Media Pluralism in Lithuania

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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1. Introduction

Lithuania has 2.9 million inhabitants and two main minority groups: the Polish (6.6%) and the Russian speaking minorities (5.8%). Lithuania has a small but relatively varied media landscape. The relatively weak media regulation and policies and the excessive emphasis on market orientation have resulted in the concentration of mainstream media and market fragmentation, which, in its own right, contributes to increasing social and political polarization in the country. Whereas commercialization and polarization is often associated with economic conditions and changes in the market, registered flaws in media professionalism are related to particularities of the local political culture. Among other significant trends in Lithuania is greater media concentration due to ownership changes, raising rivalry among media outlets, continuing audience fragmentation, and fading institutional trust among its citizens.

Though issues of media freedom and pluralism in Lithuania have been addressed in several comparative studies (e.g., in the Media for Democracy Monitor project[1]), the MPM instrument is especially valuable for its succinct summary of the most significant factors determining media practices in the country. The MPM analysis revealed that Lithuanian media companies are functioning in a very complex environment, and that various factors, such as the legal framework and the role of the state, as well as economic conditions, and general professional practices, contribute to a wide-ranging impression that there are important barriers that prevent the Lithuanian media from creating pluralist, open and inclusive content.

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[1] Media for Democracy Monitor: A Cross National Study of Leading News Media:
http://www.nordicom.gu.se/en/publikationer/media-democracy-monitor

2. Results from the data collection: assessment of the risks to media pluralism
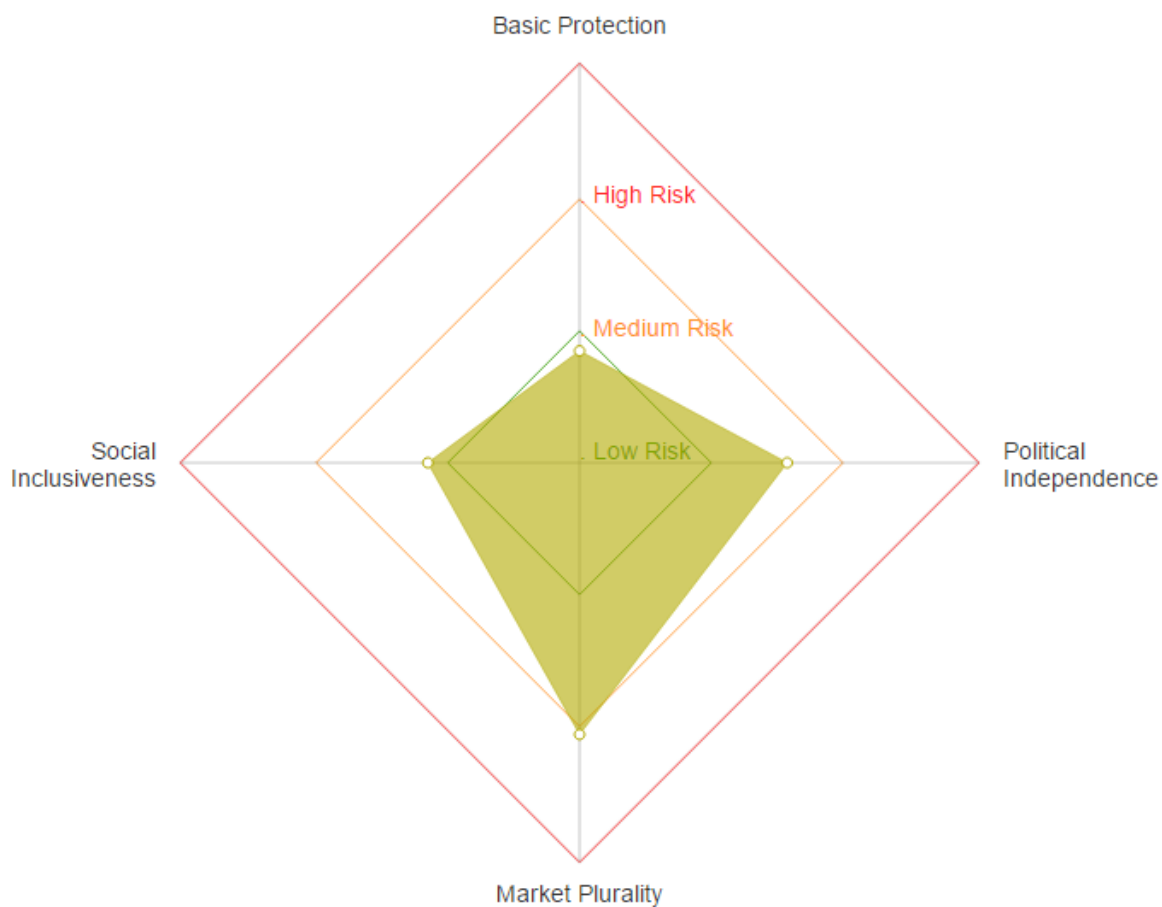
Figure 1 Media Pluralism Monitor 2015 - Lithuania, Results by Risk Domain

2.1 Basic Protection (28% risk - 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	41% risk (medium)
Protection of right to information	25% risk (low)
Journalistic profession, standards and protection	42% risk (medium)
Independence of national authority(ies)	5% risk (low)

Among the four indicators in this domain, two display medium risk to media pluralism. These are related to insufficient 'Protection of freedom of expression' (41%) and 'Journalistic profession and standards protection' (42%). The other two indicators, 'Protection of right to information' (25%) and 'Independence of national authorities' (5%), show low risk.

In general, media regulation in Lithuania is labelled as being exceptionally liberal, with only limited state intervention. Whereas freedom of information is clearly and narrowly defined in all laws, the protection of freedom of expression has a number of flaws, and these are mainly related to the criminalisation of defamation, which is in the process of being lifted from the new regulation, which is currently being changed.

Though the effects of the journalistic profession on pluralism are weighted to offer medium level risks, the results for this indicator appear to be among the weakest factors in this section. As is known, the profession is not well paid or highly respected, and there is a constant movement of professionals between different communication fields. Media organisational factors also contribute to this outcome: The majority of media organisations lack clear rules regulating the work of journalists and editors. The direct accountability of editorial offices is also insufficient, as there is no regular practice of having editorial lines clearly declared, nor is there a tradition of having an ombudsman position with which to deal with consumer complaints.

The MPM analysis indicates that the majority of professional journalists are not members of professional organisations, which points to weak solidarity among journalists. Additionally, the social guarantees for Lithuanian journalists and editors are insufficient. All things considered, media professionals in Lithuania work in an environment that is highly competitive, economically insecure, professionally vulnerable, and hence is susceptible to professional flaws and corruption.

In terms of independence of national authorities,[2] there a designated media authority in the

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[2] NB: It needs to be noted that this indicator has been found to be problematic in the 2015 implementation of the

country and there are legal guarantees of independence of the authority from political or commercial interference. The procedures for appointment of the media authority and for allocation of budgetary resources to it are transparent and objective, although the budget is somewhat inadequate. Moreover, the decisional practice of the media authority indicates that it uses its powers in the interest of the public. The media authority is generally transparent but does not publish information about its activities on a regular basis.
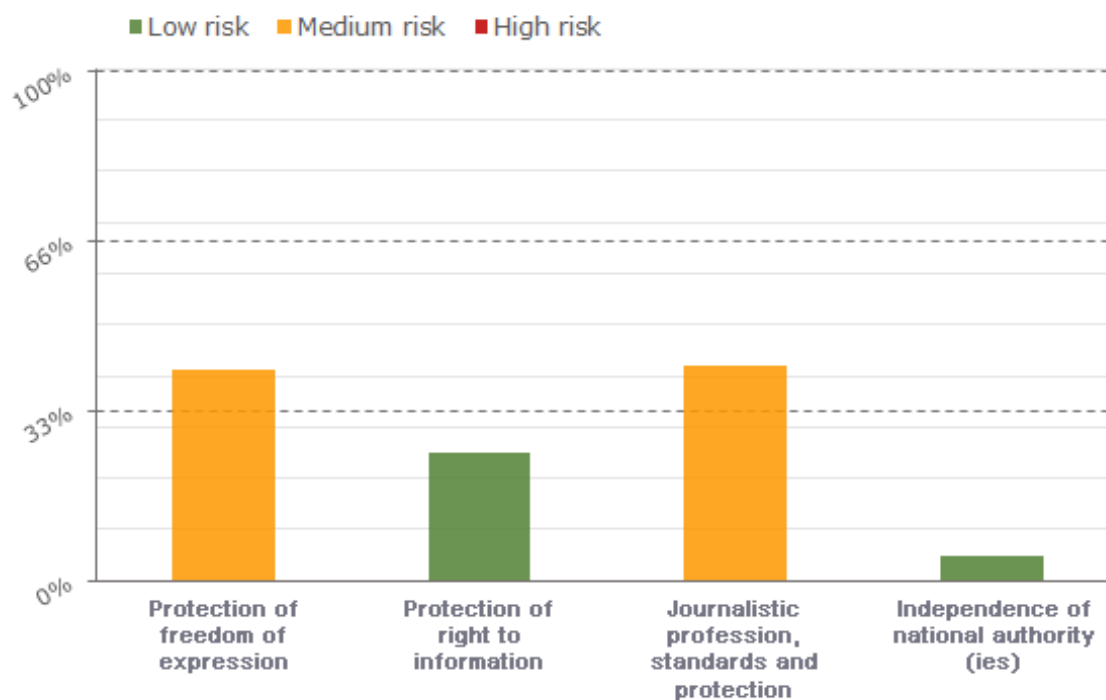
Figure 2 Media Pluralism Monitor 2015 - Lithuania, Basic Protection Domain, results by indicators

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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).

2.2 Market Plurality (68% risk – high 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.

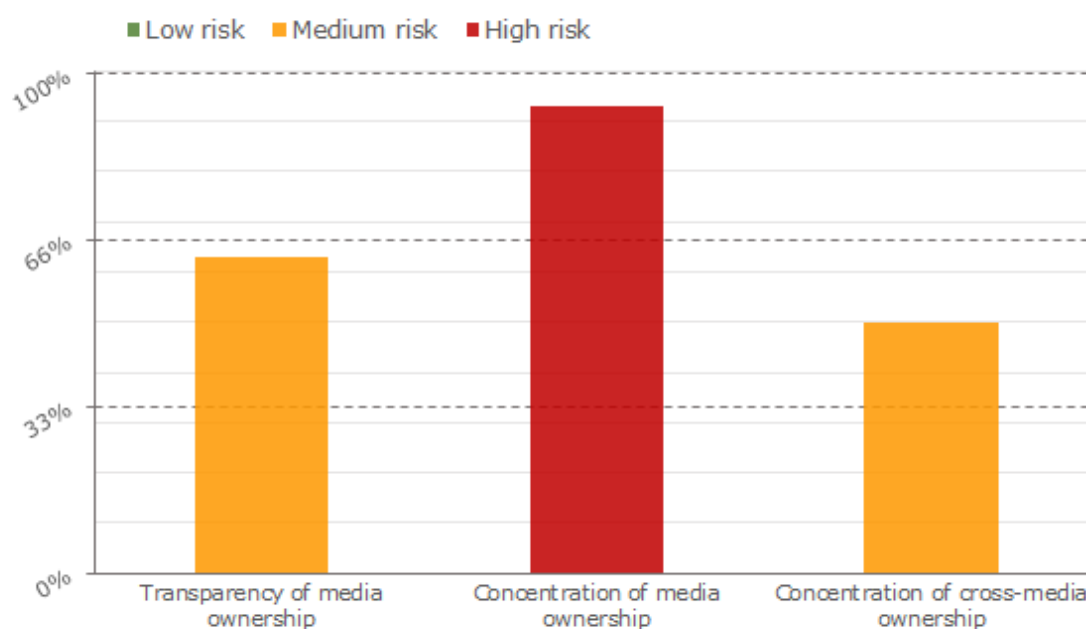| Indicator	Risk
Transparency of media ownership	62% risk (medium)
Concentration of media ownership	93% risk (high)
Concentration of cross-media ownership	50% risk (medium)

Two indicators that are outlined in this subdivision are exceptionally critical, namely 'Concentration of media ownership' (93%) and 'Transparency of media ownership' (62%). Both measures are interrelated. Incomplete transparency of media ownership leaves open hands for increasing media concentration; even more – it affects media professionalism. It also creates space for various influences, and has effects on limited audience awareness of media business related matters, which in its own way affects news literacy. In the longer run, it also produces the risks for a growing concentration of cross-media ownership, which now creates a medium level of risk to pluralism (risk in the connected indicator: 50%).

Among the most obvious deficiencies observed in the Lithuanian media regulation is that media diversity (and, consequently, pluralism) is not adequately promoted. All of the major factors – such as the definitions of the 'dominant position' in the market, or requests to media to submit, on a yearly basis, the media ownership changes – appear to be in place in the existing media regulations; still, these arrangements appear to be insufficient to promote adequate and healthy competition in the market. The media regulating institutions have their own functions, which are mainly related to media specificity (print, audio-visual or Internet media), but they do not deal directly with, nor otherwise cover and observe, the business related aspects (e.g., the types of media ownership or competition conditions). In more detail, four institutions are active in this field. Firstly, the Ombudsman's Institution observes the requirements that are instilled in the main media laws. Secondly, The Radio and Television Commission (RTCL) covers the field of commercial broadcasting (it registers media outlets and monitors content, e.g., time allocations for commercial advertising and the like). Thirdly, the Ministry of Culture acts as a media policy designer (and also registers print and Internet media). Fourthly, the Council of Competition follows its ruling according to the 'dominant position' in the market (which does not consider cross-media concentration, and also there are no restrictions on vertical and diagonal ownership concentration).

In most cases, all of the legal requests appear to be in place, yet their enactment and implementation are

generally missing. Similarly, as practise reveals, in most cases the data on the periodical press and the Internet media organisations' shareholders and managers is collected and made available by a designated institution (the Ministry of Culture). Still, not all media organisations provide data on the property owners and the property relations that link them to other producers and disseminators. Besides, the property shareholders of legal persons (of the media organisations' establishers – patronising companies) are not disclosed. Quite similarly, the Radio and Television Commission (RTCL) observes the broadcasting sector; yet no ownership matters are taken care of by this regulatory body (when a broadcaster fails to submit data about the property owners, the RTCL may refuse them a license, or terminate it). One of the main reasons for such a situation is that there is no legal liability for the non-submission of media ownership data to the designated institution.

All things considered, healthy media competition is missing and is not adequately supported through institutional functioning, nor through competition regulation. Such structural conditions are leading to a situation that is favourable for extreme levels of media ownership concentration in the country.

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

2.3 Political Independence (52% 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.
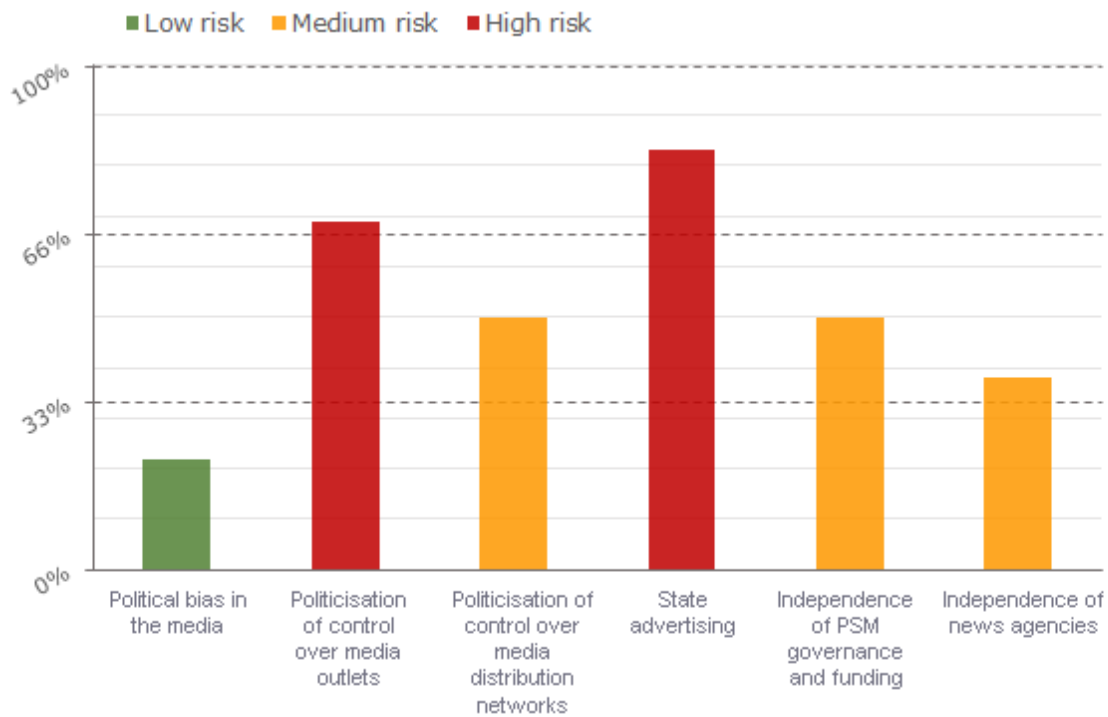
Indicator	Risk
Political bias in the media	22% risk (low)
Politicisation of control over media outlets	69% risk (high)
Politicisation of control over media distribution networks	50% risk (medium)
State advertising	83% risk (high)
Independence of PSM governance and funding	50% risk (medium)
Independence of news agencies	38% risk (medium)

The indicator 'Political bias in the media' scores a low level of risk (22%). The situation with public service media, although it is continuously improving, still reflects serious threats to media pluralism (indicator 'Independence of PSM governance and funding': 50% risk), and the, politicisation of control over media distribution networks appears to be at medium threat (50%). Medium risk was also identified in the indicator 'Independence of news agencies' (38%). The highest risk levels in this domain, however, regard the indicators 'Politicization of control over media outlets' (69%), and 'state advertising' (83%).

As has been stated, legally, many things appear to be in place in Lithuania, although not all of them are functioning in practice. However, legally, political parties cannot be the owners of media, political affiliations do exist in reality, which, together with shortages in ownership transparency and weak self-regulatory measures that stipulate editorial independence, result in the calculation of high risks in the indicator 'politicisation of control over media outlets'. Although the MPM assessment reveals that political linkages to media ownership exist, and are systematic, critical analyses of media policies related to ownership transparency and its impact on news provision, are missing. As suggested in the forthcoming sections, academic institutions could play a much stronger role in raising public awareness of media related matters. A more active role in media performance monitoring could be played by media institutions (e.g. by the PSM). It must be mentioned that the leading news media do report on media ownership changes, but such news appears in the business section of news outlets, and, in most cases, they are fact-based and tell nothing about the broader impact of the (political or business influence) tendencies that are registered..

Among other regular practices that have been noticed recently is the media connection to state advertising, which comes through different ministries and government organisations (here, predominantly, the greatest influence comes through the budgets allocated to PR companies and the media relations' planning actors and informational campaigns that are linked to EU-

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sponsored projects). The critical side of the latter activity is that, as can be seen from the recent data, certain ministries have significantly increased the budgets that they allocate to informational campaigns, which, in many cases, can be treated as hidden advertising (paid journalism).

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

2.4 Social Inclusiveness (38% 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.

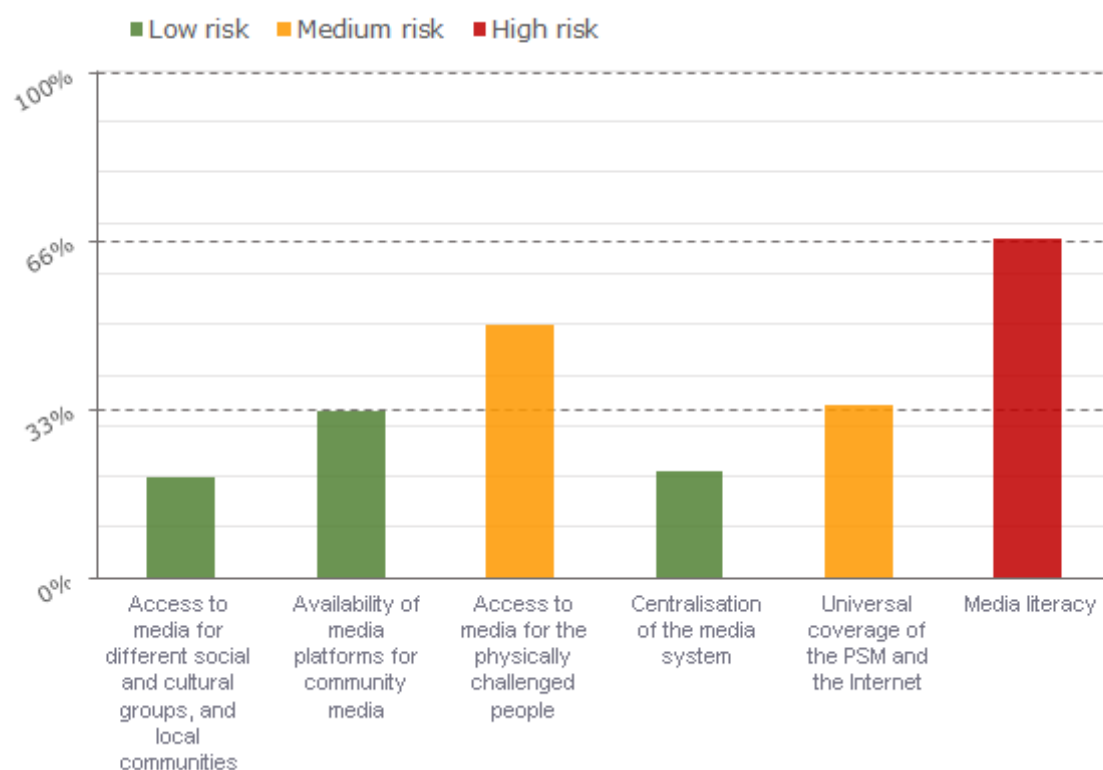| Indicator	Risk
Access to the media for different social and cultural groups, and local communities	20% risk (low)
Availability of media platforms for community media	33% risk (low)
Access to media for the physically challenged people	50% risk (medium)
Centralisation of the media system	21% risk (low)
Universal coverage of the PSM and the Internet	34% risk (medium)
Media literacy	67% risk (high)

Access to Lithuanian media by different social groups is at relatively low risk (indicator 'Access to media for different social and cultural groups, and local communities': 20% risk): there are news outlets which are published in minority languages, also, a number of leading news channels (such as PSM and a number of the top popular news portals) have news in Polish and Russian. The centralisation of the media system is assessed as being at low risk (indicator 'Centralisation of the media system': 21%). The media system is relatively free and open to access by community media (indicator 'availability of media platforms for community media:' 33%). 'Access to media for physically challenged people' appears to be at medium risk (50%). The 'Universal coverage of the PSM and the Internet' indicator shows a medium risk (34%), while the 'Media literacy' indicator is at high risk (67%).

As regard to Russian media, it is worth mentioning that in April 2015 the Lithuanian media regulator has banned a Russian-language channel based in Sweden (RTR Planeta) for three months. The channel was accused to retransmit Russian government propaganda. Being a channel established in Sweden, and therefore regulated under the principles of the Audiovisual Media Services Directive, Lithuanian regulator accused RTR Planeta under article 6 of the Directive stating that EU countries must ensure no programmes "contain any incitement to hatred based on race, sex, religion or nationality"[3]. On this decision, the public opinion split between those who affirmed that the ban represented a form of censorship and those who advocated to more active strategies to tackle the Russian propaganda, including fostering media literacy and critical thinking.

Media literacy appears to be a question of high concern, especially considering the increased information

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[3] https://www.indexoncensorship.org/2015/04/lithuania-bans-russian-language-channel-inciting-discord/

wars and propaganda (the latter issue became especially sensitive in the context of the informational attacks, trolling, falsification and lies that are incessantly found in digital space). Discussions about media and information literacy have been going on in Lithuania for quite some time, and the government has outlined certain directions (e.g., the activation of media related analysis skills' training in the schools). However, very few thorough and informed policy-making decisions that lead towards active measures for goal-oriented massive implementation in schools (or elsewhere, like public libraries) have taken place in the country. The current situation needs to be defined as an active analysis-oriented stage, when numerous research and methodological projects are funded through different initiatives and programmes. More consistent and ongoing media awareness and practice-oriented education are linked with the initiatives and activities of various NGOs and HEIs; public intellectuals are also active, and their ideas are often taken by the leading news media and are reflected in daily reports. In short, although 'media literacy' issues find an adequate place in public debates and on the public agenda, the related policies are underdeveloped, and the measures taken only address some specific and fragmented matters (such as pilot studies of young audiences and their media preferences).

Figure 5 Media Pluralism Monitor 2015 - Lithuania, 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.

To conclude, many of the relevant media regulations appear to be in place in Lithuania. Major drawbacks, however, come from either their implementation, or from general media practices, which are aggravated by the unstable economic conditions in the country.

Among the most critical issues related to media pluralism in Lithuania appear to be the highly concentrated media ownership structure. Moreover, laws related to competition are not effectively implemented. In recent years, the overall economic situation has changed significantly, mainly due to the effects of the global economic crisis, and this is negatively influencing the financial sustainability of media outlets. Due to the specificity of the Lithuanian media market, it is practically impossible for media outlets to remain independent and to sustain financial stability by relying on revenues from advertising or subscriptions. State support systems, through subsidies to cultural and minority media, are also very limited, and they do not play any significant role in the pluralisation of informational space. As a result of this, the Lithuanian media is overly financially dependent on the political or business actors who strive to control the media through the allocation of advertising, or other types of support.

To promote media pluralism and democratic culture in Lithuania, a number of measures should be considered, including: putting in place regulations that safeguard media ownership transparency and competition; safeguard the financial sustainability of media professionals, raising news literacy levels and general media awareness, especially in the current context of growing information wars and propaganda.

Annexe I. List of national experts who were consulted

Renata Matkeviciene

Vilnius University

Nerijus Maliukevicius

Radio and TV Commission

Jurate Imbrasaite

Vytautas Magnus University

Deimantas Jastramskis

Vilnius University

Dainius Radzevičius

LRTK – Lithuanian Radio and Television Commission

Birute Garbaraviciene

Atviros visuomenes forumas