



Media Pluralism in Cyprus

A Test Implementation of the Media Pluralism Monitor 2015



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About the project

The Media Pluralism Monitor (MPM) is a research tool that was designed to identify potential risks to media pluralism in the Member States of the European Union. This narrative report has been produced within the framework of the second pilot test implementation of the MPM, which was carried out in 2015. The implementation was conducted in 19 EU Member States with the support of a grant awarded by the European Union to the Centre for Media Pluralism and Media Freedom ([CMPF](#)) at the European University Institute.

The Monitor's methodology is based on research carried out by national country teams in the 19 countries, except for Malta where data collection was carried out centrally by the CMPF team. The research is based on a standardised questionnaire and apposite guidelines that were developed by the CMPF. Moreover, to ensure accurate and reliable findings, a group of national experts in each country reviewed the answers to particularly sensitive questions (see Annexe I for the list of experts).

Risks to media pluralism are examined in four main thematic domains, which are considered to capture the main areas of risk for media pluralism and media freedom: Basic Protection, Market Plurality, Political Independence and Social Inclusiveness. The results are based on the assessment of a number of indicators for each thematic area. The Basic Protection domain consists of four indicators; Market Plurality has three, while Political Independence and Social Inclusiveness each contain six indicators.

Basic Protection	Market Plurality	Political Independence	Social Inclusiveness
Protection of freedom of expression	Transparency of media ownership	Political bias in the media	Access to media for different social and cultural groups, and local communities
Protection of right to information	Concentration of media ownership	Politicisation of control over media outlets	Availability of media platforms for community media
Journalistic profession, standards and protection	Concentration of cross-media ownership	Politicisation of control over media distribution networks	Access to media for the physically challenged people
Independence of national authority(ies)		State advertising	Centralisation of the media system
		Independence of PSM governance and funding	Universal coverage of the PSM and the Internet
		Independence of news agencies	Media literacy

The results for each domain and indicator are presented on a scale from negligible to 100%, a negligible risk being the lowest, and 100% risk being the highest score. Scores between negligible and 33% are considered low risk, 34 to 66% are medium risk, while those between 67 and 100% are high risk.

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Disclaimer: The content of the report does not necessarily reflect the views of the CMPF or the EC, but represents the views of the national country team that carried out the data collection.

1. Introduction

The overall picture of media pluralism in Cyprus¹ is rather positive. The MPM analysis shows low risk in two of the domains ('Basic Protection' and 'Market Plurality') and medium risk in the other two domains ('Political Independence' and 'Social Inclusiveness'). Risks are linked to deficiencies and problems in specific areas that have a serious impact on the extent and quality of a pluralistic environment.

The media freedoms and free expression ('Basic Protection' domain) in Cyprus are generally well-protected, with all four indicators at low risk (average risk at 14%). The 'political independence' and 'Social Inclusiveness' domains present medium and upper medium risk levels (respectively at 50% and 66%). In the 'Political Independence' domain interferences and control affect the independence of the PSM and news agencies, which create a high risk in two indicators, while three other indicators are at the limits of low to medium risk. Only the indicator on 'Political bias in the media' shows a low risk. Legal gaps do not guarantee media access by non-political groups, and community and minority media are absent. This and the absence of a media literacy policy, point to high risks for social inclusiveness and pluralism. The centralisation of the media system and low levels of internet use and digital skills present a medium level risk in the same domain.

While the 'Market Plurality' domain appears in the low risk category (30%), the indicators on the 'Transparency of media ownership' are at the limits between the low and medium risk categories.

Overall, there are seven low risk, seven medium risk and five high risk indicators.

¹ The present report is about the section of the Republic of Cyprus that is under the effective control of the government of the Republic.

2. Results from the data collection: assessment of the risks to media pluralism

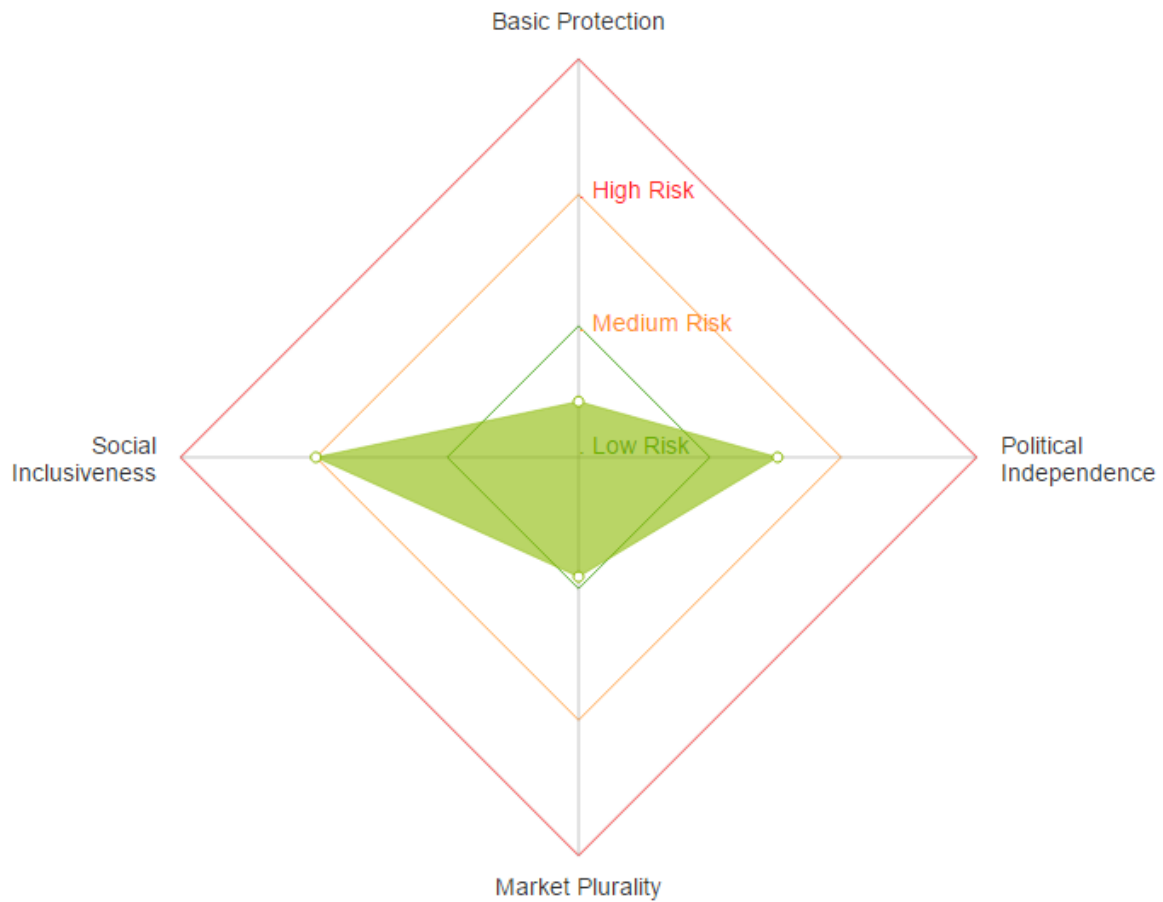


Figure 1 Media Pluralism Monitor 2015 - Cyprus, Results by Risk Domain

2.1 Basic Protection Domain (14% - low risk)

The Basic Protection indicators represent the regulatory backbone of the media sector in every contemporary democracy and they measure a number of potential areas of risk, including the existence and effectiveness of the implementation of regulatory safeguards for the freedom of expression and the right to information; the status of journalists in each country, including their protection and ability to work; as well as the independence and effectiveness of the national regulatory bodies, namely, media authorities, competition authorities and communications authorities.

Indicator	Risk
Protection of freedom of expression	Negligible
Protection of right to information	31% risk (low)
Journalistic profession, standards and protection	21% risk (low)
Independence of national authority(ies)	4% risk (low)

Freedom of expression in the Republic of Cyprus is fully protected by the Constitution and, in practice, presents a negligible risk. In cases of the violation of rights, remedies are offered in accordance with both the Constitution and the Laws of the Republic, as well as of the relevant international treaties that Cyprus has ratified. Courts also apply the principles that are set by the ECHR. Libel and defamation have been decriminalised since 2003; offences that may lead to the filing of a criminal case are related to debatable, but very specific cases (the 'protection' of the army, of religious symbols and foreign officials). However, legal action needs the authorisation of the Attorney General.

While the 'Protection of the right to information' is at low risk (31%), access to information held by the authorities remains problematic. Remedies include recourse to the Ombudsman, or to a court, but these are not satisfactory because of long decision-making processes and the expenses that are incurred in court cases.

No formal requirements are set, either in the law or in practice, for access to the journalistic profession, but a professional card and /or accreditation are required in order to access official and other events, or places. Most journalists belong to the only existing professional union, which, along with the media and labour legislation, protect rights that are related to working conditions. Editorial independence is also legally protected, but remains weak; journalists are generally hesitant, or avoid complaining to their union, about possible interference.

Overall, the indicator on 'Journalistic profession, standards and protection' presents low risk (21%). However, several sub-indicators, such as interference by media owners, media dependency on financial /commercial interests, employment uncertainty and instances of the lack of respect for journalists' working conditions, which are attributed to the economic crisis, are all factors that present medium risks

to journalism. While physical attacks or open threats to journalists remain extremely rare phenomena, leaks related to the purchase by the authorities of hacking software (e.g., the case of the Hacking Team) raised serious concerns for possible online surveillance targeting journalists, among others. Online safety runs a medium level risk because of this eventuality. The protection of journalistic sources is, in practice, respected and it is explicitly recognised by the courts.

The media regulator (the Cyprus Radio Television Authority, CRTA), is established by law with guarantees of independence. However, the selection procedure and weak criteria for the appointment of its members by the Council of Ministers present a medium level risk for the regulators' independence. Procedures and practices that are related to budget approval, the functions, law enforcement and mechanisms for appealing against the regulator's decisions, present no problematic areas, as is the case in relation to the absence of government interference with decisions and their enforcement. However, a risk related to deficient monitoring practices, until recently based mostly on complaints² and accountability, has been noted during analysis. No law provision requires an activity report, a strategic plan and/or target achievement reporting, to either the parliament or the government. With respect to the two regulatory bodies that can have a role in the media sector, the Commission for the Protection of Competition and the Office of the Commissioner for Electronic Communications and Postal Regulation (OCECPR), their independence, appointments, budget approval procedures, functions, effective operation, decision appealing mechanisms and non-interference by the government in decision-making and implementation, show no problematic areas. The overall area of regulation presents no significant problems, and the correspondent indicator is at low risk (4%).³

² Latest information from the regulator indicates that selective monitoring started recently. However, we will need time to evaluate the efficiency of the system.

³ NB: It needs to be noted that this indicator has been found to be problematic in the 2015 implementation of the Media Pluralism Monitor. The indicator aimed to combine the risks to the independence and effectiveness of media authorities, competition authorities and communication authorities, but it was found to produce unreliable findings. In particular, despite significant problems with regard to the independence and effectiveness of some of the authorities in many of the countries, the indicator failed to pick up on such risks and tended to produce an overall low level of risk for all countries. This indicator will be revised in future versions of the MPM (note by CMPF).

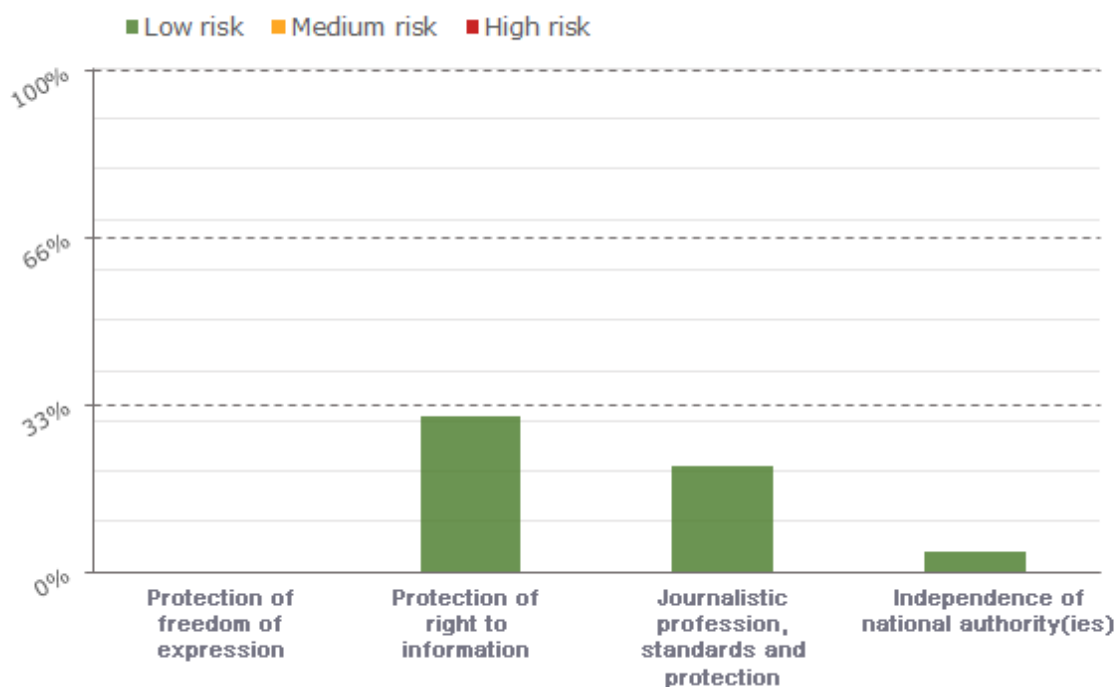


Figure 2 Media Pluralism Monitor 2015 - Cyprus, Basic Protection Domain, Results by Indicators

2.2 Market Plurality (30% risk - low risk)

The Market Plurality indicators examine the existence and effectiveness of the implementation of transparency and disclosure provisions with regard to media ownership. In addition, they assess the regulatory safeguards against high concentration of media ownership and control in the different media, within a media market as well as cross-ownership concentration within the media sector.

Indicator	Risk
Transparency of media ownership	38% risk (medium)
Concentration of media ownership	49% risk (medium)
Concentration of cross-media ownership	4% risk (low)

In order to avoid a situation where there are oligopolies, or a monopoly, the Law on Radio and Television Organisations 7(I)/1998 provides a broad array of measures to avert media ownership concentrations. Despite the existence of numerous rules, efficient monitoring may face difficulties in verifying and in distinguishing trustees /proxy owners from the true owners of shares. This is because the controls under the Media and the Company laws are not fully enforced. This poses a medium level risk for ‘Transparency of media ownership’ (38%) as is also the case with regard to the efficiency of monitoring

compliance with the rules on the thresholds within a media company.

No ownership rules and constraints exist in the Press sector. Any legal or natural person can publish a newspaper, the only obligations being to register the title with the authorities, to name a person who is responsible under the law (RUL) -for companies, and to deposit a small amount of money as a warranty in cases of damages for libel -defamation. The Internet is completely free of any specific regulation. No ownership monitoring agency exists in either the press or the Internet sectors.

With regard to media concentrations that may lead to companies commanding a disproportionate part of the market, as witnessed by market shares, no specific data are publicly available. Data on media audience share are available, but their accuracy cannot be verified. This is because no auditing body exists in any of the media sectors. Specific and strict rules in the broadcasting law target cross media ownership (broadcasting and the press) by imposing thresholds. However, the efficiency of enforcement faces problems that are connected to difficulties in verifying the true owners of shares and in distinguishing them from trustees /proxies. This creates a medium level risk in this matter. In any case, because of the existing rules and the strict control on shareholding changes, which are enforced mainly through the media regulator, and if needed through the Competition Commission, the risk of high degree cross media ownership remains low (4%).

The lack of transparency in ownership is a grey area. The public cannot know who the exact owners are, and thus those who are, in reality, in command of the media. This is because no such obligation exists in respect of the press, while, in the case of broadcasting, there is only the obligation to publish the names of persons, either legal or natural, who hold more than 5% of a licensee's shares. No exact percentage is published, while the regulator makes neither data /figures nor names available in their ownership and concentration report (which is published every three years). This causes a medium level risk to pluralism ('Concentration in media ownership': 49%).

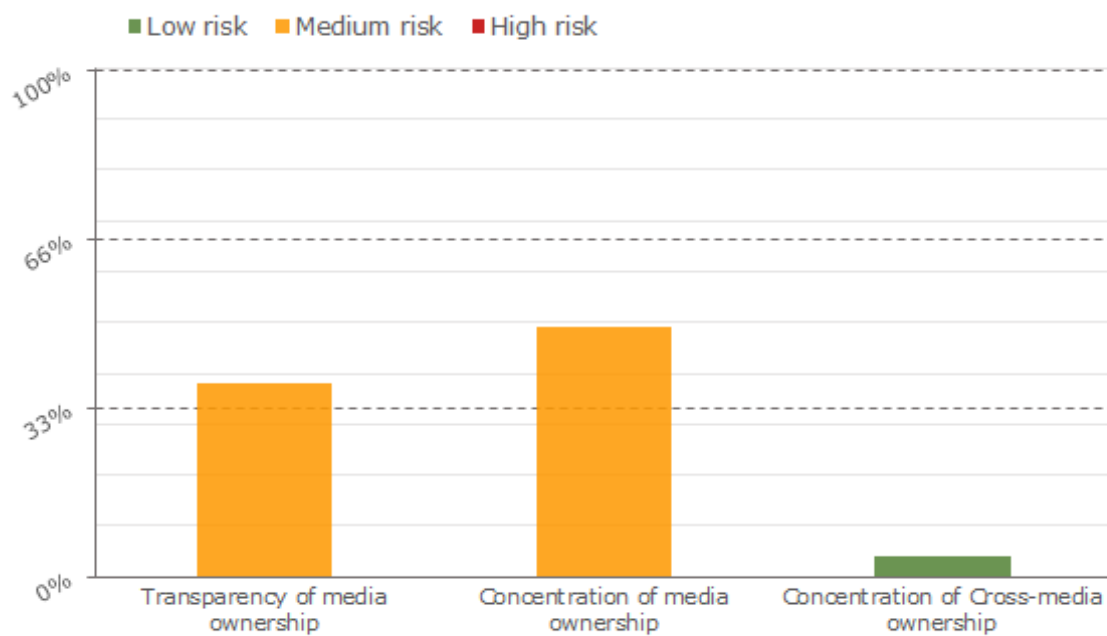


Figure 3 Media Pluralism Monitor 2015 - Cyprus, Market Plurality Domain, Results by Indicators

2.3 Political Independence (50% risk - medium risk)

The Political Independence indicators assess the existence and effectiveness of the implementation of regulatory safeguards against the biased representation of the political viewpoints in the media, and also the extent of the politicisation over media outlets, media distribution networks and news agencies. Moreover, it examines the influence of the state on the functioning of the media market, with a focus on state advertisement and public service media.

Indicator	Risk
Political bias in the media	20% risk (low)
Politicisation of control over media outlets	33% risk (low)
Politicisation of control over media distribution networks	33% risk (low)
State advertising	36% risk (medium)
Independence of PSM governance and funding	75% risk (high)
Independence of news agencies	100% risk (high)

The role of political power, and of politicians in general, in the media overall present a medium risk level (50%) that is linked to many areas; they include political interference in the appointments and the budgets of the PSM, gaps in monitoring compliance with the rules on access by political actors to the media and others.

With regard to the indicator ‘political bias in the media’, it is worth noting that rules on the laws for both commercial media and the PSM provide for the fair and balanced presentation of political views, which are generally enforced. Political balance in media presentation is the only indicator in this area with a low level risk (20%) to pluralism. However, when the issue of the Cyprus Problem⁴ is discussed in the media, all of the media tend to be biased. This practice, along with problems in the ways that invitees to programmes are selected, point to a medium level risk.

Rules for securing fair and balanced coverage of politics during electoral periods, covering all types of elections, are more detailed in the case of the PSM, to the point that they interfere with editorial independence. No external monitoring /regulatory body has the powers to examine compliance, except in the case of paid political advertising, which comes under the control of the Radio Television Authority.

⁴ The Cyprus Problem is an issue caused by the pursuance of divergent goals by the two main communities of Cyprus: the Greek Cypriot Community (82%) claimed Enosis or Union with Greece, while the Turkish Cypriot community (18%) demanded Taxim or the partition of the island. Following a coup against the government of President Makarios by the Greek junta of Athens in summer 1974, the Turkish Army invaded the island and occupied its northern part, which resulted in a de facto partition. Negotiations under the auspices of the United Nations since then aim at re-uniting Cyprus under a federal solution. The Republic of Cyprus joined the European Union in 2004 with the northern part exempted from the *acquis communautaire* until the reunification of the island.

The absence of an external monitoring body thus presents a risk. However, in practice, access rights are respected and a proportional representation of political views is applied. Paid political advertising is also regulated, under the same set of rules, for both the PSM and commercial media. The PSM also offers free-to-air access. With regard to paid political advertising, a time ceiling, a time-framework period, and rules for equal terms and opportunities, are set in the legislation, as well as the rules that relate to the identification of political advertising as such and its origin; monitoring compliance and the imposing of sanctions in the case of breaches, are ensured by the same body, the Radio Television Authority, with remedies and appeals mechanisms in place also.

With regard to the indicator measuring the ‘Independence of PSM governance and funding’, it was noted that the appointment of the governing body of the PSM and political interferences with both the budget approval procedures and the level of state funding are areas of concern. This is caused by the lack of objective selection criteria for appointees, of transparency in procedures, and of control mechanisms that would warrant the independence of the body and, by extension, of the PSM. Safeguards for appointments and for dismissals do not exist, and the situation has deteriorated with the introduction of a new law, which enables the government to dismiss the governing body of independent government organisations, including the PSM, without requiring a detailed justification, as required by law. The government also sets the level of state funding (over 90% of the budget) without any real consultation. Interference by political parties is a common practice, both in the process of budget approval and in day-to-day work, which poses more problems to the PSM. All the above create a situation of high risk for the ‘Independence of the PSM and its funding’ (indicator at 75%). However, it should be noted that employees' wages are determined in the schemes of service. They are viewed by the public as being too high.

Media ownership /control by political actors are limited, with only one daily being a party mouthpiece and one radio station being controlled by a party, and another by the Church of Cyprus. The general lack of / deficiency in transparency and accessibility to ownership data is an issue of concern, so the indicator ‘politicisation of control over media outlets’ scores at the upper end of low risk (33%).

The same level of risk has been identified with regard to the indicator ‘Politicisation of media distribution networks’. A high concentration exists in press distribution, because there are only two networks, although these are not controlled by politicians. In television and radio, even though there is very limited ownership by politicians, a generalised trend to ideologically oriented information, in particular with regard to Cyprus Problem is an issue of concern, causing a risk level that is on the margin between low and medium (33%).

When it comes to the indicator on ‘State advertising’, the allocation of such advertising appears to be fair, in practice, however, the lack of transparent procedures, rules and data, causes concern that leads to a medium level risk (36%).

Finally, the existence of only one semi-governmental news agency, which is funded almost exclusively by

the state budget, is a major risk for pluralism, which is reflected in the high risk assessment (100%) of the related indicator

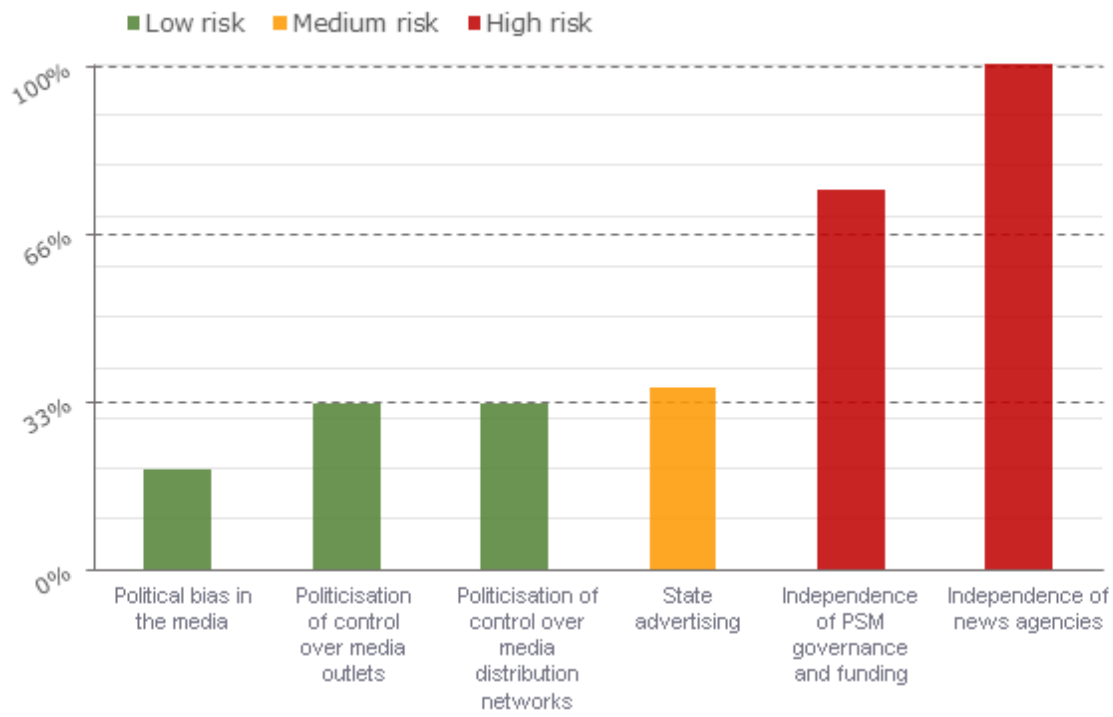


Figure 4 Media Pluralism Monitor 2015 - Cyprus, Political Independence Domain, Results by Indicators

2.4 Social Inclusiveness (66% risk - medium risk)

The Social Inclusiveness indicators are concerned with access to, and availability of, media for different, and particularly vulnerable, groups in the population. They assess regulatory and policy safeguards for access to media by various cultural and social groups, by local communities and by people with disabilities. Moreover, they assess the centralisation of the media system, and the quality of the country's media literacy policy, as well as the digital media skills of the population.

Indicator	Risk
Access to media for different social and cultural groups, and local communities	88% risk (high)
Availability of media platforms for community media	100% risk (high)
Access to media for the physically challenged people	25% risk (low)
Centralisation of the media system	44% risk (medium)
Universal coverage of the PSM and the Internet	38% risk (medium)
Media literacy	100% risk (high)

The 'Social inclusiveness' domain presents the highest risk level of all of the domains and it is at the limit between medium and high risk (66%). This is mostly due to there being no law provisions on community media and on the rights of social and cultural groups to access PSM. Various groups and minorities, other than politicians, are not guaranteed access to the PSM. Moreover, local news and programmes on PSM are not self-standing but are included in the general programming. These limitations to access to the PSM present a high risk ('Access to media for different social and cultural groups, and local communities' indicator (88%). However, the existence of commercial local media must be taken into account as being a decisive mitigating factor.

Community media is a concept that is completely missing from the legislation. Even though there are no minorities in Cyprus, in the sense of the MPM definition, the very high risk for the indicator 'Availability of media platforms for community media' (100%) is due to the lack of any policy measure to guarantee this kind of media outlets as a distinct group alongside commercial and public media. As a result, different groups or minorities in the broader sense of the term have no access to 'third media' platforms.

Although policies for persons with sight and hearing impairment are not fully developed, adequate measures are applied that make access possible in practice (subtitles and sound descriptions are available for people with hearing impairments who are watching TV, see variable I3.2). This results in a low level of risk for the 'Access to media for the physically challenged people' (25%).

The licensing of local/regional media has led to a proliferation of radio stations, but after the switch-over to digital television (mid-2011) local TV either closed down or was 'upgraded' to national coverage. No

local dailies exist. Local media receive no specific to the sector state subsidies beyond those in the form of tax free equipment offered to all media. This situation leads to a centralised system and to a medium risk for local/regional media ('Centralisation of the media system' indicator: 44%).

Territorial coverage of PSM is 100%. Almost the same is also the coverage for commercial media. When combined with broadband coverage (59% of the population) and low upload and download speeds, this presents a medium risk for universal coverage (38%).

No policy on media literacy has been adopted so far, even though some media literacy activities take place in practice. This is an issue of high risk, as there are low levels of Internet use (<70%) and of digital skills (<50%) ('Media literacy' indicator: 100%).

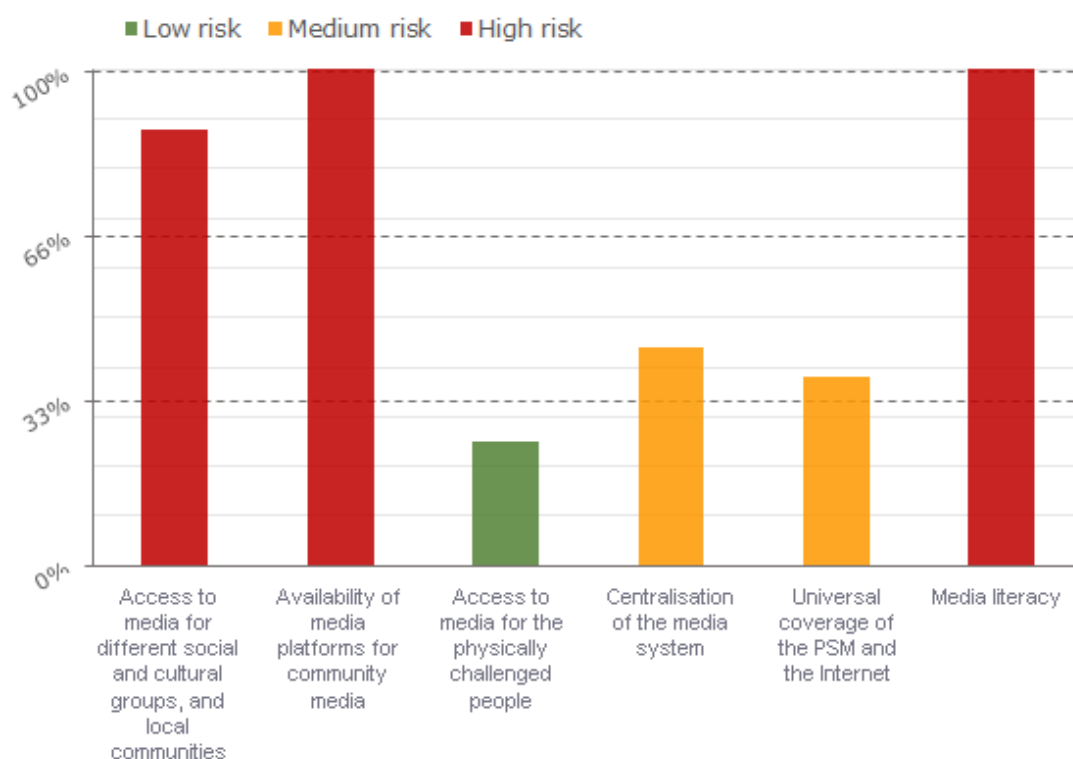


Figure 5 Media Pluralism Monitor 2015 - Cyprus, Social Inclusiveness Domain, Results by Indicators

3. Conclusions

Based on the findings of the MPM2015, the following issues have been identified by the country team as being more pressing or as deserving particular attention by policy-makers in order to promote media pluralism and media freedom in the country.

While the overall picture of media freedoms and free expression in Cyprus appears to be positive, measures are needed in order to remedy the deficiencies and problems in areas that have a serious impact on the extent and quality of a pluralistic environment. The most serious is the need to ensure the independence of the PSM at all levels – adequate funding, non-interference, independent governance, in accordance with the relevant recommendations of the Council of Europe. A reform of the PSM should include law amendments in order to recognise and offer explicit, in practice, access to various groups and minorities. This should include the establishment of bodies to monitor compliance. In accordance with the above, the inclusion of provisions that promote local and community media is essential, as this would enable broader public access and participatory practices.

In an effort to broaden the freedom of expression, it is important to adopt the legislation on access to information and to enforce compliance by all public authorities. The ensuring of the transparency of ownership data, so that the public knows who is in command of the information, is needed.

Low levels of Internet use and digital skills should be tackled by specific measures, on the one hand, through the development of structures enabling universal and speedy access to the Web, and, on the other hand, through the adoption of a policy for media literacy. The need for Cyprus to introduce media literacy policies and a comprehensive plan is urgent, since the country trails behind most EU member states, even though its rate of tertiary education graduates is very high.

The absolute centralisation of the distribution systems, with one state-supported news agency and a duopoly in press distribution, needs review. A decrease in the dependency of the media on a ‘news subsidies’ scheme is required to warrant pluralism in the selection and presentation of news, while creating bodies to monitor the press distribution networks and to audit circulation figures which might contribute to a more democratic media environment are needed.

Programmes for training and educating media professionals, with a focus also on defending editorial independence, are highly needed, as measures to respond to the increased influence of commercial/financial interests, with the pretext of times of crisis.

Annexe I. List of national experts who were consulted

Themistokleous Antigoni

Cyprus Radio Television Authority

Stratilatis Costas

University of Nicosia

Spyridou Lia-Paschalia

University of Cyprus

Simopoulos Michael

Action (Formerly of CMCC)

Makrides Antonis

Cyprus Union of Journalists

Georgiades Stavros

Cyprus Broadcasting Corporation