringement procedure on the “ Polish Law on Ordinary Courts”, also on the grounds of its impact on the independence of the judiciary. In December 2017, the Commission triggered Article 7(1) procedure for the first time, and submitted to the Council a Reasoned Proposal in accordance with art. 7(1) of the Treaty on European Union regarding the rule of law in Poland http://europa.eu/rapid/press-release_IP-17-5367_en.htm . See, also http://europa.eu/rapid/press-release_IP-18-5830_en.htm

15 The functioning of democratic institutions in Turkey”, Parliamentary Assembly, 25.04.2017, <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-EN.asp?fileid=23665&lang=en>

16 MPM2017 data collection for Turkey.

17 According the CPJ (Committee to Protect Journalists) in 2017, “Despite releasing some journalists in 2017, Turkey remains the world’s worst jailer for the second consecutive year, with 73 journalists behind bars” <https://cpj.org/reports/2017/12/journalists-prison-jail-record-number-turkey-china-egypt.php>

18 Code of conduct to counter hate speech online, http://ec.europa.eu/newsroom/just/item-detail.cfm?item_id=54300. The implementation of the Code is regularly assessed. IT companies and the European Commission agreed to discuss how to promote transparency and encourage counter and alternative narratives online.

19 See OSCE Representative on Freedom of the Media warns Germany social networks law could have disproportionate effect, <https://www.osce.org/fom/347651>; Germany: Draft Bill on Social Networks Raises Serious Free Expression Concerns, <https://www.coe.int/en/web/media-freedom/all-alerts/-/soj/alert/25419466>

Art. 19, Germany: The Act to Improve Enforcement of the Law in Social Networks, <https://www.article19.org/wp-content/uploads/2017/09/170901-Legal-Analysis-German-NetzDG-Act.pdf> Will Germany’s new law kill free speech online? <https://www.bbc.com/news/blogs-trending-41042266>

20 From the MPM2017 Poland (data collection): the case illustrating this uncertainty is termination of news blog mediainside.pl on 17 August 2017 due to the publication of an information on its blog about firing Marzena Paczuska and appointing Jarosław Olechowski as the ed-

all the variables that compose it, which confirms its outlier position in comparison with the other assessed countries. According to the data collection, the high risk detected in Serbia is mostly due to the role of social media and search engines as parallel structures that arbitrarily remove online content without any judicial review: this is an element that is not clearly acknowledged in other countries, but can be considered as a feature to be further analysed and researched, also in the light of recent developments in the EU policy in that regard. It must be noted, nonetheless, that data on this sub-indicator are not available for all MPM2017 31 countries: it is very difficult, indeed, to have sound and transparent information on what online content member states and private intermediaries are blocking, filtering and removing²¹.

As previously said, Turkey is the only state that scores high risk for this very basic indicator on protection of freedom of expression (82%). According to Inceoglu et al (2018), “the Anti-terror Law (TMK, no. 3713 of 1991) and the related articles of Turkish Penal Code (TCK) are interpreted and applied in ways that impede the freedom of expression of members of Parliament, academics and journalists. Based on the Anti-Terror law and the Penal Code, journalists are charged with “being a member of an armed organisation”, “propagandising for an illegal organisation”, “forming an illegal organisation”, “participating in the coup” and “targeting unity of the state and integrity of the country”. The judiciary seems to be captured by political power and its decisions appear not to follow the rule of law. It has been the case, for instance, of the trial against journalist Mehmet Altan, abusively imprisoned for a long period: the judging tribunal simply ignored a decision of the Turkish Constitutional Court, which had previously established that his pre-trial detention, prolonged for longer than a year, had violated his rights to freedom and personal security as well as his freedom of expression. On this basis the Court had established for his immediate release, but the lower tribunal not only decided to not apply this decision but finally condemned him to life in jail²².

PROTECTION OF THE RIGHT TO INFORMATION

The indicator on the Protection of the right to information is designed to assess the existence and effective implementation of regulatory safeguards in relation to access to information and to the protection of whistleblowers, this latter being a new sub-indicator included in MPM2017. Hence, it aims to assess one of the building blocks of media freedom and especially of investigative journalism. The indicator, as in the past MPM editions, focuses on the right of access to information that is held by public authorities and the state, the lawfulness of its limitations, as well as the existence and effectiveness of appeal mechanisms in cases where there is denial of access to information. The indicator is based on the principle that all information in the hands of the State belongs to the public, with limited and qualified exceptions that must be justified by State authorities. The indicator has been also enhanced with a sub-indicator on whistleblowers protection, aiming to understand whether in a given country legislation on the topic exists, whether it is implemented in practice and whether the country is free from arbitrary sanctioning of whistleblowers. Based on the standards of the Council of Europe, (Recommendation CM/Rec(2014)7 of the Committee of Ministers to member States on the protection of whistleblowers) a “whistleblower” is “any person who reports or discloses information on a threat or harm to the public interest in the context of their work-based relationship, whether it be in the public or private sector”²³. Whistleblowing are fundamental to journalists to shed light on wrongdoing in the workplace (eg. corruption, fraud), and expose situations that are harmful for the public interest. Whistleblowers should be protected, as they need specific channels to be able to expose their case without fear and as their action potentially expose them to negative personal consequences.

The indicator on protection of the right to information scores an average of 42% risk, reaching a medium risk level, quite alarming in the Basic Protection area. It must be noted that, in comparison to the MPM2016, this indicator increased from 24% to 42% mostly due to the inclusion of a new sub-indicator that assesses the risks linked to the lack of Protection of whistleblowers.

With this change in the methodology, the majority of countries ended up scoring medium risk (20 countries - (Austria, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, FYRoM, Greece, Hungary, Latvia, Portugal, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia, Spain, United Kingdom), with 2 at high risk (Luxembourg and Turkey), and only 9 countries scoring low risk (Belgium, Denmark, France, Germany, Ireland, Italy, Serbia, Netherlands, Sweden). This highlights a specific problem related to whistleblowers protection standards in the analysed countries.

itor-in-chief of the main national news programme of the Polish public television (Wiadomości – the News). Mediainside.pl apologised to those quoted in their account and published an official statement: “To our great sadness, it seems that in the newest history of Poland, it is impossible to write freely even about the media, without political backing”

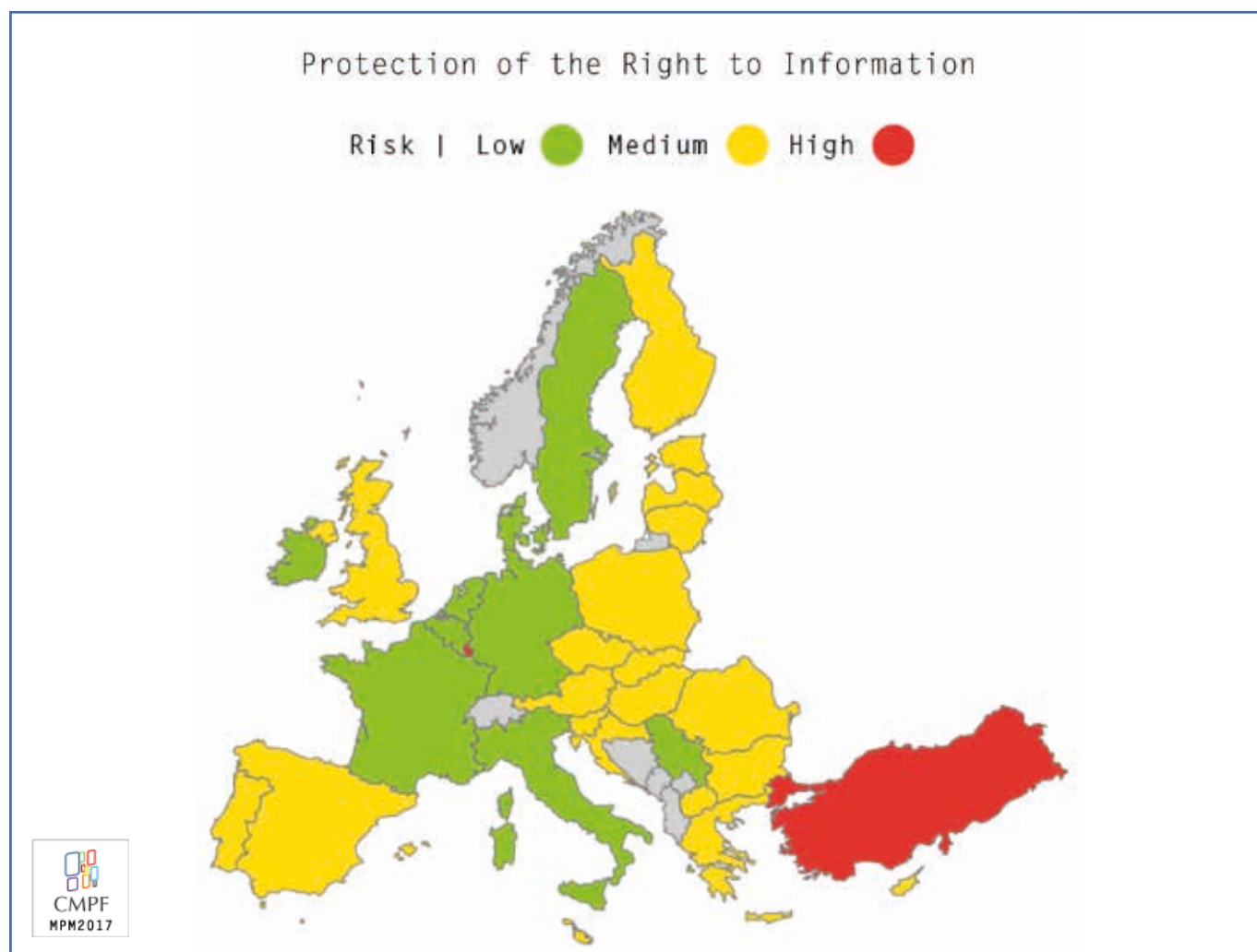
21 It will be interesting, therefore, to check whether transparency obligations under the EC Code of Conduct to counter hate speech may be useful to collect data, also at national level, and better understand the final impact on freedom of expression of this kind of self-regulatory initiatives.

22 Mehmet Altan has been temporarily released in June 2018, after 21 month of imprisonment. On 20 March 2018, the European Court of Human Rights ruled that his rights under the European Convention on Human Rights had been violated (art. 5 Right to liberty and security and art.10 - freedom of expression).

23 https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c5ea5

The sub-indicator on Legal protection of right to information remained within the low risk range (32%), although higher than in MPM2016 (24%). In this sub-indicator the majority of countries scores low risk (21), with 7 countries at medium risk (Bulgaria, Croatia, Cyprus, Hungary, Spain, Malta, Slovenia) and 3 countries at high risk (Austria, Luxembourg and Turkey). Austria and Luxembourg confirmed the negative scores as regards the respect of access to information standards, as resulted both from MPM2015 and MPM2016 assessments. In Austria, Article 20(4) of the Federal Constitution states that there is a right to information. However, the obligation of administrative authorities (at a national, regional and local level) to maintain secrecy has precedence (article 20(3)). There is no positive obligation for the authorities to provide information to the public. In Luxembourg, the Ministry of State has elaborated a new draft bill on “open and transparent administration”, which has been widely criticised by civil society organisations as being too restrictive (and Schall, 2018). In Turkey, the right to freedom of information faces too many exemptions, interpreted broadly, severely limiting the effective scope of the right.

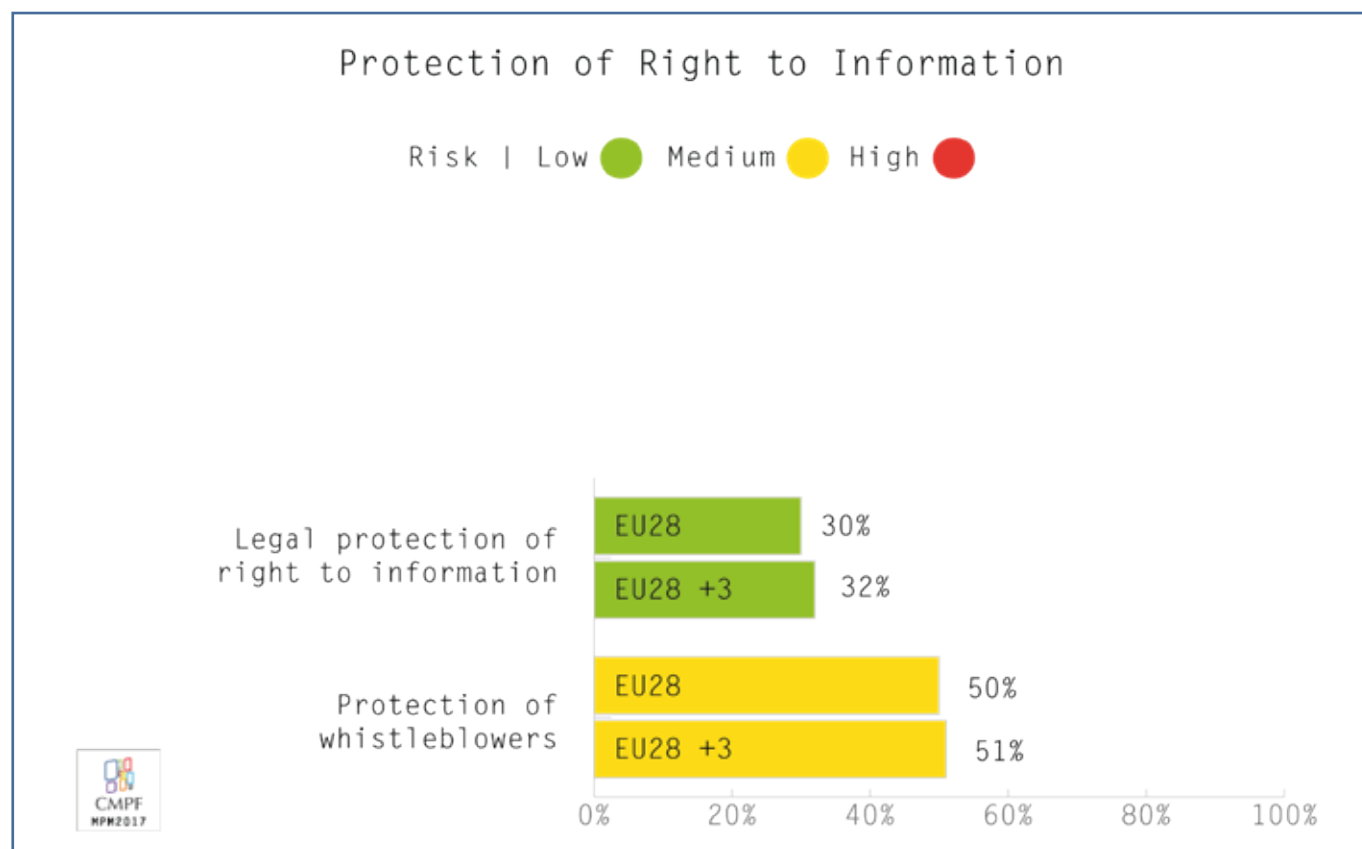
Figure 1.1.5. Indicator on Protection of the right to information - Map of risks per country



As for the sub-indicator on Protection of whistleblowers, the situation is alarming. The average risk for this sub-indicator is 51% (medium risk) with 24 countries scoring medium risk (Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Finland, France, FYRoM, Italy, Lithuania, Serbia, Slovakia, Slovenia, Spain, and Poland) or high risk (Estonia, Greece, Latvia, Luxembourg, Malta, Portugal, Romania, Turkey and United Kingdom) and only 7 countries at low risk (Austria, Belgium, Germany, Hungary, Ireland, Netherlands, Sweden). This is due to the fact that either there is no comprehensive regulatory framework for the protection of whistleblowers (Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, Latvia, Lithuania, Poland, Portugal, Slovenia, Spain, Turkey) or when it exists it is not generally enforced in practice (Austria, France, FYRoM, Germany, Greece, Hungary, Ireland, Luxembourg, Romania, Serbia, Slovakia, United Kingdom). Other cases are those of a law like in the case of Malta, that does not fit the purpose (weakness of regulation to protect whistleblowers: the law does not protect whistleblowers if they fail to first resort to internal reporting procedures or if they report to the press or other media) or, like in the case of Italy, can be hardly assessed in terms of practical application, due to its recent adoption. As regards Luxembourg, the regulatory measures in place are assessed as being too restrictive because they are mainly limited to cases of corruption, trading in influence or money laundering.

It must also be noted that retrieving datasets and research both on the implementation of the law on whistleblowers and on the effective conditions of whistleblowers (i.e. whether, for instance whistleblowers are facing negative consequences in relation to their actions) proved to be difficult.

Figure 1.1.6. Indicator on Protection of the right to information - Averages per sub-indicator

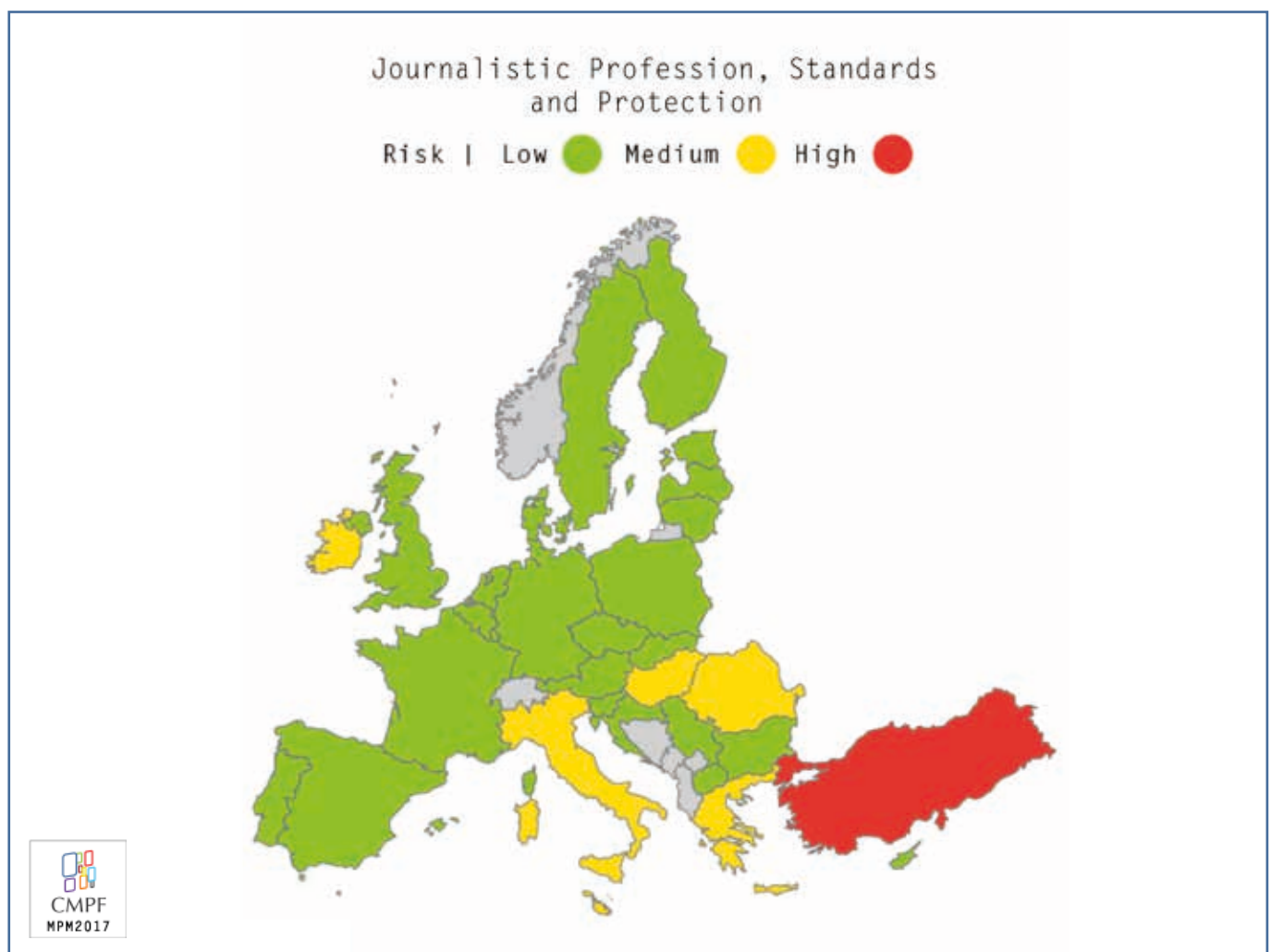


JOURNALISTIC PROFESSION, STANDARDS AND PROTECTION

Journalists (and other media actors) are those that, in a functioning democratic society, feed the public debate and ensure the public is informed on all matters of public interest. Contributing to the public debate, journalists influence public opinion and, in the end, electoral choices of voters and accountability of politicians. It is therefore important that, in a democratic society, access to the profession of journalist is not limited (e.g. subject to licensing schemes)²⁴; and that journalists can act independently from political and commercial interests and may rely on an “enabling environment” to carry out their job. In this regard, the standards are provided by the ECtHR: the Court has stressed in its case-law that countries have positive obligations to “create a favourable environment for participation in public debate by all persons concerned, enabling them to express their opinions and ideas without fear”²⁵. This means also that the countries are under a duty to guarantee a safe environment where journalists and other media actors can exercise their watchdog function²⁶.

The MPM indicator on Journalistic profession, standards and protection deals with a range of different aspects concerning the journalists and journalism. The indicator is composed of four sub-indicators, that describe risks resulting from conditions to access the profession; from the level of representation of the interests of media professionals and media employers in labour relations and the effectiveness of professional organisations to guarantee professional standards; from safety conditions, both physical and “digital”, and working conditions; and from the existence and levels of implementation of rules on protection of journalistic sources. MPM2017 has introduced also two new variables to acknowledge the situation of those countries where cases of arbitrary arrests or imprisonments of journalists because of the exercise of their profession are envisaged (whether there are, for instance, politically motivated arrests/detainment and imprisonment of journalists) and the cases of severe threats to life of journalists, including physical threats, injuries and killings.

Figure 1.1.7. Indicator on Journalistic profession, standards and protection - Map of risks per country



24 Cf. Art. 19, Licensing of media workers, <https://www.article19.org/pages/en/licensing-of-media-workers.html>.

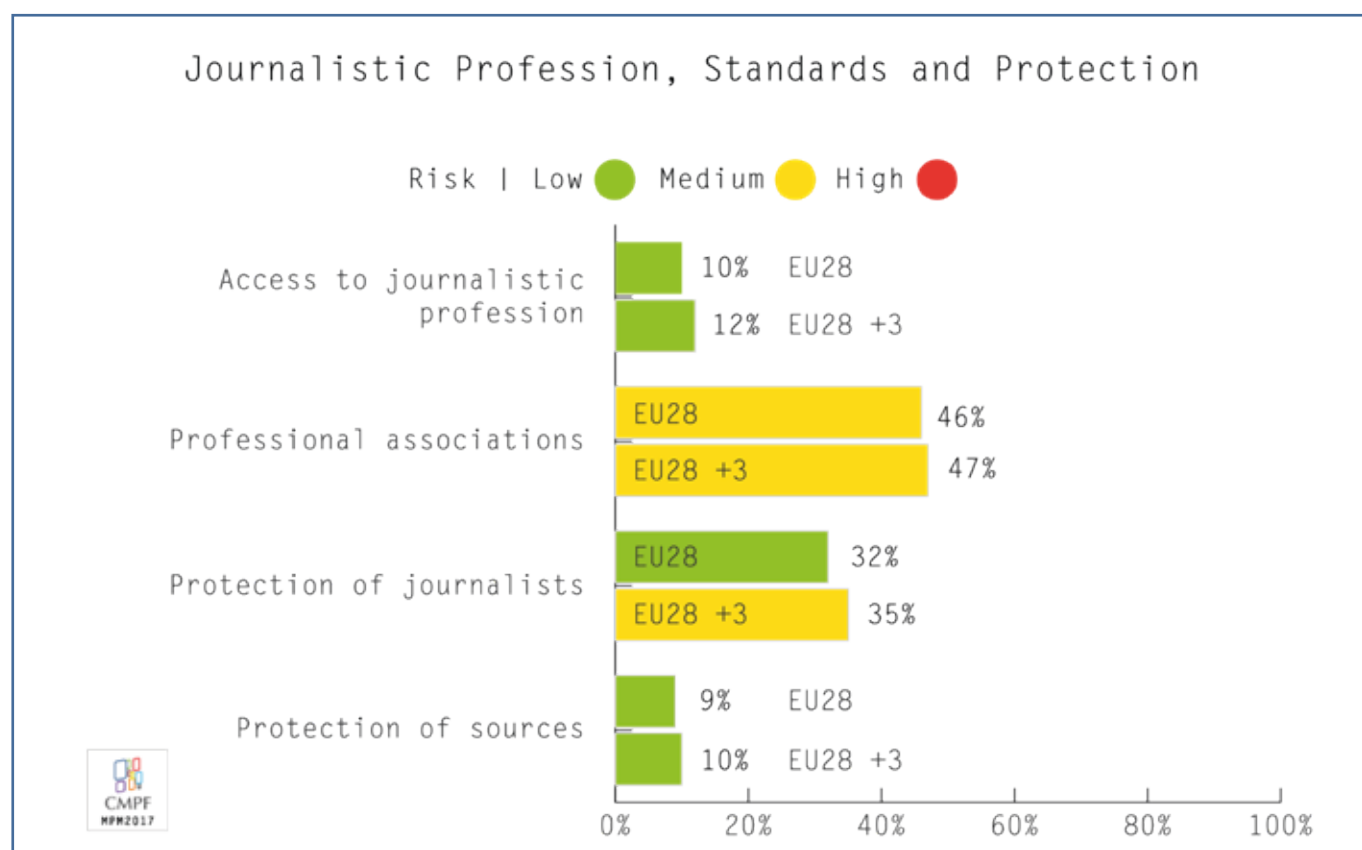
25 ECtHR, case Dink v. Turkey, 2668/07, 6102/08, 30079/08, 7072/09 et 7124/09. See also Committee of Ministers adopted a Recommendation on the protection of journalism and safety of journalists and other media actors (2016) 4.

26 This obligation was stressed also during the 2016 Colloquium on Fundamental Rights, see Media pluralism and democracy: outcomes of the 2016 Annual Colloquium on Fundamental Rights, http://ec.europa.eu/information_society/newsroom/image/document/2016-50/2016-fundamental-colloquium-conclusions_40602.pdf

This indicator scores a low risk 26%. This risk is lower than in MPM2016, but must be read in the light of the different composition of the sub-indicator on protection of journalists. The inclusion of two new variables on arbitrary arrests or imprisonments, and killings of journalists formally reduced the risks for this indicator for the majority of the countries assessed by the MPM, with the only exceptions of Malta and Turkey. It is suggested, therefore, to read the results of this indicator taking into account the composition of the indicator itself and the scoring per sub-indicator, that analyse different risks related to the status of journalists, to better compare the results with MPM2016.

Access to the journalistic profession does not show particular limitations in the EU (average of the indicator 12%). As a standard in Europe, in most of the countries the access to the profession is open: self-regulatory instruments prescribe who may practice journalism; commonly licensing or registration of journalists is made on the basis of transparent, objective, proportionate and non-discriminatory requirements. As in MPM2016, Italy scores a high risk under this sub-indicator, as access to the journalistic profession is conditional upon the conditions defined by a specific law (n.69 of 1963) that requires the mandatory enrolment to the Albo dei Giornalisti (Register of Journalists), kept by the Ordine dei Giornalisti (Order of Journalists) to be qualified as a professional journalist. As in MPM2016, in some countries access to journalism seems to be restrained de facto by poor working conditions associated with the profession itself (Austria, Hungary) and by political pressures (Hungary). Although there are no legal barriers, the country report also stresses that access to the profession in Ireland is influenced by education (and level of education by income).

Figure 1.1.8. Indicator on Journalistic profession, standards and protection - Averages per sub-indicator



The assessment of the effectiveness of professional associations and unions in supporting better working conditions, including independence, for member journalists²⁷ shows an average medium and stable risk (47% against the 46% of MPM2016). This somehow confirms a general trend, as most of the analysed countries score high or medium risk under the relevant variables (see also CMPE, 2017).

The indicator on Journalistic profession, standards and protection contains a variable assessing the risks for the protection of journalists, both in terms of professional standards and safety, including digital. The assassination of Daphne Caruana Galizia in October 2017 in Malta has been a crime that heavily influenced public opinion on the role and the threats to investigative journalists. Her murder has shaken the international community and abruptly brought into focus and raised awareness in Europe on the issue of safety of journalists. Daphne Caruana Galizia was a

²⁷ Please, note that the assessment for this variable is subject to the so called “Group of experts’ procedure”, see below Part 2 of this report. It means that the MPM country team evaluation has been checked against the opinion of seven experts, representing stakeholders in the media sector, NGOs and academics.

very well known Maltese journalist. She published in many local newspapers and also personally edited the Running Commentary, a very popular blog in which she was reporting on cases of misconduct, corruption, money-laundering, mostly involving Maltese politicians. CMPE, in MPM2016 acknowledged her problematic situation and the threats she was suffering²⁸. As regards the MPM2017, the risk for the sub-indicator on protection of journalists raises sensibly for Malta. The murder of Daphne Caruana Galizia has been a sad reminder on the fact that Europe is not immune from such horrible crimes committed against journalists. This event should remind EU governments that they have the positive obligation to guarantee an enabling environment for journalists (ECtHR Dink vs Turkey) and they have to put in place all the efforts to avoid impunity for such crimes. The killing of Daphne Caruana Galizia has been followed in early 2018 by the murder of the investigative journalist Ján Kuciak and his fiancée Martina Kušnírová in Slovakia. Kuciak was investigating on links of local politicians with Italian organised crime. It must be noted that, as it covers just the events occurred in 2017, the MPM2017 is not assessing the impact of these latest murders on the indicator on Status of journalists. The results for Slovakia, therefore, cannot be used as an evaluation of the situation in the light of 2018 events. CMPE, nonetheless, uses the opportunity of this report, written in 2018, to stress the need to keep the alarm level high when it comes to protection of journalists, something that is not clearly focussed by all European governments. For instance, recently, the new Italian minister for Interior affairs has declared he is planning to reconsider the need of the state armed escort for the journalist Roberto Saviano, internationally known for his inquiries on Italian criminal organisations and seriously threatened by them as a consequence. Statements like this, grounded on the assumption that having an armed escort is a privilege, may be detrimental for the establishment of an enabling environment for journalists.

It must be noted that in MPM2017 13 countries (Bulgaria, Croatia, Cyprus, France, Greece, Hungary, Ireland, Italy, Malta, Romania, Serbia, Slovenia, Sweden) are assessed as medium risk for the sub-indicator on protection of journalists, meaning either poor working conditions or threats. When analysing the details of the sub-indicator, 12 countries have reported cases of threats to journalists in their countries (Belgium, Cyprus, Estonia, FYRoM, Germany, Hungary, Ireland, Lithuania, Netherlands, Poland, Slovenia, United Kingdom) and 12 have reported cases of both threats and attacks (Bulgaria, Croatia, Finland, France, Greece, Italy, Malta, Romania, Serbia, Spain, Sweden, Turkey). In the case of Croatia, for instance, there have been multiple threats and attacks in the past years to journalists. Among most prominent, an effigy of a columnist Ante Tomić was burned publicly during a carnival in 2014 and he was also attacked in his hometown of Split twice. An investigative journalist Željko Peratović was brutally attacked in 2014. The European Journalists Association noted the case and sent an open letter to all relevant public officials. They supported the Croatian Journalists Association (HND) in requesting public authorities to classify the case as an attempt of murder²⁹. In Greece, attacks to journalists are becoming frequent, for instance the attacks from Golden dawn members: in April 2017, ESIEA, the journalists' association based in Athens, reported on a group of about ten masked individuals who burst into the office of Kathimerini in Thessaloniki, throwing paint and flyers. In Italy, there were many cases of journalists beaten and threatened, mostly by organised crime. In 2017, in order to guarantee their safety, the Italian government grants an armed escort to 20 journalists. In Romania, according to MPM2017 data collection, there have been many cases of journalists threatened by politicians. Cases of impunity for crimes against journalists (Murder of Dada Vujasinovic in Serbia, Hrant Dink in Turkey) are reported.

Turkey scores high risk for the sub-indicator on Protection of journalists also as a consequence of the imprisonment of many journalists. After the attempted coup of July 2016, the risk gravely increased in the country. Aftermath of the coup-attempt, the government has used excessive powers under the state of emergency, to purge of media outlets and to silence dissident journalists. According to the Platform for Independent Journalism P24 at least 153 media workers are in jail, about 200 media outlets (including community and minority media) are closed as of March 15, 2018 (Inceoglu et al 2018).

As regards digital safety of journalists, the indicator on Journalistic profession, standard and protection in the MPM collects information on the existence of threats to the digital safety of journalists, including through illegitimate surveillance of their searches and online activities, their email or social media profiles, hacking and other attacks by state or non-state actors. Threats of violence, typically made online, have become increasingly common in recent years. As public figures, journalists are often targeted. The data show that online threats are faced by journalists in 17 countries. Journalists are often object of hate speech, and are also implicitly or explicitly threatened with violence. The analysis of the cases shows that, sometimes, individual journalists are singled out online and in cases repeatedly attacked over an extended period, both on social media or by private email or messages. In France, the law allows a wide range of public officials (including police, gendarmes, intelligence and anti-terrorist agencies, as well as several government ministries) to directly monitor computer, tablet and smartphone use in real time, and without prior authorisation, for the purpose of gathering metadata (Willsher, 2013). This legislation contains no exemptions that

28 She was having her bank accounts frozen with precautionary warrants for 47,460 EUR after a court upheld on 8 February 2017 a request by Maltese Economy Minister Chris Cardona and his consultant Joe Gerada to issue garnishee orders alongside four libel suits they have filed against her (CoE, 10 Feb 2017).

29 MPM2017 data collection

could apply to journalistic communications³⁰.

A final note on protection of sources: Netherlands seem to be the only country where protection of sources is not established in any law or in case-law which represents a risk in this country. The Dutch government has been repeatedly criticised by the European Court of Human Rights for not having legislation in place that legally guarantees the protection of journalistic sources. In Greece, there is no general recognition of this professional secret for journalists, but a 2003 Presidential Decree states that journalists have the right not to disclose the source of information, which they have secured in confidence. This is a limited legal recognition of the protection of sources as it only applies to radio and television news and current affairs programmes. Moreover, there is no legal elaboration of any permissible restrictions to it. According to MPM2017 data, only a few countries report a poor implementation of the rules on protection of sources (FYRoM, Hungary, UK).

INDEPENDENCE AND EFFECTIVENESS OF THE MEDIA AUTHORITY

The indicator on Independence and effectiveness of the media authority is designed to capture a number of different characteristics of media authorities in the countries analysed: whether the appointment procedures guarantee their independence and whether the authorities are independent in practice; whether the allocation of budgetary resources protects authorities from coercive budgetary pressures and ensures the possibility of performing freely their functions; the type of powers and appeal mechanisms which are in place in regard to the authorities' decisions; transparency and accountability of their actions. On a methodological note, the MPM considers a media authority to be a public body which upholds the rules that are formulated in media acts and laws and which oversees the media market. For those countries that do not have an authority specifically devoted to media regulation, the MPM asks to consider and assess the authority that is part of the European Regulators Group for Audiovisual Media Services (ERGA) or of the European Platform of Regulatory Authorities (EPRA). For Estonia, for instance, the Technical Regulation Authority is considered, while for Spain the competition authority.

Media authorities are increasingly becoming key actors in media regulation in Europe. The recent agreement of the Trilogue³¹ on the revision of the Audiovisual media services directive (AVMSD) stresses their importance (within the scope of the AVMSD, the authorities for audiovisual media services) and aims to reinforce their independence towards political and commercial interests. In particular, the draft reform includes a requirement for Member States to have independent regulatory authorities for audiovisual media services that should be legally distinct from the executive power and functionally independent of their respective governments and of any other public or private body. The independent audiovisual media authorities should not be instructed by any other body in relation to the exercise of the tasks and should exercise their powers impartially and transparently, in line with the objectives of the AVMSD, including media pluralism, cultural and linguistic diversity, consumer protection, accessibility, non-discrimination, internal market and the promotion of fair competition. The competencies of audiovisual media authorities should be clearly defined in law and should have adequate resources and enforcement powers to carry out their functions effectively. Member States have to set up transparent procedures for the appointment and dismissal of the head of a national regulatory authority or the members of the collegiate body. An appeal mechanism against the decision of a regulator on national level will also be provided.³²

The standards that have been highlighted by the draft directive are those that the MPM already uses to assess the independence and effectiveness of the media authorities. It must be acknowledged that the MPM methodology considers a media authority to be a public body which upholds the rules that are formulated in media acts and laws and which oversees the (audiovisual) media market. For those countries that do not have an authority devoted to media regulation, the MPM asks to consider and assess the authority that is part of the European Regulators Group for Audiovisual Media Services (ERGA) or of the European Platform of Regulatory Authorities (EPRA). In Estonia, for instance, the Technical Regulation Authority is considered, while for Spain it is the competition authority.

In MPM2017, the average score for the indicator on Independence and effectiveness of the media authority is 21%, meaning a low risk. There are no major changes in the assessment of this indicator as compared to MPM2016. Just 7 countries reach medium risk (FYRoM, Greece, Hungary, Malta, Serbia, Slovenia, and Spain). This is due to the fact that, despite most of these countries have laws in place to ensure more transparency and independence for the media authorities, the appointment procedures are not always effective in safeguarding political and/or commercial independence of the members. The data collection for these countries report also that, in practice, media authorities are subject to some kind of political interference in their activities. Turkey is the only country that scores a high risk

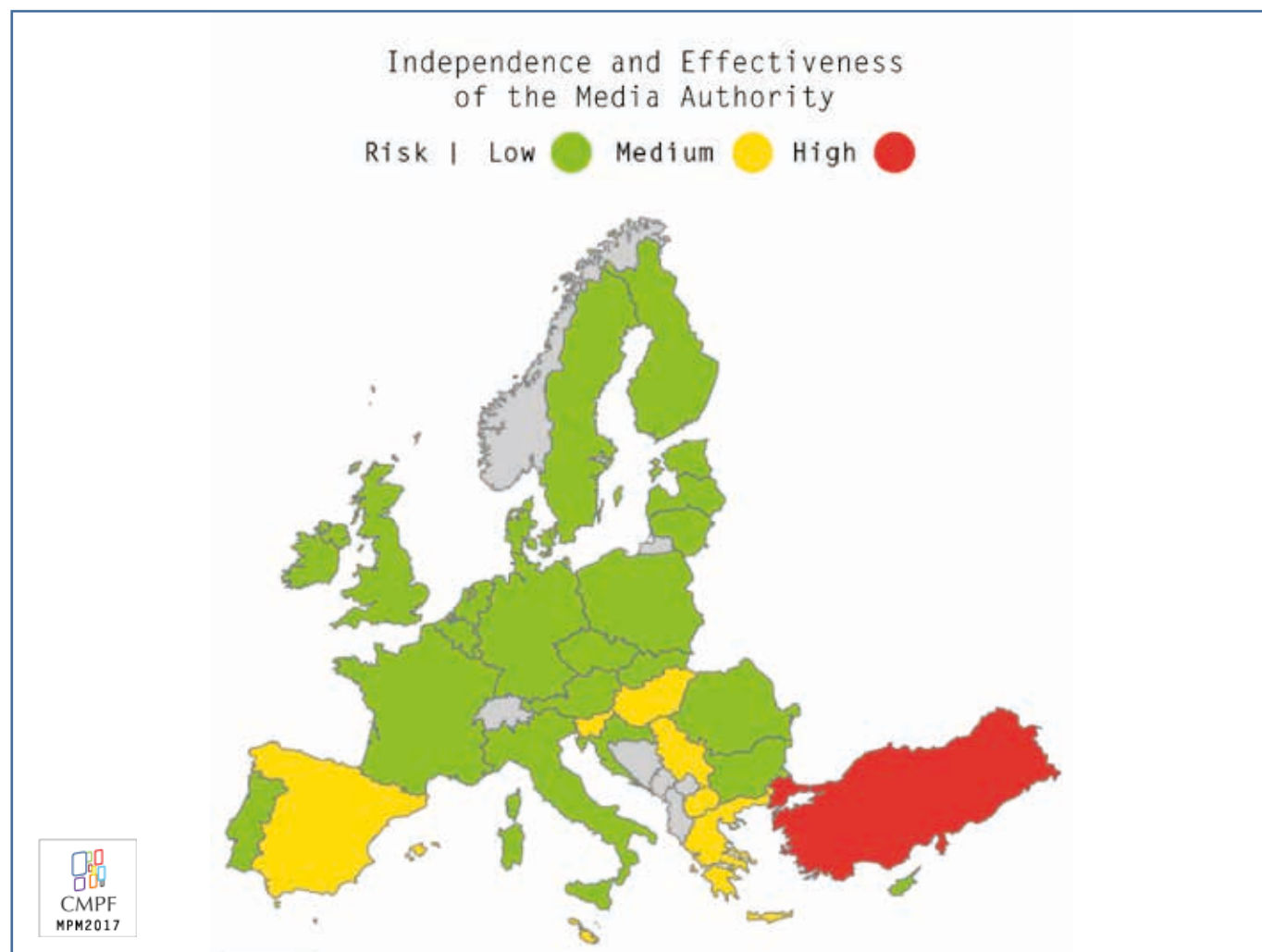
30 MPM2017 data collection for France

31 http://europa.eu/rapid/press-release_MEMO-18-4093_en.htm

32 http://europa.eu/rapid/press-release_MEMO-18-4093_en.htm

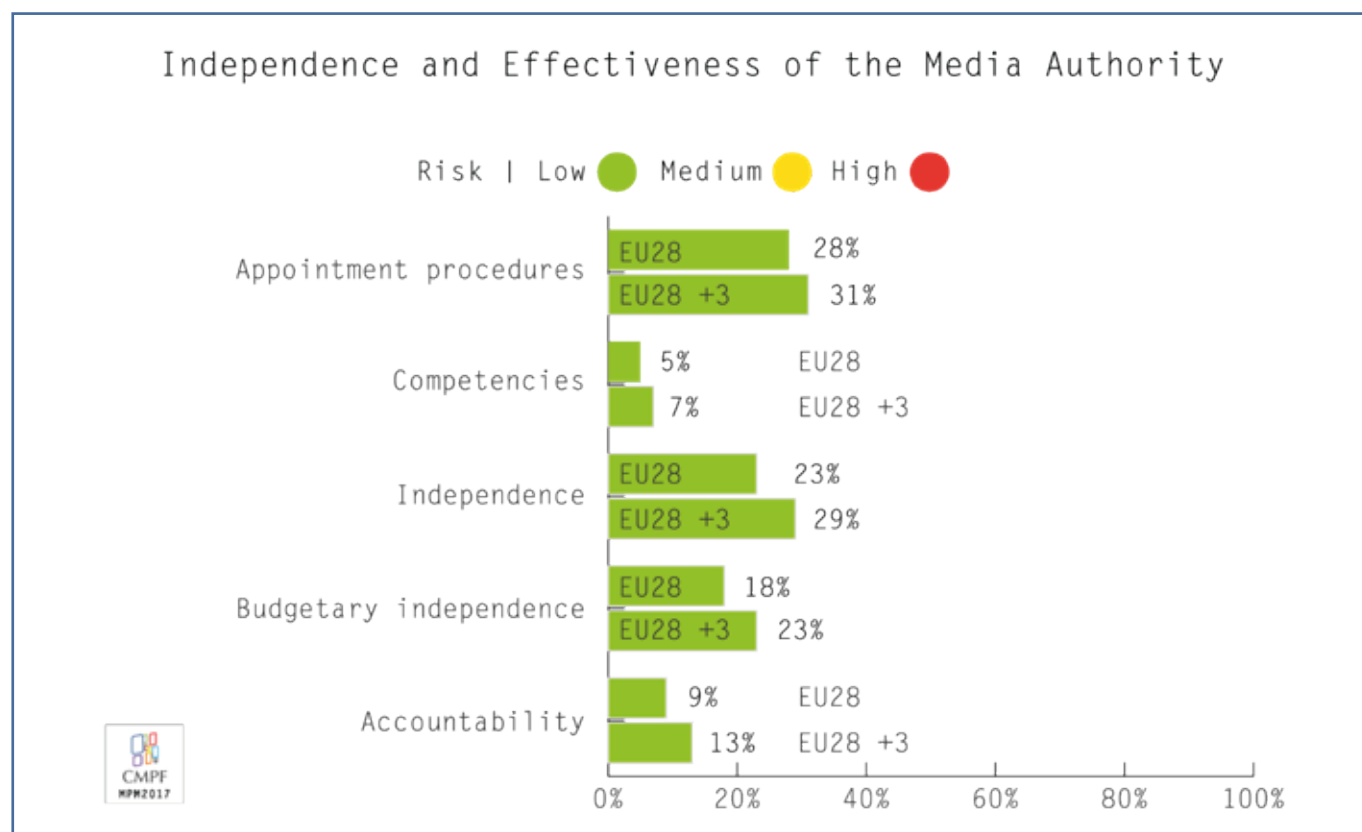
in this indicator, confirming the assessment as for MPM2016. In addition to the evaluation of MPM2016, stressing the political capture of the body, it must be added that, in the aftermath of the coup attempt, the government issued decrees-laws ordering the closure of TV channels and radio stations, predominantly for alleged links to the Gülen movement bypassing the role of the authority. The closures and suspensions extended to a number of channels broadcasting in Kurdish language, one Alevi channel and some opposition channels³³.

Figure 1.1.9. Indicator on Independence and effectiveness of the media authority - Map of risks per country



33 MPM2017 data collection for Turkey. (see country report)

Figure 1.1.10. Indicator on Independence and effectiveness of the media authority - Averages per sub-indicator



In general, the main risks for the indicator are stemming from the sub-indicator on appointing procedures and from the indicator assessing the effective independence of the media authority: as in MPM2016, this is due to the weak effectiveness of mechanisms that excludes political or commercial influences and ensure independence of the authorities through appropriate appointment procedures for the members of the authorities. Political influences on appointments do not automatically mean that the authority will act in line with political inputs, but it clearly poses a risk of further interference. The sub-indicator on Independence of the media authority scores a low risk, with a percentage (29%) close to medium risk, highlighting some cases where the authority has been captured by external pressure. Bulgaria, Croatia, Cyprus, FYRoM, Germany, Italy, Latvia, Malta, Poland, Romania, Slovenia and Spain score medium risk for this sub-indicator. Hungary, Serbia and Turkey score high risk. In Hungary, as reported by the MPM country team, since its establishment under the new media laws that came into effect in 2010, the Media Council has not showed professional independence from political or commercial influences in a great number of regulatory decisions. In particular, the Council's tendering and licensing decisions have been heavily criticised by domestic and international rights groups for lacking transparency, and in many occasions, for decisions that appear to favour outlets with close ties to the government. In Serbia the media authority has not been politically independent ever since its first establishment, based on the Broadcasting law from 2002: the Council of the Regulatory Body for Electronic Media, REM, operates with only six out of nine members and, according to the MPM2017 data collection, lacks independence in monitoring broadcasters to ensure they meet their programming obligations. A number of OSCE/ODIHR EAM interlocutors expressed concerns with regard to the REM membership, underlying reluctance of the ruling coalition to support, during electoral campaigns, civil society nominations, leading to general lack of the regulator's independence.

Across the 31 countries under consideration, the assessment of the competencies of the authorities scores an overall (low) 7% of risk level. Within this sub-indicator the main problem comes from few cases in which the government overruled decisions of the media authority.

Media authorities have an important role in the governance of national media sectors and media pluralism. MPM2016 already highlighted some trends regarding not only the level of independence of media authorities, but also their "resilience" vis à vis political power. Media authorities can be exposed, for instance, to political turnover and to the changes stemming from media regulation reforms in a given country. That was the case of Poland as regards MPM2016, where the KRRiT was deprived of competencies by a very controversial legislative reform. In some cases, the government may overrule the decisions of independent authorities. It must be noted that a recent decision of the European Union Court of Justice (2017) in the case C-560/15 Europa Way srl-AGCOM has stated that, according to the EU framework on electronic communications, the procedure of allocation of frequencies in the so-called beauty contest for the DTTV in Italy should not have been overruled by the government and the parliament. This interference

constitutes an infringement of the NRA independence and the sentence, probably, sets more clear EU standards on media and communication authorities, at least for the convergent ones.

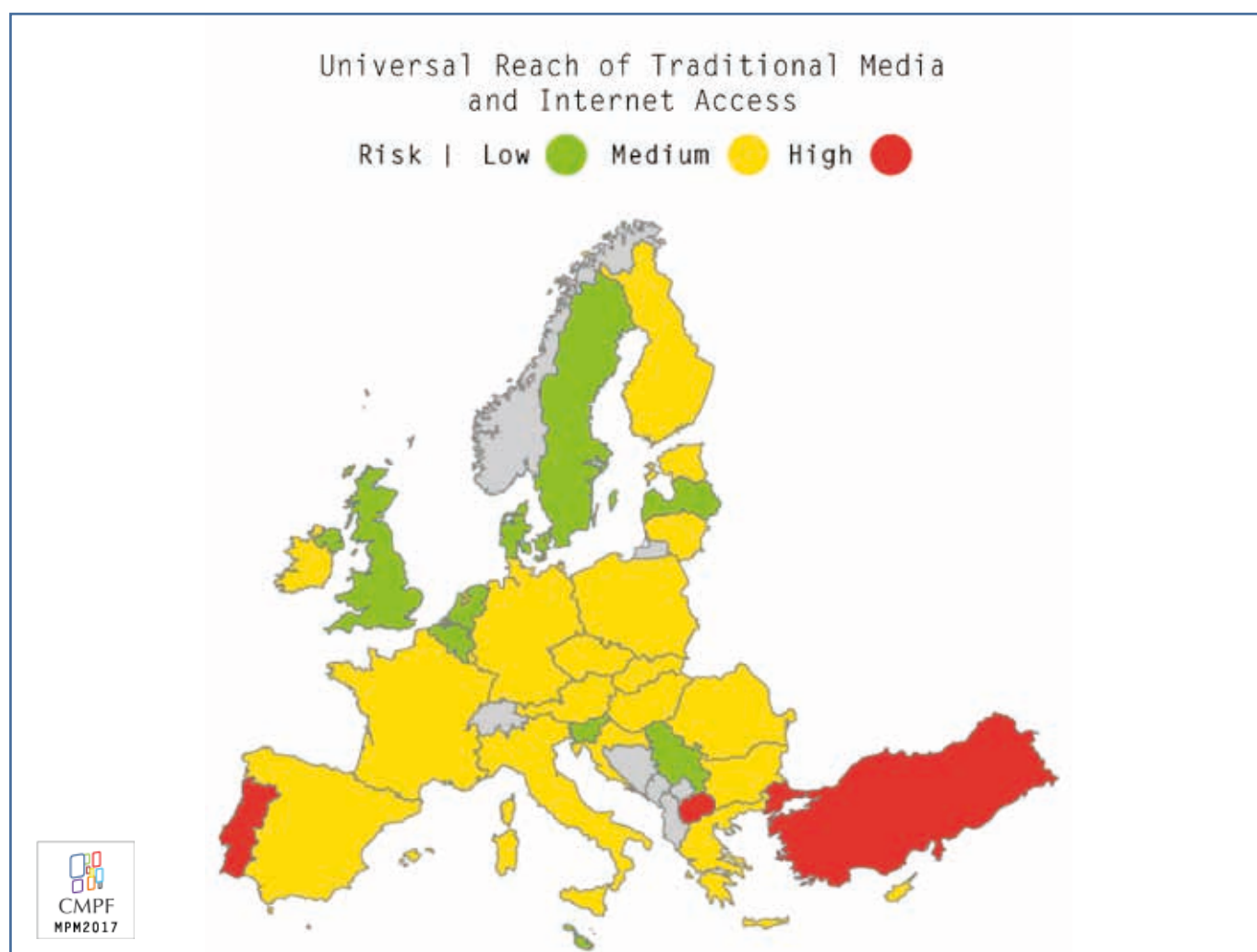
UNIVERSAL REACH OF TRADITIONAL MEDIA AND ACCESS TO THE INTERNET

The aim of the indicator on Universal reach of traditional media and access to the Internet is to describe risks to pluralism coming from an insufficient level of access to platforms of content distribution. It assesses the risk stemming from traditional tv and radio network coverage, broadband coverage and access to the internet. The indicator consists also of variables on net neutrality.

The majority of the countries analysed by MPM2017 scored a medium risk for the indicator Universal reach of traditional media and access to the Internet (19 out of 31), with 9 countries reaching a low risk (Belgium, Denmark, Latvia, Malta, Netherlands, Serbia, Slovenia, Sweden, United Kingdom) and only 3 countries (FYRoM, Portugal, Turkey) showing a high risk.

In Europe most of the population is covered and served by the networks and programme of PSM. Considering the high threshold for assessing the risk levels (Low: 99% or more; Medium: >98% and <99%; High: <98%), the coverage of PSM in Europe is quite satisfactory: 8 countries score medium risk (22 countries score low risk). Luxembourg scores high risk, due to the lack of a regulation asking for the full coverage of the local public radio and the effective alleged low coverage (90%) of the (small) territory of the country.

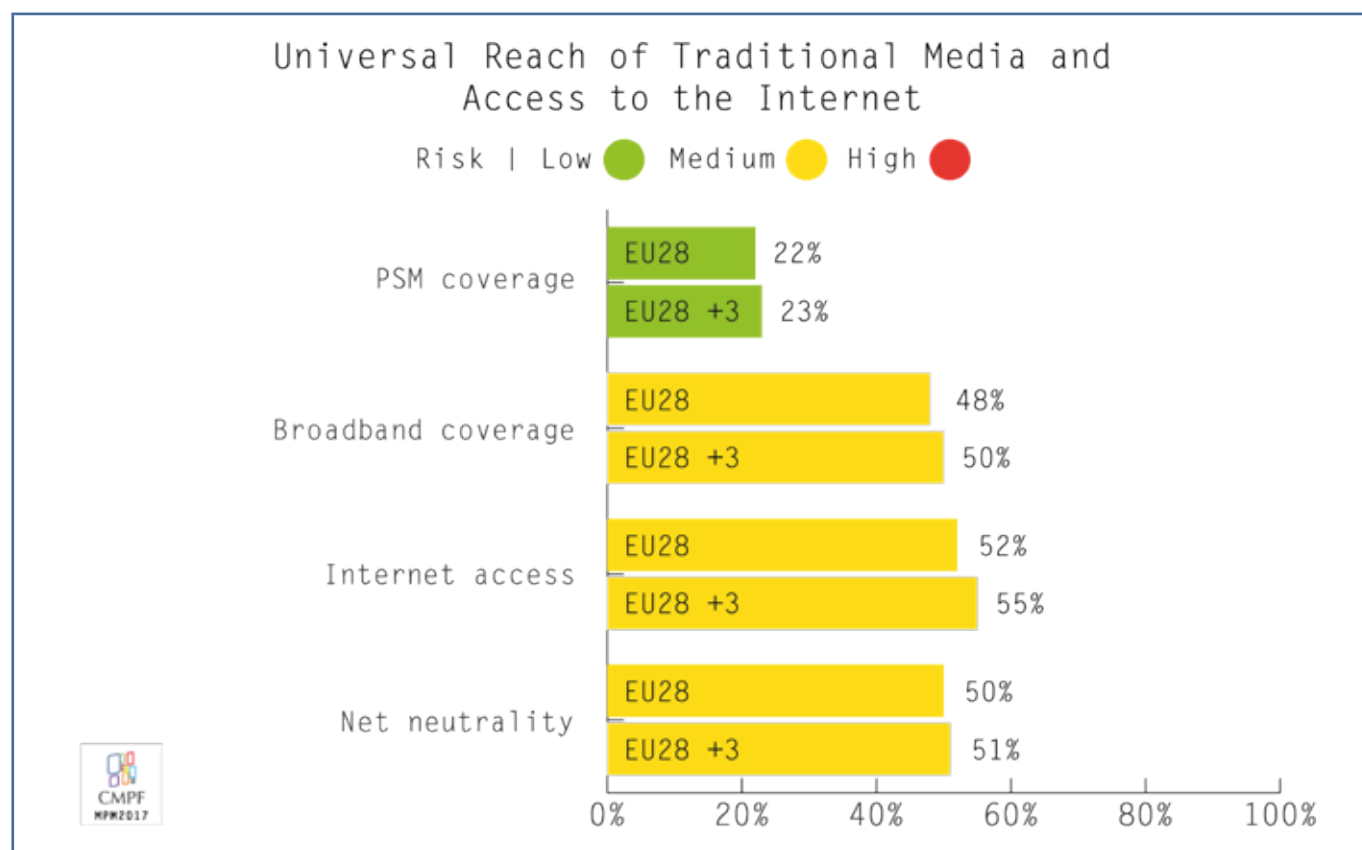
Figure 1.1.11. Indicator on Universal reach of traditional media and access to the Internet - Map of risks per country



As for the Internet Access, 7 countries scored a medium risk, 14 a high one, with just 9 countries reaching a low risk level (Serbia is not assessed due to a lack of data). MPM2017 again has a very high threshold for assessing this risk calculated by taking into account the existing levels of access to internet in EU countries)³⁴.

This indicator also showed a high concentration of the market shares in the hands of the TOP 4 Internet Service providers (ISPs) in the large majority of countries analysed. In 6 countries, no data were found. Harmonised rules on net neutrality apply throughout the EU as of 30 April 2016, following the adoption of Regulation (EU) 2015/2120 on 25 November 2015 (which is directly binding). So the principle of net neutrality is introduced directly in all 28 EU member states. Ireland and Portugal, nonetheless, score high risk for this sub-indicator, with Turkey, as they report still a partial non-compliance of the effective situation with the EU Regulation and Berec guidelines.

Figure 1.1.12. Indicator on Universal reach of traditional media and access to the Internet - Averages per sub-indicator



³⁴ MPM2017 uses speed data from the content distribution management company Akamai, which has servers around the world and is reported to handle a large percentage of global Internet traffic. Of the European countries considered by the MPM, no country currently has speed under 7.1 Mbps or over 22.8 Mbps.

1.2 ANALYSIS OF MARKET PLURALITY

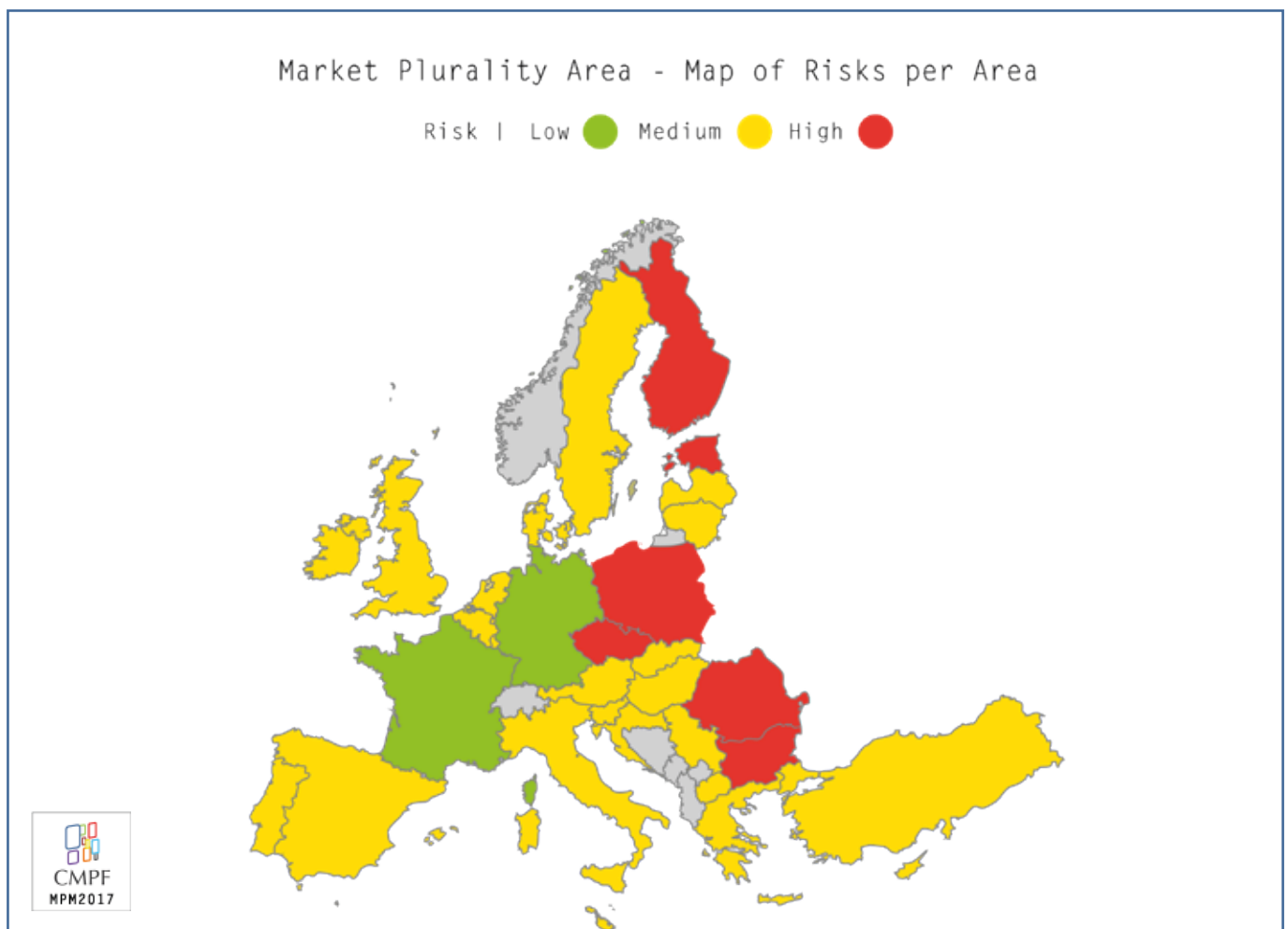
The Market Plurality area aims to assess risks to media pluralism that arise from the legal and economic context in which market players, most notably content providers, operate. For example, it seeks to establish whether regulation that restricts concentration of ownership has been enacted and, if so, whether it is effectively implemented. This area further attempts to unfold the economic conditions of the market in which these providers offer their services. For instance, it attempts to depict the levels of ownership concentration with reference to the market and audience shares that media firms hold and to interpret in terms of editorial autonomy from commercial influences the effective functioning of media markets.

The Market Plurality area comprises the following five indicators:

- Transparency of media ownership
- Horizontal concentration of ownership
- Cross-media concentration of ownership and competition enforcement
- Commercial & owner influence over editorial content
- Media viability

As with all other areas of the Monitor, the above five indicators consist of sub-indicators. In turn, these sub-indicators encompass variables that evaluate risks that are pertinent to the issue under examination. For example, the indicator assessing commercial & owner influence over editorial content contains a sub-indicator on editorial decision-making, which includes variables relating to regulation that prohibits advertorials.

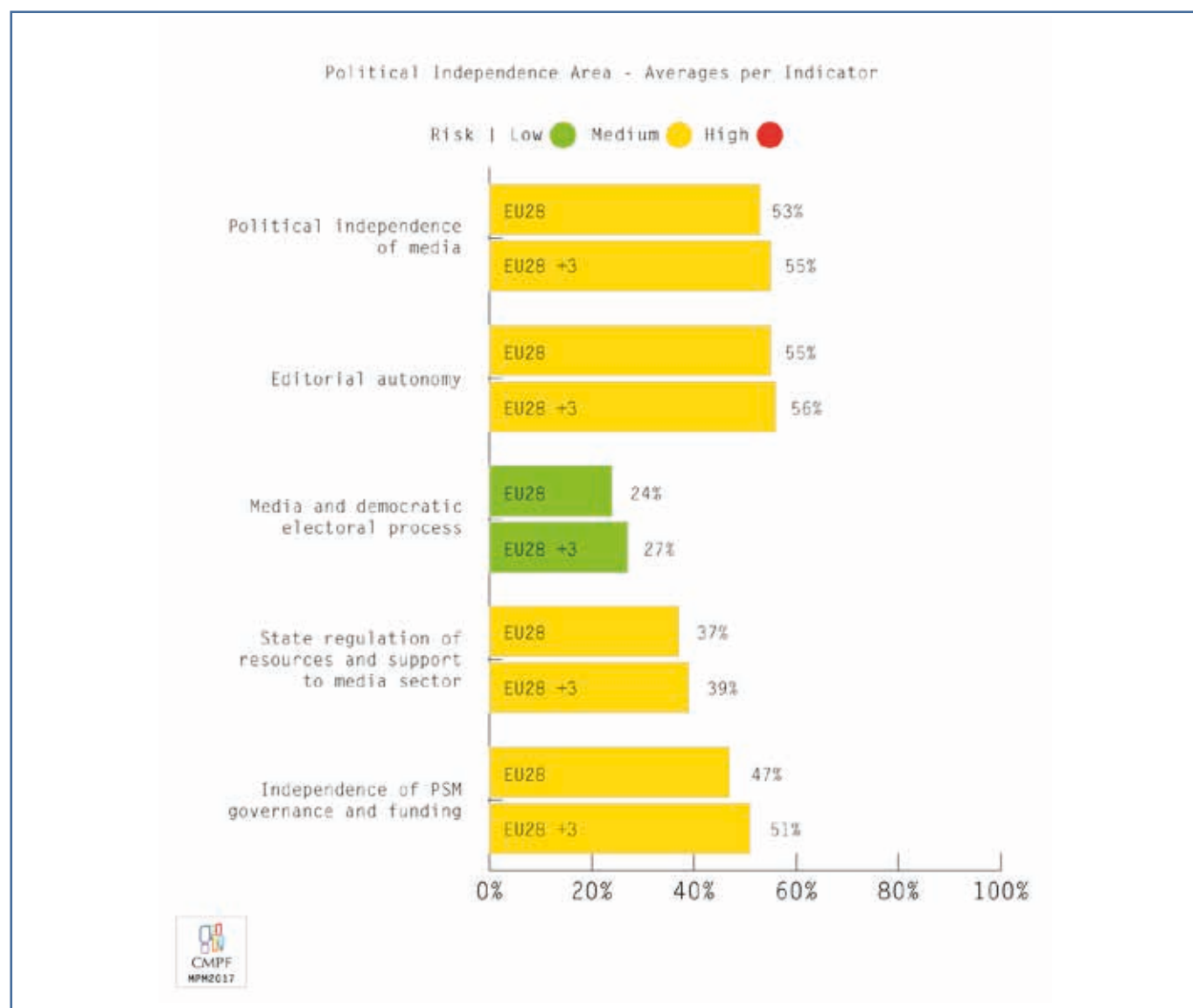
Figure 1.2.1. Market Plurality area - Map of risks per country



Compared to MPM2016, the most significant changes in the Market Plurality area regard the indicators on transparency of media ownership and on media viability as will be explained in the respective topics.

The results for the Market Plurality area show only two countries with a low risk level (France and Germany), 23 countries with a medium risk (Austria, Belgium, Croatia, Cyprus, Denmark, FYRoM, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Portugal, Serbia, Slovakia, Slovenia, Spain, Sweden, Turkey and United Kingdom) and 6 countries (Bulgaria, Czech Republic, Estonia, Finland, Poland and Romania) that score a high risk. In total, there is an average risk of 53% for the area, resulting in an increase of 4% in comparison to MPM2016, partially related to the changes introduced in the indicator on Transparency of media ownership, which now give a heavier weight to ownership information disclosure direct to the public (see below) as opposed to a similar weight to ownership information disclosure both to the public or to public authorities. As happened in MPM2016, France scored the lowest risk for this area.

Figure 1.2.2. Market Plurality area - Averages per indicator



None of the indicators in the Market Plurality area scores low risk on average across the 31 countries. All score medium risk. The risk level for the indicator on media ownership concentration is estimated at 66% on average, very close to the threshold of high risk. The only countries that score low risk for this area are Germany and France, i.e. two big countries with a high GDP and a large population and territory. Moreover, this is the only area in which some indicators score a higher risk for the EU28 in comparison to the EU28 + 3, as is the case for the indicators on cross-media concentration of ownership and competition enforcement (EU28 score 54% and EU28 + 3 score 52%) and on media ownership concentration (EU28 69% and EU28 + 3 66%).

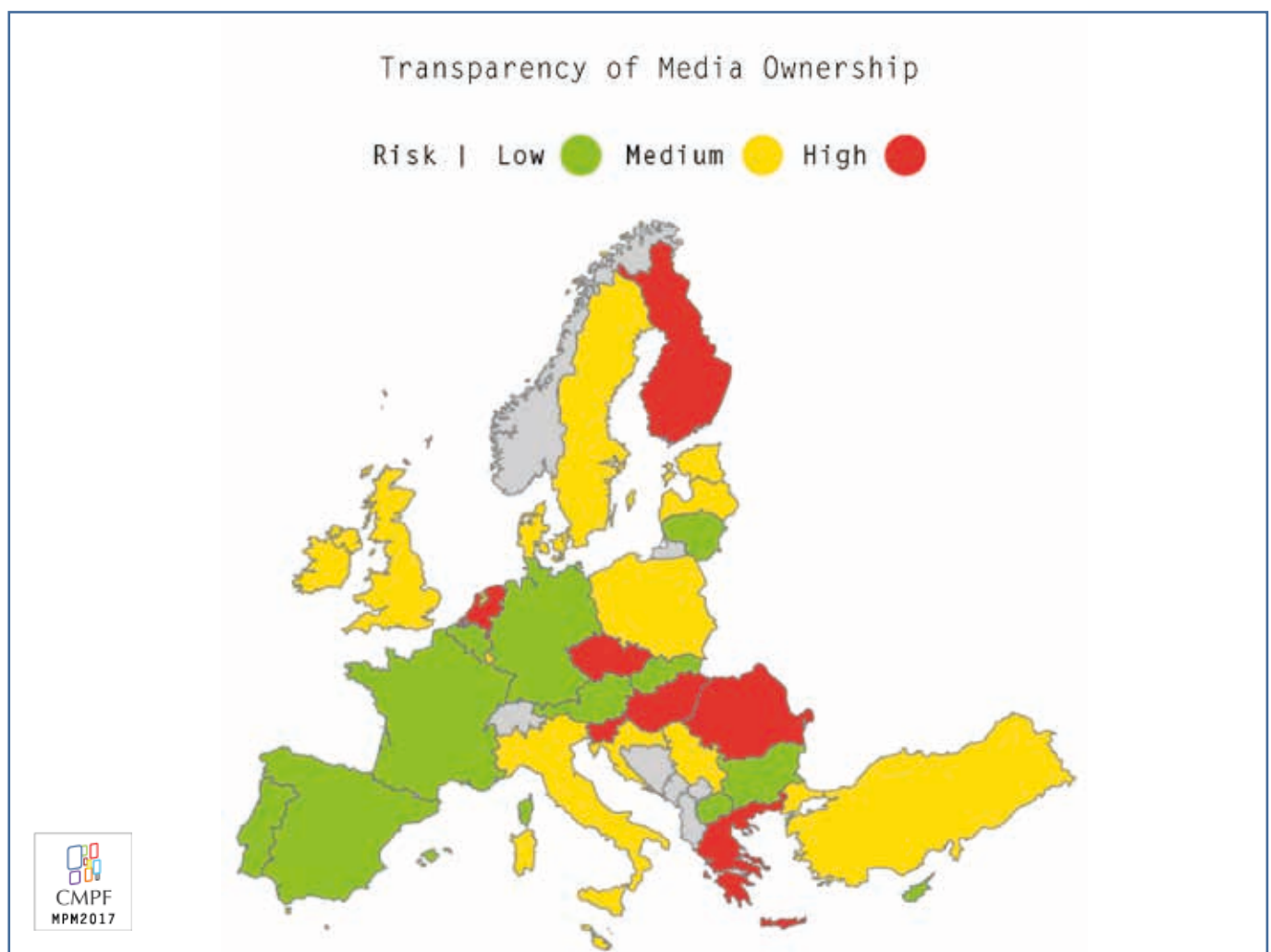
In comparison to MPM2016 data, two indicators (out of five) had a considerable increase of their risk level (transparency of media ownership and media viability), a result partially due to methodological refinements made in the MPM 2017 variable for these indicators.

TRANSPARENCY OF MEDIA OWNERSHIP

The first indicator in the market plurality area is on media ownership transparency. This indicator aims to assess the existence and effectiveness of the implementation of the transparency and disclosure provisions that relate to media ownership and/or control. Ownership transparency should be interpreted as a sort of essential precondition for any reliable analysis of the plurality of a given media market.

Different from MPM2016, MPM2017 focuses on the disclosure of ownership information direct to the public, giving less weight to the information disclosed only to public authorities. With this change, this indicator had a considerable increase in the average risk level, moving from 34% in 2016 to 46% in 2017, although still within the medium risk range.

Figure 1.2.3. Indicator on Transparency of media ownership - Map of risks per country

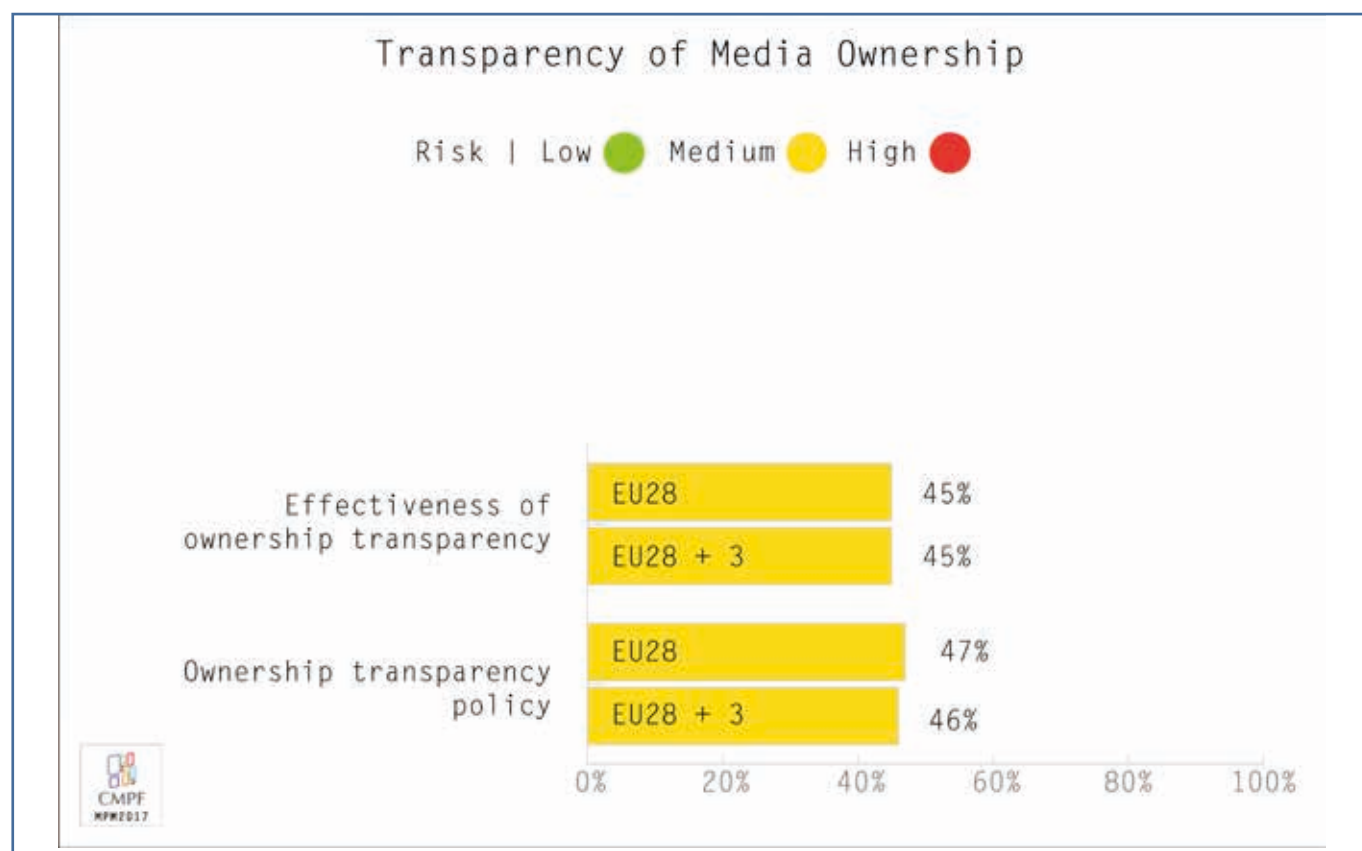


In MPM2017, only 11 countries score a low risk level for the indicator on transparency of ownership (Austria, Belgium, Bulgaria, Cyprus, France, FYRoM, Germany, Lithuania, Portugal, Slovakia and Spain), 7 less than the 18 countries that scored low risk in 2016. In fact, out of these 11 countries 3 score in the very highest range of the low risk (33% - Bulgaria, FYRoM and Lithuania).

Moreover, 7 countries score high risk for this indicator (Slovenia, Hungary, Romania, Netherlands, Greece, Finland and Czech Republic), with just 1 of these countries having media-specific provisions in their national laws requiring the disclosure of ownership details directly to the public (Hungary), but still with no legal requirements to disclose to the public information about the ultimate owners of media outlets. High risk can also be due to poor information to the public (Slovenia) or to non-full information provided by the media authority (Netherlands). On top of this, the real owners of the media often remain undisclosed due to various legal loopholes (Romania). In Greece, the absence of agreements with foreign authorities, media authority's limited ability to cross-check ownership information with the information held by other domestic bodies, and restrained capacity to scrutinise the information available due

to insufficient resources undermine transparency of media ownership (Psychogiopoulou and Kandyla, 2018), and in Bulgaria identification of ultimate owners is still an issue of concern, despite the existence of three media ownership registers and a general Commercial register, as in some cases it is impossible to identify the ultimate owners, because the identification process leads to offshore companies.

Figure 1.2.4. Indicator on Transparency of media ownership - Averages per sub-indicator



The average score for this indicator is better for EU28 + 3 than for just EU28, with one sub-indicator scoring the same percentage for the 2 groups of countries (effectiveness of ownership transparency - 45%) and one sub-indicator scoring better for EU 28 + 3 than for just EU28 (46% and 47% respectively).

Nevertheless, the two sub-indicators of the Transparency of media ownership indicator are in the same risk range (medium), with almost the same percentage of risk, although the indicator on ownership transparency policy had an increase in comparison to 2016 (34%), mostly due to changes introduced to this indicator for the MPM2017. This result should not surprise as the risks examined are strictly connected: the sub-indicator on effectiveness of ownership transparency asks the availability in practice of publicly accessible information that allows to identify the beneficial and ultimate owners of media outlets, while the other sub-indicator is concerned about the legal framework to insure that such information is made available, both to the public and to public authorities.

HORIZONTAL CONCENTRATION OF MEDIA OWNERSHIP

The second indicator of the Market Pluralism area is the one on the Concentration of media ownership. This indicator is composed of several sub-indicators that aim to assess the threats for media pluralism that come from the structure of the media market. This indicator presents a traditional measure of market concentration aiming at the relation between external pluralism and the concrete plurality and market dimension of different media outlets in each market segment. The risk level of this indicator is evaluated by taking into account the existence and effectiveness of the implementation of regulatory safeguards against a high horizontal concentration of ownership in different media markets. It does this by measuring the effective concentration of the market using a Top4 index.³⁵ Furthermore, the assessment is carried out by considering the existence and effectiveness of ad hoc regulatory safeguards against a high horizontal concentration of ownership and/or control in a specific media sector, and the existence of competition rules that take into account the

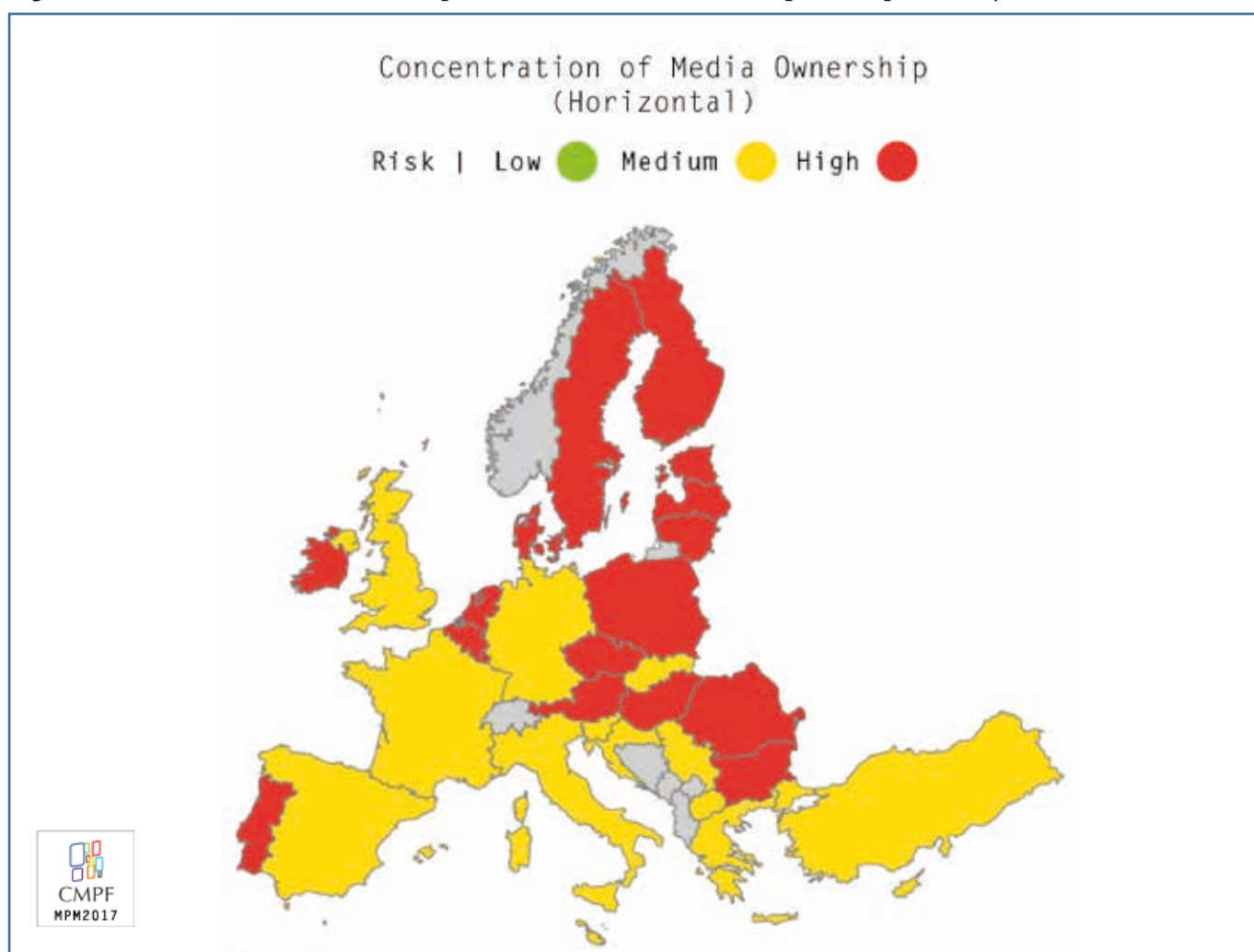
³⁵ Concentration is measured by using the Top4 (or C4 or four-firm) concentration ratio. The four-firm concentration ratio is an indicator of the size of the four largest firms within an industry, compared to the output of the entire industry.

specificities of the media sector when analysing mergers in a specific market. The assessment of the legal framework is linked, then, to the effective measuring of the concentration of the given market, and this allows for a better evaluation of the risk, considering both the legal standards and the effective conditions of the media market. The analysis is carried out by separately considering the main different media markets (audiovisual, radio, newspapers, and online content providers³⁶).

As regards audiovisual media, the Monitor adopts the definition that is laid down in the Audiovisual Media Services Directive 2010/13/EU.³⁷ The variables under consideration cover both linear and non-linear audiovisual media services. This approach is intended to reflect the technological developments that have been dramatically altering traditional broadcasting markets (and the regulatory environment).

This indicator suffered no change in the last year, with no significant changes in the results in comparison to MPM2016. As can be seen from the map below, no country scores low risk, which is the same result achieved in MPM2016, confirming an important level of horizontal market concentration in all the countries examined by the MPM. The 2017 result is that 14 countries score medium risk (Croatia, Cyprus, France, FYRoM, Germany, Greece, Italy, Malta, Serbia, Slovakia, Slovenia, Spain, Turkey and United Kingdom) and 17 high risk (Austria, Belgium, Bulgaria, Czech Republic, Denmark, Estonia, Finland, Hungary, Ireland, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Romania and Sweden).

Figure 1.2.5. Indicator on Media ownership concentration (horizontal) - Map of risks per country



The histogram (Figure 1.2.6.) shows that 2 sub-indicators score medium average risk (AVMS and Radio), with 1 scoring high risk (Newspaper sector), what is probably related to the specific financial difficulties printed media outlets are facing - what is also reflected in the indicator on media viability -, with the newspaper sector being the one with the biggest problems in terms of revenues in the last years.

The result of this indicator in MPM2017 confirms that market concentration is a source of medium or high risk for media pluralism in all EU countries without exceptions. The economic difficulties of several traditional media, illustrated by other indicators, suggests that horizontal media concentration is unlikely to recede in the future, as

36 The indicator on media ownership concentration (horizontal), however, does not consider yet online content providers.
37 Available at <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32010L0013&from=EN>

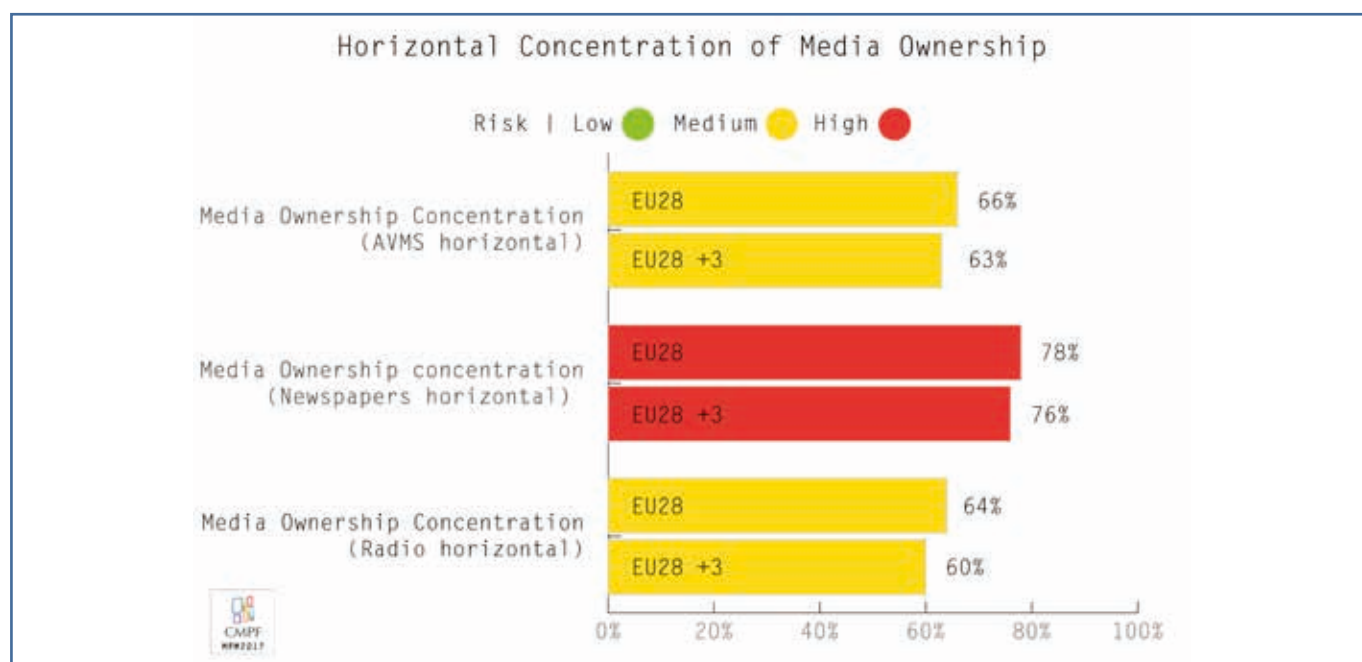
many types of media will continue to merge to survive, and will remain one of the most common elements of risk for the MPM project to monitor and investigate in EU countries.

As regards the audiovisual sector, the only country scoring low risk is Turkey, while most of the countries score medium risk (22, comprising Austria, Belgium, Croatia, Cyprus, Czech Republic, Denmark, France, FYRoM, Germany, Greece, Hungary, Italy, Latvia, Malta, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain and United Kingdom), and the remaining 8 countries scoring in the high risk zone (Bulgaria, Estonia, Finland, Ireland, Lithuania, Luxembourg, Netherlands, Sweden).

Similarly, in the radio sector only 3 countries score low risk (Croatia, FYRoM and Turkey), while 19 countries score medium risk (Austria, Belgium, Cyprus, Czech Republic, France, Greece, Hungary, Italy, Latvia, Malta, Netherlands, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain and United Kingdom) and the remaining 9 countries score high risk (Bulgaria, Denmark, Estonia, Finland, Germany, Ireland, Lithuania, Luxembourg, Sweden).

Finally, in what concerns the newspaper sector, only Greece scores low risk for this sub-indicator (mostly due to a regulatory anti-concentration framework in place and to a low Top4 ratio for newspaper readership) with Germany (again with a relatively low Top4 ratio for readership at 38%), Serbia, Croatia, Italy, United Kingdom, Slovenia, FYRoM, Spain scoring medium risk and all remaining countries scoring high risk. In this indicator all sub-indicators score better for EU28+3 than for EU28 only.

Figure 1.2.6. Indicator on Media ownership concentration (horizontal) - Averages per sub-indicator



CROSS-MEDIA CONCENTRATION OF OWNERSHIP AND COMPETITION ENFORCEMENT

This indicator consists of two sub-indicators. The first seeks to assess risks to media pluralism that arise from cross-media concentration of ownership. Cross-media concentration reflects the level of control that may be exercised by one, or a few, media owners in a number of sectors within the industry (e.g., the position held by a media conglomerate in audiovisual and newspaper publishing markets). The second sub-indicators seek to assess whether, and, if so, how, competition enforcement, that is, antitrust and merger control and safeguards to ensure proportionality of Public Service Media (PSM) funding, contribute to the enhancement of media pluralism.

The trend to media concentration, in front of the financial crisis of traditional media, is an element of additional risk for media pluralism in the EU. Mergers among media companies are not only a horizontal phenomenon, but interest all the media markets, creating a trend toward conglomerates formations of media, in attempt to exploit economies of scale and of scope. The specific attention, or the lack thereof, of competition authorities, called to evaluate conglomerate mergers, to the pluralistic dimensions is part of the investigation of the MPM:

As in MPM2016, in MPM2017 this indicator scores medium risk (52%, a percentage that is comparable to the 54% of 2016), with only 8 countries (Germany, United Kingdom, France, Greece, Slovakia, Cyprus, Italy and Serbia) scoring low risk, 15 countries medium risk (Hungary, Turkey, Croatia, Ireland, Netherlands, Portugal, Austria, FYRoM, Latvia, Lithuania, Sweden, Slovenia, Belgium, Czech Republic and Finland) and 8 countries high risk (Romania, Malta, Spain, Denmark, Bulgaria, Estonia, Poland and Luxembourg).

Figure 1.2.7. Indicator on Cross-media concentration of ownership and competition enforcement - Map of risks per country

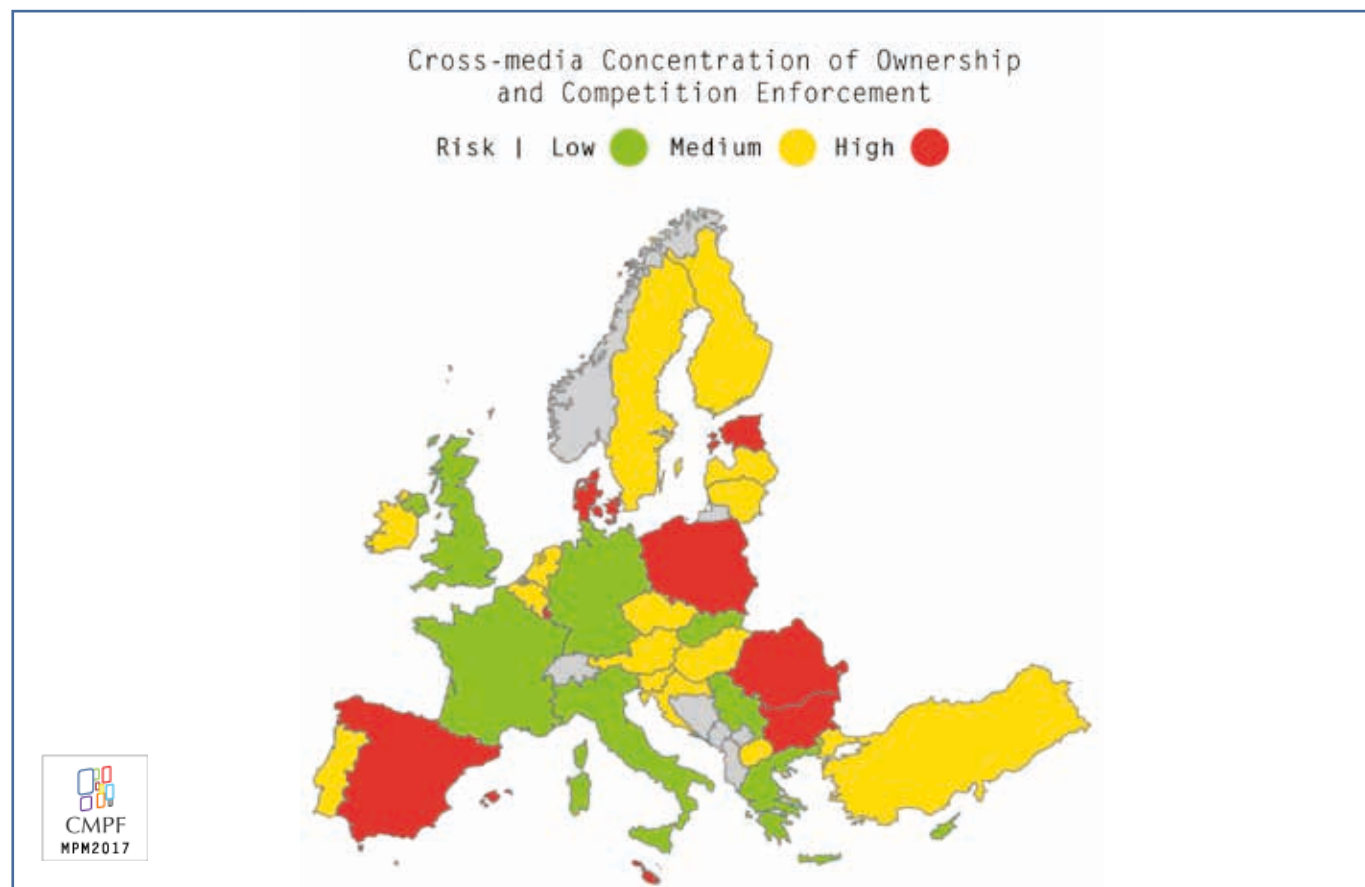
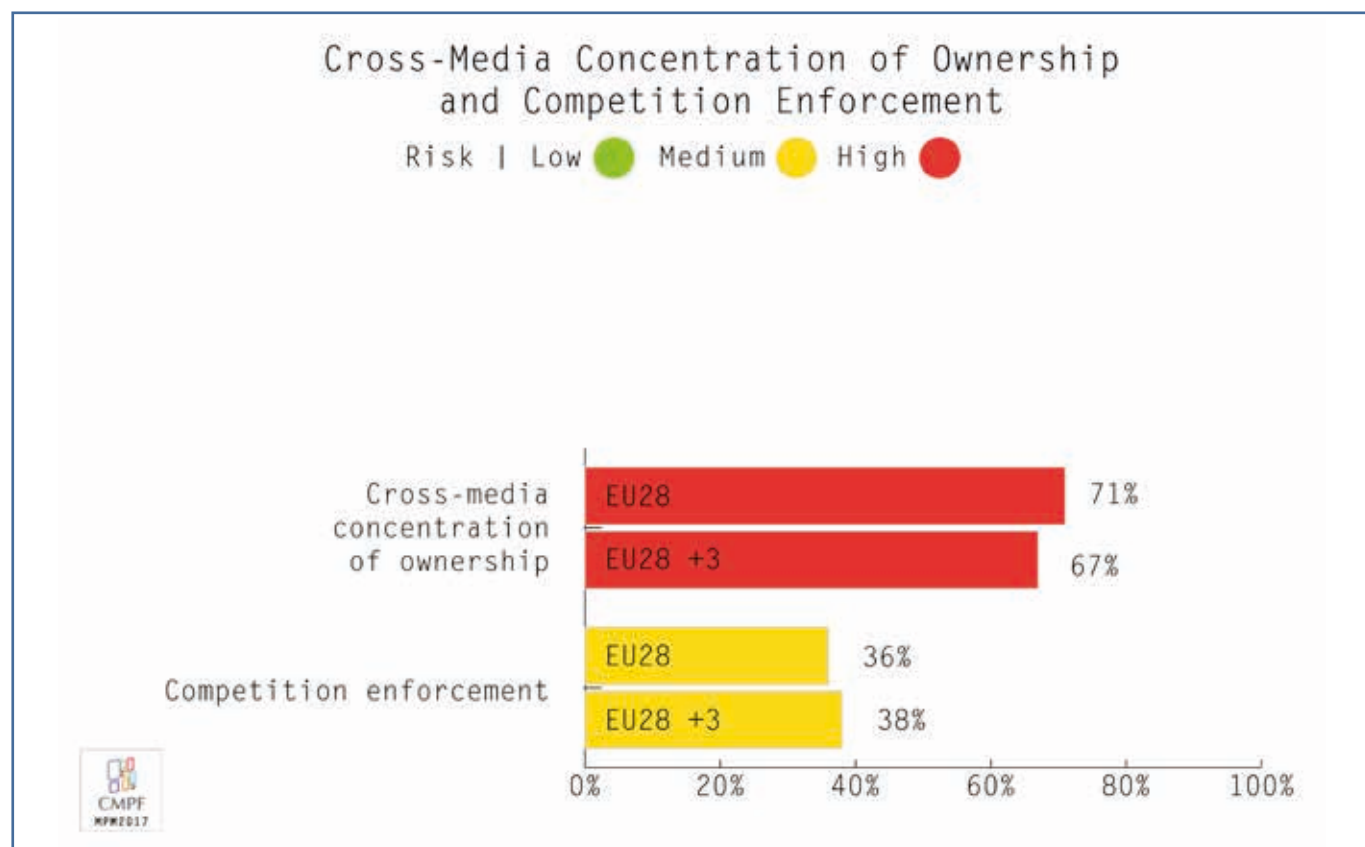


Figure 1.2.8. Indicator on Cross-media concentration of ownership and competition enforcement - Averages per sub-indicator



The sub-indicator that scores the higher risk within this indicator is the one on cross-media concentration of ownership - with EU28 scoring a higher risk than EU28 + 3 (71% and 67% respectively), partly due to the absence of data, as is the case of FYRoM and Malta, or to the lack of specific thresholds or other limitations in media legislation that prevent a high degree of cross-media concentration of ownership, as is the case of Denmark. Most countries have no specific provisions in the media legislation that could prevent a high degree of cross-media concentration of ownership (16 countries). This is the case of Belgium, Bulgaria, Czech Republic, Denmark, Estonia, Finland, Ireland, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Portugal, Romania, Spain and Sweden. Greece, Malta, Serbia, Slovakia, United Kingdom, Germany, France, Hungary, Slovenia, Austria, Turkey, Italy, Croatia have a medium risk, while Bulgaria, Poland, Denmark, Ireland, Luxembourg, Netherlands, Portugal, Romania, Latvia, Lithuania, Sweden, Czech Republic, Belgium, Estonia, Finland, Spain score a high risk.

The medium risk for the sub-indicator on Competition enforcement results from the fact that most competition laws of the assessed States do not take into account the specificities of the media sector (Austria, Belgium, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, FYRoM, Latvia, Lithuania, Luxembourg, Malta, Poland, Romania, Slovenia and Sweden). In fact, among the countries that have no specific provisions in the media law preventing cross-media concentration of ownership only 4 have competition laws that take into account the specificities of the media sector (Ireland, Netherlands, Portugal and Spain). This regulatory reality may be particularly damaging to media pluralism because competition enforcement alone is usually insufficient to remedy concerns arising from the acquisition by a media firm of significant opinion-forming power. Moreover, most of the assessed countries have mechanisms and safeguards to ensure proportionality of PSM funding, so State funds granted to PSM do not exceed what is necessary to provide the public service, with no disproportionate effects on competition. Although this information relates to a different variable, it shows that at least in what concern competition between private media outlets and public service media there are rules that prevent the State from adversely impacting on competition through the granting of disproportionate funds to the public service media,

COMMERCIAL AND OWNER INFLUENCE OVER EDITORIAL CONTENT

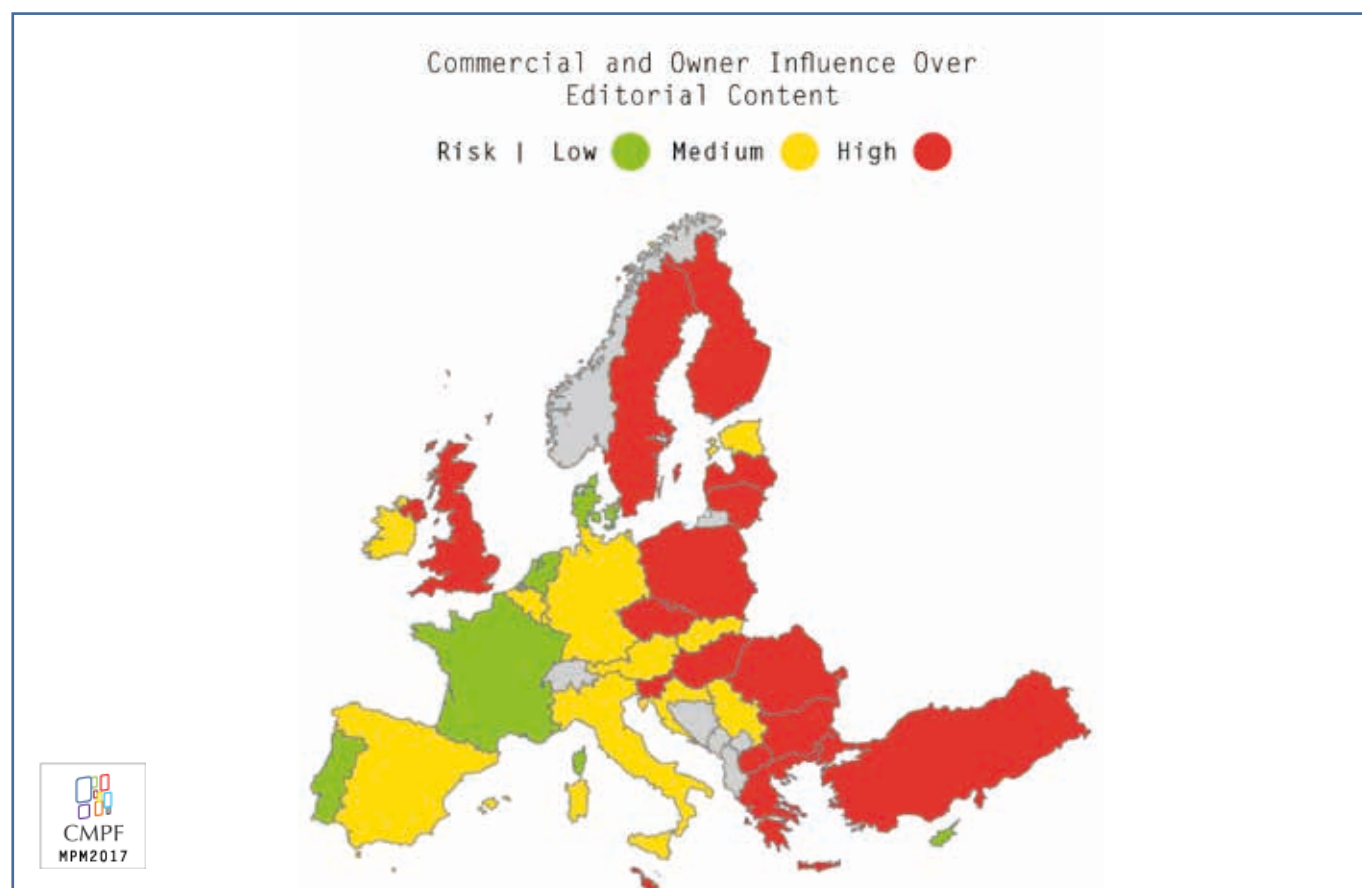
This indicator seeks to assess the risks to media pluralism that arise from the qualitative dimension of ownership concentration, that is, commercial influence over editorial content. To this end, variables evaluate a given media landscape in the light of a number of practices that may undermine editorial freedom. More particularly, the indicator includes variables that assess, inter alia, the mechanisms granting social protection to journalists in cases where ownership and/or the editorial line change, laws prohibiting advertorials, regulation stipulating the obligation of journalists and/or media outlets not to be influenced by commercial interests and, more generally, whether the media in the landscape concerned are governed by practices through which commercial interests dictate editorial decisions.

On average, the average risk level for this indicator is at medium risk (55%)

In 2017, the structure of this indicator remained unchanged, with the same variables as in MPM2016. The risk level also stayed stable, with almost the same percentage as the one from MPM2016 (55%) within the medium risk level.

Only 5 countries score low risk (Netherlands, France, Portugal, Cyprus, Denmark), 12 countries score medium risk (Austria, Germany, Luxembourg, Estonia, Slovakia, Spain, Italy, Belgium, Croatia, Greece, Ireland and Serbia), with 5 of them in the highest range of medium risk (Belgium, Croatia, Greece, Ireland and Serbia) and 14 countries scored high risk (Finland, Hungary, Sweden, United Kingdom, Czech Republic, FYRoM, Turkey, Latvia, Lithuania, Slovenia, Malta, Poland, Romania and Bulgaria).

Figure 1.2.9. Indicator on Commercial and owner influence over editorial content - Map of risks per country



The sub-indicator that scores the highest risk within this indicator is the one on Appointments and Dismissals (of journalists in general and of editors-in-chief in particular): this is mostly related to the lack (or poor implementation) of legal mechanisms granting social protection to journalists in case of changes of ownership or editorial line as well as to the absence of regulatory safeguards, including self-regulatory instruments, which seek to ensure that decisions regarding appointments and dismissals of editors-in-chief are not influenced by commercial interests of the media owners. With the problems of revenues faced in recent years by the printed press, it is becoming common place to use more advertising techniques in order to try to make the media outlets more sustainable. Even in bigger countries with a tradition in printed press, as the UK, the use of native ads is becoming commonplace even in traditional newspapers, as highlighted by UK country team for the MPM 2017.³⁸ In other countries, such as Bulgaria, the commercial influence is combined with external political pressure, as highlighted in the IREX Report 2017.³⁹

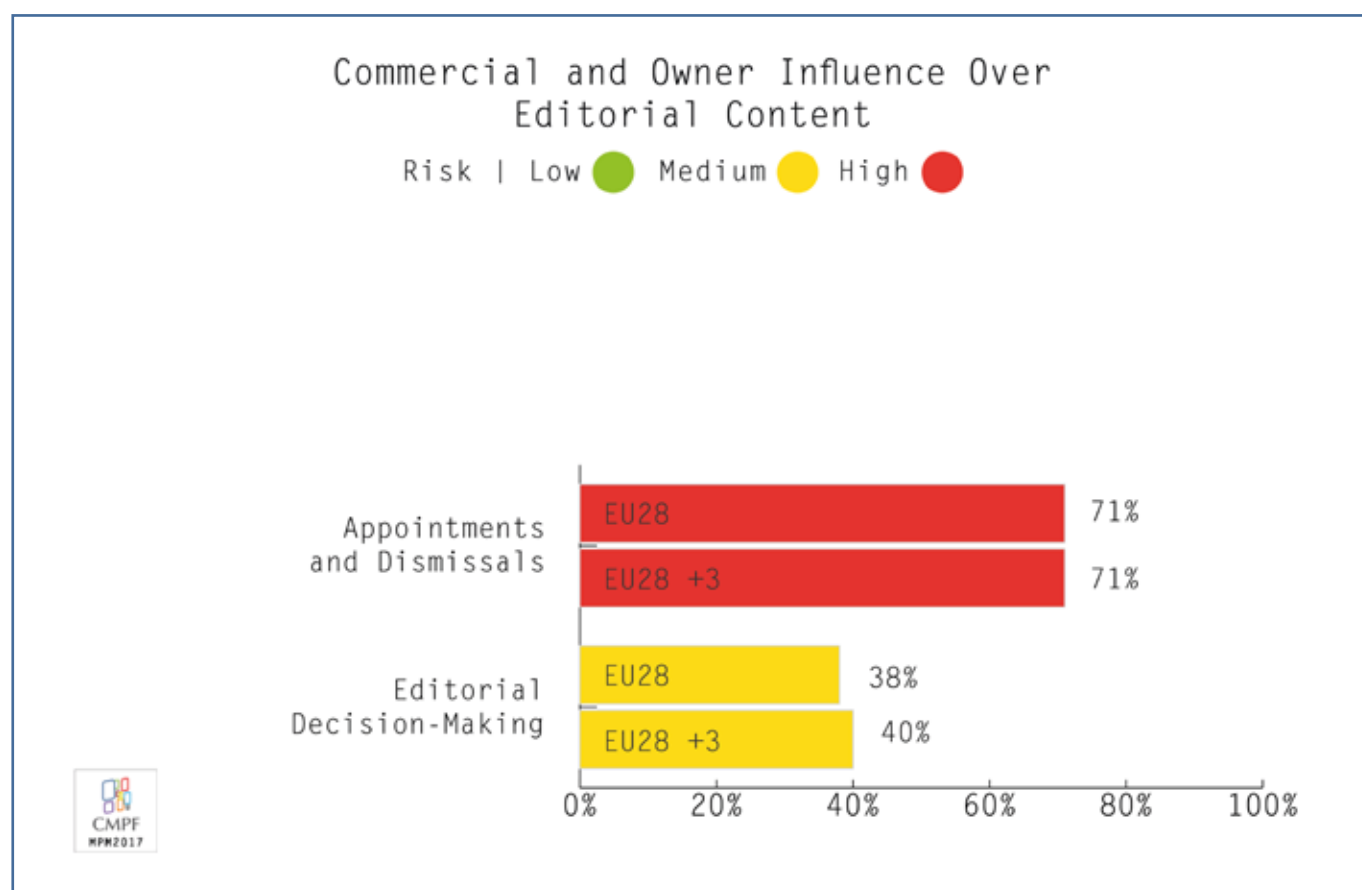
As for the sub-indicator on Editorial Decision-Making, the risk resides more on the practical implementation of measures to ensure that editorial content is independent from commercial influence, as in most countries there are laws or self-regulatory regimes in place. This is the case, for instance, of Hungary and Bulgaria, the countries that scored the highest risk for this sub-indicator (83%). In Hungary, although there are self-regulatory regimes ensuring editorial integrity and independence as well as provisions in the media law specifying the independence of media, in practice (as reported by the respective MPM country team), editorial content of news media is heavily influenced by commercial and economic factors. The same happens in Bulgaria, which despite having legal provisions aiming at protecting editorial independence from political and economic pressures, media owners and other commercial entities systematically influence editorial content and often commercial and political influence are interrelated as highlighted in the IREX report Media Sustainability Index for: Bulgaria (2017), which acknowledges “visible political pressure on the leading national media”.⁴⁰

38 In their analysis they quote Sharethrough, Native Ads vs Display Ads. Available at: <https://www.sharethrough.com/resources/native-ads-vs-display-ads/>

39 <https://www.irex.org/sites/default/files/pdf/media-sustainability-index-europe- Eurasia-2017-bulgaria.pdf>

40 Available at <https://www.irex.org/sites/default/files/pdf/media-sustainability-index-europe- Eurasia-2017-bulgaria.pdf>

Figure 1.2.10. Indicator on Commercial and owner influence over editorial content - Averages per sub-indicator



Clearly the interaction of high concentration (horizontal or cross-media) with a strong commercial and owners influence over editorial content can represent a severe source of risk for media pluralism. Therefore, the score of the last 3 indicators, and in general the unitary consideration of the area of Market Plurality, requires a combined reading of the specific results to fully assess and recognise the risks for media pluralism that are a direct consequence of the elevated concentration of media markets that the MPM has found in Europe.

MEDIA VIABILITY

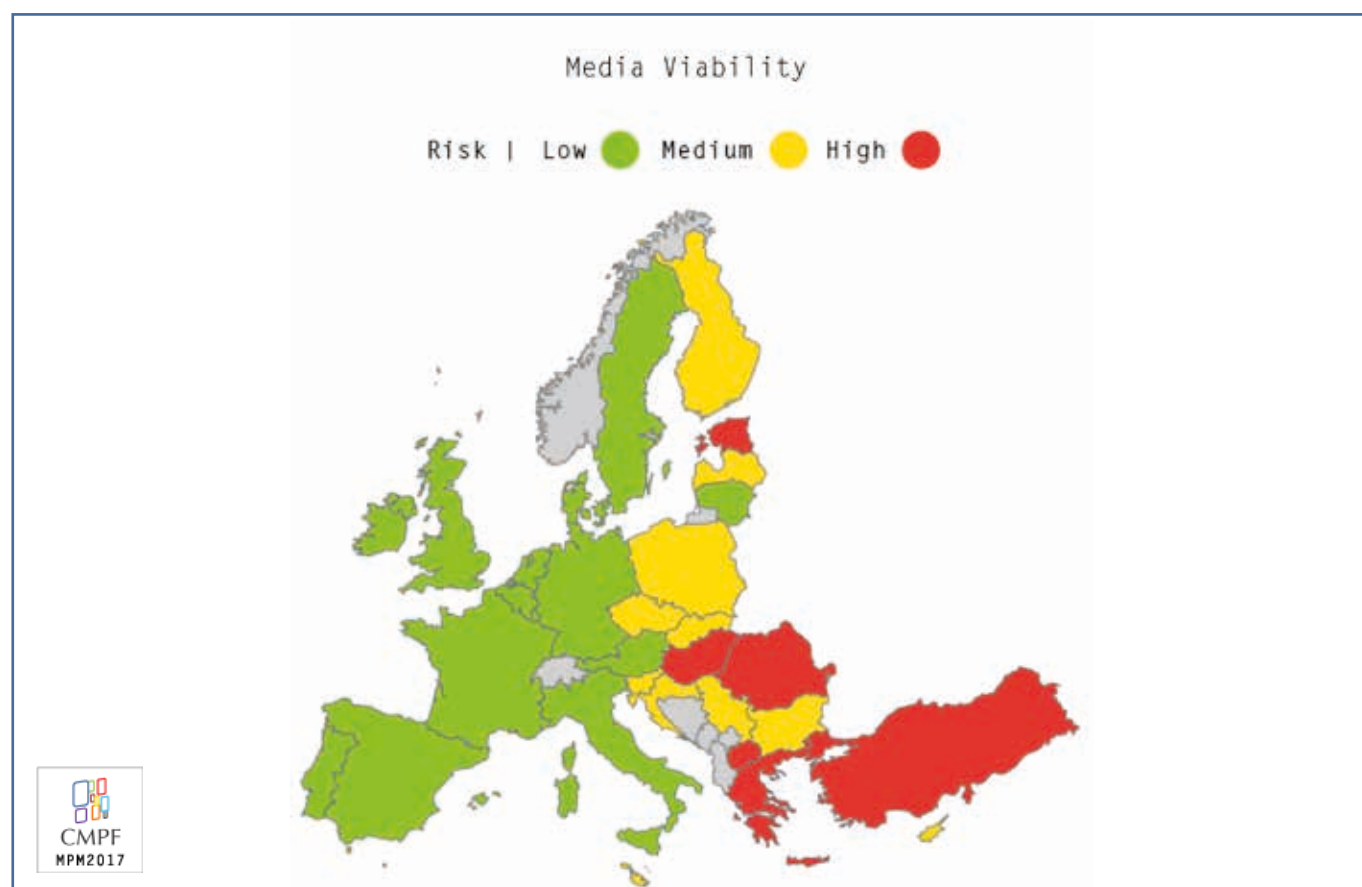
This indicator mainly assesses market revenue trends in four different sectors, namely, television, radio, newspaper publishing and online advertising. The Monitor attempts to examine the parameters that determine media sustainability, with a focus on market developments.

The country teams were asked to evaluate the growth or decline of sector-specific revenues, in relation to the GDP trends in the same period.

This has led to a sizable increase in the percentage of risk as compared to 2016, going from 30% (low risk) to 42% (medium risk) in 2017. At present, the indicator has still the lowest average risk for the Market Plurality area, but its rapid growth is a signal of sufferance of the traditional media industry. The risk level was also impacted by the fact that MPM2017 methodology has been slightly modified and internet usage is not calculated anymore within this indicator (what was the case in MPM2016).

On average, 14 countries score low risk for the indicator on media viability (Germany, France, Luxembourg, Lithuania, Spain, United Kingdom, Netherlands, Portugal, Italy, Sweden, Denmark, Austria, Ireland and Belgium), 11 medium risk (Finland, Croatia, Malta, Bulgaria, Latvia, Slovenia, Serbia, Slovakia, Cyprus, Czech Republic and Poland) and 6 high risk (FYRoM, Estonia, Turkey, Hungary, Romania and Greece), with Greece in the highest end of high risk with 90%, basically due to the methodological assessment of the absence of data regarding revenues of the different sector, the lack of initiatives aiming at developing alternative sources of revenue for the media sector and the lack of support schemes for the media sector.

Figure 1.2.11. Indicator on Media viability - Map of risks per country

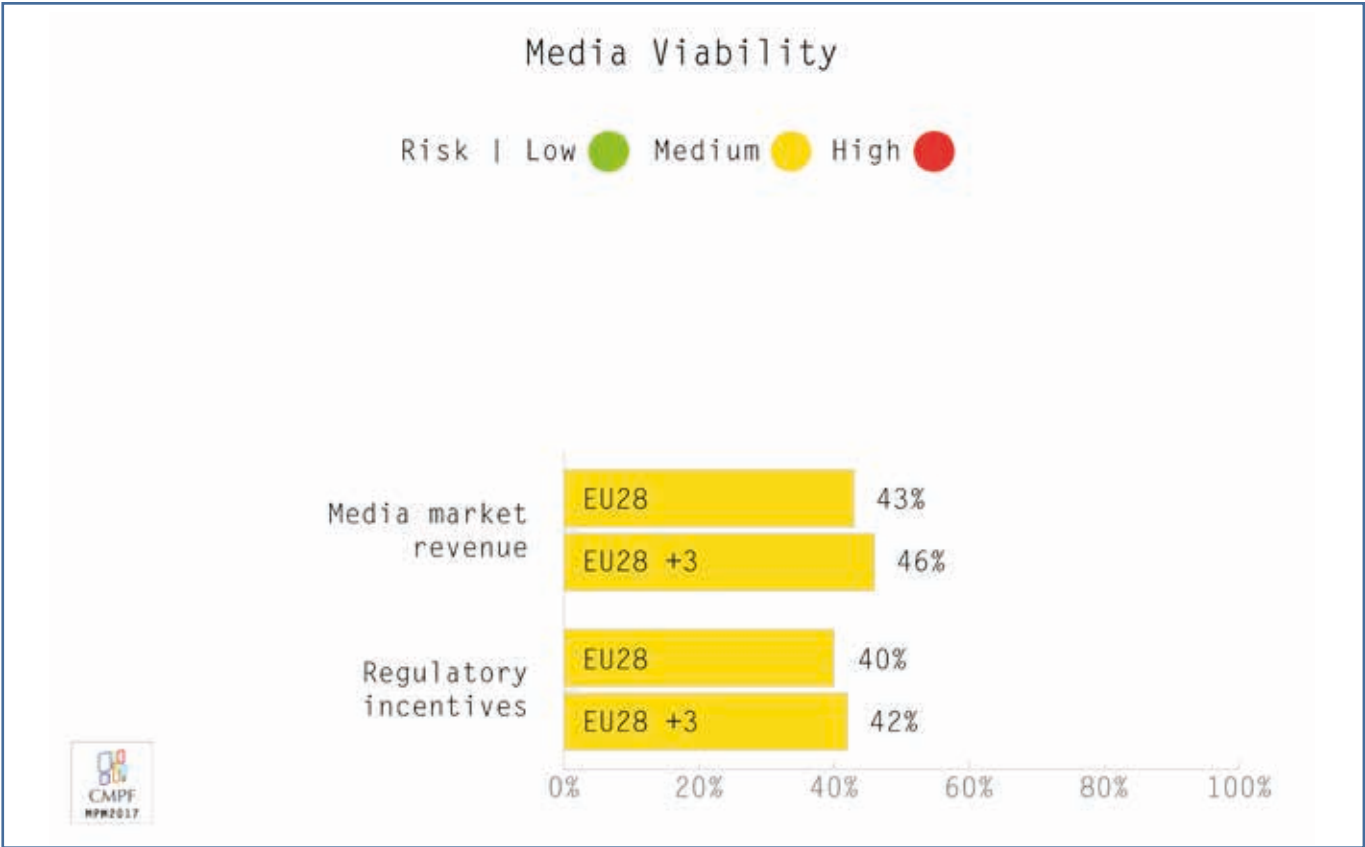


The two sub-indicators of the Media Viability indicator score similar risks levels. This is mostly explained by the fact that the countries which have problems with media revenues, usually face similar problems with regard to the development of alternative sources of revenue and do not have support schemes for the media sector (or when they have support schemes, they are not properly implemented). Estonia and Croatia are two examples that confirm this assessment. The former had marked decreases in revenues in the traditional audiovisual and newspaper sectors in the last two years and has no support schemes for the media sector. The latter, by its turn, has legal provisions establishing such schemes, but they schemes are not operative in practice.

It is important to highlight that - according to MPM2017 data - the vast majority of countries assessed has seen an increase in the expenditure for online advertising over the past two years (24 countries) with the exception of Hungary and Spain that are in a stationary situation and other few countries that have no data in that respect (Serbia, Malta, FYRoM, Greece, Sweden). The audiovisual sector faces a similar scenario, with most of the countries showing a increase in revenues (16 countries), with only 4 presenting a decrease (Bulgaria, Estonia, Slovenia, FYRoM), 4 in a stationary situation (Denmark, Italy, Latvia, Lithuania), while 7 countries have no updated data in that respect (France, Greece, Malta, Netherlands, Portugal, Romania, Serbia).

The same scenario was found in the sub-indicator on Regulatory incentives, which assesses the existence of laws establishing favourable support schemes for the media sector and whether such State support schemes are properly implemented. Among the countries that have laws establishing favorable support schemes for the media sector, only 9 were assessed by the MPM country teams as having properly implemented these schemes (Denmark, France, Germany, Lithuania, Netherlands, Portugal, Spain, Sweden and United Kingdom), with 8 countries that not even have a law establishing such schemes (Cyprus, Czech Republic, Estonia, Greece, Poland, Romania, Slovakia and Turkey).

Figure 1.2.12. Indicator on Media viability - Averages per sub-indicator



1.3 ANALYSIS OF POLITICAL INDEPENDENCE

The area of Political Independence was designed to assess the risks of political interference in five different dimensions respect to: media systems, media organisations, newsrooms, content production and especially public service media. The five indicators focus on examining the existence and effectiveness of regulatory safeguards against political bias and political control over media outlets, news agencies and distribution networks. They also concern with the existence and effectiveness of self-regulation in ensuring editorial independence. Moreover, they seek to evaluate the influence of state (and, more generally, of political power) over the functioning of the media market, and the independence of public service media.

The five indicators related to Political Independence are:

- *Political independence of media*
- *Editorial autonomy*
- *Media and democratic electoral process*
- *State regulation of resources and support to media sector*
- *Independence of PSM governance and funding*

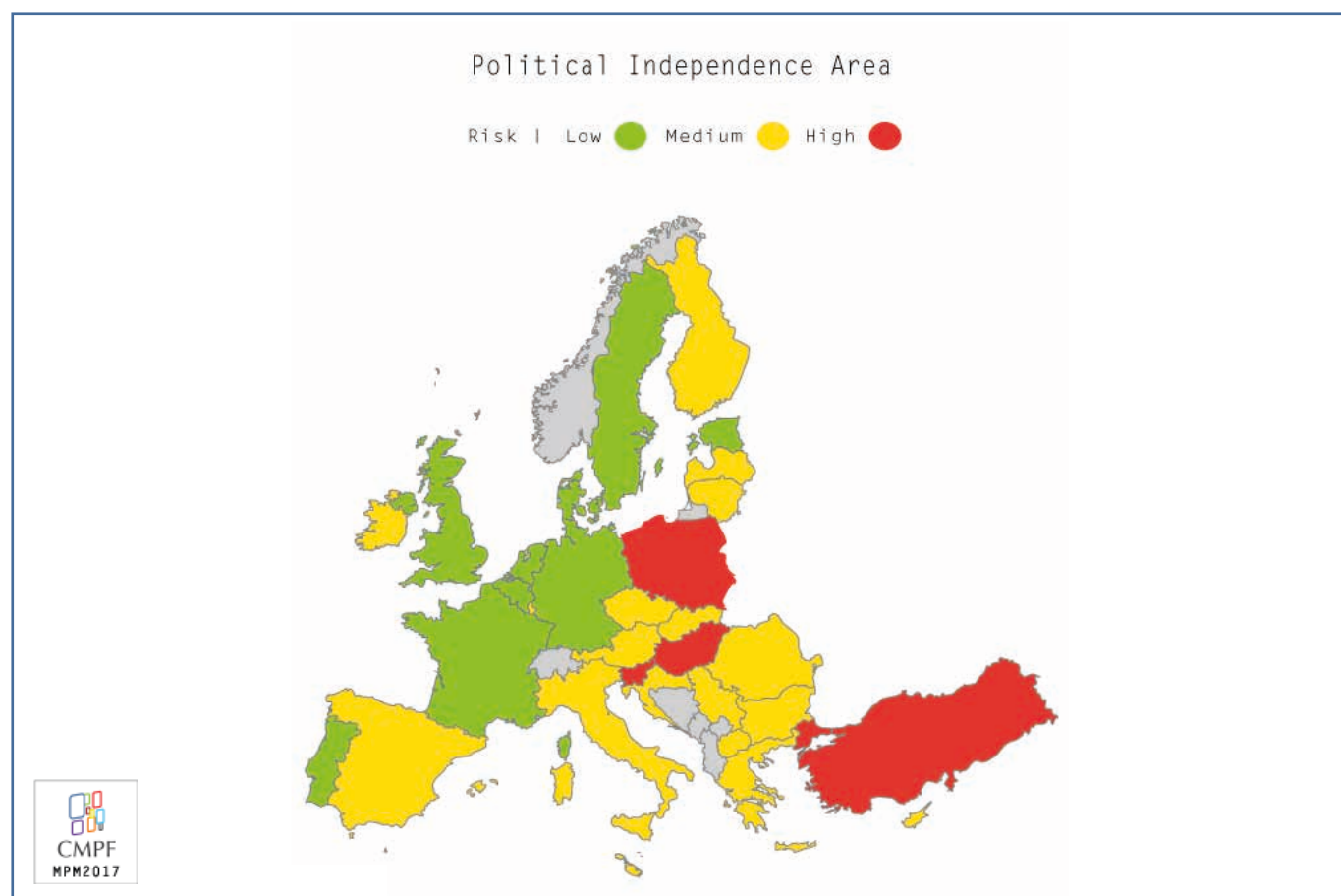
In the Political Independence area, a vast majority (18) of the countries examined score a medium risk, (see Figure 1.3.1.), 9 are at low risk (Belgium, Denmark, Estonia, France, Germany, the Netherlands, Portugal, Sweden, and United Kingdom), and 4 are found to be at high risk from political interference with media: Turkey, and three EU member states - Hungary, Poland and Slovenia. This shows that 2017 brought no major changes in this area compared to previous measurements.

When comparing the 2017 results with the ones of 2016 (CMPF, 2017), the level of risk has increased for one country only: in Poland where it went from medium to high. The increase of risk for Poland is related with higher risks indicated for the distribution of state subsidies to media outlets. Still, indicators on political independence, and especially on independence of public service media remain the chief concern for Poland within this area, but also within the entire Monitor (for more detailed explanation of the Polish case see: Klimkiewicz, 2017 and 2018).

In Hungary and Slovenia, the absence of clear regulation and transparency in allocating state subsidies to media remains a pressing issue. In addition, many concerns for media pluralism in Hungary are related with a severe lack of editorial autonomy deriving from systematic political interference in appointments and dismissals of editors-in-chief and with regular attempts of influencing editorial content. In Slovenia, as reported by the country team, a conflict of interest between media ownership and holding government office is largely present, especially at local level.

Turkey is the only country that scores high risks for all five indicators within this area, and a lack of political independence in general is the subject of highest concern there. Following attempted military coup on July 20, 2016, a three month state of emergency had been declared in this EU candidate country. Since then, Turkey has been ruled under the state of emergency by decrees (Inceoglu et al., 2018). Furthermore, on April 16, 2017, a constitutional referendum was held and the amendments that expand the powers of the president by transforming the country from parliamentary democracy into a presidential system had been passed (Inceoglu et al., 2018). At the same time, journalists are imprisoned on charges of aiding a terrorist organisation through the news contents and columns, and six journalists and columnists were sentenced to life in prison on the grounds of alleged role in failed coup attempt (Inceoglu et al., 2018).

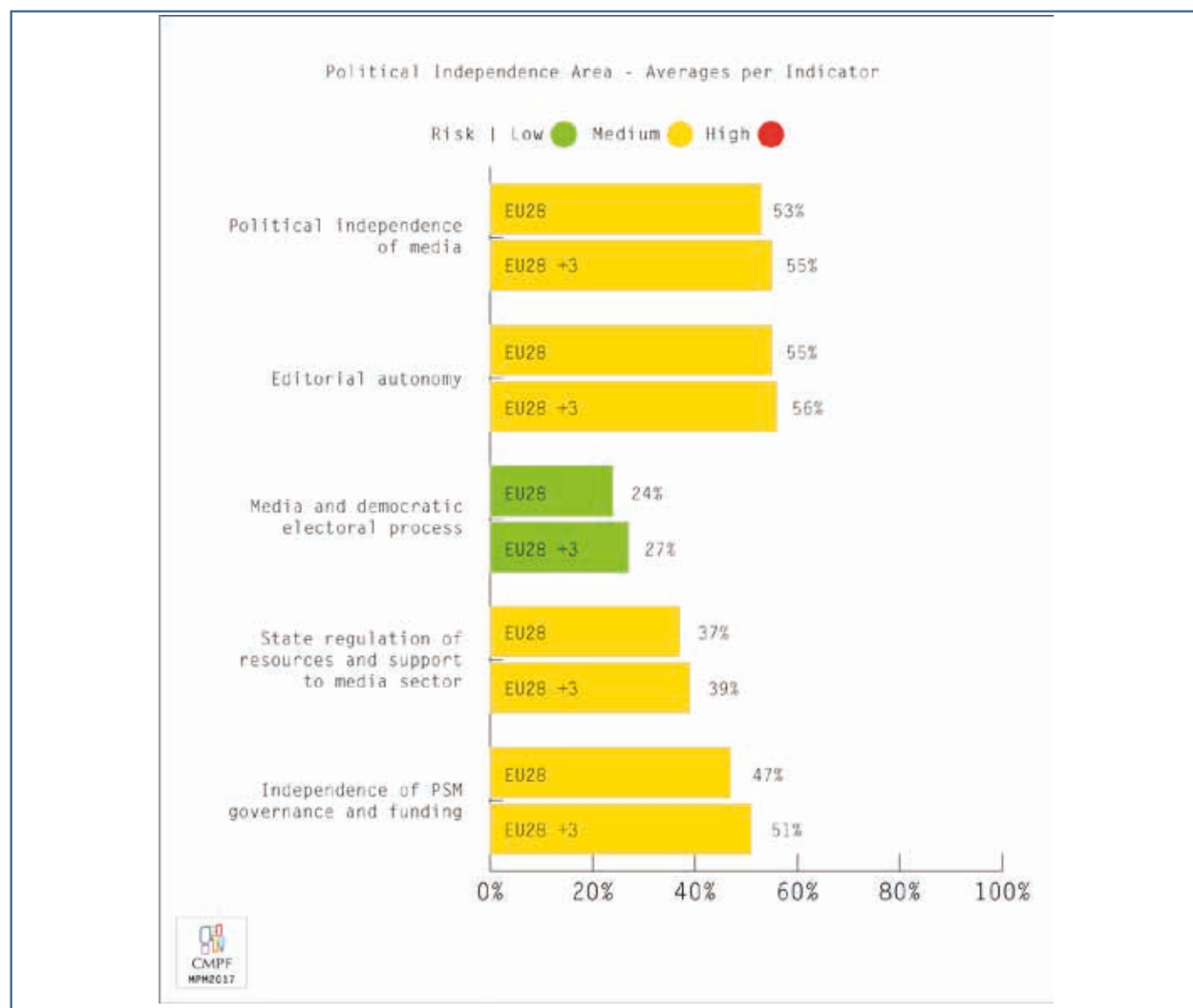
Figure 1.3.1. Political Independence area - Map of risks per country



In 2017 the MPM was for the first time implemented in Serbia and FYRoM. Overall, both countries score a medium risk on Political Independence, but Serbia with a significantly higher score (65% as compared to FYRoM's 50%). The country team reports that the majority of media in Serbia, including public service media, are not independent and clearly favour the ruling party (Sucurlija Milojevic, 2018). Political independence of media has the highest risk score of all indicators (88%) as the Serbian legislation does not impose any restrictions on conflict of interest between media ownership and holding government office. Further high risks are related with a lack of transparency and favouritism in buying advertising space in media during the election campaigns and in allocation of state funds to both commercial and public service media (Sucurlija Milojevic, 2018). In the case of FYRoM, the only indicator that scores high risk within this area is the Independence of PSM governance and funding (83%). As reported by the country team, in the past two decades, almost all high positions in the public broadcaster were politically influenced and the funding of the PSM has been repeatedly used as a threatening mechanism to the independence of the PSM (Trpevska and Micevski, 2018).

The main causes of risk in the area of Political Independence derive from general lack of political independence of media resulting either from non-existence of regulation to prevent conflict of interest or from its poor implementation in many countries, as well as from other indirect means of political control over media. Editorial autonomy in most countries is not well protected neither by regulation nor by self-regulation, and another alarming indicator in several countries is the lack of Independence of public service media governance and funding (see Figure 1.3.2.). In general, the risks for all indicators in the area of Political independence are slightly higher in the EU Candidate Countries than in the Member States.

Figure 1.3.2. Political Independence area - Averages per indicator



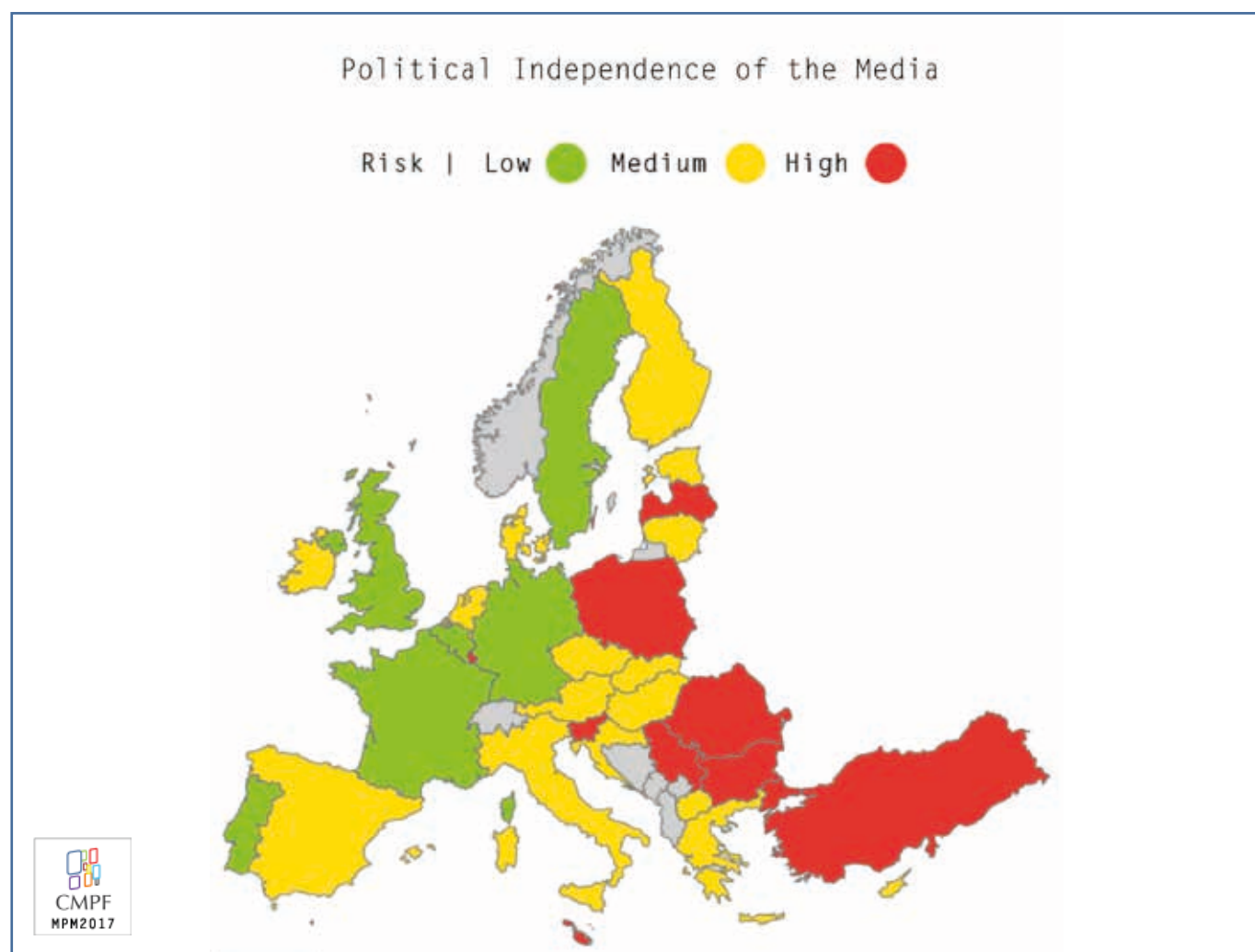
POLITICAL INDEPENDENCE OF MEDIA

This indicator assesses the availability and effective implementation of regulatory safeguards against conflict of interest and control (both direct and indirect) over media by politicians, taking into consideration the diversity of European media systems and cultural differences among observed countries. The indicator consists of six sub-indicators: the first relates to the general rules on Conflict of interests, while the other five aim to capture Political control over audiovisual media, radio, newspapers, news agencies, and distribution networks. Control is here understood as broader than ownership as it includes both direct ownership and any form of indirect control. Indirect control implies that parties, partisan groups or politicians are not directly involved in the ownership structure but they exercise power through intermediaries (e.g. family members or friendly businessmen). The conflict of interests is defined as an incompatibility of holding government office with owning media (Djankov et al., 2003). The MPM, therefore, takes into consideration the existence of rules that prohibit media proprietors from holding government office, as well as the situation in practice. According to the public choice theory, a situation in which the media ownership is related to government, which manages many resources important for media, might undermine both democracy and markets (Dajnkov et al. 2003). At the same time, public interest theory sees information as a public good that should be available to everyone, and the government is assumed to be a neutral arbiter if private media outlets serve mainly commercial or political interests (Dajnkov et al. 2003). Therefore, transparency of media ownership and availability of information on political affiliation of media owners is a key precondition to assess the extent of politicisation of control over media.

The Political independence of the media continues to be one of the highest scoring indicators of the MPM. As shown in the Figure 1.3.3. Political independence of media is at high risk in Bulgaria, Latvia, Luxembourg, Malta, Poland, Romania, Serbia, Slovenia, and Turkey. Serbia and Turkey score a very high 88 percent, followed by Malta and Romania, both above 80 percent. In Malta there is no law that makes government office incompatible with media ownership which allowed the two leading parties, that alternate in government, to become among key players in the media market (Nenadic, 2018). Similar situation is found in Romania, where parties, partisan groups or politicians can be owners of all types of mass media and there are no specific rules on conflict of interest between holding government office and media ownership. As highlighted by the country team, 2017 simply made more visible the degradation, polarisation and politicisation of the mainstream media, especially in the context of the protests against the government attempts to water down anti-corruption laws (Marincea and Bodea, 2018).

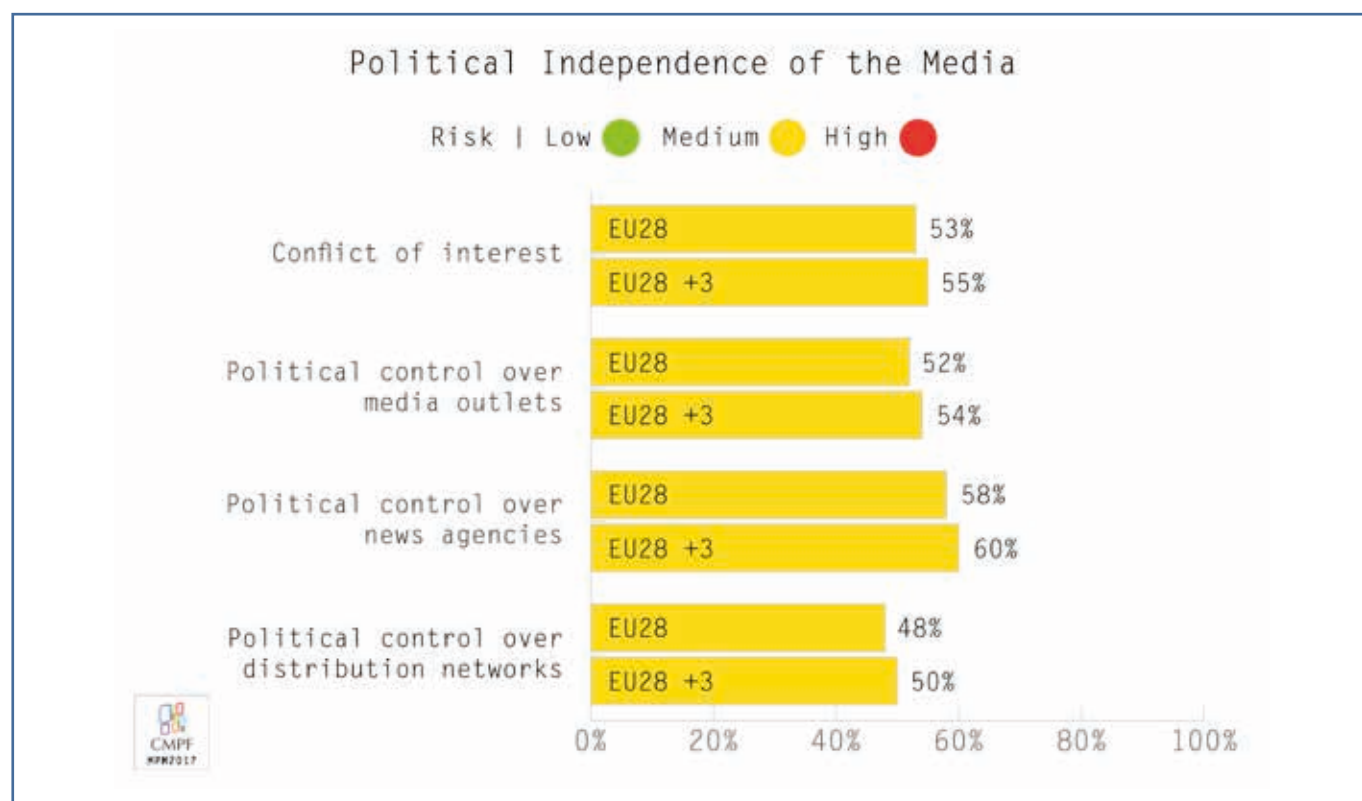
On the other end of spectrum, 6 countries acquire a low risk on this indicator: Belgium, France, Germany, Portugal, Sweden, and United Kingdom, with Portugal scoring the lowest (as in the MPM 2016). The remaining 16 countries perform within a medium risk band, including the FYRoM.

Figure 1.3.3. Indicator on Political independence of media - Map of risks per country



Methodological note: In comparison to the MPM2016, this indicator was slightly revised to ensure more accuracy of the results. In the MPM2016 there was a sub-indicator for different type of media (audiovisual, radio and print) composed of a set of three variables to assess the legal safeguards that aim to prevent from political ownership, their implementation and the situation in practice. The country teams reported this as too restrictive and potentially overemphasising the risk. To address this concern, the MPM2017 maintained only the assessment of the situation in practice for each different type of media, and looked at the existence and effectiveness of the legal framework to prevent from political control over the media in general. This change did not significantly affect the results, it just made them more balanced by bringing several countries from high risk to medium risk band: namely, Austria, Croatia, Czech Republic, Hungary, Italy, and Slovakia. The latter three, however, still score very close to a high risk. In Hungary, for example, the Media Act includes provisions restricting political parties and politicians from directly providing linear media services, which contributes to a more positive assessment. However, politicians and political parties exert influence and control over media via proxies, straw men and oligarchs (Bognar et al., 2018).

Figure 1.3.4. Indicator on Political independence of media - Averages per sub-indicator



As shown in the above Figure 1.3.4. Political control over news agencies is the highest scoring component of this indicator and this is due to the fact that in many EU countries, leading news agencies are owned and funded by the state. There are, however, some good practice examples, such as the Czech News Agency and the News Agency of the Slovak Republic. Both operate as a public service institutions that do not receive subsidies from the state budget but are instead fully funded by its own business activities, which contributes their independence from political influences (Štětka and Hájek, 2018; Sampor, 2018). Another model that seem to support independence is noted for Austria, Germany, Italy, Sweden and United Kingdom, where some of the leading news agencies are owned by a vast consortium of national media companies and publishers.

EDITORIAL AUTONOMY

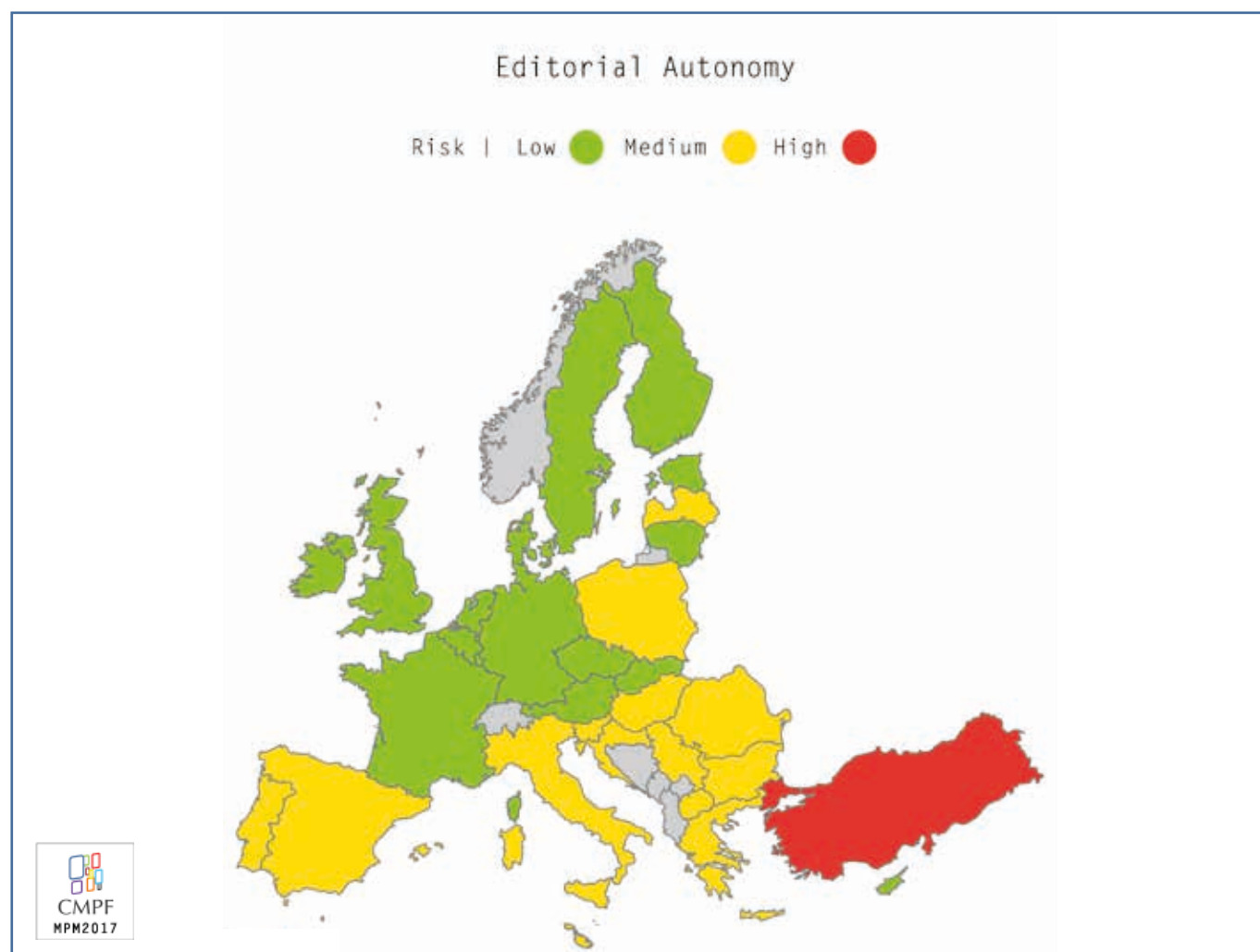
The indicator on Editorial autonomy is designed to assess the existence and effectiveness of regulatory and self-regulatory measures that guarantee freedom from political interference in editorial decisions and content. In order to exercise their social role as watchdog of society and provider of information that serves public interest and debate, journalists have to be able to act independently from undue influences. In this regard, effective self-regulation in the form of codes of conduct, codes of ethics or editorial statutes, is of particular importance, as well as the appointments and dismissal procedures of editors in chief. The importance of co- and self-regulation as a complement to the legislative and judicial and/or administrative mechanisms is emphasised in the Audiovisual Media Services Directive (2010). The pluralism of the media itself is not sufficient to ensure freedom of information if independence of practicing journalism is not guaranteed. Therefore, the Council of Europe's Recommendation on media pluralism and diversity of media content (CM/Rec(2007)2) highlights that, while encouraging the media to supply the public with a diverse and inclusive media content, member states should also respect the principle of editorial independence.

Freedom of journalists and editors to make decisions without interference from the owners of a publication, their political leanings, or outside political pressures, should be a paramount condition of a free and plural media environment. According to the MPM2017 results, this is not the case in 25 out of 31 countries under examination: 16 countries score medium risk, out of which 8 very close to high (Austria, Bulgaria, Italy, Luxembourg, Poland, Slovenia, Spain and United Kingdom); and editorial autonomy is at high risk in 9 countries (Croatia, Czech Republic, Greece, Hungary, Latvia, Lithuania, Malta, Romania, and Turkey). While the results are largely in line with the MPM 2016, the risk level has slightly decreased for Austria and Slovakia because, in 2017, there were no new cases reported of political interference in appointments and dismissals of editors-in-chief.

Croatia and Turkey continue to be the highest scoring countries on this indicator. In Croatia, the country analysis

reports systematic cases of political interference in appointment and dismissals of editors-in-chief, and no safeguards nor efficient self-regulation to prevent this interference (Bilic et al., 2018). As emphasised by the country team, this is particularly visible in the case of the PSM (Croatian Radiotelevision - HRT) where dozens of editors and journalists are often dismissed immediately following parliamentary elections. In Turkey the situation is so severe that it is hardly comparable to any other monitored country. Continuous extensions of the state of emergency and the change of the political system have strengthened the political capture over media outlets in the country (Inceoglu et al., 2018).

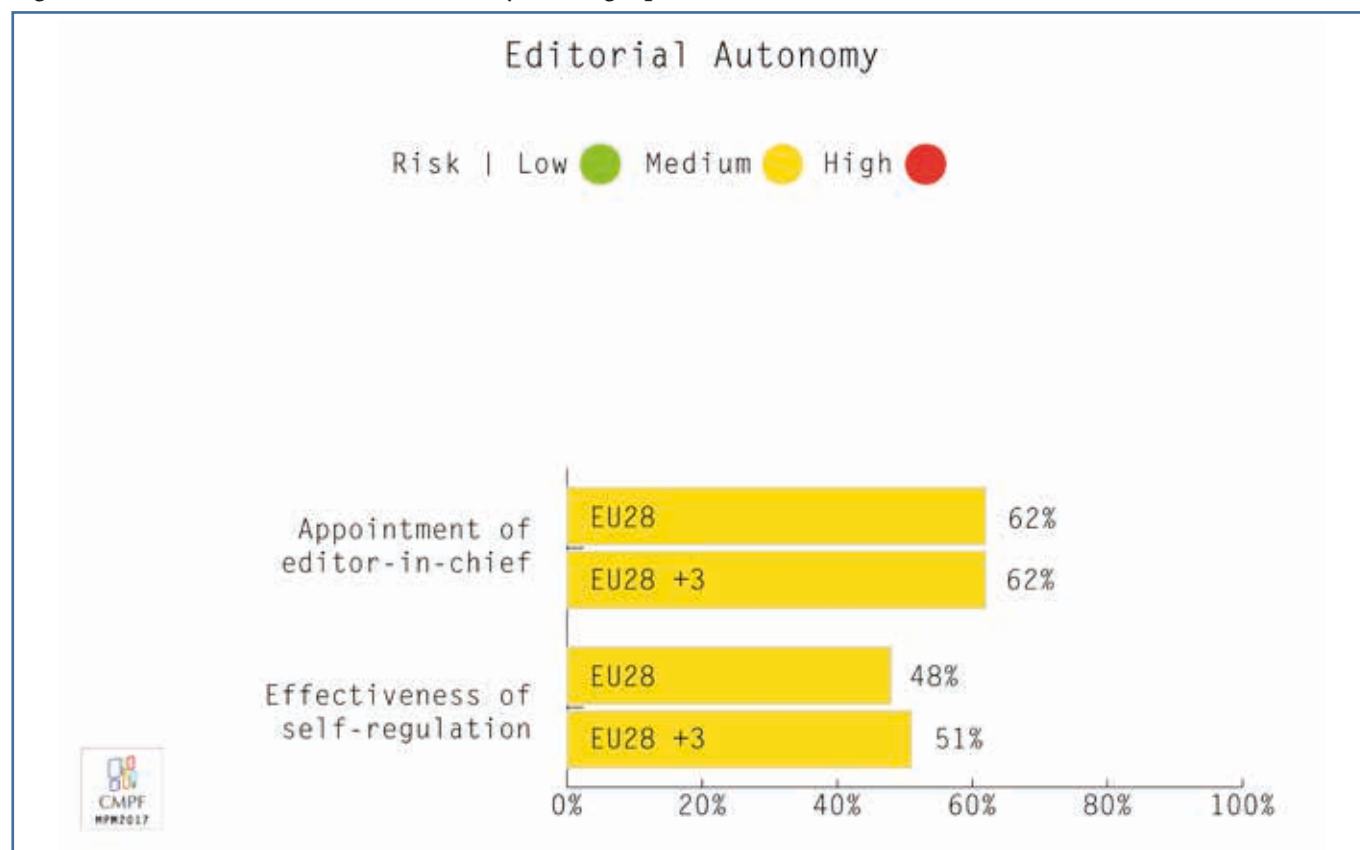
Figure 1.3.5. Indicator on Editorial autonomy - Map of risks per country



The indicator on Editorial autonomy is composed of two sub-indicators: one focusing on specific safeguards and practices related to the appointments and dismissals of editors-in-chief; and the other capturing existence and effectiveness of self-regulatory measures, such as journalistic codes and codes of ethics, that stipulate editorial independence in both traditional and online news media. On average, the sub-indicator on Editor-in-chief is more at risk (see Figure 1.3.6) than the one on Self-regulation.

While a vast majority of countries have no common regulatory safeguards to guarantee autonomy when appointing and dismissing editors-in-chief, leading news media in most observed countries do have some form of self-regulation that emphasises editorial independence. Exceptions are Austria, Croatia, Czech Republic, Greece, Ireland, Malta, UK and Turkey, where self-regulation at the level of media companies either does not exist or does not encompass leading media organisations, or is just not made publicly available.

Figure 1.3.5. Indicator on Editorial autonomy - Averages per sub-indicator



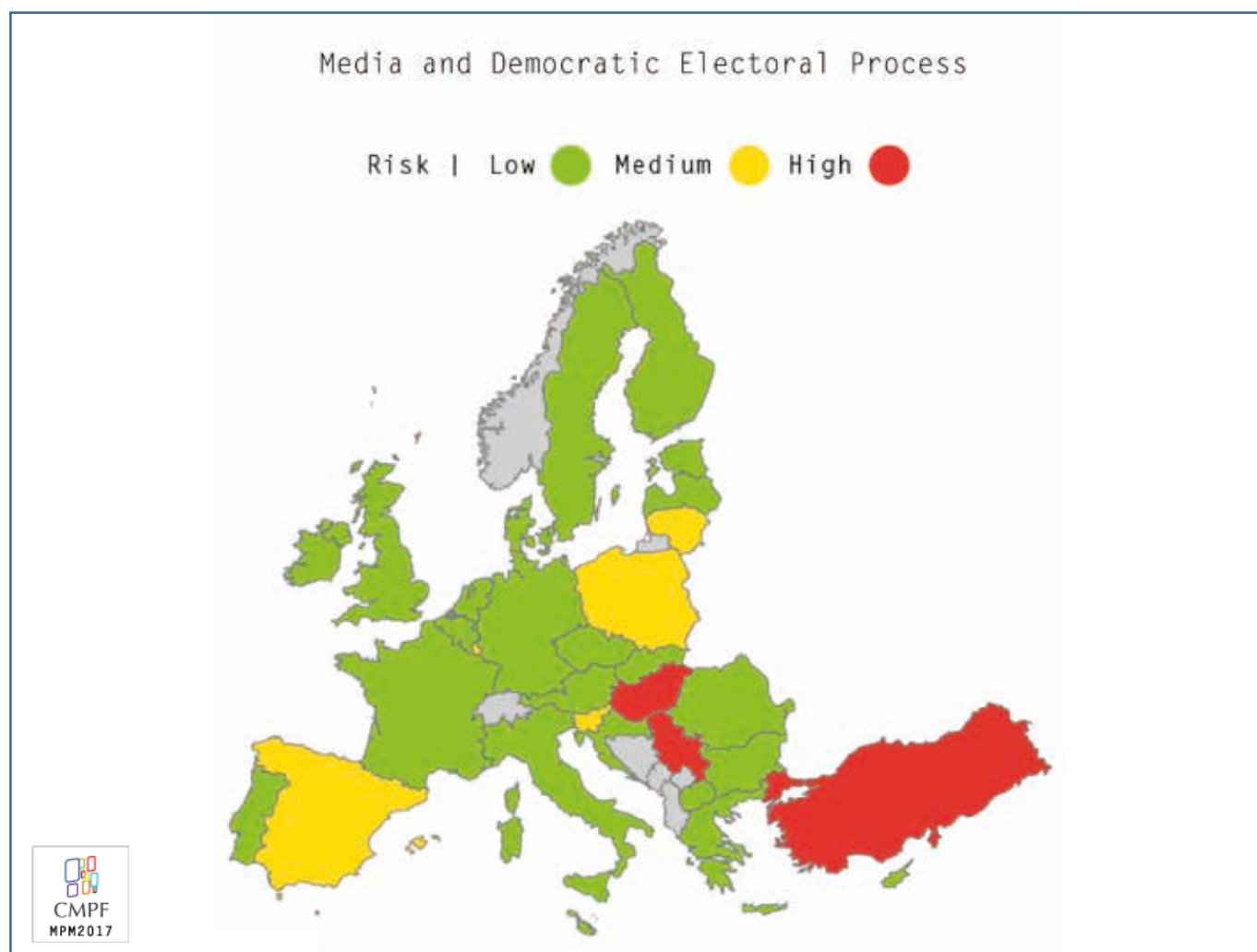
With regard to the editorial independence in practice, as in 2016, most countries (24 out of the 31 examined) score either medium or high risk. Political interference in editorial autonomy is a risk difficult to assess due to its complexity and all the subtle means of exercising it. Therefore, in order to ensure a maximum level of objectivity, the assessments provided by the country teams on this matter underwent peer-review of a group of multi-level stakeholders in each of the monitored countries. Here, it is also worth mentioning that the majority of countries that score medium or high risk on Editorial autonomy, score also medium or high risk on Political independence of media. For instance, Latvia, Malta, Romania, and Turkey score high risk on both indicators. In the two EU candidate countries, that have implemented the MPM for the first time, Editorial autonomy is at medium risk. In FYRoM, during the rule of the previous nationalist-populist government, all types of media organisations were at high risk of political interference in editorial policy, but there has been improvement since the political change in 2017 (Trpevska and Micevski, 2018). In Serbia, there are systematic cases of political influences on the editorial content and in appointments and dismissal of editors-in-chief, despite available legal safeguards (Sucurlija Milojevic, 2018).

MEDIA AND DEMOCRATIC ELECTORAL PROCESS

The indicator Media and democratic electoral process assesses the existence and implementation of a regulatory and self-regulatory framework for the fair representation of different political actors and viewpoints on PSM and private channels, especially during electoral campaigns. The indicator also takes into consideration the regulation of political advertising, and its implementation in practice. The focus is on the risks from bias in the audiovisual media, as television remains the main source of news for citizens in the EU (Standard Eurobarometer, 88). However, the continuous rise of the online sources and platforms as sources of news (SE, 88), and as channels for more direct and less controlled political marketing, call for a deeper examination of the related practice and the regulation available.

As regards audiovisual media bias, and especially during electoral campaign, a vast majority of countries score a low risk (23 out of 31), including FYRoM. Five countries are found to be at medium risk (Lithuania, Luxembourg, Poland, Slovenia, and Spain), and 3 are at high risk (Hungary, Serbia, and Turkey). Hungary and Turkey keep the high risk level already identified the previous year (see CMPE, 2017). Serbia joins them as, even though Serbian media laws prescribe rules on fair representation of political parties and on their access to airtime on PSM channels, applicable to all types of political elections, these provisions are not fully enforced in practice (Sucurlija Milojevic, 2018). Furthermore, as stated by the country team, access to airtime in private media is not guaranteed and some political actors are clearly favoured over others, with different and preferential treatments being also provided in selling advertising space during an election campaign.

Figure 1.3.7. Indicator on Media and democratic electoral process - Map of risks per country

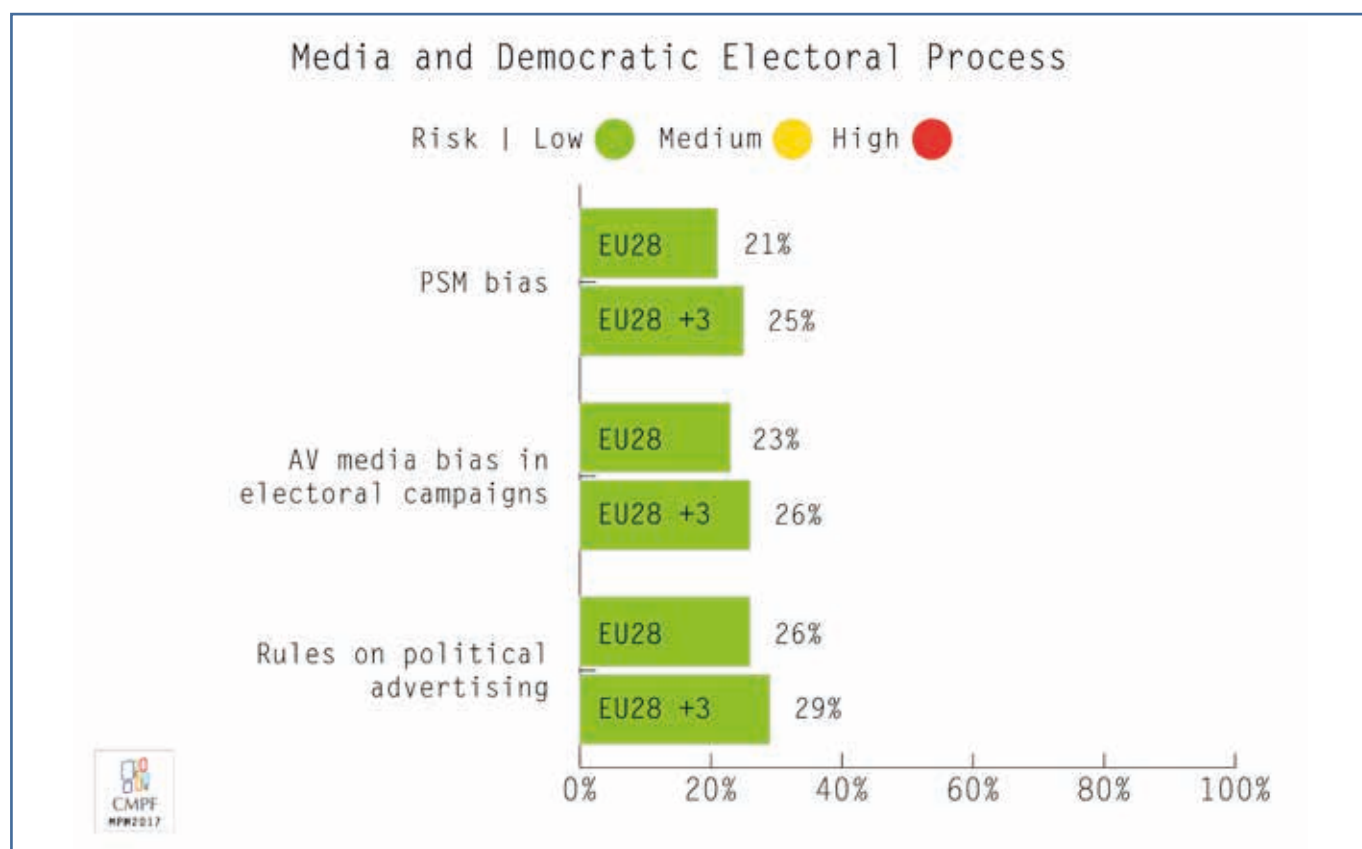


The MPM2017 analysis has shown that in all countries the law imposes rules to ensure fair representation of political viewpoints in news and informative programmes on PSM channels and services. It is, however, less common for such regulation and/or self-regulatory measures to exist for private channels and services. And despite the generally available rules on PSM impartiality, even these are not always respected in practice. Some cases of PSM bias have been noted for Croatia, FYRoM, Italy, Lithuania, Luxembourg, Malta, Romania, Serbia and Slovenia, while in Hungary, Poland, Spain and Turkey different groups of political actors and/or political viewpoints are represented in a biased way, clearly favouring some political actors and/or viewpoints over others.

A novelty within this indicator in 2017 is the introduction of a new variable that aims to assess the existence of legislation that prevents certain political actors from capturing online political communication by buying and targeting online political advertising in a non-transparent manner. The question posed is: Is there a regulation that aims to ensure fairness and transparency of online political advertising during electoral campaign? According to the MPM 2017 results, only nine countries at present (Belgium, Bulgaria, Denmark, Finland, Germany, Italy, Lithuania, Portugal and Sweden) have some kind of legislation or guidelines that require transparency of online political advertisements. In all these cases it is the general law on political advertising during electoral period that directly applies also to the online dimension.

In 2017, parliamentary elections were held in the Netherlands, Bulgaria, Malta, United Kingdom and Germany. In most of these countries this did not affect the overall scoring of the indicator. The indicator Media and democratic electoral process therefore continues to obtain on average the lowest risk score across 31 European countries within the area of Political independence. However, it is important to note that, apart from the newly added variable addressing regulatory framework for online political advertising, the focus of this indicator is still on audiovisual media. Future editions of the MPM will introduce a new set of measures to better assess the role of online media and intermediaries in electoral processes.

Figure 1.3.8. Indicator on Media and democratic electoral process - Averages per sub-indicator



STATE REGULATION OF RESOURCES AND SUPPORT TO MEDIA SECTOR

This indicator assesses the legal and practical situation in relation to the distribution of state managed resources to media. In a situation where media organisations face economic difficulties caused by recent economic crisis and an ongoing technological disruption, financial support from the state can be crucial, especially for non-profit, community media and other less commercial forms of journalism. Therefore, it is of a particular importance that fair and transparent rules on the distribution of state resources and support are in place, as well as that they are effectively implemented. Lack of clear and transparent rules might conduce to favouritism. Lack of available data on allocation in practice is also seen as a potential risk as the lack of transparency can conceal a practice of channelling money to specific media outlets in a biased manner.

Four countries score high risk for the indicator on State regulation of resources and support to media sector: Bulgaria, Hungary, Slovenia, and Turkey, (same as in MPM2016). 12 countries are in the medium risk band, and the largest number of countries (15) score low risk. These results roughly correspond to the MPM 2016. Some differences are recorded for Luxembourg, where the assessment for distribution of state advertising to media outlets went from medium to high risk, and for Greece, where it moved in the opposite direction (from high to medium). The reason for a more positive assessment for Greece, as motivated by the country team, are the recent legislative amendments that introduce administrative fines for failing to comply with the criteria for the distribution of state advertising, more precisely for failing to respect that a minimum of 30% of the advertising budget is allocated to regional media.

This indicator is composed of three sub-indicators: Spectrum allocation, Government subsidies, and Rules on state advertising. The sub-indicator on Spectrum allocation, which assesses the existence and implementation of the legal framework that enacts general regulatory principles and policy objectives of the Radio Spectrum Policy Programme (2012), continues to be at low risk for a vast majority of countries. Most of them have effective regulation and no disputes were recorded on this matter lately. However, there are a few exceptions: Greece (see also MPM2016), Bulgaria, Hungary, Italy, Slovenia, Spain and Turkey. The European Court of Justice (Case C-376/13 European Commission v Bulgaria Judgment of the Court (Ninth Chamber) of 23 April 2015) ruled that the procedure of authorisations for digital terrestrial TV in Bulgaria was based on disproportionately restrictive award conditions, leading to the exclusion of potential candidates. In Italy, the government overruled a decision of the media authority (Brogi, 2018).

The second component of this indicator is related to the allocation of state subsidies to media, both direct and indirect.

Direct state subsidies can be, for example, cash grants and interest-free loans, while indirect state subsidies include tax exemptions, reduced postal service and telephone rates. The logic of the MPM is that, if there are subsidies, there should be fair and transparent rules for their distribution. Otherwise, there is a risk of favouritism. On average, as in MPM2016, countries score a low risk on this sub-indicator, with a few exceptions that perform within a medium/high risk band: Cyprus, Greece, Hungary, Luxembourg, Poland, and Slovenia. These medium risks here mainly result from a lack of legislation to provide fair and transparent rules for the distribution of state subsidies to media outlets.

Finally, as in the previous round of monitoring, state advertising persists to be the most problematic issue for most countries, and the highest scoring component of this indicator (Figure 1.3.10.). For the purpose of the MPM, state advertising is described as any advertising paid by governments (national, regional, local) and state-owned institutions and companies to media. Most countries (21), among which also Serbia and FYRoM, score a high risk because they lack the legislation to ensure fair and transparent rules on the distribution of state advertising to media outlets, and this is also reflected in practice through low transparency on the distribution criteria, amounts and beneficiaries. High risks in relation to state advertising continue to be more present in new democracies (CEE) than in other members of the EU.

Figure 1.3.9. Indicator on State regulation of resources and support to media sector - Map of risks per country

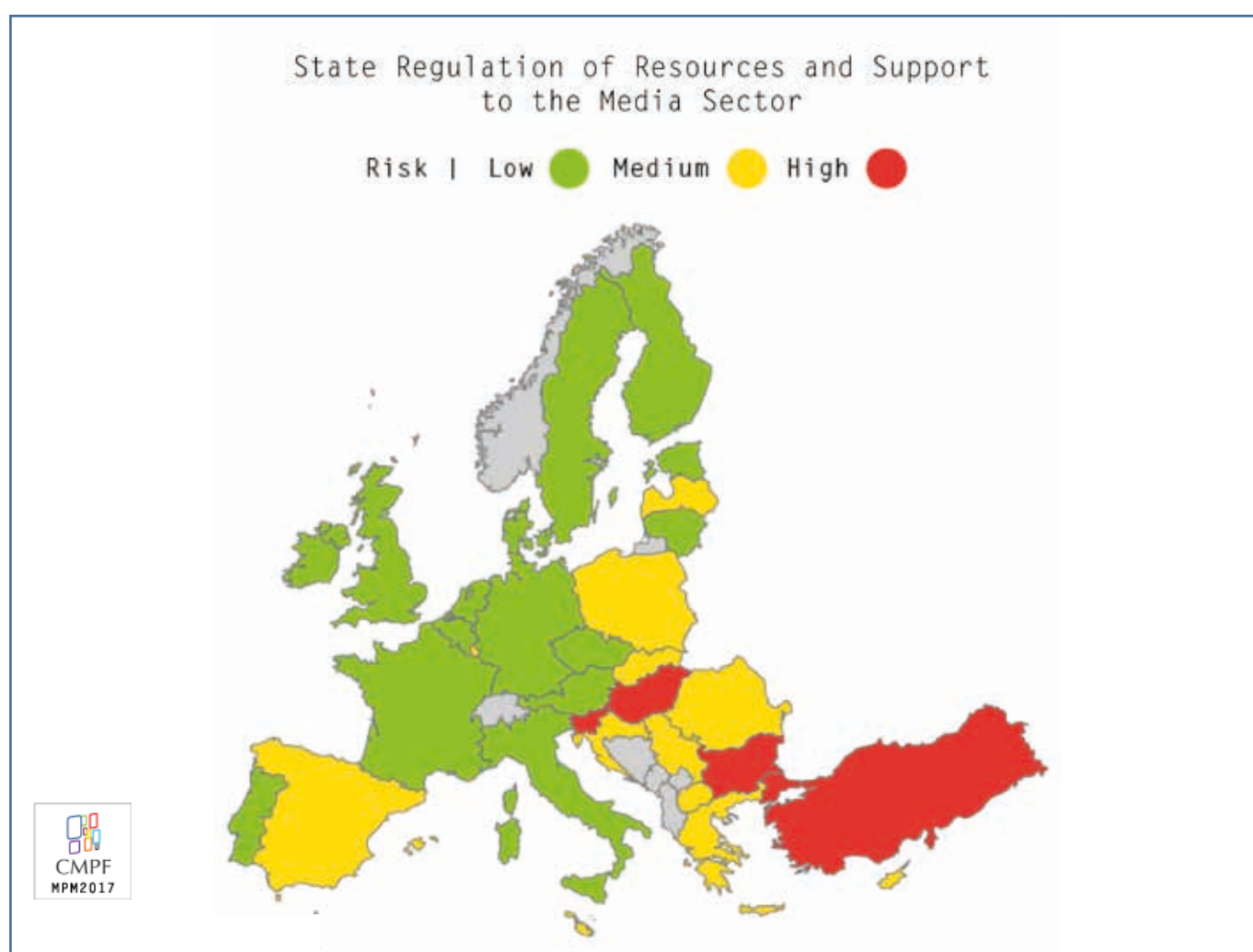
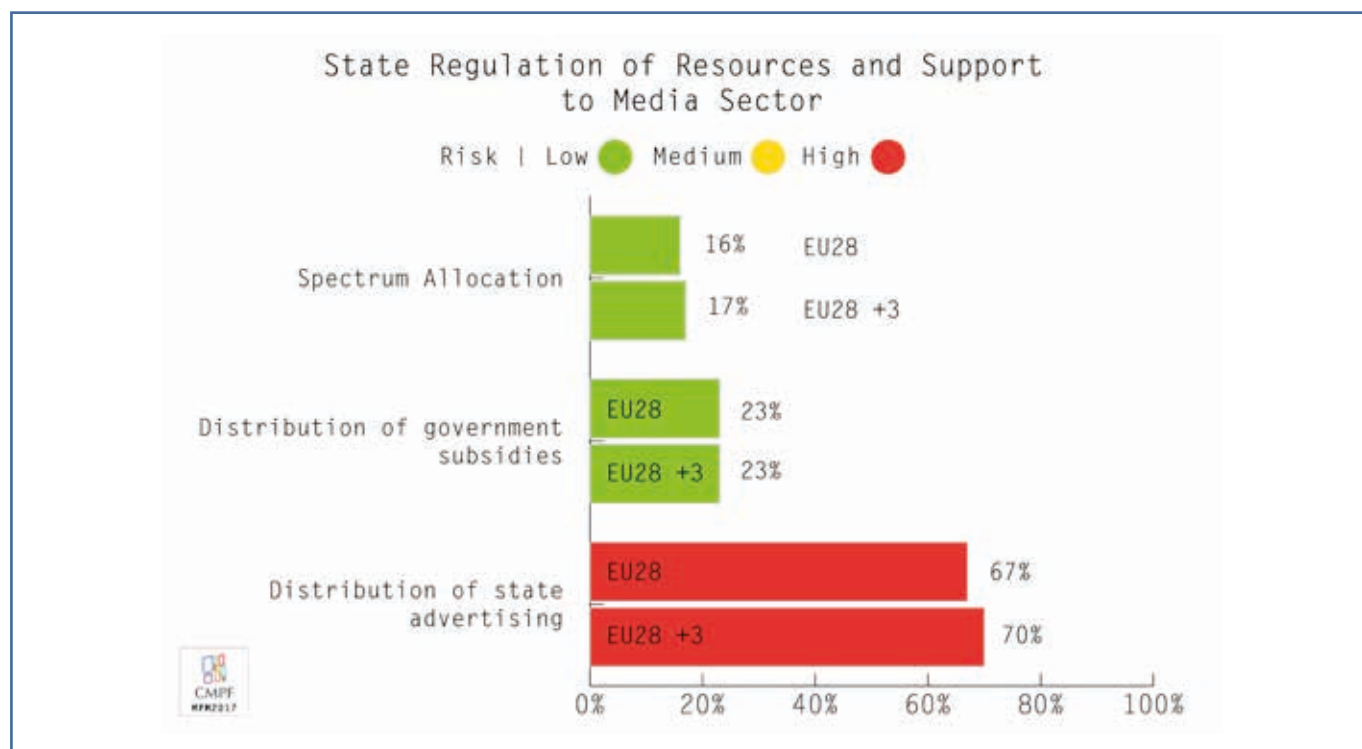


Figure 1.3.10. Indicator on State regulation of resources and support to media sector - Averages per sub-indicator



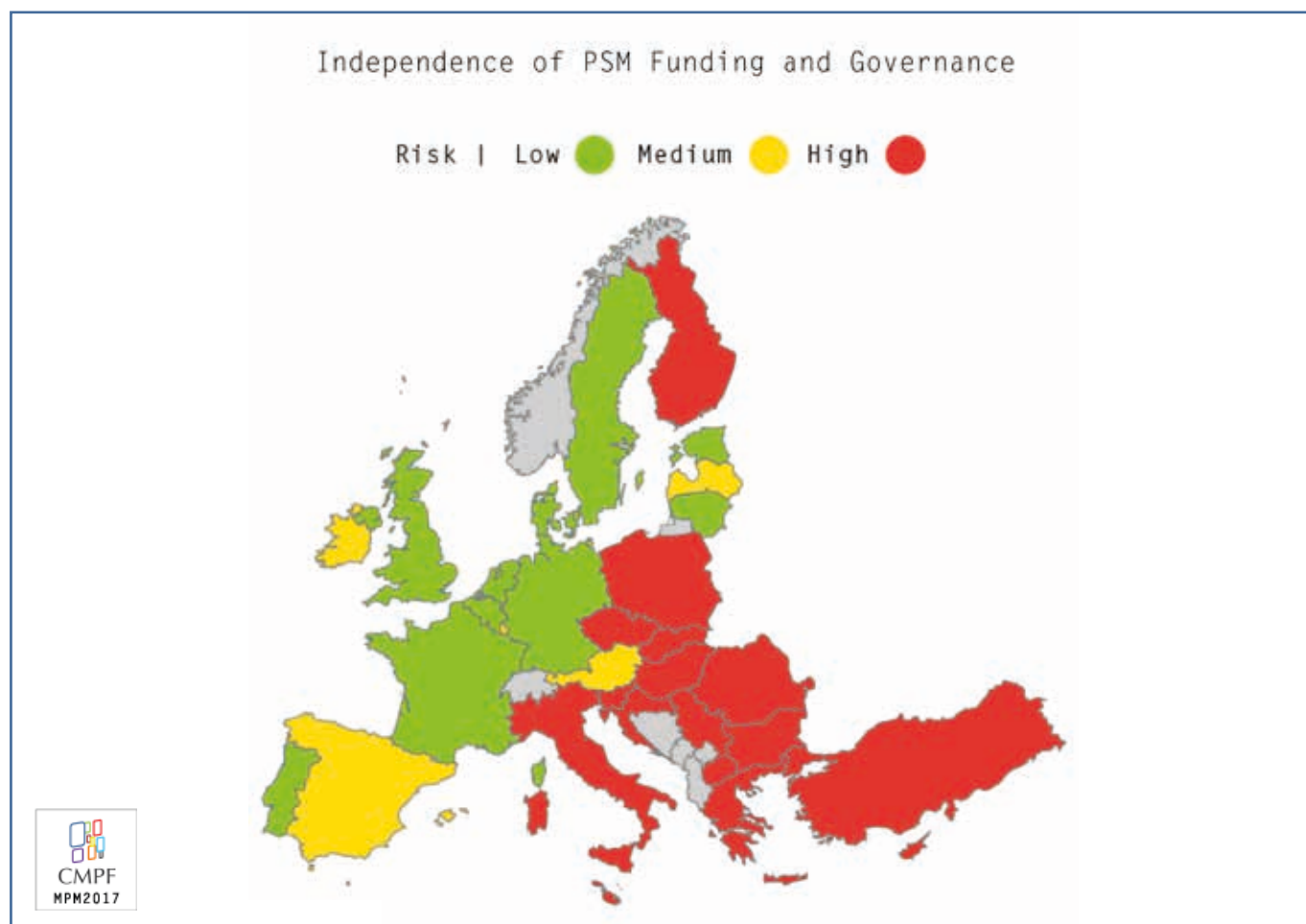
INDEPENDENCE OF PSM GOVERNANCE AND FUNDING

The Independence of PSM governance and funding indicator is designed to measure the risks which stem from appointments procedures for top management positions in public service media, and the risks arising from the PSM funding mechanisms and procedures. The reasons behind giving a special focus to PSM are twofold, emerging from its perceived special role in society and its relationship with the state (CMPE, 2016). PSM systems are usually established by the state, which, in some cases, still has an influence over them. Given that the PSM are thought of as being media that are both owned by the public and responsible to it, that are characterised by nationwide access, and that produce content for all communities (Smith, 2012), it is feared that PSM which are under political influence will no longer fulfil the above-mentioned roles. Specifically, it is feared that this will produce biased content and reduce the ability of citizens to make informed choices. In order to secure its independence, it has frequently been suggested that the state should have only a minimal ability to interfere with the appointment procedures to its boards and to exert influence by funding (Bardoel and Haensen, 2008; Benson and Powers, 2011; Council of Europe, 2012; Hanretty, 2009; Papatheodorou and Machin, 2003).

As the below map (Figure 1.3.11.) shows, there is somehow a clear division when it comes to scoring of the indicator on Independence of public service media governance and funding. Among lowest scoring countries are the ones located in Western Europe: United Kingdom, Germany, France, Belgium and the Netherlands, together with Denmark, Estonia, Lithuania, Portugal, and Sweden. Among high risk scoring countries are mostly central-eastern European states: Bulgaria, Croatia, Czech Republic, FYRoM, Hungary, Poland, Romania, Serbia, Slovakia, and Slovenia. High risk is also recorded for Finland, Italy, Greece, Malta and Cyprus, and Turkey, while five countries (Latvia, Luxembourg, Spain, Austria, Ireland) perform with a medium risk on Independence of PSM.

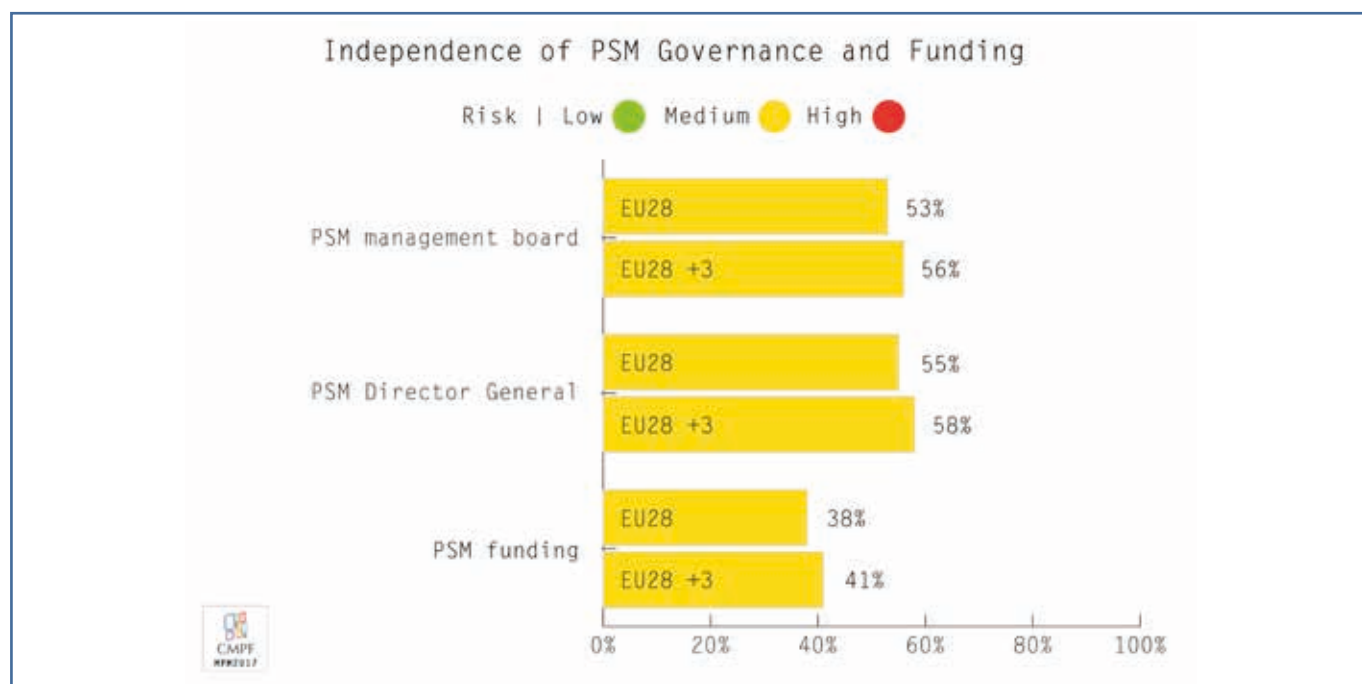
The most noticeable change of risk between the MPM2017 and the MPM2016 is in the case of Bulgaria that went from low risk on this indicator to a high risk level. This worsening is related to amendments in the Radio and Television Act allowing for indefinite extension of the regular 3-year mandates of the directors general and the management boards of the PSM in cases when the term of office is over, and a new Director General is not elected by the media authority (CEM) (Spasov et al., 2018). These amendments, as highlighted by the country team have legalised a more than a year long delay in the appointment of a new director general of the Bulgarian National Television. The situation has deteriorated also in Croatia, where the Supervisory Committee of the PSM was dismissed by the Parliament before the end of its mandate, following the Committee's 2016 report in which it exposed many irregularities in the management of the PSM (Bilic et al., 2018).

Figure 1.3.11. Indicator on Independence of PSM governance and funding - Map of risks per country



This indicator consists of three sub-indicators: one looking at the risks arising from PSM funding, and two assessing the risks stemming from appointments to the PSM management boards and of the director general. As shown in the figure below (Figure 1.3.12.) generally risks are more related to the appointment procedures, than to the PSM financing. In a majority of countries appointment procedures for the management of PSM lack proper safeguards and remain vulnerable to political influences. While selection and appointment procedures are often run by special committees or media authorities, final approvals in many cases are given by the voting in parliament or by the government (competent Minister).

Figure 1.3.12. Indicator on Independence of PSM governance and funding - Averages per sub-indicator



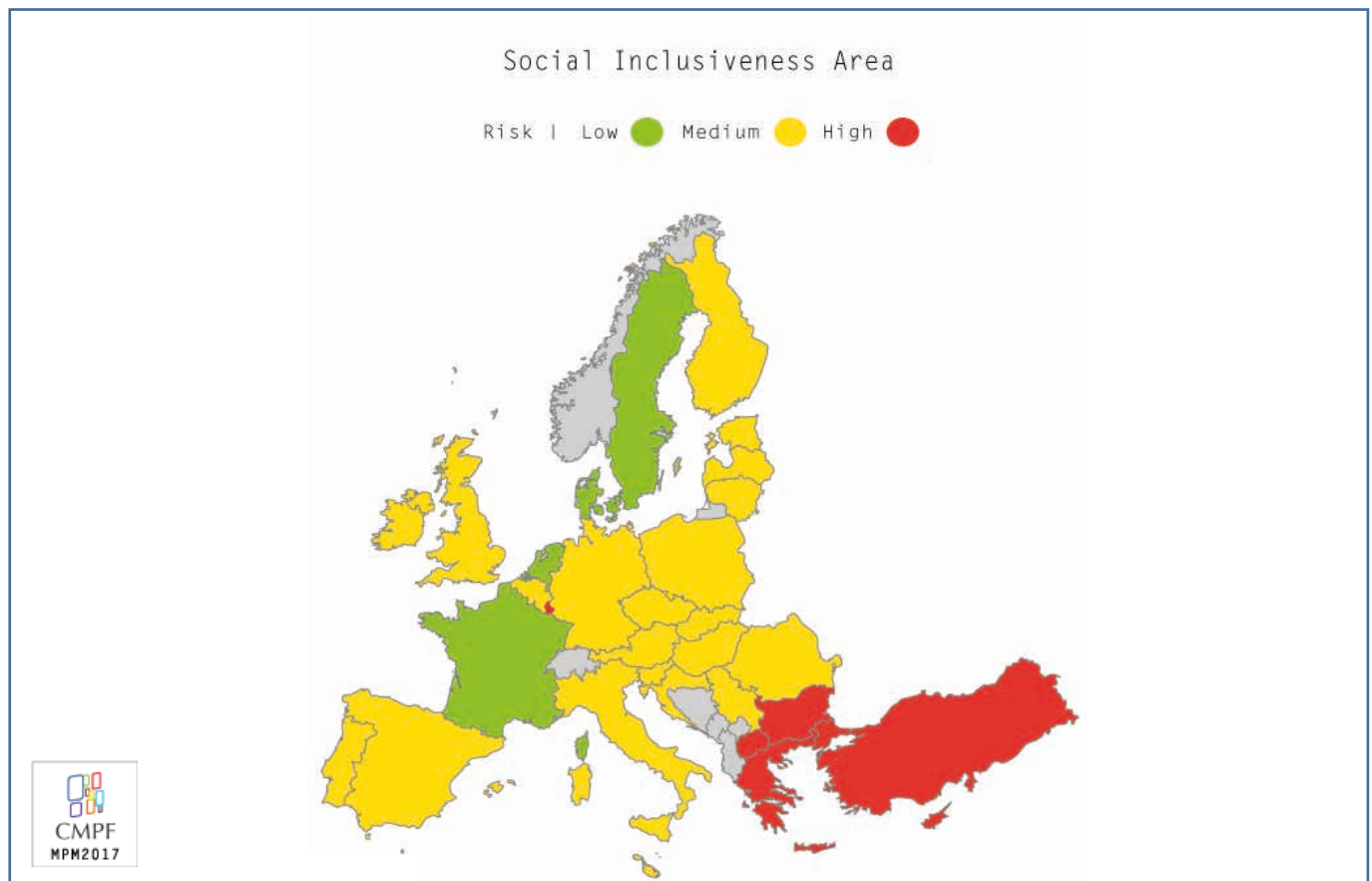
1.4 ANALYSIS OF SOCIAL INCLUSIVENESS

The Social Inclusiveness area examines access to the media by various social and cultural groups, such as minorities, local/regional communities, people with disabilities and women. The access of different social groups to the media is a key aspect of a participatory media system and is a core element of media pluralism. In addition, the Monitor considers media literacy to be a precondition for using media effectively. The area covers the following indicators:

- Access to media for minorities
- Access to media for local/regional communities and community media
- Access to media for people with disabilities
- Access to media for women
- Media literacy

In the area of Social Inclusiveness, two thirds of the countries (21) are in the medium risk band. 6 countries score a high risk (Bulgaria, Cyprus, FYRoM, Greece, Luxembourg, and Turkey) and 4 countries are in the low risk band (Denmark, France, the Netherlands, and Sweden). In comparison to the results of the MPM2016, Belgium and United Kingdom went from low to medium risk, and Luxembourg, Cyprus, and Bulgaria from medium to high risk, while the rest of the countries remained at the previous risk level. However, it needs to be noted that the results of the MPM2017 in this area are not fully comparable with the ones of the MPM2016 as, even though there were no changes at the indicator-level, several changes have been made at sub-indicator and variable-levels.⁴¹ These refinements of individual variables generally do not affect the relationship between the indicators but result in higher scoring of individual indicators.

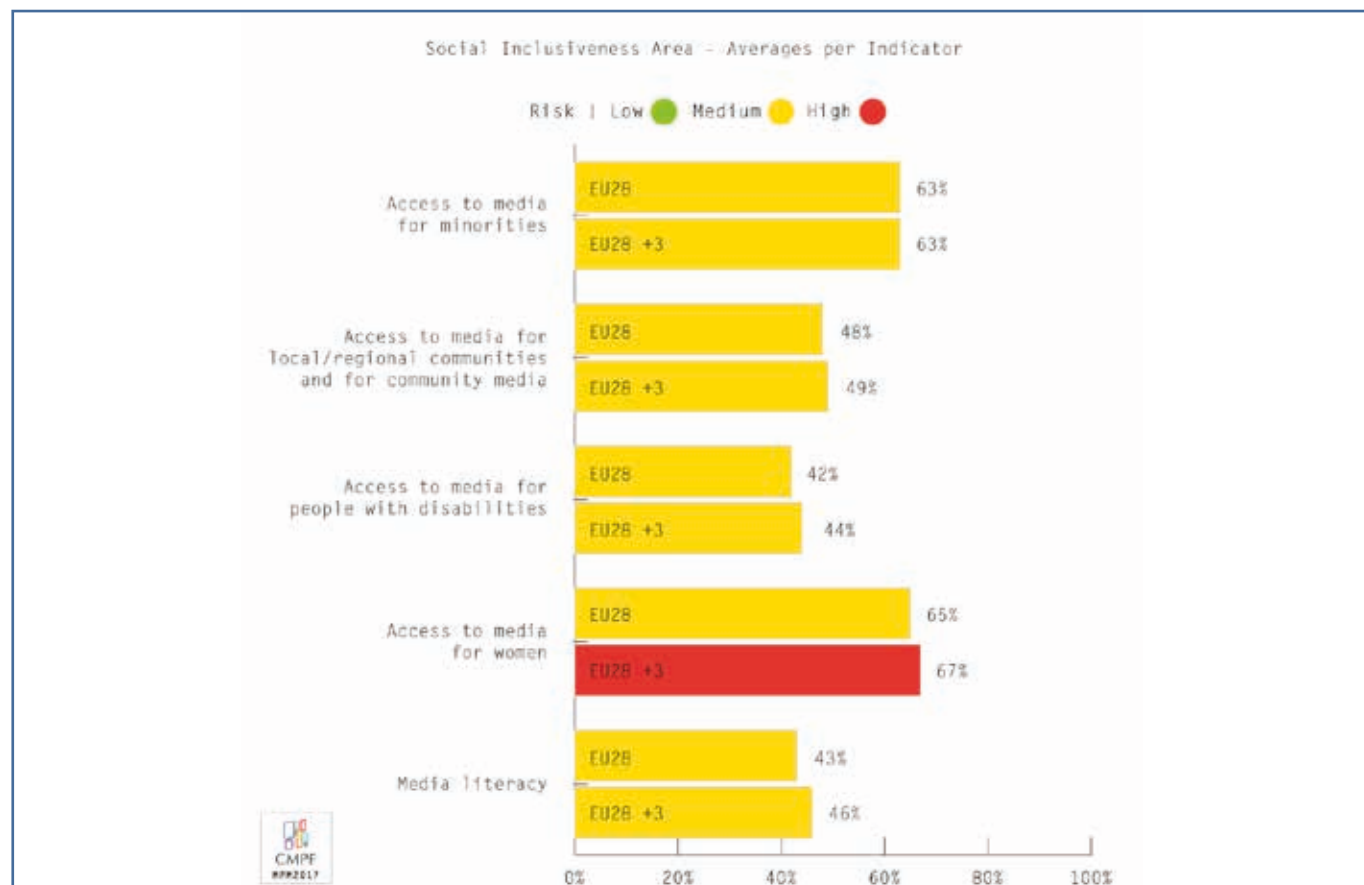
Figure 1.4.1. Social Inclusiveness area - Map of risks per country



⁴¹ More detailed explanations on the modifications introduced in this area are described under the respective indicators chapters and in the Methodology part of the report

As in 2016, the highest scoring indicators of the area on Social Inclusiveness are: Access to media for women and Access to media for minorities. The difference is that in 2017 the risk levels have increased for both indicators, and especially for the Access to media for women, which now entered the high risk band (both indicators scored medium risk in 2016). As noted above, this is to some extent related with refinements introduced within indicators, which required for a more detailed assessment at the national level. For the other three indicators, also slightly refined, the risk remained medium, although with a slightly increased percentage in comparison to the previous round of the MPM (see Figure 1.4.2.).

Figure 1.4.2. Social Inclusiveness area - Averages per indicator



The results for the two countries monitored for the first time in 2017, FYRoM and Serbia, suggest reasons for concern. In FYRoM the area of Social Inclusiveness scores a high risk (69%) resulting from insufficient access to media for people with disabilities, women and marginalised communities, and also from the poor state of media literacy (Trpevska and Micevski, 2018). In Serbia, Social Inclusiveness is on the border between medium and high risk. Again, media literacy is underdeveloped and minorities, people with disabilities and women do not have an easy access to media (Sucurlija Milojevic, 2018).

ACCESS TO MEDIA FOR MINORITIES

The Monitor assesses minorities' access to airtime on public service media, both in terms of legal safeguards and in practice. It further assesses whether the minorities have access to airtime on private TV and radio, and it takes into account both minorities that are legally recognised and those that are not. Variables have been elaborated on the basis for of CoE and OSCE documents. The OSCE's Oslo Recommendations⁴² (p. 6) states the following: "Persons belonging to national minorities should have access to broadcast time in their own language on publicly funded media. At national, regional and local levels the amount and quality of time allocated to broadcasting in the language of a given minority should be commensurate with the numerical size and concentration of the national minority and appropriate to its situation and needs." The Council of Europe's European Charter for Regional or Minority Languages (Council of Europe 1992, article 11) and its Framework Convention for the Protection of National Minorities, which emphasises that the Convention Parties shall ensure, within the framework of their legal systems, that persons belonging to a national minority are not discriminated against but facilitated in their access to the media (Council of Europe, 1995, article 9).

For the purpose of the MPM "minority" is defined as a cultural or social group:

- numerically inferior to the rest of the population of a state,
- smaller than the majority group in the respective country;
- in a non-dominant position,
- whose members possess ethnic, religious or linguistic characteristics differing from those of the rest of the population.

The composition of this indicator in the MPM 2017 was refined based on the observations during the previous rounds of implementation and following the discussions with country teams. Several variables have been eliminated and new ones have been introduced. The aim of the changes was, on the one hand, to improve the distinction between minorities that are legally recognised and those that are not. On the other hand, a clearer separation was made between access for minorities to PSM and to private broadcasters.

For the second consecutive year, the results on the indicator Access to media for minorities show that this is one of the highest risk level indicators in the area of Social Inclusiveness and among the top risk scores across all of the Monitor's areas. In the great majority of countries, namely 17, minorities seem not to have adequate access to airtime, which results in a high risk score. 9 countries score a medium risk (Czech Republic, Latvia, Poland, Slovakia, Italy, Belgium, Bulgaria, Denmark and France), and only 5 acquire a low risk level: Estonia, FYRoM, the Netherlands, Sweden, and Lithuania, with the latter being at border with medium risk. These low risks represent the assessments of local experts according to which most minorities have adequate access to airtime on PSM and private channels in those countries.

The indicator on Access to media for minorities contains two sub-indicators: one examines whether minorities (both legally recognised and not recognised by the law) have access to private TV and radio channels; while the other assesses the situation in relation to public service media: whether the law guarantees access to airtime on PSM channels to legally recognised minorities and whether minorities (both legally recognised and minorities not recognised by the law) have access to it in practice.

Higher risk scores are related to an insufficient access to private TV and radio for minorities. In 9 countries (Austria, Croatia, Cyprus, Finland, Greece, Hungary, Serbia, Slovenia and Turkey) most minorities, be they recognised or not by law, do not have access to airtime on commercial broadcasters or it is not proportional to the size of their populations in the country.

However, it is of even higher concern that many public service media perform with medium risk, considering their remit and a role in society. More than one third of the countries (12) do not have legal guarantees of access to airtime on PSM for minorities. And, when it comes to practice, in 9 out of 31 countries most legally recognised minorities do not have access to airtime or the access granted is not proportional to the size of their populations. In further 10 countries there are no legally recognised minorities, or, as is the case in Bulgaria, the law does not differentiate between 'recognised' and 'not recognised' minorities. In 8 countries (Austria, Croatia, Czech Republic, Hungary, Malta, Poland, Portugal and Romania), national news on PSM are not available in any of the minority languages. Only in four countries (Czech Republic, Estonia, the Netherlands and Slovakia), according to the data collected by country teams, minorities have access to PSM, without any significant exception. On a specific variable that seeks to evaluate whether minorities, which are not recognised by law, have access to airtime on PSM channels in practice, 23 countries score a medium or a high risk.

42 OSCE (1998) The Oslo Recommendations Regarding the Linguistic Rights of National Minorities & Explanatory Note. <https://www.osce.org/hcnm/oslo-recommendations>

Access to Media for Minorities

Risk | Low ● Medium ● High ●

A map of Europe with countries colored according to the risk level of access to media for minorities. The legend indicates: Low risk (green), Medium risk (yellow), and High risk (red). Countries colored red (High risk) include Spain, Portugal, Ireland, the United Kingdom, France, Germany, Poland, Czech Republic, Slovakia, Hungary, Romania, Bulgaria, Greece, Turkey, and parts of Scandinavia. Countries colored yellow (Medium risk) include Italy, Austria, Switzerland, and parts of Scandinavia. Countries colored green (Low risk) include Sweden, Finland, and parts of Scandinavia. Some countries are colored grey, indicating no data or not applicable.

Access to Media for Minorities

Risk | Low Medium High

Category	Entity	Access (%)	Risk Level
Access to private broadcasters	EU28	76%	High
	EU28 +3	77%	High
Access to PSM	EU28	50%	Medium
	EU28 +3	49%	Medium

CMPP
MPC2017

ACCESS TO MEDIA FOR LOCAL/REGIONAL COMMUNITIES AND COMMUNITY MEDIA

Media at the regional and local level are particularly important for democracy since their relationship with local audiences tend to be closer as compared to national media. That proximity is confirmed by both the user statistics and by the level of participation of users in the media. Regional and local media can also serve as alternative spaces for discussion for identities and languages that are marginalised by the national media. A solid regulatory framework and support measures can help regional media in their democratic mission (Cappello et al., 2016). This is becoming increasingly important in times when more and more local and regional newspapers and broadcasters are struggling to survive.

Community media are also critical for ensuring media pluralism and are an indicator of a sound democratic society. They tend to focus on local issues and can contribute to facilitating local discussions (UNESCO, 2017). In the MPM, community media is defined as media that are non-profit and accountable to the community that they seek to serve. They are open to participation by members of the community for the creation of content. As such, they are a distinct group within the media sector alongside commercial and public media. Community media are addressed to specific target groups and social benefit is their primary concern.

This MPM indicator assesses if local and regional communities are guaranteed access to media, both in terms of legal safeguards and in terms of policy or financial support. It also covers community media, both from the point of view of legal and practical guarantees of access to media platforms and independence, as well as in terms of policy measures. In comparison to the MPM 2016, only a few changes were made to the variables of this indicator. Most of them regarded the formulation of questions and descriptions. One new variable was added asking if the state subsidies are distributed to media outlets in a fair and transparent manner, since, if they are not, this may diminish pluralism.

More than two thirds of the countries (23) are in the medium or high risk band (see Figure 1.4.5.), and as many as 8 score a high risk (Turkey, Hungary, Bulgaria, Czech Republic, Poland, Estonia, Finland and Greece). FYRoM and Serbia perform within the medium risk band. In Serbia, community media are recognised by the law, but the law does not guarantee their independence. Furthermore, co-funding of local and regional media is often done in a procedure that is neither transparent nor fair. In FYRoM the Access to media for local communities and for community media is just below the high risk threshold. There is no obligation in the relevant law for the state to support local or regional media, nor the state subsidies community media and as a result there are only three non-profit radio stations in the country.

As in 2016, the sub-indicator on community media scores higher risk as compared to the one focusing on local and regional communities (see Figure 1.4.6.). It assesses if community media are guaranteed access to media platforms (e.g. by reservation of TV or radio frequencies for community media or guarantees for access to networks via must-carry rules), if the community media's independence is safeguarded, and if these media benefit from state support, subsidies or targeted policy measures. Seven countries (Cyprus, Czech Republic, Estonia, Finland, Hungary, Luxembourg and Spain) score high risk on this sub-indicator.

The second sub-indicator examines if there are legal safeguards for access to media for local and regional communities, and if the state supports local and regional media through subsidies or policy measures. The MPM assesses if the law contains specific provisions granting access to media platforms to regional or local media, and if they are implemented. Moreover, it assesses if the PSM are obliged to keep their own local/regional correspondents or branches and if they have obligations to broadcast national news in regional and minority languages. The overall results on this sub-indicator show that more than half of the countries (18) are in the medium or high risk band, and 12 score low risk level, with 4 (Austria, Germany, Portugal and Spain) being at the minimal possible risk level.

Figure 1.4.5. Indicator on Access to media for local/regional communities and community media - Map of risks per country

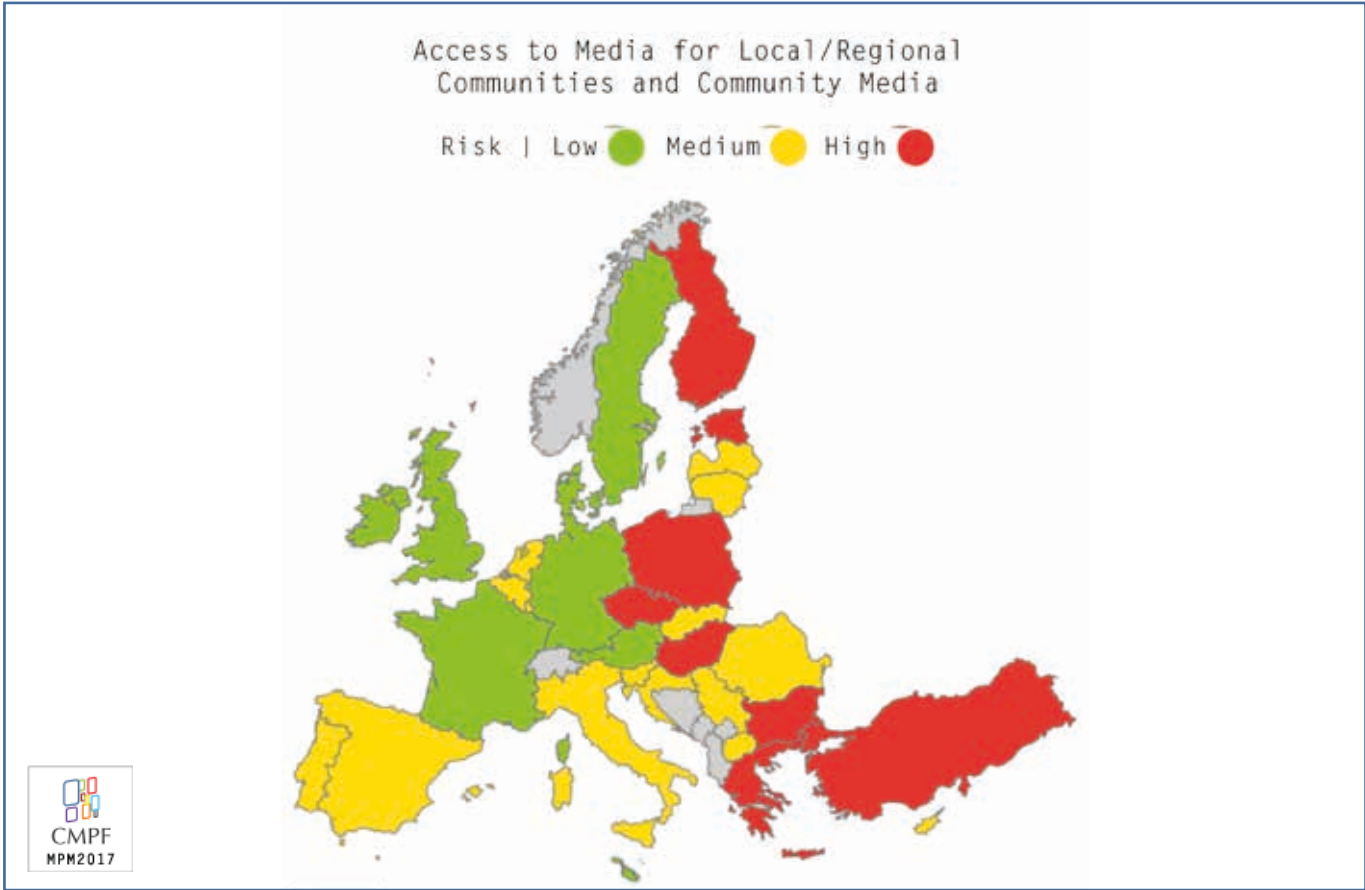
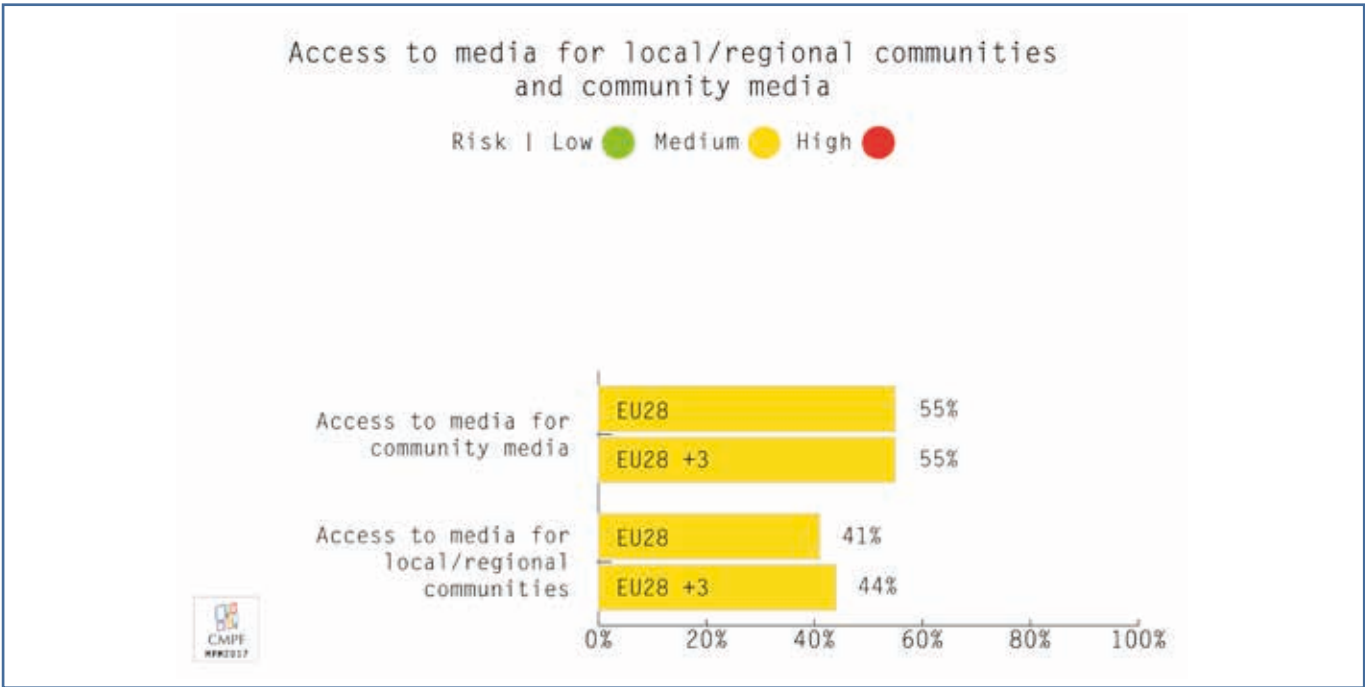


Figure 1.4.6. Indicator on Access to media for local/regional communities and community media - Averages per sub-indicator

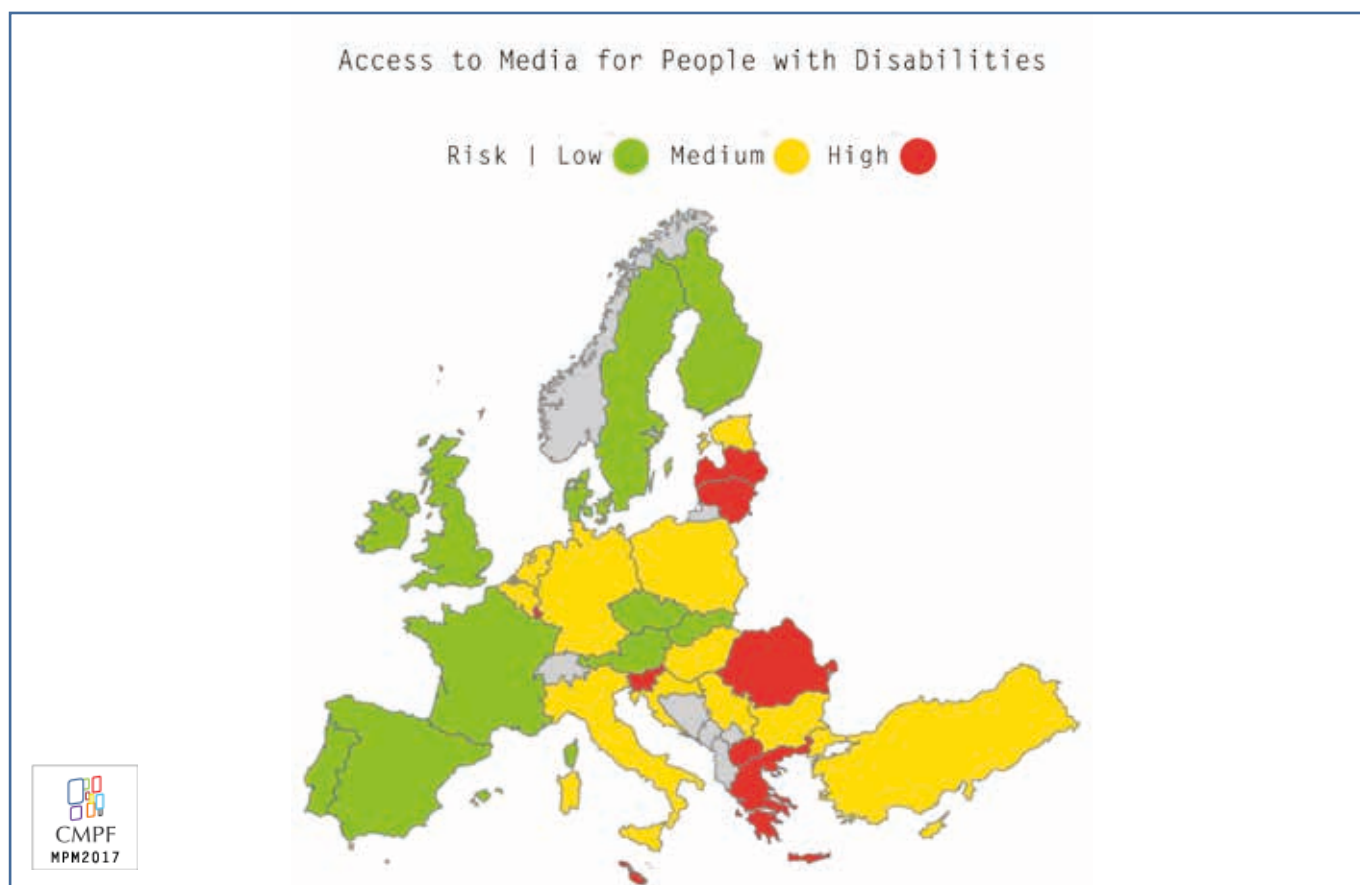


ACCESS TO MEDIA FOR PEOPLE WITH DISABILITIES

All citizens have the right to access media and persons with disabilities need this access in order to live independently and participate fully in all aspects of life (European Blind Union, 2016). This is an issue for a large number of people since there are circa 30 million visually impaired⁴³ and 50 million deaf or hard of hearing Europeans⁴⁴, which together constitutes about 10% of the total EU population. The UN Convention on the Rights of Persons with Disabilities, which has been ratified by over 170 states and by all of the EU countries (European Commission, 2016), stresses that states should encourage the media, including providers of information through the Internet, to make their services accessible to persons with disabilities; and that they should promote the use of sign languages (article 21). The Convention also asserts that states shall take all appropriate measures to ensure that persons with disabilities enjoy access to television programmes in accessible formats (article 30)⁴⁵. “Denying access to TV and on-demand content means discrimination on the basis of article 30 of that Convention.”⁴⁶ At the European level, the Audiovisual Media Services Directive (AVMSD, 2010, article 7) contains a non-binding measure stating that “Member States shall encourage media service providers under their jurisdiction to ensure that their services are gradually made accessible to people with a visual or hearing disability”.

The MPM indicator assesses the regulatory framework, including the policies and laws on access to media content for people with disabilities, and the availability of support services for people with hearing and visual impairments. In the framework of the MPM, people with disabilities are defined as blind, partially sighted, deaf and hard of hearing people. The indicator was refined for the MPM 2017 implementation: several new variables were added to make the assessment of risks to accessibility more accurate, taking into account the key issues and the latest developments in this area. Particular attention was dedicated to enactment by adding two new variables asking about the implementation of (i) the policy on access to media content by people with disabilities, and (ii) the legislation requiring access services.

Figure 1.4.7. Indicator on Access to media for people with disabilities - Map of risks per country



⁴³ European Blind Union: <http://www.euroblind.org/resources/information/#details>

⁴⁴ European Federation of Hard of Hearing People (2011). State of subtitling accessing EU. Report. http://ec.europa.eu/internal_market/consultations/2011/audiovisual/non-registered-organisations/european-federation-of-hard-of-hearing-people-efhoh-en.pdf

⁴⁵ The Convention establishes that “States Parties shall take all appropriate measures to ensure that persons with disabilities can exercise the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice.” See Article 21 and 30: Freedom of expression and opinion, and access to information of the UN Convention on the Rights of Persons with Disabilities: <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/convention-on-the-rights-of-persons-with-disabilities-2.html>

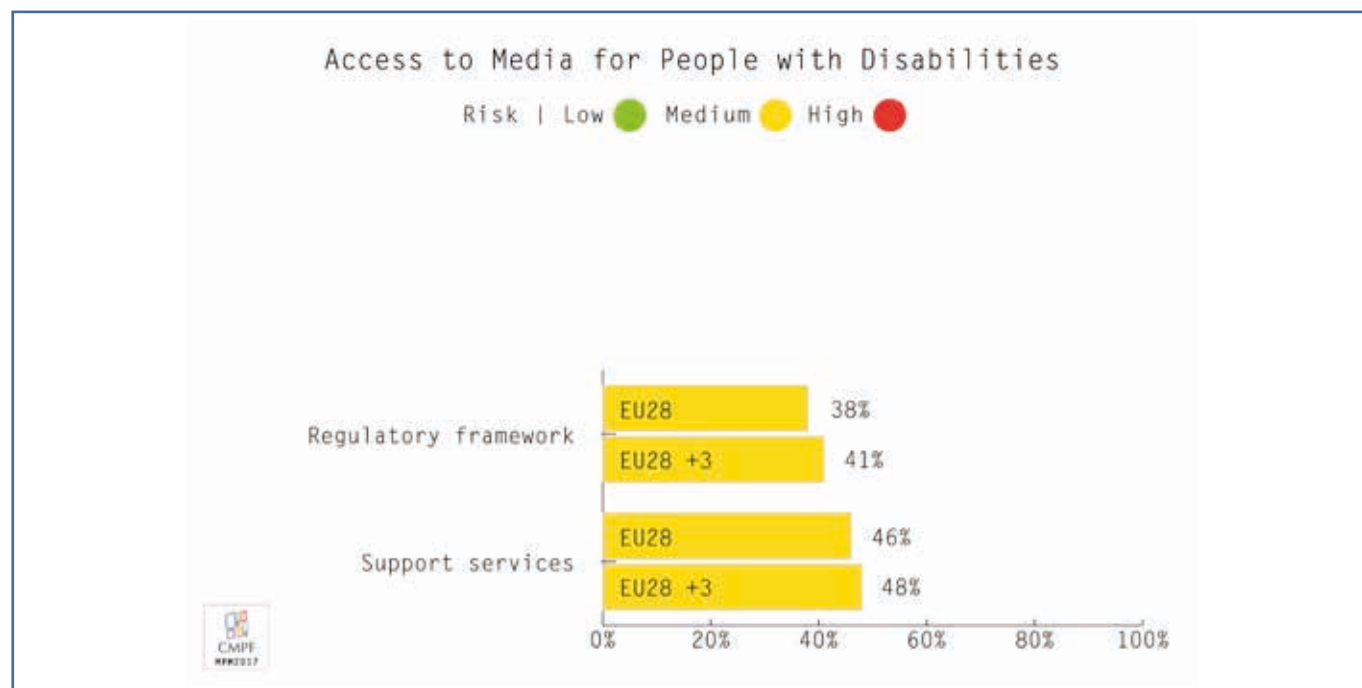
⁴⁶ <http://www.euroblind.org/newsletter/2016/july-august/newsletter/online/en/newsletter/feature/>

As in 2016, this is the indicator showing the lowest risk in the Social Inclusiveness area, although still in the frame of medium risk. The largest number of countries (12) score medium risk, 11 are at low risk, and 8 (Romania, Slovenia, Greece, Latvia, Malta, Lithuania, FYRoM and Luxembourg) acquire high risk. The highest risk scoring country is Luxembourg, the same as in 2016, and the lowest scoring is Sweden. While Luxembourg has elaborated action plans to achieve several objectives of the United Nations Convention on the Rights of Persons with Disabilities ratified in 2011, the outcomes are still insufficient because the objectives defined in the convention are not transposed into specific national laws (Kies and Schall, 2018). In practice, RTL Télé Lëtzebuerg (that fulfils public service missions), includes French and German subtitles for one programme only (the second broadcast of national news at 20.30), and no audio descriptions are available. Sweden, on the other hand, has a well developed policy on access to media content by people with disabilities, and the support for people with visual and hearing impairments to access TV is available.

Overall, as shown in the Figure 1.4.7. there is a lot of variation across the 31 countries in terms of the level of accessibility for people with disabilities. In general, countries seem to perform better on the regulation than on the practice side. This suggests that even when there are laws and policies on access to media content by people with disabilities, these are not always fully implemented in reality. One country (Latvia) has no policy on access to media content by people with disabilities and in 20 countries existing policies are only nascent. However, even in cases where there are well-developed policies, such as in Czech Republic, Germany, Malta, Portugal and Spain, these are partly implemented or only some of the policy measures are concretely undertaken. Denmark, France, Slovakia, Sweden and United Kingdom are the only 5 countries in which policies on access to media content by people with disabilities are well developed and implemented. In addition, while a vast majority of countries (27) also have a law that requires access services for people with disabilities, in almost half of them (12) the law in question is not implemented effectively.

In practice, in almost half of the countries (14) subtitles, signing and sound descriptions for people with hearing impairments in audiovisual media are available only on irregular basis or in the least popular scheduling windows (medium risk). In FYRoM no subtitles, signing and sound descriptions are available, as reported by the country team, which represents a high risk. As regards the levels of audio description available for blind people, 10 countries score a medium risk, and 13 are in a high risk band as no audio descriptions for blind people are made available there.

Figure 1.4.8. Indicator on Access to media for people with disabilities - Averages per sub-indicator



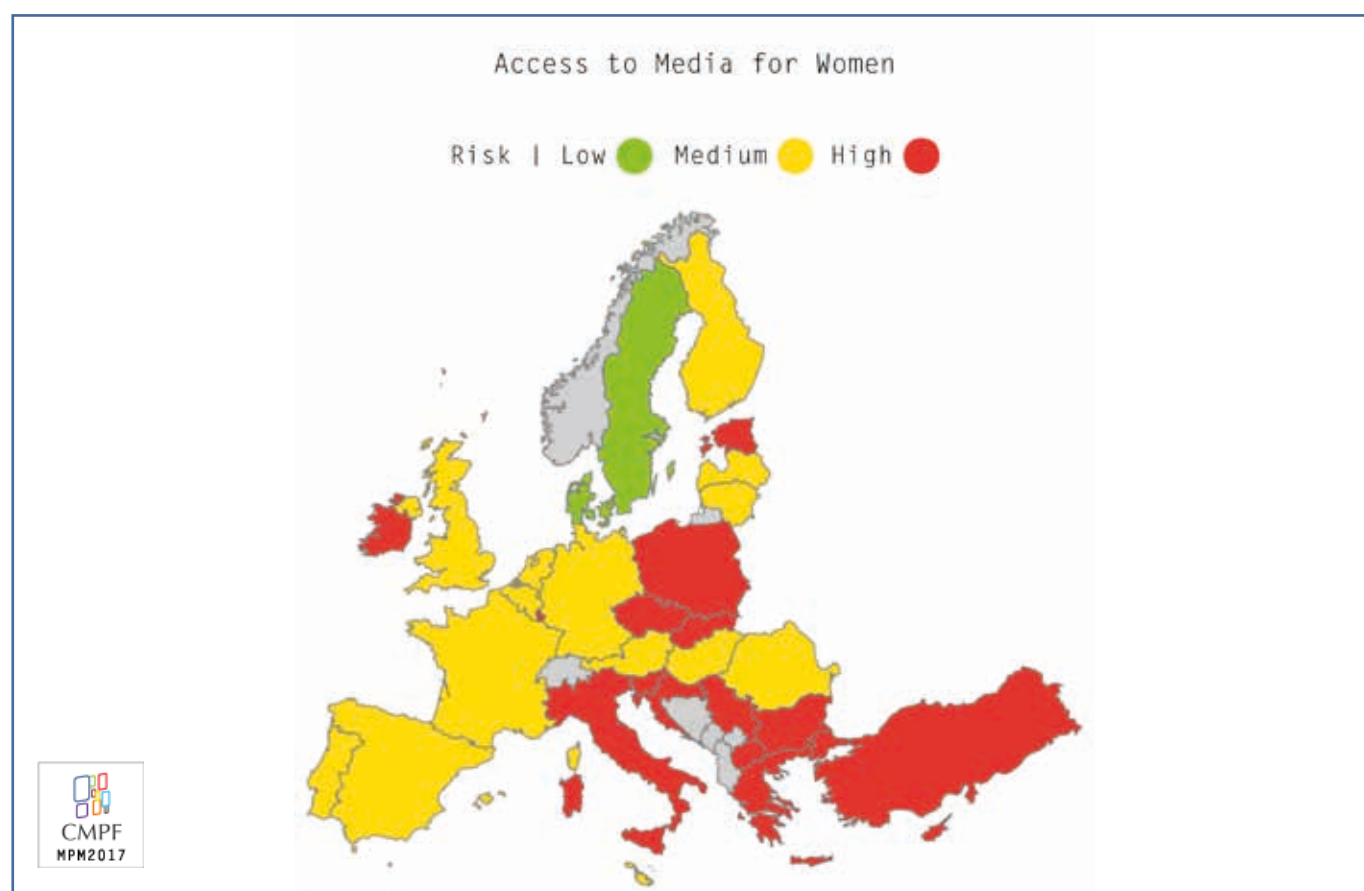
ACCESS TO MEDIA FOR WOMEN

Gender equality is a fundamental value (Treaty on European Union, 2008) and a strategic objective of the EU (European Commission, 2015⁴⁷). The Council of Europe considers gender equality as an integral part of human rights, inter-related with media freedom, including editorial freedom, and hand-in-hand with freedom of expression, as fundamental right (Council of Europe Recommendation, 2013). However, gender gaps are still a reality in the media sector. The EU-wide study conducted by the European Institute for Gender Equality (EIGE, 2013, p. 59) stresses that significant inequalities, including under-representation and career barriers, remain entrenched in the media sector. Part of the EIGE conclusions are confirmed by the results of this indicator during previous implementations of the MPM (Nenadic and Ostling, 2017).

The indicator Access to media for women evaluates the availability, comprehensiveness and implementation of gender equality policies within public service media; as well as the share of women at the level of management, among news reporters and in news content. The indicator was slightly improved, in comparison to the MPM 2016, to collect more relevant data, and to make a more targeted assessment of risks in this area. A variable was added to assess the implementation of PSM gender equality policies since poor implementation and follow-up of policies was identified as a very plausible risk. Moreover, the indicator was expanded to cover also access to private media.

Access to media for women is the indicator with the highest risk score in the Social inclusiveness area (this was also the case in 2016). It is the only indicator across all the MPM areas that on average for all countries results in a high risk level. This suggests, for the second consecutive year, that women are underrepresented in both managerial roles and content of media in Europe. Furthermore, the overall risk score has increased in comparison to the MPM 2016 (when it was medium on average), and is in the high risk now. This is largely related to the refinements of the indicator. More specifically, the questions posed in the MPM 2017 are more detailed - seeking to evaluate implementation of existing policies and to calculate precise share of women in managerial roles of public service and commercial broadcasters. This may suggest that the deeper one digs, the more inequality is going to be discovered. As shown in the map in Figure 1.4.9, 15 countries score high risk on this indicator, and only 2 (Sweden and Denmark) score a low risk.

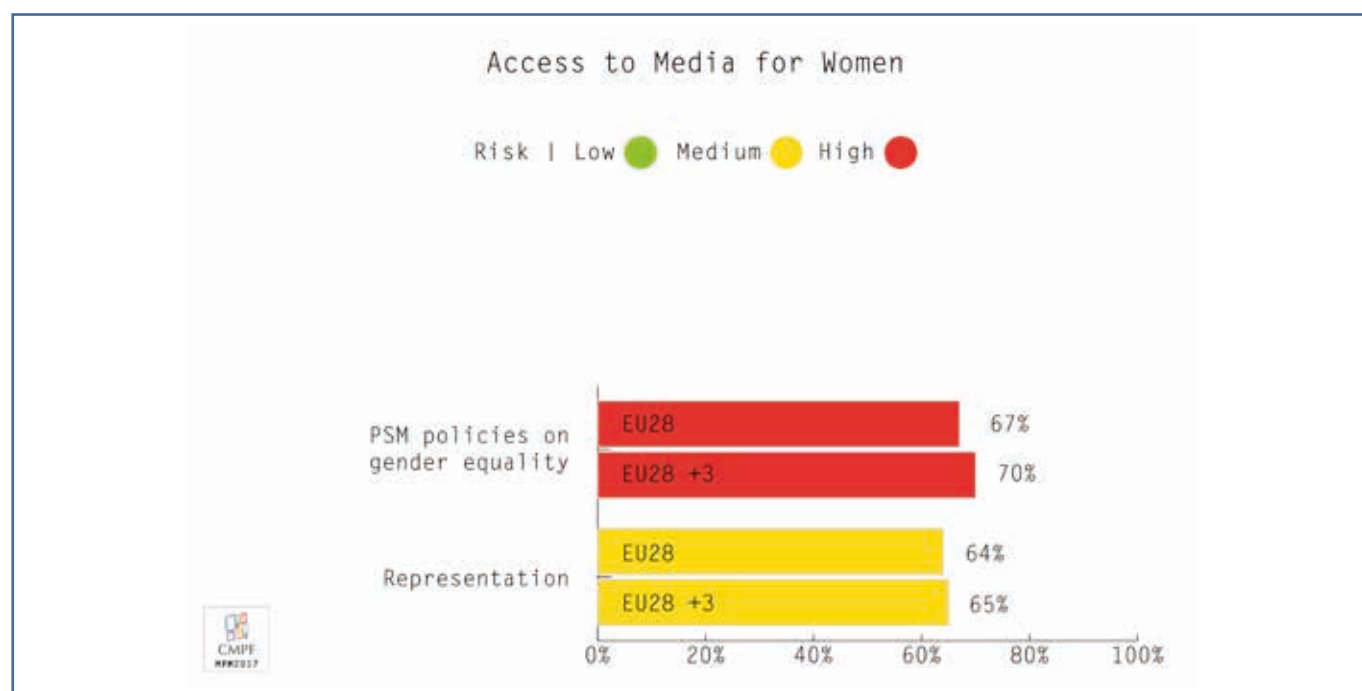
Figure 1.4.9. Indicator on Access to media for women - Map of risks per country



47 European Commission (2015). Strategic engagement for gender equality 2016-2019. http://ec.europa.eu/justice/gender-equality/document/files/strategic_engagement_en.pdf

Public service media have a comprehensive gender equality policy covering both personnel issues and programming content in 8 countries only (Austria, Belgium, Denmark, Finland, France, Germany, Sweden and United Kingdom), and in most of these cases, available policies are only partly implemented. In almost half of the countries (15), women are either not represented in PSM management boards or their share is at 29% or lower. The results are even more worrisome when we look at the top executive positions of the PSM (chairs of board, directors) - in 22 out of 31 countries, these posts are occupied by men. The situation is similar for private TV companies: in 15 countries the share of women among members of management boards is 29% or lower, and in 16 countries, executives (chairs, directors) are predominately men. It is also important to note here that in additional 8 countries the data on organisational structure of private broadcasters and the composition of their boards was not available which is seen as a risk related to lack of transparency.

Figure 1.4.10. Indicator on Access to media for women - Averages per sub-indicator



MEDIA LITERACY

Media literacy is a fundamental prerequisite of an accessible media system, and a core element of media pluralism. People need to master media literacy skills to fully enjoy fundamental rights such as freedom of expression and access to information (UNESCO, 2013). The European Commission has recently put the promotion of media literacy as one of the key follow-up actions to the Annual Colloquium on Fundamental Rights in 2016.⁴⁸ Moreover, the European Audiovisual Media Services Directive (AVMSD, 2010) requires both the development of media literacy in all sections of society and measurement of its progress.⁴⁹ The Monitor bases its definition of media literacy on both the AVMSD text and on the European Association for Viewers Interests' (EAVI) media literacy study carried out in 2009: "Media literacy is an individual's capacity to interpret autonomously and critically the flow, substance, value and consequence of media in all its many forms" (EAVI, 2009). "Media literacy' refers to skills, knowledge and understanding that allow consumers to use media effectively and safely. Media-literate people are able to exercise informed choices, understand the nature of content and services and take advantage of the full range of opportunities offered by new communications technologies. They are better able to protect themselves and their families from harmful or offensive material" (AVMSD, 2010).

The MPM indicator covers two major dimensions of media literacy: environmental factors, and individual competencies, which follow the logic of the categorisation used by EAVI (2009: 5). EAVI defines environmental factors as a set of contextual factors that impact the broad span of media literacy, including informational availability, media policy, education and the roles and responsibilities of stakeholders in the media community. Individual competencies are defined as an individual capacity to exercise certain skills (including inter alia cognitive processing, analysis, communication). These competencies draw on a broad range of capabilities, and embrace increasing levels of awareness, the capacity for critical thought and the ability to produce and communicate a message (EAVI 2009).

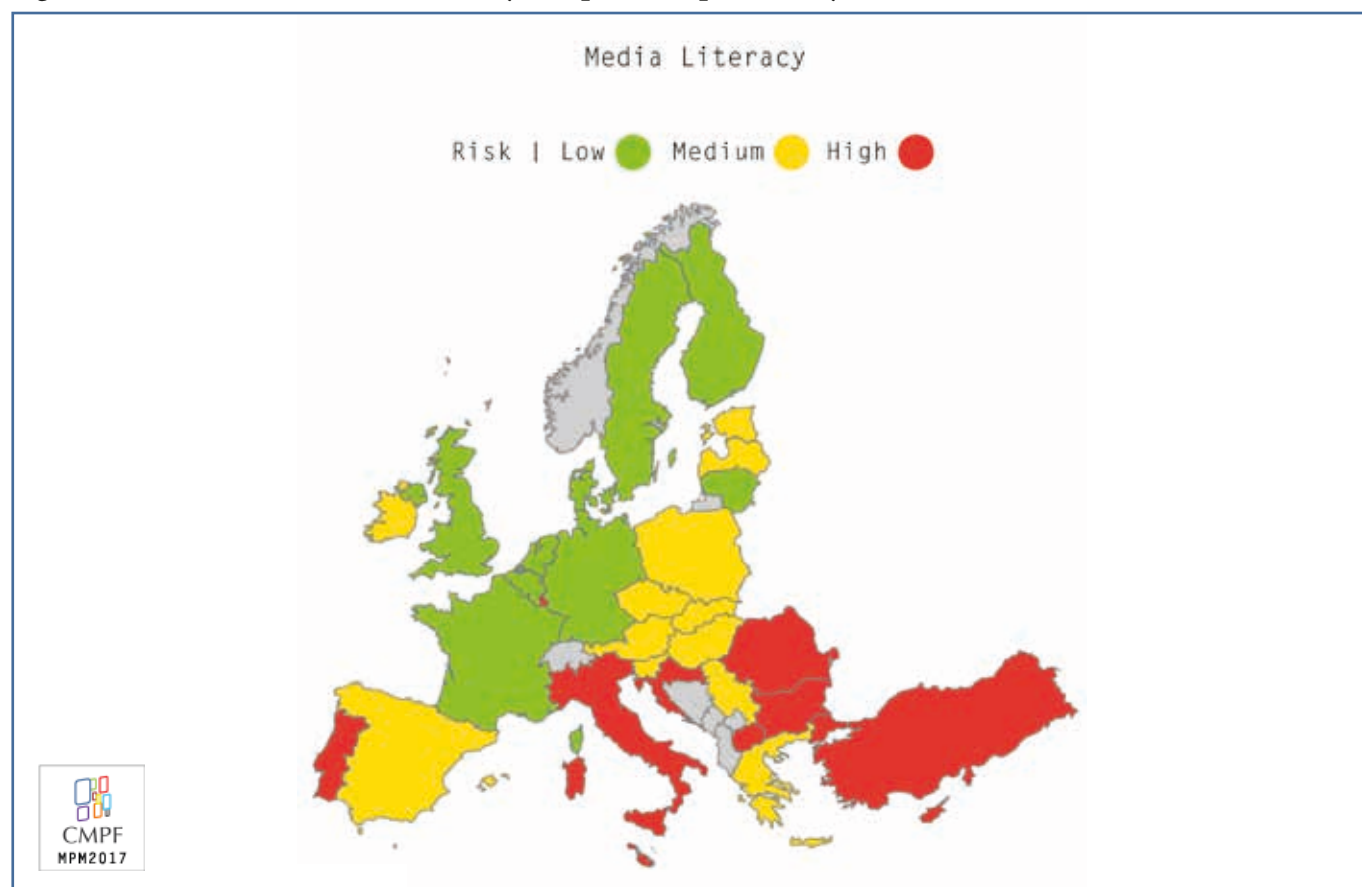
Two new variables were added to this indicator for the MPM 2017, based primarily on discussions with media literacy experts that took place at the European University Institute on 3 November 2016. A variable was added to assess the implementation of media literacy policies, and a variable asking about the quality of teachers' training in media literacy was added because poor teaching quality was identified as a potential risk both by country teams in MPM2016 and by the media literacy experts consulted. Furthermore, the two variables on digital competencies, one on digital usage and one on digital communication, were merged into one, composite indicator to reflect the Eurostat methodology (Eurostat data is used to score this variable) and because the results on the two set of skills across countries are very similar.

There are 12 countries that score a medium risk on Media literacy, 9 are at high risk (Bulgaria, Croatia, Cyprus, FYRoM, Italy, Malta, Portugal, Romania, and Turkey), and 10 show a low risk (Belgium, Denmark, Finland, France, Germany, Lithuania, Luxembourg, the Netherlands, Sweden, and United Kingdom). These results are largely in line with the MPM 2016, with a few exceptions. On the positive side, Lithuania progressed from a medium to a low risk due to, among others, a strategic document in media policy and with a strong focus on media literacy that has been designed by the Ministry of Culture and approved by the Media Council (which has an advisory function). For three countries, namely Cyprus, Portugal and Croatia, the risk has increased from medium to high. This is largely related with changes in methodology but also reflect the state of play in relation to the quality of teachers' training in media literacy. In Cyprus and Croatia, the training programmes in media literacy of teachers are limited, meaning that they do not comprise the study of critical skills or are not up-to-date with the latest societal changes, while in Portugal, according to the country team, teachers are not provided with any training in media literacy.

48 European Commission (2016). "The European Commission presents follow-up actions from Fundamental Rights Colloquium on media pluralism and democracy". Published: 9 December 2016. http://ec.europa.eu/newsroom/just/item-detail.cfm?&item_id=51071

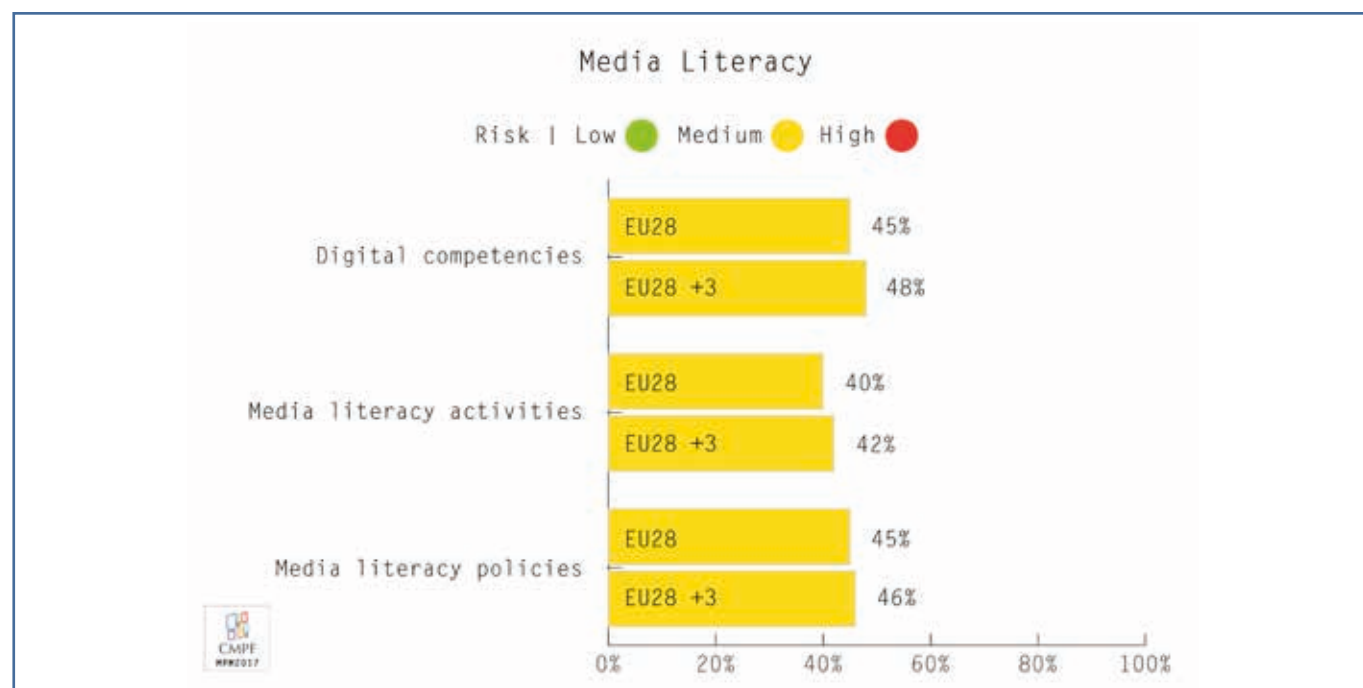
49 The AVMSD is currently under revision. The European Parliament's Committee for Culture and Education has on 25 April 2017 proposed to maintain media literacy measures in the Audiovisual Media Services Directive (AVMSD). Source: EAVI (2017). Press Release: European Parliament Votes for Media Literacy. <https://www.eavi.eu/5637/?lang=it>. The Trilogue agreement of the 7th of June 2018 confirmed it in the agreed text.

Figure 1.4.11. Indicator on Media literacy - Map of risks per country



The indicator is composed of three sub-indicators: Media literacy policies, Media literacy activities and Digital competencies. The first two assess the media literacy environment by covering the quality and implementation of the media literacy policy, the presence of media literacy in the education curriculum, including the quality of teachers' training, the presence of media literacy in the non-formal education offer, and the extent of media literacy activities carried out. More than two thirds of the countries (24) either have underdeveloped media literacy policies or no media literacy policy at all. This suggests that there was no significant progress since the MPM 2016. Furthermore, in 14 countries media literacy is present in the education curriculum only to a limited extent (medium risk), and in 8 countries is completely absent, which represents a risk (Bulgaria, Cyprus, FYRoM, Italy, Luxembourg, Malta, Poland and Slovenia). The training programme in media literacy of teachers is either limited or not even provided in 24 countries. In two thirds of the countries the subject of media literacy is absent or present only to a limited extent also in non-formal education, and a similar situation is present with other activities related to media literacy. Looking at the individual competences, the results for a vast majority of countries (23) show a medium or a high risk, meaning that the percentage of population that has at least basic digital skills is 66 or lower.

Figure 1.4.12. Indicator on Media literacy - Averages per sub-indicator



1.5 CONCLUSIONS

The results of the MPM2017 monitoring exercise generally confirm the highlights of the previous rounds of MPM implementation: none of the analysed countries are free from risks to media pluralism. What is worrisome is that the latest findings show either a stagnation or deterioration in all the four major areas covered by the MPM, and an increase of risk for the area of Basic protection is a particular source of concern.

Detailed results for each of the 31 countries analysed by the MPM2017 can be found in the country narrative reports, produced by the MPM2017 country teams, as listed under the Part 2 on methodology.

Overall, 2017 was marked by events that have had a significant impact on media freedom and media pluralism in Europe. The average risk level for Basic Protection has risen due to several indicators scoring higher risk levels. The assassination, in Malta in October 2017, of investigative journalist and blogger Daphne Caruana Galizia, makes 2017 one of the darkest years for freedom of expression for the continent since the Charlie Hebdo massacre in 2015. Caruana Galizia's assassination represents a sad reminder to Europe of the need to keep its guard high when it comes to the safety of journalists. As events later on in 2018 have once again demonstrated, with the assassination of the journalist Ján Kuciak and of his fiancée Martina Kušnírová in Slovakia in February 2018, Europe is not immune from lethal attacks against journalists. At the time of publication of this report, there was no indication as to the masterminds behind the three assassinations. The analysis of the MPM2017 highlights journalists and other media actors are currently facing a series of threats and attacks in several EU countries.

These events and the revealed findings should be a constant reminder to EU governments that they have a positive obligation to guarantee an enabling environment for journalists, as expressed by the European Court of Human Rights in its case-law. States are required to create a favourable environment for participation in public debate by all citizens, enabling them to express and impart opinions and ideas without fear. The State must not solely refrain from any unjustified interference with individuals' freedom of expression, but must also proactively protect the individual right to freedom of expression in the case of any kind of intimidation.

Member States also have a duty to deploy all means to avoid impunity for crimes linked to journalism. The Guidelines annexed to Recommendation CM/Rec(2016)4 of the Committee of Ministers of the Council of Europe on the protection of journalism and safety of journalists and other media actors state that: "It is imperative that everyone involved in killings of, attacks on and ill-treatment of journalists and other media actors be brought to justice. Investigations into such crimes and the prosecution of those responsible for them must therefore meet a number of general requirements. When those responsible for such crimes are not brought to justice, a culture of impunity can arise, which calls for particular courses of action".

It is, therefore, essential for the EU and its Member States to prioritise the protection of journalists while governments must comply with their positive obligations to ensure that freedom of expression and media freedom are guaranteed.

Closely linked to the safety of journalists - whistleblowers protection, a theme newly highlighted in MPM2017, is still weak in EU Member States. MPM2017 data seem to confirm the need of a harmonisation at EU level of basic rules on whistleblowers' protection⁵⁰.

The specific situation of Turkey must be highlighted once again, especially when analysing the Basic Protection area results for which the country scores high risk in all the indicators. The data analysis shows that not only freedom of expression, but the basics of the rule of law are systematically challenged and jeopardised in Turkey.

The MPM2017 analysis highlights also some other elements contributing to the worrisome general assessment of the score for the Basic Protection area which relate to a lack of full transparency as regards procedures and criteria adopted by digital intermediaries when removing or filtering online content and, in the end, in the application of the rule of law when it comes to freedom of expression online. This is a crucial topic, raised also at EU level in the context of the debate on disinformation spread by the web⁵¹, in the context of the discussion on regulatory measures to be

50 The European Commission has proposed in 2018 a Directive on the protection of persons reporting on breaches of Union law, that should ensure a harmonised EU-wide protection for whistleblowers as regards breaches of EU legislation in the fields of public procurement; financial services, money laundering and terrorist financing; product safety; transport safety; environmental protection; nuclear safety; food and feed safety, animal health and welfare; public health; consumer protection; privacy, data protection and security of network and information systems. It also applies to breaches of EU competition rules, violations and abuse of corporate tax rules and damage to the EU's financial interests. See COM/2018/214 final https://ec.europa.eu/info/sites/info/files/placeholder_10.pdf

51 See, for instance the report of the Independent High Level Group on fake news and online disinformation, A multi-dimensional approach to disinformation, march 2018 <https://ec.europa.eu/digital-single-market/en/news/final-report-high-level-expert-group-fake-news-and-online-disinformation>

adopted to combat hate speech⁵², in the context of the reform of the audiovisual media services directive⁵³ and in the debate on measures to protect copyright in the online environment⁵⁴.

As regards the Market Plurality area, the MPM2017 confirms the trends of previous rounds of assessment. The area continues to face an average medium risk, confirming that EU member states' media markets are highly concentrated. Media ownership concentration is one of the indicators with the highest risk within the whole MPM, scoring this year an average 66%, and concentration remains one of the most evident barriers to diversity of information and viewpoints. Lack of transparency in media ownership is another risk captured by the MPM, confirming again the trends of 2016. The results also shed light on the financial constraints the media sector is facing, especially the newspaper and the radio ones, which have seen a decrease in revenues in the last years in most of the analysed countries. The Internet has challenged the traditional business models of the publishing industry: MPM2017 results also demonstrate that media outlets still need to develop new strategies and business models to increase their revenues.

Editorial autonomy continues to be a vulnerable indicator, both in terms of political and commercial influences on journalists. Increasingly poorer working conditions expose journalists to external undue pressures in their professional activity in most of the countries examined.

The year 2017 brought no major changes in the area of Political Independence. Political independence of media persists as one of the highest scoring indicators of the MPM, and a lack of Independence of public service media management and funding, especially in CEE, remains a matter of concern. Moreover, latest developments suggest even a deterioration in the trend: in Bulgaria amendments in the Radio and Television Act allowed for indefinite extension of the regular 3-year mandates of the directors general and the management boards of the PSM in cases when the term of office is over, and a new Director General is not elected by the media authority (CEM) (Spasov et al., 2018). In Croatia the Supervisory Committee of the PSM was dismissed by the Parliament before the end of its mandate, following the Committee's 2016 report in which it exposed many irregularities in the management of the PSM (Bilic et al., 2018).

As in the MPM2016, Access to media for women is the indicator with the highest risk score in the Social inclusiveness area. In 2017 it is the only indicator across all the MPM areas that on average scores a high risk level. This suggests, for the second consecutive year, that women are underrepresented in both managerial and content creation roles in European media organisations.

More than two thirds of the countries (24) under examination either have underdeveloped media literacy policies or no media literacy policy at all. This suggests that, even though media literacy has often been praised as a solution for growing disinformation related issues, there was no progress on this matter since the MPM2016.

The findings of the MPM2017 not only confirm that no EU Member State is free from risks to media pluralism, but also show that risks are increasing, both as a consequence of the deteriorating compliance with standards on freedom of expression and media pluralism that were given for granted, and of the development of new online media environment, challenging traditional legal, economic and sociopolitical powers structures.

The observed risks must be assessed in the specific country context and in the specific media and political landscapes. Measuring risks to media pluralism is an essential exercise for the promotion of both media pluralism and media freedom. The MPM provides data to researchers and civil society and may help policymakers to better understand country specific problems; it provides a basis for further analysis and for defining relevant policies to foster an enabling environment for debate and peaceful democratic discourse.

52 http://ec.europa.eu/newsroom/just/item-detail.cfm?item_id=54300

53 <https://ec.europa.eu/digital-single-market/en/revision-audiovisual-media-services-directive-avmsd>

54 Es, see the debate on Directive of the European Parliament and of the Council on copyright in the Digital Single Market – COM (2016)593

2. METHODOLOGY

2.1 THE RESEARCH DESIGN

The Media Pluralism Monitor organises the risks for media pluralism into four main areas: Basic Protection, Market Plurality, Political Independence and Social Inclusiveness. This categorisation allows for an assessment that encompasses the different components and meanings of “media pluralism”. These areas are assessed according to the scoring of 20 indicators and 200 variables in total. The research design of the MPM is based on a questionnaire that is compiled by the national country teams, which consist of experts in media pluralism and media freedom. The questionnaire is composed of legal, economic and socio-political questions in order to allow an assessment of media pluralism risks in any given country, taking into account the legal framework, its implementation, and the effective conditions of the media landscape. Legal and sociopolitical questions are closed, while economic questions ask for a numeric value that is formally translated into a level of risk. For a number of particularly sensitive and complex indicators the MPM employs an external peer review system, called Group of Experts. This group of experts, which includes national stakeholders and experts in the area, conduct a review of the answers to questions that require a qualitative type of measurement and/or cannot be based on measurable and easily verifiable data. Data for MPM2017 was gathered through a structured questionnaire with closed questions (except for the economic questions, where benchmarks are set in order to translate them into qualitative answers – please see the ‘User Guide’ in the appendix I for details). This method allowed for the gathering of both quantitative and qualitative data, which proved to be crucial in assessing the risks for media pluralism in the EU. Additionally, this method allowed the quantitative analysis of answers and the production of a numerical risk assessment, which is essential in order to obtain comparable results across countries. The data is collected using an online platform that was developed by the CMPF. The CMPF checks and supervises the quality and consistency of the data collected and of the methodology used.

The final assessment per area of risk is carried out using a standardised formula, that was developed by the CMPF. Each variable is assessed by a question and receives a score from 0 to 1 according to the specific answer. The legal questions (yes/no replies) are rated 0 or 1. The other variables (three-option replies) are rated 0/0.5/1 according to the band into which the reply falls. The overall result is the average of variables of the same question type. The MPM is a holistic tool designed to identify the potential risks to media pluralism in Member States. The research design of the MPM was developed and tested during the two pilot implementations of the Monitor in 2014 and 2015. The MPM mostly focuses its analysis on news and current affairs. However, it must be noted that, as in previous MPMs (2014, 2015 and 2016), “all indicators that assess the general universality of media coverage and the outreach of the diffusion of information” (CMPF, 2015, 2016 and 2017) are included in the MPM. “They are considered to be basic indicators that are relevant to the infrastructure and universality principles as a whole” (CMPF, 2015, 2016 and 2017). In particular, indicators on access to media for minorities, people with disabilities, and media literacy, are preserved as part of this holistic principle. In order to meet the challenges emerging from this periodic large scale comparative analysis, the MPM2017 is mostly informed by secondary data, collected through a questionnaire, and supplemented with primary data gathered through interviews and document analyses (e.g. of legal and academic texts), together with the group of experts’ evaluation of the variables that are more difficult to measure and/or that required a qualitative type of measurement and/or showed a lack of measurable and easily verifiable data. As already discovered from, the first MPM pilot-test implementation (2014) there are many reliable, available materials which can be used as primary and secondary sources, e.g., national laws, case law, decision practice, governmental documents, NGO reports, official statistics, and academic research. Therefore, the secondary data analysis, with the cited integrations, has proved to be a useful and effective approach to ensure reliable and valid findings in the context of this project.

2.2 RESEARCH AND FINE-TUNING OF THE VARIABLES

The MPM2017 is an update of the MPM2016 tool. Like in previous years, the CMPF, in fact, updated and fine-tuned the MPM2016 questionnaire, based on the evaluation of the tool after its implementation, the results of the 2016 data collection, new developments in the field of media, and newly available data. Below is a description of the main changes to the MPM2017 questionnaire.

The Basic Protection Area retains its scope, with some adjustments. The main changes in the Area of Basic Protection were the inclusion of five new variables, three under Indicator 2 on Protection of right to information, regarding the protection of whistleblowers and two under indicator 3 (Status of journalists, standards and protection), regarding the protection of journalists. In particular, some variables on detention and killings of journalists were added, in order to collect more reliable data on countries that are facing specific problems in complying with very basic standards on the

safety of journalists. Some other variables were merged with similar ones for the sake of clarity in the answers (which were sometimes overlapping) and some other variables were fine-tuned in their terminology.

With regard to the area of Market Plurality, the main changes were made in Indicator 6 (Transparency of media ownership) and indicator 10 (Media viability). The indicator on Transparency of media ownership was revised and enhanced in order to better capture the level of compliance of the regulation of each country with international standards (in particular those highlighted by the Access Info Europe <https://www.access-info.org/media-ownership-transparency>). With regard to the indicator on Media viability, the variables regarding the variations of revenues in each media market is now assessed by taking into account the GDP trends in the last two years.

The area of Political Independence retains its scope. However, based on the experience of the MPM2016 and considering growing digital challenges, indicators within this area have been further developed and fine-tuned. The indicator Political independence of media (renamed from Political control over media outlets to be in line with the “positive” names of other indicators and to better reflect its range) continues to evaluate the issue of conflict of interest between government office and media ownership. The second part of the indicator, focusing on political control over media, news agencies and distribution networks, has been improved to better reflect media realities. In the MPM2016, Political control over media accounted for most of this indicator. There was a sub-indicator for each type of media (audiovisual, print, radio, TV) composed of a set of three variables to assess the legal safeguards that aim to prevent from political ownership, their implementation and the situation in practice. Country teams reported this as too restrictive and potentially overemphasising the risk. Therefore, the MPM2017 maintains only the assessment of the situation in practice for each different type of media, and looks at the existence and effectiveness of the legal framework to prevent political control over the media in general. This is the biggest change in this area. Another change was made to the indicator Media and democratic electoral process, which assesses the existence and implementation of the regulatory and self-regulatory framework for the fair representation of different political actors and viewpoints on PSM and private channels and services, especially during electoral campaigns. In the MPM2017 this indicator extends to the online sphere by introducing a new variable that captures whether there is a regulation that aims to ensure fairness and transparency of online political advertising during electoral campaigns.

At indicator-level, there are no changes in the area of Social Inclusiveness. Changes, however, have been made on the sub-indicator and variable-levels. Access to media for minorities: several variables have been eliminated and new ones have been introduced. The aim of the changes was, on the one hand, to improve the distinction between minorities that are legally recognised and those that are not. On the other hand, a clearer separation was made between access for minorities to PSM and to private broadcasters. These changes were made based on thorough discussions with country teams, both during the data collection and during a dedicated session during the Final conference in 2016.

Some variables focusing on the proportionality of access to TV, radio and print were eliminated for three reasons: (1) the questions were too broad, asking about all types of minorities and about both public and private media, while not specifying any media sample, (2) most of the MPM2016 countries did not have data on the programming hours dedicated to minorities, (3) these variables were not symmetrical to the first sub-indicator about access to PSM. These changes should allow us to increase the accuracy of answers and to carry out a more symmetrical analysis about access to PSM and to private broadcasters. The proportionality of access will still be assessed by offering apposite answer options under the new variables.

Access to media for local/regional communities and for community media: only a few changes were made to the variables of this indicator. Most of them regarded the formulation of questions and descriptions. A new variable was added asking if the state subsidies are distributed to media outlets in a fair and transparent manner. This addition was made because in 2016 several country teams stressed that local media subsidies are misused by local governments, e.g. to fund media outlets that are favouring their political line, which is clearly a risk for pluralism. A variable on the proportionality of subsidies for community media across communities was removed because it partly overlapped with the subsidy-variable above, and because of the very broad scope of the question. The variable asking if PSM are obliged to have national news available in regional and minority languages was transformed to focus on the practice, as opposed to the legal framework (new variable question: “Does the PSM have national news available in minority languages?”) in order to avoid misjudging countries that do not have related legislation but nevertheless have good practices. This variable was also moved to the related indicator on minorities (see above), considering that this indicator is more relevant for access to media for minorities.

Access to media for people with disabilities: several new variables were added to this indicator in order to make the assessment of risks to accessibility more accurate, taking into account the key issues and the latest developments in this area. This was done in close consultation with both academic and civil society experts working in the field. Particular attention was dedicated to enactment by adding two new variables asking about the implementation of (i) the policy on access to media content by people with disabilities, and (ii) the legislation requiring access services. Moreover, a variable assessing the adequateness of information about existing audiovisual access services was added (e.g. a central

online repository of all available access files for country/language specific programmes as a good practice, or a marking of the services in the TV programme, highlighting them in local or national newspapers where the TV programmes are advertised, or icons or “earcons” used on TV). This issue was considered important because information about access services is often lacking, which means that even if accessibility is deployed this is much less valuable if people are not adequately informed about it.

Access to media for women: several new variables were added to this indicator in consultation with academic experts in the field in order to collect more relevant data, and to make a more targeted assessment of risks in this area. A variable was added to assess the implementation of PSM gender equality policies since poor implementation and follow-up of policies was identified as a very plausible risk. Moreover, the indicator was expanded to cover also access to private media. Given the major relevance and in order to limit the number of variables in the Monitor, the focus was placed on the representation of women on management boards of private TV companies (not radio or print).

Media literacy: two new variables were added to this indicator based on conclusions from the workshop with media literacy experts that took place at the European University Institute on 3 November 2016, and on further consultations with experts. A variable was added to assess the implementation of media literacy policies, a highly relevant aspect for the development of media literacy. Moreover, a variable asking about the quality of teachers’ training in media literacy was added because poor teaching quality was identified as a potential risk both by country teams in MPM2016 and by the media literacy experts consulted. Finally, the two variables on digital competencies, one on digital usage and one on digital communication, were merged into one, composite indicator to reflect the Eurostat methodology (in fact Eurostat data is used to score this variable) and because the results on the two set of skills across countries in the past were very similar.

2.3 MPM2017 STRUCTURE AND CALIBRATION

All of the questions in the MPM questionnaire are classified as variables. Variables are grouped into sub-indicators, and sub-indicators into indicators, which are integral parts of each MPM area. In addition, each question in the questionnaire has been classified as belonging to one of the four question types: Legal existence (L-e) questions, focused on whether or not a particular provision exists in a country’s legal framework; Legal implementation (L-i) questions, designed to examine whether due process is in place to ensure the effectiveness of the legal safeguard; Socio-political (S) questions examine the actual practice (i.e., a reality check); while economic (E) questions were designed to assess the risk based on the economic data that are related and affect media pluralism (e.g., market revenues, audience shares). In order to determine the risk for each variable, sub-indicator and indicator, a standardised formula has been applied to the entire MPM questionnaire. The formula was designed by drawing from previous studies in which indices were based on a list of questions/indicators where answers were calibrated on a scale from 0 to 1 (e.g., Gilardi, 2002; Hanretty, 2009). In other words, in the process of calibration quantitative and qualitative answers of both dichotomous (e.g., yes - no) and polychotomous (e.g., low, medium, high risk) nature have been transformed into a scale ranging from 0 to 1, assigning values to the answers of the Monitor. Each variable received a score from 0 to 1, according to the answer to the specific question, with scores closer to 0 pointing to a low risk assessment, and those closer to 1 pointing to a high risk assessment. Specifically, answers to the Legal-existence (L-e) questions, whose response type was yes/no, were coded as 0 or 1. Questions with a three-option reply (low, medium, high risk) were coded as 0, 0.5 or 1, according to their risk assessment. The same calibration was applied to the Economic questions (E), whose answers were firstly transformed into qualitative replies (low, medium, high risk), based on pre-set benchmarks.

The MPM allows the possibility to answer using the options ‘not applicable’ and ‘no data’ to all questions. The option ‘not applicable’ has been introduced in MPM2015 to better capture the specificities of the national contexts and to allow for the exclusion of questions which are irrelevant, or utterly not applicable to a country’s media system. For example, if a country does not have any state subsidy to media, the questions relating to existence and implementation of the legislation to ensure fair and transparent allocation were coded as ‘not applicable’. This reply option was also used with logically dependent variables. For example, if the variable question asks whether there is a law that aims to protect freedom of expression, and the answer to this question is ‘no’, then the following variable which asks about effectiveness of the law is coded as ‘not applicable’. All the questions coded as ‘not applicable’ are excluded from the final calculation. As the previous implementations have shown, some of the economic data are missing across many of the EU Member States, and in order to better capture this information, the Monitor allows the option of a ‘no data’ answer. Following the choice of this answer, the country teams were asked to evaluate whether the lack of data represents a transparency problem within their national context, i.e., to evaluate whether the lack of data should be seen as being problematic in their country. In this way also, the specific characteristics of the national context were accounted for, since there may be a variety of reasons why certain data are not available/accessible across EU Member States and Candidate Countries, and not all of these reasons may be causes for concern. In order to ensure that all ‘no

data' answers contributed to national risk assessments in the same way, a standardised procedure to assign values to the 'no data' answers was developed by the CMPF. According to this procedure, each 'no data' answer was coded and assigned one among the following three possible values: 1) Low Risk: a value of 0.25; 2) High Risk: a value of 0.75; 3) Missing data interpreted as a 'not applicable' and excluded from the analysis. The number of the 'missing data' values was limited, as much as possible, and was adopted only as a residual category in cases where comments that evaluated the reason behind the lack of data were missing, incomplete, or were impossible to interpret.

In normal cases, the following procedure was applied: firstly, if a local team took a position in the answer, indicating that a high risk is present, or, in contrast, that the lack of data is not problematic, the CMPF has followed this suggestion and has coded the 'no data' accordingly, with either a low or a high risk value. In cases where the answer was vague, or where its meaning had to be deduced, the following criteria were considered: a) taking into account the local context: if the data are not collected because they are considered to be of limited interest, e.g., because the country is too small to collect detailed information, because a particular medium has a very limited reach, etc., a 'low risk' value was assigned; b) if there is the evasion of a legal requirement to collect the lacking data, a 'high risk' value was assigned; c) for questions concerned with the audience data and the revenue/market share data: • if the country presents data on audience, but not on revenues/market share: the market share data is excluded from the analysis, i.e., the answer is given a 'missing data' value, meaning that the findings are based on the audience variable alone. In other words, the revenue data are considered to be optional. • if the country presents data on the revenues, but not data on audience shares: the lack of audience shares data is coded as being 'high risk' in all cases, since it is the standard reference for the market. • if the country produces neither data on the audience, nor on the market share: according to above mentioned rules, the lack of audience shares' data is coded as being 'high risk', and the lack of market shares data as being 'missing data'.

All 'no data' assigned values have been double coded, meaning that two independent coders assigned to each 'no data' answer one of the three values. In cases where the coders disagreed, a discussion was held between the coders until a consensus about the final value was achieved.

2.4 MPM2017 AGGREGATION METHOD

The aggregation method relied on the approaches used in previous studies (for an overview see Hanretty and Koop, 2012), but taking into account the traditions and logic of the Media Pluralism Monitor project. Specifically, the method based on the mean of the item scores, used as the most common aggregation method in calculating indices, was updated to take into account the logic of the MPM, which has traditionally relied on the groupings of legal, socio-political and economic indicators. Consequently, the procedure for establishing the risk assessment of an indicator was as follows: 1) calculate the mean of L-e variables within the sub-indicator 2) calculate the mean of L-i variables within the sub-indicator 3) calculate the mean of 1) and 2). This is the value of the L within the sub-indicator (the L variable is 'e' or 'i' according to the type of opening question/variable) 4) calculate the mean of E variables within the sub-indicator 5) calculate the mean of S variables within the sub-indicator 6) calculate the mean of 3), 4) and 5). This is the result of the sub-indicator. 7) the value of the indicator is calculated as the mean of all its sub-indicators. Finally, the risk assessment of the area is calculated as the mean of all its indicators (five per area). It should be noted that all values were presented as percentages for ease of use and interpretation (e.g., a score of 0.46 is presented as a risk of 46%). The results for each area and indicator are presented on a scale from 0% to 100%. Scores between 0 and 33% are considered low risk, 34 to 66% are medium risk, while those between 67 and 100% are high risk. On the level of indicators, scores of 0 were rated 3% and scores of 100 were rated 97% by default, to avoid an assessment of total absence or certainty of risk, concepts in contrast with the natural logic of the MPM tool. This trimming of the extreme values, as a methodological novelty introduced in MPM2016, has been developed in a collaboration with Gianni Betti⁵⁵, Professor of Statistics at the University of Siena.

The procedure for determining the risk assessment of variables, sub-indicators, indicators and areas, detailed above, allowed the MPM to benefit from a standardised formula for all levels of the Monitor. This enhanced the comparability of results among the different levels of the Monitor, decreased the arbitrariness in assessing the risk assessments of the various indicators, and, overall, this increased the validity and reliability of the findings. Furthermore, this formula also contributed to establishing a better balance between the evaluation of the legal framework (L variables) with the evaluation of the actual practice, captured by socio-political and economic variables. Finally, the MPM formula also enabled the establishment of risk assessments which are better tailored to the specificities of the national contexts (through the introduction of the 'not applicable' and 'no data' answers). In this way, the differences between the Member States were better captured and reflected in the risk scores.

55 Gianni Betti: <https://www.deps.unisi.it/en/departament/staff/faculty/gianni-betti>

2.5 DATA COLLECTION

Given that the MPM's research design rests on two main methods - a questionnaire and a group of experts' evaluation - two main types of data were collected during its implementation - answers to the questionnaire, and comments from the experts engaged in the evaluation of the answers.

2.5.1 THE QUESTIONNAIRE

The MPM2017 research network was mostly confirmed from 2016, in an effort to ensure as much as possible continuity and therefore comparability. The questionnaire was answered by national teams that were composed of renowned experts in media pluralism and media freedom in each of the countries analysed, excluding Italy and Malta, for which the data collection was carried out directly by the CMPF team. As in previous pilot implementations, cooperation with national teams of experts proved to be essential during the implementation of the MPM2017. Firstly, due to the necessity of relying on secondary data, which is often in the native language, it was essential to have local experts who were able to collect these data, but also to evaluate their reliability and validity. Another benefit of using a local team to implement the Monitor was the ability to build on their access to their local networks, particularly access to the local stakeholders. Given that one of the objectives of this project is to establish and maintain contacts with the relevant stakeholders, local teams' input in growing the network of informed stakeholders who join in the discussions on media pluralism, proves to be invaluable. Finally, local teams are fundamental in providing answers to socio-political questions. In answering some of these questions, local teams have to provide their expert evaluation, since objective ways of measurement are sometimes missing. Hence, having a reliable and independent local team which consists of renowned experts in this field, was crucial for the implementation of this project.

2.5.2 LOCAL TEAM LEADERS

Below is the list of MPM teams for the 2017 implementation:

COUNTRY	INSTITUTION	KEY PERSON
Austria	Institute for Comparative Media and Communication Studies (CMC)	Joseph Seethaler
Belgium	KU Leuven	Peggy Valcke
Bulgaria	Foundation media democracy	Orlin Spassov
Croatia	Institute for Development and International Relations (IRMO)	Paško Bilić
Cyprus	Media consultant	Christophoros Christophorou
Czech Republic	Charles University	Vaclav Stetka
Denmark	Media consultant	Kasper Netterstrøm
Estonia	Media consultant	Andres Kõnno
Finland	University of Jyväskylä	Ville Manninen
France	Science Po	Thierry Vedel/Geisel Garcia Grana
Germany	Department of Communication Studies and Media Research, LMU Munich	Thomas Hanitzsch
Greece	ELIAMEP	Evangelia Psychogiopoulou/ Anna Kandyla
Hungary	CEU/CMDs	Marius Dragomir
Ireland	Dublin City University	Roddy Flynn
Italy	EUI/CMPF	
Latvia	Riga Stradins University	Anda Rozukalne
Lithuania	Vytautas Magnus University	Aukse Balcytiene
Luxembourg	University of Luxembourg	Raphael Kies
Malta	EUI/CMPF	
The Netherlands	Media consultant	Mara Rossini
Poland	University of Krakow	Beata Klimkiewicz
Portugal	Universidade Nova de Lisboa	Francisco Rui Nunes Cádima
Romania	Median Research Centre&CEU	Marina Popescu
Slovakia	Pan European Univeristy	Zeljko Martin Sampor
Slovenia	University of Lubjana	Marko Milosavljevic
Spain	Universitat Ramon Llull	Pere Masip
Sweden	University of Gothenburg	Mathias A. Färdigh
United Kingdom	University of Edinburgh	Rachael Craufurd Smith
FYROM	Institute of Communication Studies	Snezana Trpevska
Serbia	University of Belgrade	Jelena Surculija
Turkey	Galatasaray University	Yasemin Inceoglu

Local teams provided answers to the questionnaire, accompanied by comments in which the rationale for the answer was described, and the sources on which the answer was based. This was inserted on the online platform designed and further developed during the pilot-test implementation (2014, 2015). The platform allowed for centralised data collection and the comparison of answers, and it is an invaluable asset in a cross-national comparison of this scale. The platform contains not only the questionnaire and the answers to it, but also detailed descriptions of variables/questions, suggested databases and methods of measurement, a glossary of definitions, FAQs, and other elements which were designed in cooperation with local teams in order to facilitate data collection and to ensure its comparability and high quality. Another benefit of the online platform as a centralised data collection vehicle was that it allowed the CMPF to continuously monitor the progress of the data collection, in order to verify the quality of the responses, and to provide feedback to the local teams on how to review their answers in order to increase their quality and/or comparability. Frequent centralised verifications of the local teams' answers were necessary in order to ensure that all of the teams had

understood a question in the same way, that the sources used for the answers were relevant and adequate, and that the evaluations of the answers were carried out and were based on the same criteria across countries. In addition, frequent validation points have ensured that the final datasets are as complete and comparable as possible, and also that the time-frame and deadlines for the project were followed and respected. One of the biggest challenges of the MPM in general is to ensure the validity and reliability of the data, which were based on the evaluations and answers to those questions for which no objective measurement exists. Building on the experience of the previous implementations, this implementation also relied on the revision of particularly sensitive and/or difficult to measure questions by national experts and stakeholders. This part of the research design ensured that the validity of the results was increased, and that relevant stakeholders had a say in the project and an opportunity to share their views and opinions.

2.5.3 THE GROUP OF EXPERTS

The procedure for the group of experts' evaluations is now already a standard. The process starts by the local teams' nomination of seven experts and stakeholders in the national media system. All local teams are asked to nominate specialists with substantial knowledge and experience in the field of media, who have a good reputation in their professional community. The group of national experts is supposed to consist of experts from various fields, namely:

- 1 Academic/NGO researchers on social/political/cultural issues that are related to the media;
- 1 Academic/NGO researcher in media law and/or economics;
- 1 Representative of the media regulators;
- 1 Representative of a journalists' organisation;
- 1 Representative of a publishers' organisation;
- 1 Representative of a broadcasters' organisation,
- 1 representative of users'/consumers' organisation.

The aim of this specific composition of the group of experts is to ensure that all of the relevant stakeholders are represented, and their views taken into account. Once the group of experts for a particular country is defined and confirmed, experts are given access to the MPM platform and the questions that they are supposed to evaluate. These questions, and the local teams' answers to them, are previously checked by the CMPF team and, if needed, revised in collaboration with the local team. Hence, the answers to the questions that are subjected to the experts' evaluations are as complete as possible and they are motivated by comments and sources before the experts are given access to them. Once they are granted access, the experts are asked for confirmation of the accuracy of the country team's evaluation. Each member of the group of experts records her/his agreement or disagreement with the scoring on the MPM platform, or, alternatively, they have the option to declare that a specific question does not fall within his/her field of expertise. In a case when an expert disagrees with the scoring, s/he needs to provide a short written explanation and a suggestion for an alternative score on the platform. Once experts complete their evaluations, the country teams are asked to review the feedback of each member of the group of experts and to take their views into account when providing the final answer to the questions that is a subjected to expert evaluation. Country teams do not necessarily need to change their answers if any of the experts disagree with their initial answer, but if this is the case, they are asked to explain why they have decided to keep their original answer and to address, in a comment to the final answer, any disagreement that is expressed by the experts involved. Although the procedure described above ensures that this part of the methodology is applied to all countries' data in a standardised and consistent way, which increases the comparability of the findings and the robustness of the method, several challenges were faced in its implementation. In the first place, a problem was detected in regard to nominations in small countries, in which some of the organisations whose representatives were sought did not exist, or where there is limited availability. In such cases, exceptions were made, and their group of experts consisted of fewer than seven representatives. Additionally, another challenge which was faced was in ensuring the nominated experts' participation. Given that the Monitor's language is English, some experts faced language barriers, while some others weren't able to participate due to time constraints and previous engagements. Due to the time constraints of the project, the decision was made that the group of experts' procedure was considered finished, either by the fact that all of the nominated experts had participated, or that each question has been evaluated by more than half of all experts (i.e., four of seven) by the time that the data collection had to close in order that the project meet its deadlines. The group of experts, both as a method and as an activity involving stakeholders, proved to be of great value to the project. From the methodological perspective, this procedure ensures higher reliability and the validity of answers to particularly sensitive and/or difficult to measure questions. Experts also contribute to data collection by providing alternative information and sources, which the country teams might not have initially discovered or taken into account. Finally, by employing this procedure, it is ensured that a range of

opinions from the most relevant stakeholders within a media system are acknowledged and made known. The group of experts' procedure is also beneficial to the project as an activity through which relevant stakeholders are not only informed about the project, but are also able to be actively engaged in it.

2.5.4 ONLINE PLURALISM INDICATORS

CMPF is engaged in a permanent debate with other academics and institutions who are discussing these topics in order to find suitable solutions for the measuring of the plurality of the availability and of the consumption of information online, with a special focus on the role of the online intermediaries. Several variables in the MPM assess online related types of risks:

the safety of journalists, and the violation of freedom of expression online; the ownership concentration of Internet content providers and Internet service providers; net neutrality; the access to, and quality of, the Internet infrastructure; the use of the Internet, and digital skills. In the Basic Protection area, a specific assessment of respect for the rule of law as regards freedom of expression online was requested, as well as an assessment of arbitrary filtering, blocking and take down practices by governments and online intermediaries. In the Political Independence area the MPM introduced the variable that explores whether the existing self-regulatory measures consider online activities of media and individual journalists, or whether media organisations are developing new digital-specific self-regulation to increase accountability and to reduce the risk of undue influences. The reasoning for this derives from the notion that self-regulation usually offers more flexibility and adapts more easily than state regulation in safeguarding editorial autonomy in ever changing conditions of the online media environment.

Still, measuring pluralism in the digital world remains a very challenging task, and the best method for measurement remains to be found. One of the most pressing issues is the lack of reliable and comparative data that would enable assessment of particularly important issues for online pluralism in recent years, including (Nenadic and Ostling, 2016):

Freedom of expression online and the role of ISPs;

Net neutrality;

The role of online intermediaries (such as search engines, news aggregators and social media);

Concentration of Internet service providers (ISPs) and Internet content providers (ICPs);

Media and digital literacy, focusing on the ability to interpret and to critically assess online content, as well as on skills needed to contribute the content production and dissemination.

And finally: digital safety of journalists and online political communication and advertising during electoral campaigns.

2.5.5 USER GUIDE AND ONLINE PLATFORM

The existing platform of the MPM tool, developed by the CMPF, contains the questionnaire, the userguide, the instructions for the country teams, and also incorporates the procedure for the assessment by external experts and a chat option that allows for the direct, real time communication between the country teams and the CMPF on specific issues under each variable.

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ANNEX I

[Link to the MPM Questionnaire](#)

<http://cmpf.eui.eu/media-pluralism-monitor/>



