



CMPPF



MPM 2020

Questionnaire



1. Protection of freedom of expression

This indicator aims to assess the existence and effective implementation of regulatory safeguards for freedom of expression offline and online. A country may have good laws relating to freedom of expression, but they may not be implemented or enforced. In addition, constitutional guarantees may be eroded by exceptions and derogations from international treaty obligations or by contradictory laws covering, for example, national security or defamation.

1. Is freedom of expression recognized in the Constitution?

This variable aims to assess the existence of regulatory safeguards for freedom of expression in the Constitution or in national laws/jurisprudence (Courts) of your country.

Subindicator / Type

Respect of FoE international standards / T

Method

National laws and regulations. Constitutional conventions. Overviews of national media legislation can be found on:

EPRA website: <http://www.epra.org/articles/media-legislation>

Merlin database European Audiovisual Observatory: <http://merlin.obs.coe.int/>

Websites of national regulatory and competition authorities

Answer options

- Low risk: It is explicitly recognised in the Constitution
- Medium risk: It is recognised in national laws or in the jurisprudence (Courts)
- High risk: it is not recognised
- Not Applicable
- No Data

2. Has the State ratified the International Covenant on Civil and Political Rights (ICCPR) with no significant reservations/declarations?

This variable assesses the ratification of the core international treaty (ICCPR) covering standards on freedom of expression, in particular Article 19. The variable also assesses whether there are any reservations/declarations from this international treaty obligations, specifically relating to freedom of expression.

Subindicator / Type

Respect of FoE international standards / T

Method

Check whether the state has ratified the ICCPR with no significant reservations/declarations relating to freedom of expression. See UN

webpage: https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4&clang=_en#7

Answer options

- Low risk: Yes, it has ratified the ICCPR with no significant reservations/declarations on freedom of expression
- Medium risk: Partially. It has ratified the ICCPR with reservations/declarations that may affect freedom of expression
- High risk: No, it has ratified the ICCPR with reservations/declarations that clearly affect freedom of expression
- Not Applicable
- No Data

3. Has the State ratified the European Convention on Human Rights with no significant

reservations/declarations?

This variable assesses the ratification of the core European treaty covering freedom of expression - the European Convention on Human Rights (ECHR). The variable also assesses whether there are any reservations/declarations made by the State in relation to freedom of expression, in particular in relation to Article 10.

Subindicator / Type

Respect of FoE international standards / T

Method

Check whether the state has ratified the European Convention with no significant reservations/declarations relating to freedom of expression. See Council of Europe webpage: <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=005&CM=&DF=&CL=ENG>

Answer options

- Low risk: Yes, it has ratified the ECHR with no significant reservations/declarations on freedom of expression
- Medium risk: Partially. It has ratified the ECHR with reservations/declarations that may affect freedom of expression
- High risk: No, it has ratified the ECHR with reservations/declarations that clearly affect freedom of expression
- Not Applicable
- No Data

4. Are restrictions upon freedom of expression clearly defined in law and do restrictions upon freedom of expression pursue a legitimate aim according to those foreseen in Article 10(2) ECHR? Also: are they "proportionate" to the legitimate aim pursued?

Please, do not consider aspects of freedom of expression online. This issue will be addressed by questions that will follow. This variable assesses the respect of CoE standards on FoE. Art 10(2) of the ECHR. "...The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are **prescribed by law** and are necessary in a democratic society, in the 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.**" Restrictive measures must be '*prescribed by law*'. Pursuant to the Court's case law, the expression 'prescribed by law' not only requires that restrictive measures should have a legal basis in domestic law, but also refers to the quality of the law in question, which should be accessible to the person concerned and foreseeable to its effects. A measure that interferes with the exercise of fundamental rights and principles enshrined in the ECHR will usually be regarded as '*accessible*' if it is published. A restrictive measure is considered '*foreseeable*' if it is formulated with sufficient precision to enable the citizen to regulate his conduct. That is to say, the citizen must be able to foresee, to a degree that is reasonable in the circumstances, the consequences which a given action may entail. The Court acknowledges that laws need not be phrased in rigid terms; the law cannot capture all possible eventualities at the time of its adoption and the circumstances surrounding it may evolve. In other words, a law must be sufficiently flexible to leave room for interpretation. However, the legal framework must provide effective safeguards against arbitrary interference. This has been understood to mean that the law must indicate with sufficient clarity the scope of discretion conferred on the competent authorities and the manner of its exercise. A measure is deemed 'proportionate' if the legitimate aim that is pursued by the interference cannot be achieved by less restrictive means. (CMPF working paper on FREEDOM OF EXPRESSION ONLINE. REPORT, march 2016 (internal use only)

Subindicator / Type

Respect of FoE international standards / T

Method

National laws and regulations. Constitutional conventions. Academic writing on the issue and reports by international and European bodies. Analysis of the legal framework. CoE

Study: <https://www.coe.int/en/web/freedom-expression/study-filtering-blocking-and-take-down-of-illegal-content-on-the-internet>

Answer options

- Low risk: yes, restrictions are clearly defined by the law, don't go beyond those provided by art 10.2 and are proportionate to the legitimate aim pursued
- Medium risk: in some cases restrictions are not clearly defined by the law and/or go beyond those provided by art 10.2 and/or are not proportionate to the legitimate aim pursued
- High risk: restrictions are not clearly defined by the law and/or either go beyond those provided by art 10.2 and/or are not proportionate to the legitimate aim pursued.

Not Applicable

No Data

5. Do citizens have legal remedies in cases of infringement of their freedom of expression and are these legal remedies effective?

This variable assesses the availability of legal remedies in cases of violations of freedom of expression and whether these methods are effective. Unless legal remedies are adequately enforced, regulatory safeguards on freedom of expression may be useless.

Subindicator / Type

Respect of FoE international standards / T

Method

Method of measurement National laws and regulations. Constitutional conventions. Case law. Overviews of national media legislation can be found on:

EPRA website:<http://www.epra.org/articles/media-legislation>

Merlin database European Audiovisual Observatory: <http://merlin.obs.coe.int/>

Nordicom (for Scandinavian countries):<http://www.nordicmedia.info/>

Websites of national regulatory and competition authorities HUDOC website for those cases that were sent to the European Court of Human

Rights: <https://hudoc.echr.coe.int/eng#%7B%22documentcollectionid%22:%5B%22GRANDCHAMBER%22,%22CHAMBER%22%5D%7D>

Answer options

Low risk: yes, they have legal remedies and the remedies are effective

Medium risk: they have legal remedies but the remedies are not always effective

High risk: they have no legal remedies or if they have legal remedies, these are not effective

Not Applicable

No Data

6. Is freedom of expression respected in practice in your country?

This variable assesses the actual risks to freedom of expression in your country. Every country may witness minor violations to freedom of expression, but if there has been a systematic practice over the last two years this will indicate that the laws may be ineffective. Please note that the relevant timeframe is two years and it is looking for common practice, not based on one single incident.

Subindicator / Type

Respect of FoE international standards / T

Method

Reports by local and international NGOs working on these issues. Academic writing and reports by international bodies, organizations or experts on the issue.

Answer options

Low risk: There is no evidence of violations

Medium risk: There are occasional violations

High risk: There are systematic violations

Not Applicable

No Data

7. Is freedom of expression online clearly defined in law and/or in the case-law in accordance with international and regional human rights standards and are the restrictions to freedom of expression online 'proportionate' to the legitimate aim pursued?

This variable aims to assess whether freedom of expression online is limited based on the same grounds it is limited offline and/or national case-law is consistent with international standards of protection of online speech. The variable does not imply/request a specific law for online freedom of expression exists. In case a specific law exists, it must be assessed based on the CoE criteria. This variable assesses the respect of CoE standards

on FoE. Art 10(2) of the ECHR. "...The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are **prescribed by law** and are necessary in a democratic society, in the 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.**" Restrictive measures must be '*prescribed by law*'. Pursuant to the Court's case law, the expression 'prescribed by law' not only requires that restrictive measures should have a legal basis in domestic law, but also refers to the quality of the law in question, which should be accessible to the person concerned and foreseeable to its effects. A measure that interferes with the exercise of fundamental rights and principles enshrined in the ECHR will usually be regarded as '*accessible*' if it is published. A restrictive measure is considered '*foreseeable*' if it is formulated with sufficient precision to enable the citizen to regulate his conduct. That is to say, the citizen must be able to foresee, to a degree that is reasonable in the circumstances, the consequences which a given action may entail. The Court acknowledges that laws need not be phrased in rigid terms; the law cannot capture all possible eventualities at the time of its adoption and the circumstances surrounding it may evolve. In other words, a law must be sufficiently flexible to leave room for interpretation. However, the legal framework must provide effective safeguards against arbitrary interference. This has been understood to mean that the law must indicate with sufficient clarity the scope of discretion conferred on the competent authorities and the manner of its exercise. A measure is deemed 'proportionate' if the legitimate aim that is pursued by the interference cannot be achieved by less restrictive means. Measures of blocking, filtering and removal of Internet content are interpreted in a restrictive manner, thus complying with the principle of proportionality. (from the report on FREEDOM OF EXPRESSION ONLINE - REPORT PREPARED BY THE CENTRE FOR MEDIA PLURALISM AND MEDIA FREEDOM at the request of THE COUNCIL OF EUROPE, March 2016)

Subindicator / Type

Guarantees for FoE online / T

Method

National laws and regulations. Constitutional conventions.

Academic writing on the issue and reports by international and European bodies. Case-law of the European Court of Human Rights.

Answer options

- Low risk: yes, freedom of expression online is clearly defined in law and/or in the case-law in accordance with international and regional human rights standards and the restrictions to freedom of expression online are 'proportionate' to the legitimate aim pursued
- Medium risk: freedom of expression online is clearly defined in law and/or in the case-law in accordance with international and regional human rights standards but the restrictions to freedom of expression online are not 'proportionate' to the legitimate aim pursued
- High risk: freedom of expression online is not clearly defined in law and/or in the case-law in accordance with international and regional human rights standards and the restrictions to freedom of expression online are not 'proportionate' to the legitimate aim pursued
- Not Applicable
- No Data

8. Does the State generally refrain from filtering and/or/ monitoring and/or blocking and/or removing online content in an arbitrary way?

This variable aims to assess whether the government blocks or filters access to the Internet as a whole or to specific online services, applications or websites, and on what grounds. This variable assesses the actual risks to freedom of expression online in your country. Violations of freedom of expression online are growing in frequency and importance. Of course every country may witness minor violations to freedom of expression, but if there has been a systematic practice over the two years this will indicate that the laws may be ineffective. Please note that the relevant timeframe is two years and it is looking for common practice, not based on one single incident. By "in an arbitrary way" we understand that the filtering, monitoring or blocking is not in compliance with the rule of law as set forth by art. 10 (1) and (2) of the ECHR.

Subindicator / Type

Guarantees for FoE online / T

Method

National case law Case law by European Court on Human Rights on your country Reports by local and international NGOs working on these issues Academic writing and reports by international bodies, organizations or experts on the issue

Answer options

- Low risk: yes: no violations. The State is not filtering/removing content in an arbitrary way.
- Medium risk: occasional violations

- High risk: no: systematic and/ or severe violations
- Not Applicable
- No Data

9. Does the State report about filtering and removals in a transparent and effective way?

This variable aims to assess, in the case the government blocks or filters access to the Internet as a whole or to specific online services, applications or websites, with what degree of transparency this is exercised.

Subindicator / Type

Guarantees for FoE online / T

Method

Reports by the State or national institutions. National case law Case law by European Court on Human Rights on your country Reports by local and international NGOs working on these issues Academic writing and reports by international bodies, organizations or experts on the issue

Answer options

- Low risk: Yes
- Medium risk: not in all cases
- High risk: no
- Not Applicable
- No Data

10. Do the ISPs and online platforms generally refrain from filtering and/or/ monitoring and/or blocking and/or removing online content in an arbitrary way?

This variable assesses the actual risks to freedom of expression online in your country. Violations of freedom of expression online are growing in frequency and importance. Of course every country may witness minor violations to freedom of expression, but if there has been a systematic practice over the two years this will indicate that the laws may be ineffective. Please note that the relevant timeframe is two years and it is looking for common practice, not based on one single incident. By "in an arbitrary way" we understand that the filtering, monitoring or blocking is not in compliance with art. 10 (1) and (2) of the ECHR and ECtHR case law.

Subindicator / Type

Guarantees for FoE online / T

Method

Reports from ISPs and news platforms National case law Case law by European Court on Human Rights on your country Reports by local and international NGOs working on these issues Academic writing and reports by international bodies, organizations or experts on the issue

Answer options

- Low risk: No violations
- Medium risk: Occasional violations
- High risk: Systematic violations
- Not Applicable
- No Data

11. Do individuals have access to effective legal remedies to address violations of rights, online and offline, conducted by State or non-State actors?

This variable aims to assess whether individuals have effective legal mechanisms to complain against violation of freedom of expression online. This includes whether the traditional appeal mechanisms are effective and/or whether self-regulatory measures used by the platforms are effective in guaranteeing a prompt reaction to an infringement to freedom of expression.

Subindicator / Type

Guarantees for FoE online / T

Method

National laws and regulations. Constitutional conventions. Reports by the State or national institutions. National case law Case law by European Court on Human Rights on your country Reports by local and international NGOs working on these issues Academic writing and reports by international bodies, organizations or experts on the issue

Answer options

- Low risk: yes, there are effective remedies
- Medium risk: there are remedies but they are not always effective
- High risk: appeal systems are not in place; no effective remedy
- Not Applicable
- No Data

12. Do ISPs and online platforms report about filtering and removals in a transparent and effective way?

This variables aims to assess the transparency and accountability of the news platforms when removing online content, based on their terms of reference or on obligations coming from the legislation. A report is deemed to be transparent when the legal rationale of the online content removal/filtering/blocking is clear, when the cases of removal/filtering/blocking are aggregated based on the logic of the removal. A full repository of the cases should be available.

Subindicator / Type

Guarantees for FoE online / T

Method

Reports of the ISPs and platforms on blocking, removing, filtering online content.

Answer options

- Low risk: yes they are transparent. Their reports are clear on the reasoning behind the removal/filter and about the cases of filtering/removal.
- Medium risk: they are not fully transparent. Their reports are not fully/always clear on the reasoning behind the removal/filter and about the cases of filtering/removal.
- High risk: they are not transparent
- Not Applicable
- No Data

13. Has your State decriminalised defamation?

This variable assesses whether the state has decriminalised defamation. While defamation is an important tool to protect people from false statements that damage their reputation, its criminalization may pose risks for journalists' freedom of expression or their ability to carry out their work.

Subindicator / Type

Proportionate balance between protection of FoE and dignity / T

Method

National laws and regulations, case law CMPF maps on defamation, available at: <http://journalism.cmpf.eu.eu/maps/defamation-law/> (please check for any updated information) Academic writing on the issue and reports by international and European bodies.

IPI <http://legaldatabase.freemedia.at/>

Answer options

- Low risk: yes
- Medium risk: defamation is punished with a fine
- High risk: defamation may be punished with imprisonment
- Not Applicable
- No Data

14. Do defamation laws provide for sufficient legal defences?

This variable assesses whether defamation laws provide for sufficient legal defences, that can be used against a defamation claim, to ensure it does not impose unreasonable limitations on freedom of expression. These may include: - that the disputed statement was an opinion, not an allegation of fact; - that publication or broadcasting of the disputed fact was reasonable or in the public interest; - or that it occurred during a live transmission and/or before a court or elected body.

Subindicator / Type

Proportionate balance between protection of FoE and dignity / T

Method

National laws and regulations National case law, relevant case law by European Court on Human Rights CMPF maps on defamation, available at: <http://journalism.cmpf.eu/maps/defamation-law/> (please check for any updated information) Academic writing on the issue and reports by international and European bodies. IPI <http://legaldb.freemedia.at/>

Answer options

- Low risk: Yes
- Medium risk: yes, but not always properly implemented
- High risk: no/not implemented
- Not Applicable
- No Data

15. Are court decisions on damage proportionate to the offence of defamation?

This variable assesses whether the claims for damages in civil proceedings are not abusive and do not have a chilling effect on journalists.

Subindicator / Type

Proportionate balance between protection of FoE and dignity / T

Method

National laws and regulations. National case law, relevant case law by European Court on Human Rights. CMPF maps on defamation, available at: <http://journalism.cmpf.eu/maps/defamation-law/> (please check for any updated information) Academic writing on the issue and reports by international and European bodies.

Answer options

- Low risk: they are proportionate
- Medium risk: there are cases in which they are not proportionate
- High risk: they are not proportionate
- Not Applicable
- No Data

2. Protection of right to information

This indicator aims to assess the existence and effective implementation of regulatory safeguards relating to the right to information. A country may have good laws relating to the right to information but they may not be implemented or enforced. The indicator takes also into account the levels of protection of whistle-blowers in a given country.

16. Is the right to information explicitly recognised in the Constitution and/or national laws?

This variable assesses the existence of regulatory safeguards for the right to information in the Constitution or in national laws.

Subindicator / Type

Legal protection of right to information / T

Method

National laws and regulations (acts, decrees, branch agreements...), constitutional conventions, case law, regulatory decisions
Overviews of national media legislation can be found on: EPRA website:<http://www.epra.org/articles/media-legislation> Websites of national regulatory and competition authorities Merlin database European Audiovisual Observatory:<http://merlin.obs.coe.int/> Nordicom (for Scandinavian countries):<http://www.nordicmedia.info/>

Answer options

- Low risk: It is explicitly recognised in the Constitution
- Medium risk: It is recognised in national laws or in the jurisprudence (Courts)
- High risk: It is not recognised
- Not Applicable
- No Data

17. Are restrictions to freedom of information on grounds of protection of privacy, state secrecy, public order, and national security clearly defined in accordance with international standards?

This variable aims to assess whether restrictions to freedom of information on privacy grounds provided in national law are clearly defined in accordance with international standards. Both the right to freedom of information, including the public's right to be informed by the press, and the right to privacy enjoy a high degree of protection under international law. Although both human rights, they are by no means absolute. Notwithstanding the public's interest in the lives of certain individuals, the dissemination of this information should not always come at the cost of invading their privacy. As noted by a former UN Special Rapporteur on freedom of expression, "The overarching notion is that all information in the possession of the State belongs to the public, with limited and qualified exceptions that must be justified by State authorities. [...] National laws should contain a clearly and narrowly defined list of exceptions or an explanation of the grounds for refusing the disclosure of information. Exceptions should apply only where there is a risk of substantial harm to the protected interest and where that harm is greater than the overall public interest in having access to the information, and should be determined by an independent body, preferably a court, and not the body holding the information". The assessment should also consider if anyone can access information or if any specific qualifications are required (eg. public prosecutor, journalist, etc).

Subindicator / Type

Legal protection of right to information / T

Method

National laws and regulations (acts, decrees, branch agreements...), constitutional conventions, case law, regulatory decisions (As above)
Studies/reports providing overviews of and/or evaluating safeguards for the right to information

Answer options

- Low risk: Yes, they are
- Medium risk: restrictions are not clearly defined by the law nor/or by case-law
- High risk: restrictions are not clearly defined by the law
- Not Applicable
- No Data

18. Are there appeal mechanisms in place for denials to access information?

This variable assesses whether there are appeal mechanisms in place in cases of denials to access information. Such appeal mechanism should be before a judicial body or if not, before a body that is independent of the parties involved, held to provide written reasons for its decisions and whose decisions are subject to review by a court or tribunal within the meaning of Article 267 TFEU.

Subindicator / Type

Legal protection of right to information / T

Method

National laws and regulations (acts, decrees, branch agreements...), constitutional conventions, case law, regulatory decisions

Answer options

- Low risk: yes, there are

- Medium risk: there are remedies but they are not always effective
- High risk: appeal systems are not in place; no effective remedy
- Not Applicable
- No Data

19. Does the public administration generally refrain from denying access to information in an arbitrary way?

This variable aims to assess the effectiveness of the appeal mechanisms in place and test whether they are subject to systematic misuse or delays to limit access to information.

Subindicator / Type

Legal protection of right to information / T

Method

Academic writing on the issue and reports by NGOs working on related issues

Answer options

- Low risk: The procedures are never misused
- Medium risk: The procedures are occasionally misused
- High risk: The procedures are very often or always misused
- Not Applicable
- No Data

20. Is there a regulatory framework in place to protect whistleblowers?

This variable aims to assess whether the country has adopted legal instruments to protect whistleblowers.

Subindicator / Type

Protection of whistleblowers / T

Method

National laws and regulations. OECD STUDY ON WHISTLEBLOWER PROTECTION FRAMEWORKS, COMPENDIUM OF BEST PRACTICES AND GUIDING PRINCIPLES FOR LEGISLATION: STUDY ON WHISTLEBLOWER PROTECTION:

<https://www.oecd.org/g20/topics/anti-corruption/48972967.pdf> Transparency International. WHISTLEBLOWING IN EUROPE: LEGAL PROTECTIONS FOR WHISTLEBLOWERS IN THE EU.

http://www.transparency.org/whatwedo/publication/whistleblowing_in_europe_legal_protections_for_whistleblowers_in_the_eu

Answer options

- Low risk: yes
- Medium risk: there is but covers only public or private sectors
- High risk: there is not
- Not Applicable
- No Data

21. Is the protection of whistleblowers generally enforced in practice?

This variable aims to assess the effective implementation of regulatory safeguards for the protection of whistleblowers. While a country may have adequate laws on the protection of whistleblowers, they may not be implemented in practice.

Subindicator / Type

Protection of whistleblowers / T

Method

Court cases. OECD STUDY ON WHISTLEBLOWER PROTECTION FRAMEWORKS, COMPENDIUM OF BEST PRACTICES AND GUIDING PRINCIPLES FOR LEGISLATION: STUDY ON WHISTLEBLOWER PROTECTION: <https://www.oecd.org/g20/topics/anti->

Answer options

- Low risk: yes, always
- Medium risk: law is not always enforced
- High risk: law is not enforced
- Not Applicable
- No Data

22. Is your country free from cases of arbitrary sanctioning of whistleblowers?

This variable assesses whether there are unlawful arrests/detainment/sanctioning/imprisonment of whistleblowers.

Subindicator / Type

Protection of whistleblowers / T

Method

Reports by NGOs or professional associations/unions (eg. World Press Freedom). Index of censorship: <https://mappingmediafreedom.org/#/>

Answer options

- Low risk: no cases
- Medium risk: some few cases
- High risk: many or all cases
- Not Applicable
- No Data

3. Journalistic profession, standards and protection

Journalists (and other media actors) are those who, in a functioning democratic society, feed the public debate and ensure that the public is informed on all matters of public interest. In contributing to the public debate, journalists influence public opinion and, in the end, the electoral choices of voters and the accountability of politicians. It is therefore important that, in a democratic society, access to the journalistic profession is not limited; and that journalists can act independently to political and commercial interests and that may rely on an “enabling environment” to carry out their job. This means also that the countries have a duty to guarantee a safe environment in which journalists and other media actors can work without fear.

23. Do laws or self-regulatory instruments that prescribe who may practice journalism or requiring the licensing or registration of journalists impose transparent, objective, proportionate and nondiscriminatory requirements and/or is access to the journalistic profession open in practice?

This variable assesses legal restrictions on who can become a journalist, since these may have a deterring effect and hence a negative influence on media pluralism. In particular it aims to measure whether the laws or self-regulatory instruments that prescribe who may practice journalism or requiring the licensing or registration of journalists impose transparent, objective, proportionate (not synonym for strict conditions; e.g. diploma is a proportionate condition) and nondiscriminatory requirements. Such legal restrictions may include burdensome accreditation, registration or licensing schemes. The variable aims to assess also if the implementation of the laws or self-regulatory instruments allowing transparent, objective, proportionate and nondiscriminatory requirements is adequate in practice, and whether any other barriers exist to exercise of the profession of journalists. While the legal protection may be adequate, this may not be the case in practice.

Subindicator / Type

Access to the profession / T

Method

National laws and regulations. Constitutional conventions. National case law and case law of European Court on Human Rights Self-regulatory instruments. Overviews of national media legislation and self-regulatory codes can be found on: <http://www.mediawise.org.uk/codes-of->

Answer options

- Low risk: they provide transparent, objective, proportionate and nondiscriminatory requirements and/or the access to the profession is open in practice.
- Medium risk: they provide transparent, objective, proportionate and nondiscriminatory requirements but the access to the profession is not open in practice.
- High risk: they do not provide transparent, objective, proportionate and nondiscriminatory requirements and the access to the profession is not open in practice.
- Not Applicable
- No Data

24. Are journalists' professional associations effective in guaranteeing editorial independence and/or respect for professional standards?

This variable assesses if there are professional associations providing advocacy for editorial independence and/or respect for professional standards. It assesses the power and effectiveness of the relevant associations in influencing the journalistic sphere.

Subindicator / Type

Working conditions / T

Method

Reports by NGOs or journalist organizations. Interviews with journalists' organizations. Other relevant websites: www.ifj.org

Answer options

- Low risk: Highly effective
- Medium risk: Partially effective
- High risk: Not effective
- Not Applicable
- No Data

25. How would you evaluate the working conditions of journalists in your country?

For a genuine pluralistic media landscape to be realised, it is crucial that journalists can work under decent social conditions. This variable aims to assess risks to the working conditions of journalists, including in particular their social security, job security and pay.

Subindicator / Type

Working conditions / T

Method

Interviews with journalists or journalists' organizations. Reports by NGOs or professional associations/unions.

Answer options

- Low risk: Good job security and pay
- Medium risk: Some irregularities in payments and some job insecurity
- High risk: Frequent irregularities in payments and high job insecurity
- Not Applicable
- No Data

26. Are there cases of attacks or threats to the physical safety of journalists?

The physical safety of journalists is essential to guarantee their freedom of expression and media pluralism. As noted in the UN Plan of Action on the Safety of Journalists and the Issue of Impunity: "In recent years, there has been disquieting evidence of the scale and number of attacks against the physical safety of journalists and media workers". The relevant timeframe should be last year.

Subindicator / Type

Physical safety / T

Method

Please, report how many threats to physical safety were reported by Index on censorship in the last two years: <https://mappingmediafreedom.org/#/> See, also: Council of Europe Platform to promote the protection of journalism and safety of journalists <http://www.coe.int/en/web/media-freedom/home>

Answer options

- Low risk: No attacks, no threats
- Medium risk: No attacks, some threats
- High risk: Attacks and threats take place
- Not Applicable
- No Data

27. Are female journalists free from physical threats and attacks?

Please, tick "yes" only if no female journalist is threatened and "not applicable" if the percentage of threatened female journalists is less or equal to the percentage of male ones.

Subindicator / Type

Physical safety / E

Answer options

- Yes
- No
- Not Applicable
- No Data

28. Is your country free from arbitrary arrests or imprisonments of journalists because of the exercise of their profession?

This variable assesses whether there are politically motivated arrests/detainment and imprisonment of journalists.

Subindicator / Type

Physical safety / E

Method

CoE Platform to promote the protection of journalism and safety of journalists (<http://www.coe.int/en/web/media-freedom>). Reports by NGOs or professional associations/unions (eg. World Press Freedom). Index of censorship: <https://mappingmediafreedom.org/#/>

Answer options

- Yes
- No
- Not Applicable
- No Data

29. Is your country free from killings of journalists?

This variable assesses whether journalists are killed in relation to the exercise of the journalistic profession.

Subindicator / Type

Life safety / E

Method

CoE Platform to promote the protection of journalism and safety of journalists (<http://www.coe.int/en/web/media-freedom>). Reports by NGOs or professional associations/unions (eg. World Press Freedom).

Answer options

- Yes
- No
- Not Applicable
- No Data

30. Are there threats to the digital safety of journalists?

Threats to digital safety have become a serious concern for journalists. In particular digital surveillance endangers the work of journalists and their freedom of expression. This variable assesses the presence 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. The relevant timeframe should be the last year.

Subindicator / Type

Digital safety / T

Method

Reports by international organizations and NGOs. Interviews with journalists or relevant organizations.

Answer options

- Low risk: No threats
- Medium risk: Some threats
- High risk: Frequent attacks
- Not Applicable
- No Data

31. Are female journalists subject to digital threats more than male ones?

"Online harassment of journalists hinders the free media from operating as it should, which negatively affects the democratic process. Silencing journalists stifles the free flow of information and our ability to exercise our democratic rights; a pluralistic media landscape needs to include women's voices. Silencing women journalists therefore constitutes an attack on democracy itself." <https://www.osce.org/representative-on-freedom-of-media/safety-female-journalists-online>

Subindicator / Type

Digital safety / E

Method

Please, tick "yes" only if no female journalist is subject and "not applicable" if the percentage of subject female journalists is less or equal to the percentage of male ones. Statistics NGO reports Academic papers Interviews

Answer options

- Yes
- No
- Not Applicable
- No Data

32. Is the State active and effective in ensuring an enabling environment for journalists?

In April 2016 the Committee of Ministers of the Council of Europe adopted a Recommendation on protection of journalism and safety of journalists and other media actors, indicating as alarming and unacceptable the level of current threats to journalists and media actors in Europe and providing specific Guidelines to member states to act in the areas of prevention, protection, prosecution, promotion of information, education and awareness rising. Specifically, member states are required to put in place comprehensive legislative frameworks for the protection of the

physical and moral integrity of journalists and other media actors. Appropriate criminal law provisions should be adopted to deter the commission of offences and all crimes against journalists should be effectively investigated to prevent impunity. Moreover, in order to create and secure a favourable environment for freedom of expression, member states should afford journalists a broad scope of protection fundamental to the pursuit of their activities, such as protection of confidential sources, protection of news and information-gathering processes and editorial autonomy (<https://rm.coe.int/leaflet-safety-of-journalists-en/1680735c28>) Recommendation on protection of journalism and safety of journalists and other media actors, https://www.coe.int/en/web/freedom-expression/committee-of-ministers-adopted-texts/-/asset_publisher/aDXmrol0vvsU/content/recommendation-cm-rec-2016-4-of-the-committee-of-ministers-to-member-states-on-the-protection-of-journalism-and-safety-of-journalists-and-other-media-?inheritRedirect=false

Subindicator / Type

Positive obligations / T

Method

Analysis of the legislation. Reports of NGOs Academic literature

Answer options

- Low risk: The state is proactive and journalists can work without fear
- Medium risk: the state is not putting in place all the safeguards to protect journalists
- High risk: No
- Not Applicable
- No Data

33. Is the protection of journalistic sources explicitly recognised by the law and/or by the highest courts in your country?

This variable assesses the existence of regulatory safeguards for the protection of journalistic sources. In some countries the protection of sources may be recognised in the case law of the highest courts even if it is not explicitly recognised in national legal instruments. Both in the case law of the European Court of Human Rights, and in Recommendation (2000) 7 on the right of journalists not to disclose their sources of information, it is recognised that the protection of journalists' sources of information constitutes a basic condition for journalistic work and freedom as well as for the freedom of the media. To promote the development of free, independent and pluralist media, it is necessary for journalists to have the right not to disclose their sources of information.

Subindicator / Type

Protection of sources / T

Method

National laws and regulations. Constitutional conventions. National case law and case law of European Court on Human Rights Self-regulatory instruments CMPF map on the protection of journalistic sources: <http://journalism.cmpf.eu/maps/protection-of-sources/> (please, check for updates) Studies/reports providing overviews of and/or evaluating safeguards for the protection of journalistic sources: For instance: IFJ (2010), Protecting our sources of information. The updated version is available at: <http://europe.ifj.org/en/articles/efj-policy-document-on-protection-of-sources>

Answer options

- Low risk: It is recognised and it is absolute
- Medium risk: it is recognised, but to a certain extent (eg. a judge can ask the disclosure)
- High risk: it is not recognised
- Not Applicable
- No Data

34. Is the protection of journalistic sources generally enforced in practice?

This variable aims to assess the effective implementation of regulatory safeguards for the protection of journalistic sources. While a country may have adequate laws on the protection of journalistic sources, they may not be implemented in practice. If journalists cannot guarantee a source's anonymity, journalists may not be able to report at all. Evidence of systematic infringement may include: - when there is a number of cases where journalists were obliged to disclose their sources and were condemned for not disclosing their sources; - or cases where the Member State did not

take measures after a conviction by the European Court on Human Rights for systematic use of domiciliary visits and telephone tapping of journalists. Please note that the relevant timeframe is two years and it is looking for common practice, not based on one single incident.

Subindicator / Type

Protection of sources / T

Method

National laws and regulations. Constitutional conventions. National case law and case law of European Court on Human Rights Self-regulatory instruments CMPF map on the protection of journalistic sources: <http://journalism.cmpf.eu/maps/protection-of-sources/> Studies/reports providing overviews of and/or evaluating safeguards for the protection of journalistic sources: For instance: IFJ (2010), Protecting our sources of information. The updated version is available at: <http://europe.ifj.org/en/articles/efj-policy-document-on-protection-of-sources>

Answer options

- Low risk: it is enforced in practice
- Medium risk: it is not enforced in some cases
- High risk: it is not enforced
- Not Applicable
- No Data

35. Does your country have a law that establish data retention obligations for Electronic Telecommunications Operators and Internet Service Providers which comply with articles 8 and 10 of the European Convention on Human Rights?

This variable aims to assess whether any data retention obligations imposed by national laws to Electronic Telecommunications Operators and Internet Service Providers do not result in an interference on the right to private and family life and on the right to freedom of expression that is not necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Subindicator / Type

Journalism and data protection / T

Method

National Laws and Regulations National case law Case law by European Court on Human Rights on your country Reports by local and international NGOs working on these issues Academic writing and reports by international bodies, organizations or experts on the issue See Privacy International. A Concerning State of Play for the Right to Privacy in Europe: National Data Retention Laws since the CJEU's Tele-2/Watson Judgment. Available at https://privacyinternational.org/sites/default/files/2017-12/Data%20Retention_2017.pdf See Fundamental Rights Report 2017 - FRA Opinions. Available at <https://fra.europa.eu/en/publications-and-resources/publications/annual-reports/fundamental-rights-2017#data-protection>

Answer options

- Low risk: There are no data retention obligations in the law or the law establishes obligations which fully comply with articles 8 and 10 of the European Convention on Human Rights
- Medium risk: The law establishes data retention obligations which only partially comply with articles 8 and 10 of the European Convention on Human Rights?
- High risk: The law establishes data retention obligations which do not comply with articles 8 and 10 of the European Convention on Human Rights?
- Not Applicable
- No Data

36. Has your country transposed through national legislation Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 in a way that prevents the illegal monitoring of journalists by law enforcement authorities?

This variable aims to assess whether Directive (EU) 2016/680 was transposed into national legislation in a way that prevents the illegal monitoring of journalists by law enforcement authorities. For non EU countries, please consider the existence of national legislation that establishes rules for the processing of personal data for law enforcement authorities. If such a law does not exist, please click in "not applicable".

Subindicator / Type

Journalism and data protection / T

Method

National Laws and Regulations National case law Case law by European Court on Human Rights on your country Reports by local and international NGOs working on these issues Academic writing and reports by international bodies, organizations or experts on the issue See the National transposition measures communicated by the Member States available at https://eur-lex.europa.eu/legal-content/EN/NIM/?uri=uriserv:OJ.L_.2016.119.01.0089.01.ENG

Answer options

- Low risk: The directive was transposed into national legislation in a way that prevents the illegal monitoring of journalists by law enforcement authorities.
- Medium risk: The directive was transposed into national legislation in a way that just partially prevents the illegal monitoring of journalists by law enforcement authorities.
- High risk: The directive was transposed into national legislation in a way that does not prevent the illegal monitoring of journalists by law enforcement authorities.
- Not Applicable
- No Data

37. Has your country implemented through national legislation the derogation provided for the GDPR on freedom of expression and journalistic activities in a way that complies with article 10(2) of the European Convention on Human Rights?

This variable aims to assess whether the derogation provided for by the GDPR regarding freedom of expression and journalistic activities were implemented through national legislation in a way that ensures that anyormalities, conditions, restrictions or penalties to these rights/activities are prescribed by law and are necessary in a democratic society, in the 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. For non EU countries, please consider the existence of GDPR like national. If such a law does not exist, please click in "not applicable".

Subindicator / Type

Journalism and data protection / T

Method

National Laws and Regulations National case law Case law by European Court on Human Rights on your country Reports by local and international NGOs working on these issues Academic writing and reports by international bodies, organizations or experts on the issue

Answer options

- Low risk: The derogations are implemented in a way that ensures the proper exercise of the journalistic protection
- Medium risk: the derogations are implemented but do not properly ensure a right balance between data protection and freedom of expression with regard to journalistic acitivities.
- High risk: The derogations were not implemented.
- Not Applicable
- No Data

4. Independence and effectiveness of the media authority

Media authorities are increasingly becoming key actors in media regulation in Europe. The indicator analyses whether regulatory authorities for audiovisual media services are independent from their governments and and from other public or private body.

38. Are appointment procedures for the relevant authority transparent, democratic and objective and designed to minimize the risk of political or economic interference, for instance by including rules on incompatibility and eligibility?

This variable assesses the existence of regulatory safeguards for the independence of the media authority. In particular it aims to assess the

existence of rules to guarantee that the members of the media authority are appointed in a democratic and transparent manner, may not receive any mandate or take any instructions from any person or body, do not make any statement or undertake any action which may prejudice the independence of its functions and do not take any advantage of them.

Subindicator / Type

Appointment procedures / T

Method

Please, consider the authority that has regulatory competences on the media sector, list other bodies with residual competences in the comment box). In case of concurring authorities, please, consider as relevant the authority that is part of EPRA or ERGA. <http://www.epra.org/>
<https://ec.europa.eu/digital-single-market/en/audiovisual-regulators> National laws and regulations. Overviews of national media legislation can be found on: EPRA website: <http://www.epra.org/articles/media-legislation> RADAR project: <https://ec.europa.eu/digital-single-market/news/study-audiovisual-media-services> INDIREG: <http://www.indireg.eu/> Websites of national regulatory authorities Merlin database European Audiovisual Observatory: <http://merlin.obs.coe.int/> Nordicom (for Scandinavian countries):<http://www.nordicmedia.info/>

Answer options

- Low risk: Procedures are transparent, democratic and objective and designed to minimize the risk of political or economic interference,
- Medium risk: Procedures are designed to minimize the risk of political or economic interference, but are not fully effective
- High risk: Procedures are not transparent, democratic and objective and designed to minimize the risk of political or economic interference
- Not Applicable
- No Data

39. Are the appointment procedures for the media authority effective in limiting the risk of political and/or economic influence?

This variable assesses whether the rules regulating the appointment procedures to the media authority are implemented in practice and whether they effectively guarantee that the members of the media authority are appointed in a democratic and transparent manner, do not receive any mandate or take any instructions from any person or body, and are effectively independent. Members of media authorities should also avoid exercising functions or holding interests in enterprises or other organisations in the media or related sectors, which might lead to a conflict of interest in connection with membership of the media authority.

Subindicator / Type

Appointment procedures / T

Method

RADAR project: <https://ec.europa.eu/digital-single-market/news/study-audiovisual-media-services> EPRA website:<http://www.epra.org/>
INDIREG: <http://www.indireg.eu/> Websites of national regulatory authorities NGO reports and reports by relevant national and international organizations National case law Academic writing on the issue Interviews with relevant actors

Answer options

- Low risk: The appointment procedures guarantee political and/or economic independence of the members
- Medium risk: The appointment procedures are generally respected but are not always effective in safeguarding political and/or economic independence of the members
- High risk: The appointment procedures are not respected and/or do not safeguard political and/or economic independence of the members
- Not Applicable
- No Data

40. Are the tasks and responsibilities of the media authority defined in detail in the law?

This variable assesses the existence of laws and regulations clearly defining the tasks and responsibilities of the media authority (-ies). These may include regulatory powers and/or the power to grant licences, compliance monitoring, including sanctioning powers. Clarity may avoid circumvention of competencies.

Subindicator / Type

Competencies / T

Method

National laws and regulations. Overviews of national media legislation can be found on: EPRA website:<http://www.epra.org/articles/media-legislation> RADAR project: <https://ec.europa.eu/digital-single-market/news/study-audiovisual-media-services> EU Study: INDIREG: <http://www.indireg.eu/> Websites of national regulatory authorities; Merlin database European Audiovisual Observatory:<http://merlin.obs.coe.int/> and Nordicom (for Scandinavian countries):<http://www.nordicmedia.info/> Hans Bredow Institute et al. (2011). Indicators for independence and efficient functioning of audiovisual media services regulatory bodies. Study conducted on behalf of the European Commission, findings available at: <http://www.indireg.eu/> Council of Europe (2008). Declaration of the Committee of Ministers on the independence and functions of regulatory authorities for the broadcasting sector, 26 March 2008, available at: <https://wcd.coe.int/ViewDoc.jsp?id=1266737&Site=CM> Council of Europe (2000). Council of Europe REC (2000) 23 Recommendation of the Committee of Ministers on the independence and functions of regulatory authorities for the broadcasting sector, 20 December 2000 and efficiency of the media authority (-ies), available at: <https://wcd.coe.int/ViewDoc.jsp?id=393649&> Related studies/Reports: Cullen International (2006). Study on the regulation of broadcasting issues under the new regulatory framework prepared for the European Commission Information Society and Media Directorate-General. Open Society Institute (2005) and follow-up reports. Television Across Europe: Regulation, Policy and Independence, available at: <http://www.opensocietyfoundations.org/reports/television-across-europeregulation-policy-and-independence> New AVMS Directive

Answer options

- Low risk: They are clearly defined by the law
- Medium risk: They are defined by the law, but not in a clear way
- High risk: They are not defined by the law and/or not clear
- Not Applicable
- No Data

41. Does regulation attribute sanctioning powers to the media authority and are sanctions effective?

This indicator assesses specifically whether the law attributes sanctioning powers to the authority. Sanctioning powers may include warning, fine, suspension or revocation of licence, refusal of additional licences, blocking of a merger or acquisition, obligation to allocate windows for third party programming, obligation to give up licences/activities in other media sectors, and/or divestiture.

Subindicator / Type

Competencies / T

Method

National laws and regulations. Overviews of national media legislation can be found on: EPRA website:<http://www.epra.org/articles/media-legislation> RADAR project: <https://ec.europa.eu/digital-single-market/news/study-audiovisual-media-services> EU Study: INDIREG: <http://www.indireg.eu/> Websites of national regulatory authorities Merlin database European Audiovisual Observatory:<http://merlin.obs.coe.int/> Nordicom (for Scandinavian countries):<http://www.nordicmedia.info/> Hans Bredow Institute et al. (2011). Indicators for independence and efficient functioning of audiovisual media services regulatory bodies. Study conducted on behalf of the European Commission, findings available at: <http://www.indireg.eu/>

Answer options

- Low risk: Yes and the sanctions are effective
- Medium risk: there are sanctions but they are not always effective
- High risk: there are no sanctions or sanctions are not effective
- Not Applicable
- No Data

42. With regard to the media authority decisions, are there appeal mechanisms in place?

This variable aims to assess the existence of mechanisms of appeal of the decisions by the media authority. The appeal mechanisms should be before a judicial body or before a body that is independent of the parties involved, held to provide written reasons for its decisions and whose decisions are subject to review by a court or tribunal within the meaning of Article 267 TFEU.

Subindicator / Type

Competencies / T

Method

National laws and regulations National case law Overviews of national media legislation can be found on: EPRA website:<http://www.epra.org/articles/media-legislation> RADAR project: <https://ec.europa.eu/digital-single-market/news/study-audiovisual-media-services> EU Study: INDIREG: <http://www.indireg.eu/> Websites of national regulatory authorities Merlin database European Audiovisual Observatory:<http://merlin.obs.coe.int/> Nordicom (for Scandinavian countries):<http://www.nordicmedia.info/> Hans Bredow Institute et al. (2011). Indicators for independence and efficient functioning of audiovisual media services regulatory bodies. Study conducted on behalf of the European Commission, findings available at: <http://www.indireg.eu/>

Answer options

- Low risk: Appeal mechanisms exist, are effective and not misused
- Medium risk: Appeal mechanisms exist, but are partially effective and/or are occasionally delayed
- High risk: Appeal mechanisms do not exist or are not effective and/or are systematically misused to delay the enforcement of remedies
- Not Applicable
- No Data

43. Is the media authority acting independently from political and/or economic influences?

This variable assesses whether the practice of the media authority indicates that it uses its powers in an independent manner and in the interest of the public.

Subindicator / Type

Independence / T

Method

The answer should be based on a concrete assessment of its decisional practice and other elements, such as whether the media authority has ever been condemned after an investigation by anti-corruption bodies. RADAR project: <https://ec.europa.eu/digital-single-market/news/study-audiovisual-media-services> INDIREG: <http://www.indireg.eu/> EPRA website:<http://www.epra.org/> Websites of national regulatory authorities; NGO reports and reports by relevant national and international organizations. National and European case law. Academic writing on the issue. <http://www.transparencyinternational.org/> Interviews with relevant actors.

Answer options

- Low risk: The media authority effectively uses its powers in an independent manner
- Medium risk: The authority sometimes decides in a manner that is not independent from economic and/or political influence
- High risk: The authority's powers are very often not used in an independent manner
- Not Applicable
- No Data

44. Is there evidence that the government arbitrarily overrules decisions by the media authority or weakens its role?

This variable assesses whether the government in your country arbitrarily overrules decisions by the media authority. Decisions to overrule are considered arbitrary if they are not foreseen by law, not reasonable or in bad faith. Also a legislation that weakens the role and the independence of the authority maybe considered arbitrary and aimed to overrule the competences and the independence of the authority.

Subindicator / Type

Competencies / T

Method

RADAR project: <https://ec.europa.eu/digital-single-market/news/study-audiovisual-media-services> EPRA website:<http://www.epra.org/> EU Study: INDIREG: <http://www.indireg.eu/> Websites of national regulatory authorities NGO reports and reports by relevant national and international organizations National and European case law Academic writing on the issue Interviews with relevant actors

Answer options

- Low risk: The government never overrules decisions by the media authority and respect its independence
- Medium risk: The government at times arbitrarily overrules decisions by the media authority and/or withdraws competences
- High risk: The government regularly overrules arbitrarily decisions by the media authority and/or withdraws competences

Not Applicable

No Data

45. Are the procedures for allocation of budgetary resources for the media authority transparent and objective, i.e. leaving no scope for arbitrary decisions by the government?

This variable assesses the existence of regulatory safeguards concerning the procedures of budget allocation for the media authority. Arrangements for the funding of the media authority should be specified in law in accordance with a clearly defined plan (transparent), with reference to the estimated cost of its activities (objective), so as to allow the authority to carry out its functions fully and independently. Public authorities should not use their financial decision-making power to interfere with the independence of the media authority.

Subindicator / Type

Budgetary independence / T

Method

National laws and regulations Overviews of national media legislation can be found on: EPRA website:<http://www.epra.org/articles/media-legislation> RADAR project: <https://ec.europa.eu/digital-single-market/news/study-audiovisual-media-services> INDIREG: <http://www.indireg.eu/> Websites of national regulatory authorities Merlin database European Audiovisual Observatory:<http://merlin.obs.coe.int/> Nordicom (for Scandinavian countries):<http://www.nordicmedia.info/> Hans Bredow Institute et al. (2011). Indicators for independence and efficient functioning of audiovisual media services regulatory bodies. Study conducted on behalf of the European Commission, findings available at: <http://www.indireg.eu/> Council of Europe (2008). Declaration of the Committee of Ministers on the independence and functions of regulatory authorities for the broadcasting sector, 26 March 2008, available at: <https://wcd.coe.int/ViewDoc.jsp?id=1266737&Site=CM> Council of Europe (2000). Council of Europe REC (2000) 23 Recommendation of the Committee of Ministers on the independence and functions of regulatory authorities for the broadcasting sector, 20 December 2000 and efficiency of the media authority (-ies), available at: <https://wcd.coe.int/ViewDoc.jsp?id=393649&> Related studies/Reports: Cullen International (2006). Study on the regulation of broadcasting issues under the new regulatory framework prepared for the European Commission Information Society and Media Directorate-General. Open Society Institute (2005) and follow-up reports. Television Across Europe: Regulation, Policy and Independence, available at: <http://www.opensocietyfoundations.org/reports/television-across-europeregulation-policy-and-independence>

Answer options

- Low risk: The procedures are fair and objective, leaving no room for arbitrary decisions of the government
- Medium risk: The procedures are not fully fair and objective, leaving some room for arbitrary decisions of the government
- High risk: No procedures or the procedures are not fair nor objective, leaving room for arbitrary decisions of the government
- Not Applicable
- No Data

46. Is the budget adequate for the media authority to perform its functions, to safeguard its independence, and to protect it from coercive budgetary pressures?

This variable assesses whether the budget allocated for the media authority is adequate to safeguard its independence.

Subindicator / Type

Budgetary independence / T

Method

Websites of national competition authorities Reports by competition authority NGO reports and reports by relevant national and international organizations. National case and European law. Academic writing on the issue. Interviews with relevant actors.

Answer options

- Low risk: The budget is adequate
- Medium risk: The budget is somewhat inadequate but still allows it to perform its function
- High risk: The budget is not adequate and does not safeguard its independence
- Not Applicable
- No Data

47. Is the media authority transparent about its activities?

This variable assesses whether the media authority is transparent about its activities and therefore accountable to the public. Being transparent about its activities may include the publication of its activities, including through regular or ad hoc reports relevant to their work or the exercise of their missions.

Subindicator / Type

Accountability / T

Method

National laws and regulations Overviews of national media legislation can be found on: EPRA website:<http://www.epra.org/articles/media-legislation> RADAR project: <https://ec.europa.eu/digital-single-market/news/study-audiovisual-media-services> EU Study: INDIREG: <http://www.indireg.eu/> Websites of national regulatory authorities NGO reports and reports by relevant national and international organizations National and European case law Academic writing on the issue

Answer options

- Low risk: It is transparent and regularly publishes information about its activities
- Medium risk: It is generally transparent but does not publish information about its activities on a regular basis
- High risk: It is not transparent
- Not Applicable
- No Data

5. Universal reach of traditional media and access to the Internet

The indicator on the universal reach of traditional media and access to the Internet assesses the risks to pluralism that arise from an insufficient level of access to platforms of content distribution. It assesses the risk stemming from traditional broadcasting network coverage, broadband coverage and access to the internet. The indicator also analyses the existence and effectiveness of rules on net neutrality.

48. Is the universal coverage of the PSM guaranteed in your country?

This variable assesses whether the universal coverage of the PSM is guaranteed by law or through a charter/agreement/convention between the PSM and public authorities.

Subindicator / Type

PSM coverage / E

Method

Analysis of laws and regulations Sources: National laws and regulations (acts, decrees, branch agreements), case law and regulatory decisions).

Answer options

- Yes
- No
- Not Applicable
- No Data

49. What percentage of the population is covered by signal of all public TV and radio channels?

This variable assesses the probability of a threat arising to accessibility of PSM content and services. It shows the population coverage of public service television and radio broadcasters.

Subindicator / Type

PSM coverage / N

Method

Document analysis Latest data available, preferably not older data than 2015 Based on the percentage indicated by you, we are calculating the level of risk according to the following formula: Low: >99% Medium: >98% and <99% High: <98%

Answer options

- Insert the number
- Not Applicable
- No Data

50. What percentage of the population is covered by broadband?

This variable assesses the NGA broadband coverage/availability in the country. Next Generation Access includes the following technologies: FTTH, FTTB, Cable Docsis 3.0, VDSL and other superfast broadband (at least 30 Mbps download). **Indicator:** NGA broadband coverage/availability (as a % of households)

- **Definition:** Coverage is a supply indicator defined as the percentage of Households living in areas served by NGA. Next Generation Access includes the following technologies: FTTH, FTTB, Cable Docsis 3.0, VDSL and other superfast broadband (at least 30 Mbps download)
- **Source:** Broadband coverage in Europe, studies for the EC by Point Topic (2011-2012 figures, SMART 2011/0027 and 2012/0035) and IHS and Valdani, Vicari & Associati (2013 figures, SMART 2013/0054) [[More information](#)]

Breakdown: Total

- **Definition:** Scope: Total number of households

Unit of measure: Percentage of households Year: 2018

Subindicator / Type

Broadband coverage / T

Method

CMPE uses the following Digital Agenda data: Source: [https://digital-agenda-data.eu/charts/analyse-one-indicator-and-compare-countries#chart={%22indicator-group%22:%22broadband%22,%22indicator%22:%22bb_ngacov%22,%22breakdown%22:%22total_pophh%22,%22unit-measure%22:%22pc_hh_all%22,%22ref-area%22:\[%22AT%22,%22BE%22,%22BG%22,%22HR%22,%22CY%22,%22CZ%22,%22DK%22,%22EE%22,%22EU%22,%22FI%22,%22FR%22,%22DE%22,%22EL%22,%22HU%22,%22IE%22,%22IT%22,%22LV%22,%22LT%22,%22LU%22,%22MT%22,%22NL%22,%22PL%22,%22PT%22,%22RO%22,%22SK%22,%22SI%22,%22ES%22,%22SE%22,%22UK%22\]}](https://digital-agenda-data.eu/charts/analyse-one-indicator-and-compare-countries#chart={%22indicator-group%22:%22broadband%22,%22indicator%22:%22bb_ngacov%22,%22breakdown%22:%22total_pophh%22,%22unit-measure%22:%22pc_hh_all%22,%22ref-area%22:[%22AT%22,%22BE%22,%22BG%22,%22HR%22,%22CY%22,%22CZ%22,%22DK%22,%22EE%22,%22EU%22,%22FI%22,%22FR%22,%22DE%22,%22EL%22,%22HU%22,%22IE%22,%22IT%22,%22LV%22,%22LT%22,%22LU%22,%22MT%22,%22NL%22,%22PL%22,%22PT%22,%22RO%22,%22SK%22,%22SI%22,%22ES%22,%22SE%22,%22UK%22]}) Calculate percentiles based on available country scores (28 countries, no data for Albania & Italy), the following percentiles have been calculated: 25 percentiles at 76%
median at 87%
75 percentiles at 93%

Thresholds: Below 25 percentiles is considered to be high risk, while above 75 percentiles is considered to be low risk:

high risk: 0-75%
medium risk: 76-92%
low risk: 93-100%

Answer options

- Low risk: more than 92% of 30MBps
- Medium risk: between 76% and 92% of 30MBps
- High risk: less than 76% of 30MBps
- Not Applicable
- No Data

51. What is the percentage of broadband subscription in your country?

This variable assesses broadband subscription rate in the country. Broadband connection used by the household includes: DSL, wired fixed (cable, fiber, Ethernet, PLC), fixed wireless (satellite, WiFi, WiMax) and mobile wireless (3G/UMTS). **Indicator:** Households having a broadband connection

- **Definition:** Broadband connection used by the household includes: DSL, wired fixed (cable, fiber, Ethernet, PLC), fixed wireless (satellite, WiFi, WiMax) and mobile wireless (3G/UMTS).
- **Notes:** Scope includes Households with at least one member aged 16-74.

- **Source:** Eurostat, Table isoc_bde15b_h: Broadband and connectivity - households [[More information](#)]

Breakdown: All households

- **Definition:** All households with at least one individual aged 16-74.

Unit of measure: Percentage of households

- **Definition:** Households with at least one member aged 16-74.

Year: 2018

Subindicator / Type

Internet access / N

Method

CMPF uses the following Digital Agenda

data: [https://digital-agenda-data.eu/charts/analyse-one-indicator-and-compare-countries#chart={%22indicator-group%22:%22broadband%22,%22indicator%22:%22h_broad%22,%22breakdown%22:%22hh_total%22,%22unit-measure%22:%22pc_hh%22,%22ref-area%22:\[%22AT%22,%22BE%22,%22BG%22,%22HR%22,%22CY%22,%22CZ%22,%22DK%22,%22EE%22,%22EU%22,%22FI%22,%22FR%22,%22DE%22,%22EL%22,%22HU%22,%22IE%22,%22IT%22,%22LV%22,%22LT%22,%22LU%22,%22MT%22,%22NL%22,%22PL%22,%22PT%22,%22RO%22,%22SK%22,%22SI%22,%22ES%22,%22SE%22,%22UK%22\]}](https://digital-agenda-data.eu/charts/analyse-one-indicator-and-compare-countries#chart={%22indicator-group%22:%22broadband%22,%22indicator%22:%22h_broad%22,%22breakdown%22:%22hh_total%22,%22unit-measure%22:%22pc_hh%22,%22ref-area%22:[%22AT%22,%22BE%22,%22BG%22,%22HR%22,%22CY%22,%22CZ%22,%22DK%22,%22EE%22,%22EU%22,%22FI%22,%22FR%22,%22DE%22,%22EL%22,%22HU%22,%22IE%22,%22IT%22,%22LV%22,%22LT%22,%22LU%22,%22MT%22,%22NL%22,%22PL%22,%22PT%22,%22RO%22,%22SK%22,%22SI%22,%22ES%22,%22SE%22,%22UK%22]}) Calculate percentiles based on available country scores, the following

percentiles have been calculated: 25 percentiles at 79%

median at 86%

75 percentiles at 89%

Thresholds: Below 25 percentiles is considered to be high risk, while above 75 percentiles is considered to be low risk:

high risk: 0-78%

medium risk: 79-88%

low risk: 89-100%

Answer options

- Insert the number
- Not Applicable
- No Data

52. What is the average Internet connection speed in your country?

This variable assesses the average Internet connection speed in the country. CMPF uses speed data from the Worldwide broadband speed league 2019 (Cable.co.uk).

Subindicator / Type

Internet access / N

Method

Source: Worldwide broadband speed league 2019 (Cable.co.uk). available

at <https://www.cable.co.uk/broadband/speed/worldwide-speed-league/#map> Thresholds: Calculate percentiles based on available country scores (28 countries, no data for Albania & Italy), the following percentiles have been calculated: 25 percentiles at 18%

median at 25%

75 percentiles at 31%

Thresholds: Below 25 percentiles is considered to be high risk, while above 75 percentiles is considered to be low risk:

high risk: 0-17%

medium risk: 18-30%

low risk: 31-100%

Answer options

- Insert the number
- Not Applicable

No Data

53. What is the percentage of market shares of the TOP 4 ISPs in your country?

Ownership concentration in Internet Service Providers (ISPs). This indicator aims at assessing the concentration of the ISPs in a country.

Subindicator / Type

Net neutrality / N

Method

Calculation of percentage of market shares of the TOP 4 ISPs within each country.

Answer options

- Insert the number
- Not Applicable
- No Data

54. Are there regulatory safeguards regarding net neutrality in your country and are they implemented in practice?

From: All you need to know about Net Neutrality rules in the EU <https://berec.europa.eu/eng/netneutrality/> "Net neutrality refers to a debate about the way that Internet Service Providers (ISPs) manage the data or 'traffic' carried on their networks when data is requested by broadband subscribers (known as "end-users" under EU law) from providers of content, applications or services (CAPs) such as YouTube or Spotify, as well as when traffic is exchanged between end-users. The best effort internet is about the equal treatment of data traffic being transmitted over the internet, i.e. that the 'best efforts' are made to carry data, no matter what it contains, which application transmits the data ("application-agnosticism"), where it comes from or where it goes. The benefits of the best effort internet notably include the separation between application and network layers of the internet. This separation enables innovation of applications independent of the ISP, thereby enhancing end-user choice."

Subindicator / Type

Net neutrality / T

Method

In the EU: Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 laying down measures concerning open internet access and amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union (Text with EEA relevance) https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2015.310.01.0001.01.ENG&toc=OJ:L:2015:310:TOC For non-EU countries: Existence of regulatory safeguards for the impartial transmission of information, without regard to content, destination or source, that aims to safeguard the neutrality of the internet infrastructure. Regulatory safeguards: broad sense as laws, regulations or case law, decisions of the authorities. Examples: -regulatory safeguards regarding net neutrality; -policy measures to avoid blocking of certain internet content and/ or application providers -policies to avoid quality discrimination between content and service providers; -regulation on the information of the quality of the services offered by the ISPs; obligation of transparency concerning discriminatory practices in ISP services.

Answer options

- Low risk: there are and implemented
- Medium risk: there are but not fully implemented
- High risk: there are not or they are not implemented at all
- Not Applicable
- No Data

55. Do ISPs manage network traffic in a way that is transparent, impartial and neutral, without discriminating against particular types of content or content from particular sources?

This variable aims to assess whether net neutrality is an effective practice amongst ISPs.

Subindicator / Type

Net neutrality / T

Method

Case-law; decisions of the communication authority (or the competent authority). Reports Academic papers Statistics.

Answer options

- Low risk: yes
- Medium risk: most of them
- High risk: no
- Not Applicable
- No Data

6. Transparency of media ownership

This indicator aims to assess the existence and implementation of regulatory safeguards regarding transparency of news media ownership. It also aims to assess the effectiveness of the transparency rules on ownership disclosure, with regard to the ultimate and beneficial owner of news media businesses.

56. Does the national law contain specific provisions requiring the disclosure of ownership details in the news media sector?

This variable assesses if there are media-specific provisions requiring the disclosure of ownership details. Definition: "news media" indicate the production of original journalistic content by news organizations (legacy, digital and native digital), These are the media organisations whose core business is to deliver news (and/or opinions and analysis) to the general public or a target public, and include print media (newspapers, newsmagazines), broadcast media (radio and television), their online editions and digital native media. **Please note that this variable merge variables 53 and 54 of MPM2017; like in MPM2017, it is asking for media-specific provisions.** This means that e.g. a national law requiring companies in general to provide information about ownership in the Commercial Register would not be sufficient for a YES-answer to this question. **"Disclosure" can be to public bodies** (and therefore to the public, according to CoE Convention on Access to Public Documents) (1) **or directly to the public** (you should detail and qualify these informations, e.g. in the case in which access to public documents is not effective, answering variable 58). In the comment box please specify if the provisions regard broadcasting, print or online sectors, or all of them. You can consult the following source for background about this variable: Access-Info Transparency of Media Ownership - report and full data

<https://www.access-info.org/tmo/12264>

(1) <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/205>;

<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168069660a>

Subindicator / Type

Disclosure of media ownership / T

Method

Consult the relevant laws or legal experts

Answer options

- Low risk: Yes for all media
- Medium risk: Only for some media
- High risk: No specific provisions for media
- Not Applicable
- No Data

57. Does the law requiring the disclosure of ownership details apply to digital news media?

This variable is a follow-up of variable 56. Hence, if there is no law with media-specific provisions on ownership transparency, the answer should be "not applicable" to this variable. It assess if the national law about transparency of media ownership applies also to digital news media

Definition: "digital news media" are digital outlets of legacy media and digital native media, providing original journalistic content to a general or a selected public. If your answer is "Only some digital media", please specify in the comment which media are not included in the provision. You can consult the following sources for background about this variable: Access-Info Transparency of Media Ownership - report and full data <https://www.access-info.org/tmo/12264>

Subindicator / Type

Disclosure of media ownership / T

Method

Consult the relevant laws or legal experts

Answer options

- Low risk: Yes for all digital media
- Medium risk: Only for some digital media
- High risk: No
- Not Applicable
- No Data

58. Is disclosure of news media ownership effectively provided to public bodies and to the public?

Please, note that this variable is NOT a follow-up of variable 56. You should assess effectiveness of media ownership transparency, both if it is requested by the law or if it is not. If sufficient information is provided both to public bodies and to the public (e.g., if the law requires disclosure of media ownership to public bodies - usually regulatory authorities focusing on media - and the public can access this informations), you should answer "yes, for public bodies and the public"; if public bodies collect informations, but access is not effectively granted to the public, you should answer "yes, partially"; if disclosure is not effective nor for public bodies nor for the public, you should answer "no". You can consult the following sources for background about this variable: Access-Info Transparency of Media Ownership - report and full data <https://www.access-info.org/tmo/12264>

Subindicator / Type

Disclosure of media ownership / T

Method

Consult the relevant laws or legal experts

Answer options

- Low risk: Yes, to public bodies and to the public
- Medium risk: Yes, partially
- High risk: No, neither to public bodies nor to the public
- Not Applicable
- No Data

59. Is disclosure of digital news media ownership effectively provided to public bodies and to the public?

This variable is a follow-up of variable 58 - focusing on digital news media. Therefore, if your answer to variable 58 is "no", you should answer "not applicable"

Subindicator / Type

Disclosure of media ownership / T

Method

Consult the relevant laws or legal experts

Answer options

- Low risk: Yes, for public bodies and the public
- Medium risk: Yes, partially
- High risk: No, neither to public bodies nor to the public
- Not Applicable
- No Data

60. Does the law stipulate sanctions in case of violations, and are they applied in practice?

This variable contains a follow-up question to variable 56 above. Hence, if there is no law with media-specific provisions requiring the disclosure of ownership, the answer should be "Not Applicable" to this variable. **This variable assesses if there are sanctions for violations of the national law on transparency, e.g for non-reporting or reporting incorrect information.** Please not that this variable merge variables 57 and 58 of MPM2017, matching the question about legal provision with the one about their effectiveness.. Please specify in the comment which violations are sanctioned. In good practice cases, "(...) The media authority (or other relevant public body) should be tasked with overseeing the reporting to obligation. They should be able to demand that media that fail to comply with the law— either by failing to report or by reporting false information—should do so within specified timeframe. Failure to comply with the demand should lead to proportionate fines (perhaps calculated by GDP—it is essential that the fines are sufficient to ensure accurate and timely reporting)." Please note that "in a number of countries, there are possible sanctions for non-reporting of information to media regulators and company registers but not sanctions for reporting inaccurate information; media regulators are often not empowered or sufficiently resourced to verify what is reported." (1) 1) Open Society Foundations and Access Info (2012). Transparency of Media Ownership in Europe: A Report for the High-Level Group on Media Freedom and Pluralism. https://www.opensocietyfoundations.org/sites/default/files/Transparency_Media_Ownership_Europe_20121217_0.pdf; <https://www.opensocietyfoundations.org/reports/pluralism-and-freedom-media-europe>

Subindicator / Type

Disclosure of media ownership / T

Method

Consult the relevant laws or legal experts. Case law, regulatory decisions. Official statements and websites of national regulatory authorities. Reports by credible institutions (national and international bodies, NGOs/CSOs, trade unions, etc).

Answer options

- Low risk: Yes
- Medium risk: Yes, but not applied
- High risk: No
- Not Applicable
- No Data

61. Does the law require disclosure of information about the ultimate owners of news media?

This variable contains a follow-up question to variable 56. Hence if there is no law with media-specific provisions on transparency of news media ownership the answer should be "not applicable" to this variable. **This variable assesses if the law requires disclosure of information about the ultimate owners of news media outlets to the public (1).** For example it is good practice to require disclosure if shares are held on behalf of another e.g. through brokerage, the name of the beneficial owner. It is also good practice to require disclosure details of companies or individuals with an indirect controlling or significant interest in the media outlet. In the comment box, please specify if your country has a register of beneficial owners (1) "A beneficial owner is the real person who ultimately owns, controls or benefits from a company or trust fund and the income it generates. The term is used to contrast with the legal or nominee company owners and with trustees, all of whom might be registered the legal owners of an asset without actually possessing the right to enjoy its benefits. Complex and opaque corporate structures set up across different jurisdictions, make it easy to hide the beneficial owner, especially when nominees are used in their place and when part of the structure is incorporated in a secrecy jurisdiction" (see Transparency International, https://www.transparency.org/glossary/term/beneficial_ownership) Source For general views and country reports: <https://www.openownership.org/>

Subindicator / Type

Transparency of ultimate ownership / T

Method

Consult the relevant laws or legal experts

Answer options

- Low risk: Yes, for all media
- Medium risk: Only for some media
- High risk: No
- Not Applicable

No Data

62. Does the law apply to digital news media?

This variable contains a follow-up question to variable 61. Hence if there is no specific provisions on transparency of the ultimate owners in the media sector, the answer should be "not applicable" to this variable.

Subindicator / Type

Transparency of ultimate ownership / T

Method

Consult the relevant laws or legal experts

Answer options

- Low risk: Yes, for all digital media
- Medium risk: Only for some digital media
- High risk: No
- Not Applicable
- No Data

63. Is sufficient and updated information to identify the beneficial and ultimate owners of media outlets publicly accessible?

This variable assesses if media ownership information is transparent in practice, which means that the public has access to the actual ownership structures of media companies up until their final layer. If your answer is "yes, for some media", please specify in the comment which media are included. **Publicly accessible** means that all information should be available in open electronic format at no cost to the public. "Access to ownership information in electronic format should be free of charge. The charge for accessing hard copies of the information should cover only actual delivery costs (e.g. copying costs and postage) and should never be so high as to deter those wishing to obtain the information" (1). This definition was embraced by the Parliamentary Assembly of the Council of Europe (2) and by CoE Recommendation CM/Rec(2018)1 of the Committee of Ministers to member States on media pluralism and transparency of media ownership (see Transparency databases and reports, point 4.8 "Such legislation should also provide for the independent national media regulatory authority or other designated body to ensure that the public has easy, swift and effective access to data about media ownership and control arrangements in the State, including disaggregated data about different types of media (markets/sectors) and regional and/or local levels, as relevant. These data should be kept up to date and made available to the public free of charge and without delay, and their availability should be made public. Ideally, they should be accessible and searchable, for example in the form of online databases; their contents should be made available in open formats and there should be no restrictions on their reuse. (...) 4.10. The publication of the reports on media ownership should be accompanied by appropriate explanations of the data and the methodologies used to collect and organise them in order to help members of the public interpret the data and understand their significance" (3). Sources: (1) Recommendations on Transparency of Media Ownership (2013), prepared by Access Info Europe and the Open Society Program on Independent Journalism. (2) Report of the CoE Parliamentary Assembly (2015). Increasing transparency of media ownership. Assembly debate on 24 June 2015 (24th Sitting) (see Doc. 13747, report of the Committee on Culture, Science, Education and Media, rapporteur: Ms Gülsün Bilgehan). Text adopted by the Assembly on 24 June 2015 (24th Sitting). See also Recommendation 2074 (2015). Summary at: <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=21958&lang=en> 3) [CoE 2018 https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=0900001680790e13](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=0900001680790e13) For general views and country reports: <https://www.openownership.org/>

Subindicator / Type

Transparency of ultimate ownership / T

Method

Consult the relevant laws or legal experts

Answer options

- Low risk: Yes, for all media
- Medium risk: Only for some media
- High risk: No
- Not Applicable

No Data

64. Is sufficient and updated information to identify the beneficial and ultimate owners of digital media outlets publicly accessible?

This variable contains a follow-up question to variable 63. Hence if the answer to variable 63 is "No", you should answer "not applicable" to this variable. If your answer is "Yes, for some digital media", please specify in the comment which digital media is included. For definition of digital news media see description of variable 57. For definition of ultimate owner and sources see variable 63.

Subindicator / Type

Transparency of ultimate ownership / T

Method

Consult the relevant laws or legal experts

Answer options

- Low risk: yes, for all digital media
- Medium risk: Only for some digital media
- High risk: No
- Not Applicable
- No Data

7. News media concentration

This indicator aims to assess concentration in the production of media content, measured via market share and audience share. Risks to market plurality can arise from concentration of ownership in a single news media sector (AVMS, radio, newspapers, digital native), as well as from concentration of ownership across different sectors. Therefore horizontal and cross media concentration are assessed in Indicator 7. In both cases, digital media business is considered at the extent in which it produces original media content - digital outlet of legacy media as well as digital native media.

65. Does media legislation contain specific thresholds and/or other limitations that are based on objective criteria (e.g. number of licences, audience share, circulation, distribution of share capital or voting rights, turnover/revenue, etc.) in order to prevent a high degree of horizontal concentration of ownership in the news media sector (AVMS, radio, newspapers, digital native)?

This variable assesses the existence of (sector-specific) regulatory safeguards against a high degree of horizontal concentration of ownership in the news media sector. Please note that this variable differs from MPM2017, in which the same question was asked separately for each sector: for MPM2020, only for the legal questions about the existence of sector specific regulation, all media sectors are unified. and for this purpose you have to consider the supply of information, both from legacy media, digital outlets of legacy media and digital native media (professional or user-generated content, i.e. relevant blogs have to be included, digital platforms that just distribute content must not be included). If the answer is "yes, but not all media", please specify in the comment which media are not included

Subindicator / Type

Horizontal concentration - Regulatory safeguards / T

Method

Analysis of law and regulation. Given the diversity of thresholds or limits that exist in EU Member States with regard to ownership, "high" should be assessed according to the standards of your country and in the light of the thresholds or limits imposed by domestic laws.

Answer options

- Low risk: Yes, for all media
- Medium risk: Only for some media
- High risk: No
- Not Applicable

No Data

66. Does the regulation about concentration in the media sector apply to the digital news media?

This variable contains a follow-up to variable 65 above. So, if the answer to variable 65 is "no", the answer should be "not applicable" to this variable.

Subindicator / Type

Horizontal concentration - Regulatory safeguards / T

Method

Analysis of law and regulation.

Answer options

- Low risk: Yes, for all digital news media
- Medium risk: Only for some digital news media
- High risk: No
- Not Applicable
- No Data

67. Is there an administrative authority or judicial body (e.g. media and/or competition authority) overseeing compliance with ownership limitations in the news media sector and/or hearing relevant complaints?

This variable assesses if the law establishes a monitoring system for the regulation of horizontal concentration in the news media sector

Subindicator / Type

Horizontal concentration - Regulatory safeguards / T

Method

Analysis of laws and regulation

Answer options

- Low risk: Yes, for all news media
- Medium risk: Only for some news media
- High risk: No
- Not Applicable
- No Data

68. Does the law grant this body sanctioning/enforcement powers in order to impose proportionate remedies (behavioral and/or structural) where the applicable thresholds and/or other ownership limitations are not respected and are they effective?

This variable assesses whether the law establishes a sanctions system to address horizontal concentration of ownership in news media sector, and the effective implementation of sector-specific remedies. Please note that this variable substitutes variables 62 and 63 of MPM2017, merging the question about the existence of sanctioning/enforcement powers and the question about their effectiveness. Examples of sanctions include: Refusal to grant additional licenses; Blocking of a merger or acquisition; Obligation to allocate windows for third party programming; Obligation to give up licenses/media-related economic activities; and divestiture.

Subindicator / Type

Horizontal concentration - Regulatory safeguards / T

Method

Analysis of laws and regulation. Case law regulatory decisions. Official statements and websites of national regulatory authorities. Reports by credible institutions (national and international bodies NGOs/CSOs trade unions etc.) on the enforcement of measures to prevent concentration of ownership. Studies/Reports evaluating the effectiveness of the laws in question and/or evaluating their implementation. Academic reports.

Answer options

- Low risk: Yes, and they are effective
- Medium risk: Yes but not effective
- High risk: No
- Not Applicable
- No Data

69. What is the market share of the Top4 audiovisual media owners in your country?

This variable assesses concentration of ownership in the audiovisual media sector. Please note that the measurement must include all revenues, from legacy as well from online activities (advertising, public funding, subscriptions, etc)

Subindicator / Type

Horizontal concentration - AVMS / N

Method

Please enter a percentage. 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. Data: The share held by each of the Top 4 audiovisual media owners. The term market share refers to the share of total revenues generated in the audiovisual market.

Measurement: The Top4 ratio is determined as follows: You sum the market shares of the Top4 owners within the market. Please also report the share of each of the Top4 owners in the "comment" field. Data sources: See annual reports by national (media communications or broadcasting) regulatory authorities through the EPRA website: <https://www.epra.org/articles/media-legislation>

Answer options

- Insert the number
- Not Applicable
- No Data

70. What is the audience concentration of the Top4 audiovisual media owners in your country?

This variable assesses audience concentration in the audiovisual media sector.

Subindicator / Type

Horizontal concentration - AVMS / N

Method

Please enter a percentage. Concentration is measured by using the Top4 concentration measure. Data: The audience share of each of the Top4 owners competing in the audiovisual media market. Share is based on the standard or most widely accepted audience/readership/subscription measurement system available in the country. Please specify in the comment if the system available in your country measures linear audience or total audience (reached via digital devices: mobile, smart tv, PC-laptop). Measurement: The Top4 is obtained by summing the audience shares of the Top4 audiovisual media owners. Data sources: See annual reports by national (media communications or broadcasting) regulatory authorities through the EPRA website: <https://www.epra.org/articles/media-legislation>

Answer options

- Insert the number
- Not Applicable
- No Data

71. What is the market share of the Top4 radio owners?

This variable assesses horizontal concentration of ownership in the radio sector Please note that the measurement must include all revenues, from legacy as well from online activities (advertising, public funding, subscription, etc)

Subindicator / Type

Horizontal concentration - radio / N

Method

Please enter a percentage. Concentration is measured by using the Top4 concentration ratio (a description of Top4 ratio is available in the method of measurement of variable 69). Data: The share held by each of the Top4 radio owners. The term market share refers to the share of total revenues generated in the radio market. Measurement: The Top4 is determined as follows: You sum by the market shares of the Top 4 owners within the radio market. Please also report the share for each of the top 4 operators in the "comment" field. Data sources: See annual reports by national (media communications or broadcasting) regulatory authorities through the EPRA website: <https://www.epra.org/articles/media-legislation>

Answer options

- Insert the number
- Not Applicable
- No Data

72. What is the audience concentration of the Top 4 radio owners in your country?

This variable assesses audience concentration in the radio sector.

Subindicator / Type

Horizontal concentration - radio / N

Method

Please enter a percentage. Concentration is measured by using the Top4 concentration measure. Data: The audience share of each of the Top4 owners competing in the radio sector. Share is based on the standard or most widely accepted audience/readership/subscription measurement system available in the country. Please specify in the comment if the system available in your country measures linear audience or total audience (reached via digital devices: mobile, PC-laptop, etc). Measurement: The Top4 is obtained by summing the audience shares of the 4 major radio owners within the radio market. Data sources: See annual reports by national (media communications or broadcasting) regulatory authorities through the EPRA website: <https://www.epra.org/articles/media-legislation>

Answer options

- Insert the number
- Not Applicable
- No Data

73. What is the market share of the Top4 newspapers owners?

This variable assesses concentration of ownership in newspaper publishing. Please note that the measurement must include all revenues (circulation, subscriptions, advertising, public funding, in the print as well as in the digital outlets of legacy press - electronic versions of printed newspapers and websites)

Subindicator / Type

Horizontal concentration - newspapers / N

Method

Please enter a percentage. Concentration is measured by using the Top4 concentration ratio (a description of Top4 ratio is available in the method of measurement of variable 69) Data: The share held by each of the Top4 newspaper owners. The term market share refers to the share of total revenues generated in the newspaper market (print and digital) Measurement: The Top4 is determined as follows: You sum the market shares of the Top4 owners within the newspaper market. Please also report the share for each of the top 4 operators in the comment field. Data sources: See annual reports by national (media communications or broadcasting) regulatory authorities through the EPRA website: <https://www.epra.org/articles/media-legislation>. Consult local association of publishers, independent research, financial reports

Answer options

- Insert the number
- Not Applicable
- No Data

74. What is the audience concentration of the Top 4 newspapers in your country?

This variable assesses concentration of audience in newspaper publishing, measured by readership data. Please note that this should include readership reached via digital devices (electronic version of newspapers)

Subindicator / Type

Horizontal concentration - newspapers / N

Method

Please enter a percentage. Concentration is measured by using the Top4 concentration measure. Please consider the newspapers owners (not the single headers). Data: The readership share of each of the Top4 owners competing in newspaper publishing, in the paper as well as in the electronic version (digital version of printed newspapers). Share is based on the standard or most widely accepted readership measurement system available in the country (if data about digital are not available, consider the circulation of printed copies). Measurement: The Top4 is obtained by summing the readership shares of the Top4 newspapers owners within the newspaper market. Data sources: See annual reports by national (media communications or broadcasting) regulatory authorities through the EPRA website: <https://www.epra.org/articles/media-legislation>. Consult local association of publishers'industry, independent research, financial reports

Answer options

- Insert the number
- Not Applicable
- No Data

75. What is the market share of the Top4 digital native news media?

This variable assesses concentration of ownership in digital native news media - defined as publishers of original content about news, including original reporting as well as commentary/analysis (i.e. websites and blogs should be included, social media platforms and aggregators should not be included). Please note that the measurement should include all revenues (subscriptions, membership, donations, advertising, public funding)

Subindicator / Type

Horizontal concentration - digital / N

Method

Please enter a percentage. Concentration is measured by using the Top4 concentration measure. Data: The share held by each of the Top4 owners competing in the digital native news media. The term market share refers to the share of total revenues generated in the market of digital native news media. Measurement: the Top4 is determined as follows: You sum the market shares of the Top4 owners within the digital native market. Please also report the share for each of the Top4 operators in the "comment" field. Data sources: See annual reports by national (media communications or broadcasting) regulatory authorities through the EPRA website: <https://www.epra.org/articles/media-legislation>. Consult local association of publishers'industry, independent research, financial reports Add commercial/specific sources

Answer options

- Insert the number
- Not Applicable
- No Data

76. What is the audience share of the Top4 digital native media players?

This variable assesses concentration of audience in digital native news media

Subindicator / Type

Horizontal concentration - digital / N

Method

Please enter a percentage. Concentration is measured by using the Top4 concentration measure. Data: The digital audience share of each of the Top4 owners competing in digital native media sector. Audience measurement is based on Unique user/browser access. Measurement: the Top4 is obtained by summing the audience share of the Top4 owners within the digital native news media market. Data sources: See annual reports by national (media communications or broadcasting) regulatory authorities through the EPRA website: <https://www.epra.org/articles/media-legislation>. Consult local association of publishers, independent research, financial reports. Add commercial/specific sources

Answer options

- Insert the number

Not Applicable

No Data

77. What is the audience share of the Top 4 online news media in your country?

This variable is aimed to assess concentration of total digital audience of news media, considering all the media (online audience of legacy media - AVMS, radio, newspapers - as well as digital native). Please note that digital outlets of legacy media and digital native media have been already considered separately in variables above; in this variable they are matched, to have a specific measure on pluralism in the digital environment

Subindicator / Type

Horizontal concentration - digital / N

Method

Please enter a percentage. Concentration is measured by using the Top4 concentration measure. Data: The audience/reach share of each of the Top4 owners competing in digital market. Audience measurement is based on Unique user/browse access. Measurement: the Top4 is obtained by summing the audience share of the Top4 owners within the digital native media market. Data sources: See annual reports by national (media communications or broadcasting) regulatory authorities through the EPRA website: <https://www.epra.org/articles/media-legislation>. Consult local association of publishers'industry, independent research, financial reports Add commercial/specific sources

Answer options

Insert the number

Not Applicable

No Data

78. Does media legislation establish specific thresholds and/or other limitations that are based on objective criteria (e.g. number of licences, audience share, circulation, distribution of share capital or voting rights, turnover/revenue, etc.) in order to prevent a high degree of cross-media concentration of ownership?

This variable assesses the existence of regulatory safeguards aimed at preventing a high degree of cross-media concentration of ownership. Please note that this variable is aimed to assess if a sector-specific regulation does exist for the media industry (here defined, as in the previous questions, as supply of original content: AVMS, radio, newspapers and digital content providers are included; aggregators, social networks and intermediaries not included)

Subindicator / Type

Cross-media concentration / T

Method

Analysis of laws and regulation. Given the diversity of thresholds or limits that exists in Eu Member States with regard to ownership and/or control, "high" should be assessed according to the standards of your country and in the light of the thresholds or limits imposed by domestic laws.

Answer options

Low risk: Yes, for all media

Medium risk: Yes, but not for all media

High risk: No

Not Applicable

No Data

79. Is there an administrative authority or judicial body (e.g. media authority) overseeing compliance with these ownership limitations and/or hearing relevant complaints?

This variable assesses if the law establishes a monitoring system for the regulation of cross-media concentration of ownership. Being a follow-up to variable 78, if the answer to variable 78 is "no" you should answer "not applicable" to 79.

Subindicator / Type

Cross-media concentration / T

Method

Answer options

- Low risk: Yes, for all media
- Medium risk: Yes, but not for all media
- High risk: No
- Not Applicable
- No Data

80. Does the law grant body sanctioning/enforcement powers in order to impose proportionate remedies (behavioral and/or structural) where the applicable thresholds and/or limitations are not respected? And are they effective?

This variable assesses if the law establishes a sanctions system to address cross-media concentration of ownership. Examples include: refusal to grant additional licences; blocking of a merger or acquisition; obligation to allocate windows/space for third party programming; must-carry obligations; obligation to give up licences in other media sectors; divestiture. Please note that this variable merges the variables 80 and 81 of MPM2017: in MPM2020, it asks if the sanction system exists, and the effectiveness of the remedies that are available under the applicable laws in case rules to prevent cross-media concentration are not respected. Therefore, if your answer to variable 78 or 79 is "no", you should answer "Not applicable" to variable 80

Subindicator / Type

Cross-media concentration / T

Method

Case law and regulatory decisions. Official statements and websites of national regulatory authorities, competition authorities. Reports by credible agencies (national and international bodies, NGOs/CSOs, trade unions) on the enforcement of measures aimed at preventing excessive concentration of ownership. Studies/reports providing overviews of the applicable and/or evaluating their implementation. Academic reports.

Answer options

- Low risk: Yes, effective
- Medium risk: Yes, but not effective
- High risk: No
- Not Applicable
- No Data

81. What is the market share of the Top4 news media owners across different media markets?

This variable assesses cross-media concentration of ownership in the national market under examination, defined as the sum of the four sectors separately considered in "horizontal concentration". Therefore, AVMS, radio, newspapers and digital native are included, aggregators, social networks and intermediaries are not included (Please note that in MPM2020 digital aggregators and platforms are considered in a new indicator, number 8, Online platform concentration). Please note that this index of cross-media concentration, as it was for variable 82 of MPM2017, refers to total revenues. Given the difficulty to compare different metrics of audience (tv e radio audience, readership/circulation, reach of digital media), for cross media concentration there is not a specific variable on audience concentration. But if data are available in your country, you can insert here Top4 audience share, instead of Top 4 market share, reporting in the comment your choice.

Subindicator / Type

Cross-media concentration / N

Method

Please enter a percentage. Concentration is measured by using the Top4 concentration ratio Data: The share held by each of the Top4 owners. The term market share refers to the share of total revenues generated in the markets concerned. Measurement: The Top4 measure is determined as follows: You sum the market shares of the Top4 owners within the different sectors of the media market. Identify which are the Top4 firms with the highest revenue across all media sectors (audiovisual, radio, newspaper publishing, and digital native) and sum their total revenues (e.g. Firm1 revenue across all media sectors + Firm 2 revenue across all media sectors + Firm 3 revenue across all media sectors... up to Firm 4). Data sources: Relevant data is often made available by European Audiovisual Observatory, Eurostat, and the national statistical authorities. See annual reports by national (media communications or broadcasting) regulatory authorities through the EPRA website: <https://www.epra.org/articles/media->

[legislation](#). Consult local association of publishers' industry, independent research, financial reports Add commercial/specific sources

Answer options

- Insert the number
- Not Applicable
- No Data

8. Online platforms concentration and competition enforcement

This indicator aims to assess risks to market plurality in the new ecosystem of news characterized by the role of digital platforms in access to and consumption of information. It measures concentration in distribution of news, including variables about the way in which consumers access news (gateways to news and exposure to algorithms-driven information), concentration in online advertising and effectiveness of competition provisions in the new media environment.

82. Which is the main way in which people access news online in your country? (direct/side-door/equivalent)

Variables 82-85 are aimed to assess market plurality in the digital ecosystem of media, considering the growing role of intermediaries in the distribution of news. A high share of non direct access - whose criteria are not directly controlled or known by the users - is a proxy of higher risk. Variable 82 is aimed to assess the main way in which people access news online: going directly to the website of the news media publisher; or passing through a side-door, i.d. news aggregator, search engine, social media, or others (messaging, email, etc) . Please enter data, if available, in the comment field

Subindicator / Type

Gateways to news / T

Method

Official reports of national regulatory authorities, competition authorities. Studies/reports by credible agencies based on liable surveys. Academic reports. Business/financial sources Sources: Eurobarometer

(<https://ec.europa.eu/digital-single-market/en/news/eurobarometer-internet-users-preferences-accessing-content-online>); Reuters Institute, Digital News Report <http://www.digitalnewsreport.org/>. National surveys by independent institutes; commercial surveys

Answer options

- Low risk: Mainly direct
- Medium risk: Equivalent
- High risk: Mainly side-door
- Not Applicable
- No Data

83. Which is the share of news consumption via social network and aggregators?

This variable assesses the weight of algorithmic and data-driven gateways to news, i.e. consumption of news that is not directly chosen and selected, but that is selected by an interface that use algorithms to select stories, news, alerts

Subindicator / Type

Gateways to news / N

Method

Please enter a percentage. Newsfeeds selected via search engines, social networks and aggregators have to be considered here. Sources of data: Official reports of national regulatory authorities, competition authorities. Studies/reports by credible agencies based on liable surveys. Academic reports. Business/financial sources Sources: Eurobarometer

(<https://ec.europa.eu/digital-single-market/en/news/eurobarometer-internet-users-preferences-accessing-content-online>); Eurostat; Reuters Institute, Digital News Report <http://www.digitalnewsreport.org/>. National surveys by independent institutes; commercial surveys

Answer options

- Insert the number

Not Applicable

No Data

84. What is the online advertising market share of the Top4 online competitors in your country?

This variable assesses concentration of ownership in the new ecosystem of media measuring the distribution of expenditures in the market of online advertising. Therefore, all competitors for digital advertising expenditure should be considered: online platforms and news media

Subindicator / Type

Gateways to news / N

Method

Please enter a percentage. Concentration is measured by using the Top4 concentration ratio. Data: The share held by each of the Top4 competitors (online platforms and news media). The term market share refers to the share held in the market for online advertising. Method of measurement: To calculate the Top4 concentration measure, take the top 10 operators in the online advertising market and then calculate the share of the top 4 operators. Please report the share for each of the top 4 operators in the "comment" field. Example of how to proceed:- Find the top 10 operators in the online advertising market (total share equal to 100)- Calculate the share of each of the top 4 operators out of 100 (e.g. Google 30%, Facebook 15% and so on)- Sum up the share of the top 4 and insert the final value Competitors should include online platforms and news media, i.e.: - Traditional news media with a presence online (e.g. BBC, the Guardian) - Native digital news media (e.g. Huffington Post) - News aggregators, i.e. websites that provide packages of news content, originated by others news media and selected via algorithmic methods (e.g. Google News, Yahoo) or with editorial choice - Digital intermediaries, including search engines (e.g. Google) and social media (e.g. Facebook, Whatsapp, Twitter). Sources: See annual reports by national (media communications or broadcasting) regulatory authorities through the EPRA website: <https://www.epra.org/articles/media-legislation>. Consult local association of publishers'industry, independent research, financial reports Add commercial/specific sources

Answer options

Insert the number

Not Applicable

No Data

85. What is the audience concentration of the Top 4 online competitors in your country?

This variable is aimed to measure concentration in the attention market, assessing audience concentration online, considering both news media and online platforms.

Subindicator / Type

Gateways to news / N

Method

Concentration is measured by using the Top4 audience concentration measure. Audience share is calculated by using "Unique audience" as the main metric. In the absence of data for unique audience, please use data for "Time spent" (first option) or "Active reach" (second option). To calculate the Top4 audience concentration measure, take the top 10 players in online market (online platforms and news media) according to the Unique audience metric (or the other metrics in case Unique audience is missing) and then calculate the share of the top 4 operators. Please report the share for each of the top 4 operators in the "comment" field. Example of how to proceed: (see variable above) . Please note that this variable is slightly different from variable 84 of MPM2017. For the audience concentration measure, you should consider all the players that are included for the measurement of market share, i. e. - Traditional news media with a presence online (e.g. BBC, the Guardian) - Native digital news media (e.g. Huffington Post) - News aggregators, i.e. websites that provide packages of news content, originated by others news media and selected via algorithmic methods (e.g. Google News, Yahoo) or with editorial choice - Digital intermediaries, including search engines (e.g. Google) and social media (e.g. Facebook, Whatsapp, Twitter Description of the metrics:1) Unique audience: the total number of unique persons who visited a specific website or used a specific application at least once in a given month. Persons visiting the same website more than once in the month are counted only once. 2) Time spent: the average time spent browsing a website per unique visitor per month (excludes time spent watching online video and listening to streamed audio).3) Active reach (%): the unique audience of a website as a proportion of the total number of people who visited any website, or used any internet-connected application, at least once in a given month (the active audience). Sources:

Answer options

Insert the number

Not Applicable

No Data

86. Can a high degree of (horizontal, vertical and/or cross-media) concentration be prevented through the enforcement of competition rules, that take into account the specificities and the evolution of the media sector?

This variable assesses the contribution of competition enforcement to addressing concerns over excessive concentration of (horizontal, vertical and cross-media) concentration of ownership, including rules on merger control. Examples include: The mandatory intervention of a media authority in M&A cases (e.g. the obligation for the competition authority to ask the advice of the media authority in M&As affecting the media markets); and The possibility to overrule the approval of a concentration by the competition authority on media pluralism grounds (or, more generally, on public interest grounds). If the answer is "Yes, but non for all media" please specify in the comment which media are not included, and if competition enforcement does apply to online platform

Subindicator / Type

Competition enforcement / T

Method

Method of measurement Analysis of laws and regulations. Analysis of relevant cases

Answer options

- Low risk: Yes, for all media
- Medium risk: Yes, but not for all media
- High risk: No
- Not Applicable
- No Data

87. Is there an administrative authority or judicial body (e.g. media and/or competition authority) overseeing compliance with these rules, with effective sanctioning/enforcing powers?

This variable assesses the effectiveness of the remedies available under the applicable media-specific competition rules in the changing ecosystem of media. Please take into account the evolution of antitrust policies and the relevant cases regarding platforms as well as legacy media.

Subindicator / Type

Competition enforcement / T

Method

Case law and regulatory decisions. Official statements and websites of national communications regulatory authorities, competition authorities. Reports by credible agencies (national and international bodies, NGOs/CSOs, trade unions) on the enforcement of measures aimed at preventing excessive concentration of ownership. Studies/reports providing overviews of the applicable rules and/or evaluating the contribution of competition enforcement to media pluralism. Academic reports.

Answer options

- Low risk: Yes, effective
- Medium risk: Yes, but not effective
- High risk: No
- Not Applicable
- No Data

88. Can a high degree of concentration in advertising market be prevented through the enforcement of competition rules, that take into account the specificities of the media sector? ?

This variable focuses on the existence and effectiveness of competition enforcement in advertising market, including decisions related to the market of personal data (considering their impact on targeted advertising market). Please take into account the evolution of antitrust policies and the relevant cases regarding platforms as well as legacy media. If the answer is "Yes, but not for all media" specify if competition enforcement does apply to digital platforms

Subindicator / Type

Competition enforcement / T

Method

Case law and regulatory decisions. Official statements and websites of national communications regulatory authorities, competition authorities. Reports by credible agencies (national and international bodies, NGOs/CSOs, trade unions) on the enforcement of measures aimed at preventing excessive concentration of ownership. Studies/reports providing overviews of the applicable rules and/or evaluating the contribution of competition enforcement to media pluralism. Academic reports.

Answer options

- Low risk: Yes, for all media
- Medium risk: Yes, but not for all media
- High risk: No
- Not Applicable
- No Data

89. Is there an administrative authority or judicial body (e.g. media and/or competition authority) overseeing compliance with competition rules in advertising market, with effective sanctioning/enforcing powers?

This variable assesses the effectiveness of the remedies available under the competition rules in advertising market. Please take into account the evolution of antitrust policies and the relevant cases regarding platforms as well as legacy media.

Subindicator / Type

Competition enforcement / T

Method

Case law and regulatory decisions. Official statements and websites of national communications regulatory authorities, competition authorities. Reports by credible agencies (national and international bodies, NGOs/CSOs, trade unions) on the enforcement of measures aimed at preventing excessive concentration of ownership. Studies/reports providing overviews of the applicable rules and/or evaluating the contribution of competition enforcement to media pluralism. Academic reports.

Answer options

- Low risk: Yes, effective
- Medium risk: Yes, but not effective
- High risk: No
- Not Applicable
- No Data

90. Are there any regulatory safeguards ensuring that State funds granted to PSM do not exceed what is necessary to provide the public service (i.e. safeguards which ensure that State funding of PSM does not cause disproportionate effects on competition)? and are these safeguards effective?

This variable assesses if the law establishes a monitoring system for illegal State aids, and if these provisions are effective. Please note that this variable is the same of MPM2017, but in the answer you should consider also evolution related to PSM role in digital environment

Subindicator / Type

Competition enforcement / T

Method

Analysis of laws, regulations, Charters and service contracts regulating the provision of public service media organizations.

Answer options

- Low risk: Yes
- Medium risk: Yes, but not effective

- High risk: No
- Not Applicable
- No Data

9. Media viability

This indicator aims to assess effect of digital transformation on media viability, measuring market and employment trends of legacy as well as digital news media business. News media sectors are examined separately (with a new focus on local media) and as a system, with variables aimed to measure the total amount of advertisement resources that go to media production, to assess the resilience of the sector (alternative business models to finance news production), and to include the potential role of regulatory incentives (direct public support and/or fiscal provisions).

91. Have revenues of the audiovisual sector increased or decreased over the past two years?

This variable assesses whether the audiovisual sector is viable, thereby encouraging market entry. The term "revenues" here refers to all revenues, from legacy as well as from digital (e.g. advertising revenues, revenues from the sale of licensing rights, State funding, pay-per-view, subscriptions, donations, etc.). Please, consider the results of the industry also in relation to the Gdp trends in the same period. Please, specify data in revenue trends in the comment.

Subindicator / Type

Revenue and employment trends - AVMS / T

Method

Reports/Data published by national authorities, including statistical authorities and media regulators.

Answer options

- Low risk: increased
- Medium risk: stationary
- High risk: decreased
- Not Applicable
- No Data

92. Has the number of journalists employed in audiovisual sector increased or decreased over the past 2 years?

This variable measures trends of journalistic employment in audiovisual sector, as a proxy for quantity and quality of information supply. The term "employment" refers to journalists stably engaged in newsrooms (given the diversity of regulations and job laws in EU member states, "stably" should be assessed according to the standards of your country, and "journalist" to workers performing journalistic activity).

Subindicator / Type

Revenue and employment trends - AVMS / T

Method

Reports/Data published by national authorities, including statistical authorities and media regulators. Industrial associations, Trade unions

Answer options

- Low risk: Increased
- Medium risk: stationary
- High risk: decreased
- Not Applicable
- No Data

93. Have revenues of the radio sector increased or decreased over the past two years?

This variable assesses whether the radio sector is viable, thereby encouraging market entry. The term "revenues" here refers to overall revenues,

from analogue as well as from digital (e.g. advertising revenues, revenues from the sale of licensing rights, State funding, subscriptions, donations, etc.). Please, consider the results of the industry also in relation to the Gd trends in the same period. Please, specify data in revenue trends in the comment.

Subindicator / Type

Revenue and employment trends - Radio / T

Method

Reports/Data published by national authorities, including statistical authorities and media regulators.

Answer options

- Low risk: increased
- Medium risk: stationary
- High risk: decreased
- Not Applicable
- No Data

94. Has the number of journalists employed in radio sector increased or decreased over the past 2 years?

This variable measures trends of journalistic employment in radio sector, as a proxy for quantity and quality of information supply. The term "employment" refers to journalists stably engaged in newsrooms (given the diversity of regulations and job laws in EU member states, "stably" should be assessed according to the standards of your country, and "journalist" to workers performing journalistic activity. Please, specify data in the comment

Subindicator / Type

Revenue and employment trends - Radio / T

Method

Reports/Data published by national authorities, including statistical authorities and media regulators. Industrial associations, Trade unions

Answer options

- Low risk: Increased
- Medium risk: stationary
- High risk: decreased
- Not Applicable
- No Data

95. Have revenues of the newspaper publishing and press agencies sector increased or decreased over the past two years?

This variable assesses whether the newspaper publishing sector is viable, thereby encouraging market entry. The term "revenues" here refers to overall revenues, from legacy as well as from digital outlets of legacy media (e.g. advertising, sales, subscriptions, State funding, donations, etc.). Please, consider the results of the industry also in relation to the GDP trends in the same period. Please note that digital native media are not included here (see variables 97 and 98). Please, specify data revenues trends in the comment

Subindicator / Type

Revenue and employment trends - Newspapers / T

Method

Reports/Data published by national authorities, including statistical authorities and media regulators. Industrial associations, Trade unions

Answer options

- Low risk: increased
- Medium risk: stationary
- High risk: decreased

Not Applicable

No Data

96. Has the number of journalists employed in newspaper and press agencies sector increased or decreased over the past 2 years?

This variable measures trends of journalistic employment in newspaper sector, as a proxy for quantity and quality of information supply. The term "employment" refers to journalists stably engaged in newsrooms (given the diversity of regulations and job laws in EU member states, "stably" should be assessed according to the standards of your country, and "journalist" to workers performing journalistic activity. Please note that digital native media are not included here (see variables 97 and 98). Please, specify employment data in the comment

Subindicator / Type

Revenue and employment trends - Newspapers / T

Method

Reports/Data published by national authorities, including statistical authorities and media regulators. Industrial associations, Trade unions

Answer options

Low risk: Increased

Medium risk: stationary

High risk: decreased

Not Applicable

No Data

97. Have revenues of digital native news media increased or decreased over the past two years?

This variable assesses whether the digital native news sector is viable, thereby encouraging market entry. The terms "revenues" refers to overall revenues (e.g. advertising, subscriptions, paywalls, donations, membership, State funding, etc.) Please, consider the results of the industry also in relation to Gdp trends in the same period. Please note that digital outlets of legacy media are not included here (see previous variables); and that "digital native media" are online media who produce original information content (news, analysis, editorials) in every format (video, podcast, radio, articles, posts, blogs), and that don't have a history of print or broadcasting publishing. Social networks, aggregators and search engines are not included. Please, specify data in the comment

Subindicator / Type

Revenue and employment trends - Digital native / T

Method

Reports/Data published by national authorities, including statistical authorities and media regulators.

Answer options

Low risk: Increased

Medium risk: stationary

High risk: decreased

Not Applicable

No Data

98. Has the number of journalists employed in digital native news outlets increased or decreased in the past two years?

This variable measures trends of journalistic employment in digital native news media, as a proxy for quantity and quality of digital information supply. The term "employment" refers to journalists stably engaged in newsrooms (given the diversity of regulations and job laws in EU member states, "stably" should be assessed according to the standards of your country, and "journalist" to workers performing journalistic activity. Given the fact that digital newsrooms are often start-up, effectiveness of journalistic job must be taken in consideration). Please, specify employment data in the comment

Subindicator / Type

Revenue and employment trends - Digital native / T

Method

Reports/Data published by national authorities, including statistical authorities and media regulators. Industrial associations, Trade unions

Answer options

- Low risk: Increased
- Medium risk: Stationary
- High risk: Decreased
- Not Applicable
- No Data

99. Have revenues of the local media increased or decreased over the past two years?

This variable assesses whether the local media industry sector is viable, thereby encouraging market entry. Please note that this variables did not exist in MPM2017. For "ocal media" you should consider all news providers with a local reach (audiovisual, radio, newspapers, digital native). Given the difference across the different Eu countries, "local" must be referred to the most widely accepted definition in your country. The term "revenues" refers to all revenues, from legacy as well as from digital outlets of legacy media (e.g. advertising, sales, subscriptions, State funding, donations, etc.). Please, consider the results of the industry also in relation to the GDP trends in the same period. Please, specify data of revenues trends in the comment

Subindicator / Type

Revenue and employment trends - Local media / T

Method

Reports/Data published by national and local authorities, including statistical authorities and media regulators. Industrial associations, Trade unions

Answer options

- Low risk: increased
- Medium risk: stationary
- High risk: decreased
- Not Applicable
- No Data

100. Has the number of journalists employed in local media increased or decreased over the past 2 years?

This variable measures trends of journalistic employment in local media, as a proxy for quantity and quality of information supply at a local level (see description in variable 94). The term "employment" refers to journalists stably engaged in newsrooms (given the diversity of regulations and job laws in EU member states, "stably" should be assessed according to the standards of your country, and "journalist" to workers performing journalistic activity. Please, specify employment data in the comment

Subindicator / Type

Revenue and employment trends - Local media / T

Method

Reports/Data published by national authorities, including statistical authorities and media regulators. Industrial associations, Trade unions

Answer options

- Low risk: Increased
- Medium risk: stationary
- High risk: decreased
- Not Applicable
- No Data

101. Has expenditure for offline advertising increased or decreased over the past two years?

This variable assesses whether the traditional advertising market (offline) is viable for news media, thereby encouraging market entry. Please, consider the results of the industry also in relation to the GDP trends in the same period. Please, specify data in the comment

Subindicator / Type

Media market resources / T

Method

Reports/Data published by national authorities, including statistical authorities and media regulators. Market reports

Answer options

- Low risk: Increased
- Medium risk: Stationary
- High risk: Decreased
- Not Applicable
- No Data

102. Has expenditure for online advertising on news media increased or decreased over the past two years?

This variable assesses whether the online advertising market is viable for news media, thereby encouraging market entry. The term online advertising includes all types of online advertising (e.g. search, non-search, contextual, etc.). Please, consider the results of the industry also in relation to the GDP trends in the same period. Please, note that you should consider only online advertising expenditure that goes to news media (news organizations producing original journalistic content) - therefore, social media, aggregators and other online platforms are not included. Specify data in the comment and - if available - the share of total online advertising that goes to news media

Subindicator / Type

Media market resources / T

Method

Reports/Data published by national authorities, including statistical authorities and media regulators. Market reports

Answer options

- Low risk: Increased
- Medium risk: Stationary
- High risk: Decreased
- Not Applicable
- No Data

103. Has expenditure for total advertising (online and offline) on news media increased or decreased over the past two years?

This variable assesses whether the total advertising market is viable, thereby encouraging market entry. It is aimed to assess the outcome of variables 101 and 102 and to assess the final impact of the evolution of advertising market on media viability. Please note that also for this variable (as for variable 102) you should consider advertising expenditure that goes to news media. Please, consider the results of the industry also in relation to the GDP trends in the same period. Please, specify data in the comment.

Subindicator / Type

Media market resources / T

Method

Reports/Data published by national authorities, including statistical authorities and media regulators. Market reports

Answer options

- Low risk: Increased
- Medium risk: Stationary

- High risk: Decreased
- Not Applicable
- No Data

104. Are news media organizations in your country developing sources of revenue other than traditional revenue streams?

This variable assesses whether news media organizations in your country are addressing challenges posed by the digital competition through the development of initiatives that would ensure access to alternative sources of revenue. If so, this is an indication that the media organisations are trying to find viable business models. Please note that you should consider legacy and digital native news media; and profit organization as well as no profit. New business models could be: - crowdfunding and crowdsourcing initiatives; - soft/hard paywalls; - memberhip; - charity - other sources. I.e. a newspaper may have decided to act as online marketer for local businesses by providing search engine optimization services, organising events or building websites or managing social media platforms for third parties. Please describe briefly and provide links to the initiatives that represent the most innovative or viable models for raising alternative sources of revenue for media in your country. Insert data in the comment, if available

Subindicator / Type

Media market resources / T

Method

Reports. Websites of media organizations (Sections "Our Services", "What we do", etc.). Interviews with journalists and editors/publishers.

Answer options

- Low risk: There are many initiatives aiming at developing alternative sources of revenue
- Medium risk: There is a limited number of initiatives aiming at developing alternative sources of revenue
- High risk: There is a very limited number of initiatives or no initiatives at all aiming at developing alternative sources of revenue
- Not Applicable
- No Data

105. Are there any laws in your country that establish favorable public support schemes for the news media sector and are they effective?

This variable assesses whether the State offers subsidies to news media organizations other than PSM, thereby encouraging market entry; and if these schemes are effective. To assess effectiveness, you should consider if the schemes have been implemented and if they have produced positive effects (e.g wheter the organizations that receive public money have managed to establish or mantain a presence in the market) .

Subindicator / Type

Regulatory Incentives / T

Method

Reports by media regulators. Reports by NGOs or other relevant organizations. Interviews with journalists and editors/publishers.

Answer options

- Low risk: Yes, effective
- Medium risk: Yes, but not effective
- High risk: No
- Not Applicable
- No Data

106. If existent, does the public support schemes for media sector cover online media?

This variable is a follow up to variable 105. Therefore, if support schemes do not exist, you should answer "not applicable". To assess effectiveness, you should consider if the schemes have been implemented and if they have produced positive effects (e.g wheter the organizations that receive public money have managed to establish or mantain a presence in the market) .

Subindicator / Type

Regulatory Incentives / T

Method

Reports by media regulators. Reports by NGOs or other relevant organizations. Interviews with journalists and editors/publishers.

Answer options

- Low risk: Yes, effective
- Medium risk: Yes, but not effective
- High risk: No
- Not Applicable
- No Data

107. Has your country introduced or scheduled some form of taxation of digital services, and is it effective?

This variable is aimed to assess if tax rules have been reviewed in light of the impact of digitalization, to guarantee tax compliance and therefore avoid unfair competition between different players in the new digital ecosystem of media. Waiting for the conclusion of the international reforming process of tax system in digital economy, some country decided to anticipate reforms and to introduce forms of Digital Service Tax (DST). Variables 107 and 108 of MPM2020 are aimed to track this process.

Subindicator / Type

Regulatory Incentives / T

Method

National law and regulations. Reports by media regulators, NGOs and other relevant stakeholders. Sources EC, Fair Taxation of the Digital Economy https://ec.europa.eu/taxation_customs/business/company-tax/fair-taxation-digital-economy_en Oecd Interim Report, Tax Challenges Arising from Digitalization <https://www-oecd-ilibrary-org.ezproxy.eui.eu/>

Answer options

- Low risk: Yes, and it is effective (or the general fiscal system already provides taxation of digital services)
- Medium risk: Yes, but not effective
- High risk: No
- Not Applicable
- No Data

108. Does the law provide that a part of digital services tax revenues will sustain media viability and pluralism?

This variable is a follow up to variable 107. Therefore, if support schemes do not exist, you should answer "not applicable". It is aimed to assess if the law explicitly links the introduction of a form of digital service taxation to the support of media pluralism

Subindicator / Type

Regulatory Incentives / T

Method

National law and regulations. Reports by media regulators, NGOs and other relevant stakeholders.

Answer options

- Low risk: Yes, effectively
- Medium risk: Yes, but not effectively
- High risk: No
- Not Applicable
- No Data

10. Commercial & owner influence over editorial content

This indicator aims to assess risks to market plurality posed by business interests on production of editorial content, both from commercial and owners influence. To assess this risk, it considers the existence of rules and regulatory safeguards about professional journalism as well as effective independence and autonomy of editorial decision/making

109. Are there any mechanisms granting social protection to journalists in case of changes of ownership or editorial line and are they effectively implemented?

This variable assesses whether there are any laws or self-regulatory instruments granting social protection to journalists in cases of changes in ownership or editorial line, including editors-in-chief, and the effectiveness of such measures. If journalists risk losing their employment in such events, there is a risk that commercial interests undermine journalistic independence. Please note that this variable merges 93 and 94 of MPM2017: you should evaluate not only the existence of the law but also its effectiveness.

Subindicator / Type

Appointments and dismissals / T

Method

National laws and regulations. Contracts. Case law. Self-regulatory instruments. Decisions of self-regulatory bodies. Reports by NGOs or other relevant organizations

Answer options

- Low risk: Yes, effective
- Medium risk: Yes, but not effective
- High risk: No
- Not Applicable
- No Data

110. Are there any 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 and are they effectively implemented?

This variable assesses whether there are any regulatory safeguards ensuring that decisions regarding appointments and dismissals of editors-in-chief are not dependent on the commercial interests of media organizations, and if these safeguards are effectively implemented. Please note that this variable is slightly different from variable 95 of MPM2017: you should evaluate not only the existence of the law but also its effectiveness.

Subindicator / Type

Appointments and dismissals / T

Method

National laws and regulations. Contracts. Case law. Self-regulatory instruments. Decisions of self-regulatory bodies. Reports by NGOs or other relevant organizations

Answer options

- Low risk: Yes, effective
- Medium risk: Yes, but not effective
- High risk: No
- Not Applicable
- No Data

111. Are there any laws and/or self-regulatory measures stipulating the obligation of journalists and/or media outlets not to be influenced by commercial interests, and are they effectively implemented?

This variable assesses whether editorial decisions are made by media organisations on the basis of professional criteria and the public's right to

information without commercial interference. The term "commercial interference" is broadly defined to cover interference from a media owner, advertisers, and other entities that seek to influence editorial decisions in order to protect their respective commercial interests. For example, there may be laws and/or self-regulatory measures that address situations where journalists are offered gifts in order to refrain from covering a story that can be harmful to a commercial entity. Please do not include in your answer the prohibition of advertorials; this issue is addressed by a question that follows. Please note that this variable is different from variable 96 of MPM2017: you should evaluate not only the legal framework, but also the effectiveness of the law

Subindicator / Type

Editorial decision-making / T

Method

National laws and regulations. XContracts. Case law. Self-regulatory instruments. Reports by NGOs or other relevant organizations

Answer options

- Low risk: Yes, effective
- Medium risk: Yes, but not effective
- High risk: No
- Not Applicable
- No Data

112. Are there any laws and/or self-regulatory measures stipulating that the exercise of the journalistic profession is incompatible with activities in the field of advertising and are they effectively implemented?

This variable assesses whether there are measures that prevent journalists from having the ability and/or incentive to base editorial decisions on commercial interests. If so, the applicable measures are deemed to introduce safeguards in order to ensure that journalists make editorial decisions that respect the standards of the profession and the public's right to information. Please note that this variable is slightly different from variable 97 in MPM2017: you should evaluate not only the existence of law or regulatory measures but also their effectiveness.

Subindicator / Type

Editorial decision-making / T

Method

National laws and regulations. Contracts. Case law. Self-regulatory instruments. Decisions of self-regulatory bodies. Reports by NGOs or other relevant organizations

Answer options

- Low risk: Yes, effective
- Medium risk: Yes, but not effective
- High risk: No
- Not Applicable
- No Data

113. Do the same laws, and/or self-regulatory measures and safeguards (109-112) apply to journalistic work in online news media?

This variable assesses if the rules and measures aimed to protect journalists from commercial and owner influence do apply to digital news media. If old rules and safeguards do not apply in the digital environment, for practical reasons or deliberately to escape them, you should answer "no". If some form of safeguard (in law, contracts or use) has been introduced, you should answer "in a limited extent". If rules and contracts are the same, in digital as in legacy media, you should answer "yes". If your answers to variables 109/112 are all "no", you should answer "not applicable" to this variable

Subindicator / Type

Editorial decision-making / T

Method

National laws and regulations. Contracts. Case law. Self-regulatory instruments. Decisions of self-regulatory bodies. Reports by NGOs or other

relevant organizations

Answer options

- Low risk: Yes
- Medium risk: Yes, but in a limited extent
- High risk: No
- Not Applicable
- No Data

114. Are there any laws or self-regulation prohibiting advertorials, and are they effectively implemented?

This variable assesses whether there are measures that prevent the use of advertorials and if they are effective (please note it merges that variables 98 and 99 of MPM2017). The term advertorials refers to the "use of 'testimony style' advertising in the media to promote a product but where a trader has paid for the promotion and this is not made clear". (Unfair Commercial Practices Directive <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32005L0029>)

Subindicator / Type

Editorial decision-making / T

Method

National laws and regulations. Contracts. Case law. Self-regulatory instruments. Decisions of self-regulatory bodies. Reports by NGOs or other relevant organizations

Answer options

- Low risk: Yes, effective
- Medium risk: Yes, but not effective
- High risk: No
- Not Applicable
- No Data

115. Are there any laws or self-regulation prohibiting disguised advertisement online, and are they effectively implemented?

This variable assesses whether there are measures that prevent the use of native advertising and influencer marketing without full disclosure to the public

Subindicator / Type

Editorial decision-making / T

Method

Consult national laws and regulations. Contracts. Case law. Self-regulatory instruments. Decisions of self-regulatory bodies. Reports by NGOs or other relevant organizations For a general frame, see EC, Behavioural study on advertising and marketing practices in online social media, Annex 1.5 https://ec.europa.eu/info/sites/info/files/annex-1-5-legal-assessment-of-problematic-practices_en.pdf.

Answer options

- Low risk: Yes, effective
- Medium risk: Yes, but not effective
- High risk: No
- Not Applicable
- No Data

116. Is editorial content independent from commercial influence in practice?

This variable assesses whether commercial entities and/or the owners of media companies generally abstain from influencing editorial content. It is

not concerned with influence by political parties/politicians. Please note that the relevant timeframe is two years and it is looking for common practice, not one single incident. "Common practice" refers to systematic influence or systematic attempts to influence. In the digital environment, you should consider "commercial influence" a systematic and planned link between editorial decision making and reach of the content (clickbait). The term "commercial influence" includes situations where media groups promote their own products.

Subindicator / Type

Editorial decision-making / T

Method

Reports by NGOs or other relevant organizations. Interviews with journalists and editors/publishers.

Answer options

- Low risk: Media owners and other commercial entities generally abstain from influencing editorial content.
- Medium risk: Media owners and other commercial entities sometimes attempt to influence editorial content.
- High risk: Media owners and other commercial entities systematically influence editorial content.
- Not Applicable
- No Data

16. Political independence of media

This indicator assesses the existence and effective implementation of regulatory safeguards against control of media by government and politicians.

117. Is the conflict of interests between owners of media and the ruling parties, partisan groups or politicians effectively regulated?

This variable assesses the **existence of regulatory safeguards** that make government office incompatible with media ownership or prohibit media proprietors from holding government office. Please consider general conflict of interest law if it applies for media companies. A law is **effectively implemented** if there is:

- a designated body monitoring compliance with the law/ functional equivalent to the law.
- this body having sanctioning/enforcement powers in order to impose proportionate remedies (behavioural and/or structural) in case of non-respect of the law/functional equivalent to the law
- sanctioning/enforcement powers are effectively used
- appeal mechanisms with regard to the decisions of the designated body is available and effective In your reply:
- summarize/copy paste the relevant legal provisions, as they are written in the law
- mention the Law and the article(s) of the law that you refer to, and add it as a source
- list the elements that confirm effectiveness of implementation from the above list

Subindicator / Type

Conflict of interest / T

Method

National laws and regulations Overviews of national media legislation can be found on: EPRA website:<http://www.epra.org/articles/media-legislation> Websites of national regulatory and competition authorities Merlin database European Audiovisual Observatory:<http://merlin.obs.coe.int/>

Answer options

- Low risk: Yes, there are adequate and effectively implemented regulatory safeguards to prevent from conflict of interest in the media sector
- Medium risk: There are some regulatory safeguards but these are not adequate for media sector or are not implemented effectively
- High risk: There are no regulatory safeguards to prevent from conflict of interest in the media sector
- Not Applicable
- No Data

118. Is the conflict of interests prevented in practice?

This variable assesses the risk of conflict of interests in practice. The aim here is to address whether there are some cases of conflict between media ownership and holding government office, encompassing all levels - from local to national. In your reply, in the comment box, please indicate which media are most at risk: audiovisual, radio, newspapers or online; and on what level: local or national.

Subindicator / Type

Conflict of interest / T

Method

Case law, decision practice, press reports, reports of independent bodies or NGOs.

Answer options

- Low risk: The conflict of interests is prevented in practice
- Medium risk: There are some sporadic cases of conflict of interests
- High risk: There are systematic cases of conflict of interests
- Not Applicable
- No Data

119. Is the law containing limitations to direct and indirect control of media by party, partisan group or politicians implemented effectively?

This variable assesses if the law (e.g. media law, competition law, or company law) contains safeguards against excessive control of media by politicians. In this context, control is to be understood as broader than ownership and it includes both direct ownership and indirect control. Indirect control implies that party, partisan group or politicians are not directly involved in the ownership structure but they use intermediaries (e.g. family members). Only code 'yes' if there are specific provisions in law(s) related to control/ownership by political and politically affiliated persons and organisations, and specify to what kind of media law refers to. Do not consider e.g. competition laws in general. If there are no specific provisions in the law related to politicians, code 'no'. A law is **effectively implemented** if there is:

- a designated body monitoring compliance with the law/ functional equivalent to the law.
 - this body having sanctioning/enforcement powers in order to impose proportionate remedies (behavioural and/or structural) in case of non-respect of the law/functional equivalent to the law
 - sanctioning/enforcement powers are effectively used
 - appeal mechanisms with regard to the decisions of the designated body is available and effective
- In your reply:
- summarize/copy paste the relevant legal provisions, as they are written in the law
 - mention the Law and the article(s) of the law that you refer to, and add it as a source
 - list the elements that confirm effectiveness of implementation from the above list

Subindicator / Type

Political control over media outlets / T

Method

Analysis of laws and regulations

Answer options

- Low risk: Yes, there is an adequate law which is implemented effectively
- Medium risk: There is a law but it is not comprehensive or is not implemented effectively
- High risk: There is no law to regulate such matter
- Not Applicable
- No Data

120. How would you evaluate the presence of political control over the audiovisual media?

For the purpose of this evaluation leading media is not strictly defined but it refers to 2-4 market leaders in terms of revenue or audience share, and on different levels, from national to local. This is particularly relevant for the application of medium and high risk. Even if there are few cases of political control, if they involve leading media, they present more risk than political control over the minor market players. Therefore, please, consider all levels, from national to local, when providing this evaluation.

In this context control is to be understood as broader than ownership and it includes both direct ownership and indirect control. Indirect control implies that party, partisan group or politicians are not directly involved in the ownership structure but they use intermediaries (e.g. family

members).

Subindicator / Type

Political control over media outlets / T

Method

Company registers

Media registers

Existing media ownership studies and reports, including: Transparency International data bases: <http://www.transparency.org/>

Article 19 databases: <http://www.article19.org/> European Audiovisual Observatory, <http://www.obs.coe.int/>

Answer options

- Low risk: Audiovisual media in general are not politically controlled
- Medium risk: There are some occasional cases of political control over the audiovisual media
- High risk: At least one of the leading audiovisual media is politically controlled and/or there is a record of repeated discriminatory actions of any audiovisual media
- Not Applicable
- No Data

121. How would you evaluate the presence of political control over the radio?

For the purpose of this evaluation leading media is not strictly defined but it refers to 2-4 market leaders in terms of revenue or audience share, and on different levels, from national to local. This is particularly relevant for the application of medium and high risk. Even if there are few cases of political control, if they involve leading media, they present more risk than political control over the minor market players. Therefore, please, consider all levels, from national to local, when providing this evaluation.

In this context control is to be understood as broader than ownership and it includes both direct ownership and indirect control. Indirect control implies that party, partisan group or politicians are not directly involved in the ownership structure but they use intermediaries (e.g. family members).

Subindicator / Type

Political control over media outlets / T

Method

Company registers

Media registers

Existing media ownership studies and reports, including: Transparency International data bases: <http://www.transparency.org/>

Article 19 databases: <http://www.article19.org/> European Audiovisual Observatory, <http://www.obs.coe.int/>

Answer options

- Low risk: Radio stations are not politically controlled
- Medium risk: There are some occasional cases of political control over the radio
- High risk: At least one of the leading radio stations is politically controlled and/or there is a record of repeated discriminatory actions of any radio
- Not Applicable
- No Data

122. How would you evaluate the presence of political control over the newspapers?

For the purpose of this evaluation leading media is not strictly defined but it refers to 2-4 market leaders in terms of revenue, circulation or readership, and on different levels, from national to local. This is particularly relevant for the application of medium and high risk. Even rare cases of political control, if they involve leading media, present more risk than political control over the minor market players. Therefore, please,

consider all levels, from national to local, when providing this evaluation.

In this context control is to be understood as broader than ownership and it includes both direct ownership and indirect control. Indirect control implies that party, partisan group or politicians are not directly involved in the ownership structure but they use intermediaries (e.g. family members).

Subindicator / Type

Political control over media outlets / T

Method

Company registers

Media registers

Existing media ownership studies and reports, including: Transparency International data bases: <http://www.transparency.org/>

Article 19 databases: <http://www.article19.org/> European Audiovisual Observatory, <http://www.obs.coe.int/>

Answer options

- Low risk: Newspapers in general are not politically controlled
- Medium risk: There are some occasional cases of political control over the newspapers
- High risk: At least one of the leading newspapers is politically controlled and/or there is a record of repeated discriminatory actions of any newspaper
- Not Applicable
- No Data

123. How would you evaluate the presence of political control over the digital native media?

NOTE: Please, consider only digital native media with no presence in the traditional media markets. For more detailed definition of digital native media consult the Glossary or get in touch with the CMPF team. For the purpose of this evaluation leading media is not strictly defined but it refers to 2-4 market leaders in terms of revenue or audience share, and on different levels, from national to local. This is particularly relevant for the application of medium and high risk. Even if there are few cases of political control, if they involve leading media, they present more risk than political control over the minor market players. Therefore, please, consider all levels, from national to local, when providing this evaluation. In this context control is to be understood as broader than ownership and it includes both direct ownership and indirect control. Indirect control implies that party, partisan group or politicians are not directly involved in the ownership structure but they use intermediaries (e.g. family members).

Subindicator / Type

Political control over media outlets / T

Method

Existing media ownership studies and reports

Answer options

- Low risk: Digital native media in general are not politically controlled
- Medium risk: There are some occasional cases of political control over the digital native media
- High risk: At least one of the leading digital native media is politically controlled
- Not Applicable
- No Data

124. Is the independence of news agencies from political influence regulated effectively?

This variable assesses if the law (e.g. media law, competition law, or company law) contains safeguards against excessive control of news agencies by politicians. In case of public/state owned agencies independence should be understood in terms of management appointments and financing. A law is **effectively implemented** if there is:

- a designated body monitoring compliance with the law/ functional equivalent to the law.

- this body having sanctioning/enforcement powers in order to impose proportionate remedies (behavioural and/or structural) in case of non-respect of the law/functional equivalent to the law
- sanctioning/enforcement powers are effectively used
- appeal mechanisms with regard to the decisions of the designated body is available and effective In your reply:
- summarize/copy paste the relevant legal provisions, as they are written in the law
- mention the Law and the article(s) of the law that you refer to, and add it as a source
- list the elements that confirm effectiveness of implementation from the above list

Subindicator / Type

Political control over news agencies / T

Method

Analysis of laws and regulations

Answer options

- Low risk: Yes, the mechanisms are granted in the law and effectively implemented
- Medium risk: The independence is not fully ensured by the law or the law is not effectively implemented
- High risk: There is no such regulation
- Not Applicable
- No Data

125. How would you evaluate the relationship between the leading news agencies and political groupings?

This variable assesses the political independence of the largest news agencies in the country.

Subindicator / Type

Political control over news agencies / T

Method

Sample: All news agencies with at least 15% audience market share at the national level.

Answer options

- Low risk: None of the largest news agencies is dependent on political groupings in terms of ownership, affiliation of key personnel or editorial policy.
- Medium risk: At least one of the largest news agencies is dependent on political groupings in terms of ownership, affiliation of key personnel or editorial policy.
- High risk: Most or all of the largest news agencies are dependent on political groupings in terms of ownership, affiliation of key personnel or editorial policy.
- Not Applicable
- No Data

17. Editorial autonomy

This indicator assesses the existence of regulatory and self-regulatory measures that guarantee freedom from interference in editorial decisions and content.

126. Are there common regulatory safeguards to guarantee autonomy when appointing and dismissing editors-in-chief?

This variable assesses the existence of regulatory safeguards (e.g. law, statute) that prevent political influence over the appointments and dismissals of editors-in-chief that could harm editorial autonomy. In your reply:

- summarize/copy paste the relevant legal provisions, as they are written in the law
- mention the Law and the article(s) of the law that you refer to, and add it as a source

Subindicator / Type

Appointment of editor-in-chief / E

Method

National laws and regulations analysis

Answer options

- Yes
- No
- Not Applicable
- No Data

127. Are the appointments and dismissals of editors-in-chief independent from political influence in practice?

This variable assesses whether the autonomy of appointment and dismissal procedures for editors-in-chief is implemented in practice, or whether there is evidence of systematic political interference concerning appointments and dismissals of editors-in-chief. Please state which platforms (TV, radio, print, online) and what type of media organizations (public or private) are most at risk in this regard.

Subindicator / Type

Appointment of editor-in-chief / T

Method

Press reports, reports of independent bodies or NGOs

Answer options

- Low risk: No political interference in appointments and dismissals of editors-in-chief
- Medium risk: Occasional interference concerning appointments and dismissals of editors-in-chief
- High risk: Systematic political interference in appointments and dismissals of editors-in-chief
- Not Applicable
- No Data

128. Are self-regulatory measures that stipulate editorial independence from political interference in the news media effectively implemented?

Consider "yes" only if the two largest media outlets in each category (TV, radio, newspapers), as in the indicated sample, have a self-regulatory measure in place. 'Self-regulatory measures' are defined as e.g. journalistic codes, codes of ethics. If there is both a regulatory and a self-regulatory framework, code 'yes', and make a note in the comment box of the type of formal regulation that exists. In your reply:

- summarize/copy paste the relevant legal provisions, as they are written in the law
- mention the Law and the article(s) of the law that you refer to, and add it as a source

Subindicator / Type

Effectiveness of self-regulation / T

Method

Examination of the largest media owners in terms of audience/readership shares. Sample: 2 (where available) largest news outlets (newspaper, radio, TV, online)

Answer options

- Low risk: Yes, there are well elaborated and effective self-regulatory measures
- Medium risk: There are self-regulatory measures but they are sometimes not implemented effectively
- High risk: There are no self-regulatory measures or if there are, they are in general not implemented effectively
- Not Applicable
- No Data

129. Are there specific codes of conduct or guidelines for the use of social media by journalists?

An increasing number of journalists and news organisations make use of social media platforms such as Facebook and Twitter to research, break, distribute and discuss the news, and to (self)promote. Social media guidelines are being issued with increasing frequency by news organizations that want to indicate to journalists what is and is not permitted on these platforms. The aim of this new variable is to assess whether there are any risks associated with these guidelines.

Subindicator / Type

Effectiveness of self-regulation / T

Method

Examination of the largest news organisations in terms of audience/readership shares or general relevance.

Answer options

- Low risk: At least several prominent news media in the country have well elaborated social media guidelines for journalists, developed in cooperation with journalists
- Medium risk: Only few media organisations have social media guidelines for journalists and/or these guidelines are in some parts problematic
- High risk: There are no social media guidelines for journalists or the existing ones are restrictive and/or incomprehensive
- Not Applicable
- No Data

130. Is editorial content in the news media independent from political influences in practice?

This variable assesses whether the self-regulatory instruments that guarantee editorial independence are effectively implemented in practice. Please consider both traditional and online media. The answer should be based on the average state of affairs.

Subindicator / Type

Effectiveness of self-regulation / T

Method

Press reports, reports of independent bodies or NGOs

Answer options

- Low risk: There is no evidence on the influence of party, partisan group or politicians over the editorial contents in the news media
- Medium risk: There are some cases
- High risk: There are systematic cases of influence
- Not Applicable
- No Data

18. Audio visual media, online platforms and elections

The indicator assesses the existence and implementation of a regulatory and self-regulatory framework for the fair representation of different political actors and viewpoints in audiovisual media and on online platforms, especially during electoral campaigns. The indicator also takes into consideration the regulation of political advertising, and its implementation in practice.

131. Is there a media law (including conventions between PSM and the government) that imposes rules aiming at impartiality in news and informative programmes on PSM channels and services, and is the law implemented effectively?

This variable assesses the existence of regulatory safeguards that guarantee that in news and informative programmes on PSM channels and services all political viewpoints existing in society are represented in a fair manner. Fair encompasses proportional and unbiased. A law is **effectively implemented** if there is:

- a designated body monitoring compliance with the law/ functional equivalent to the law.
 - this body having sanctioning/enforcement powers in order to impose proportionate remedies (behavioural and/or structural) in case of non-respect of the law/functional equivalent to the law
 - sanctioning/enforcement powers are effectively used
 - appeal mechanisms with regard to the decisions of the designated body is available and effective
- In your reply:

- summarize/copy paste the relevant legal provisions, as they are written in the law
- mention the Law and the article(s) of the law that you refer to, and add it as a source
- list the elements that confirm effectiveness of implementation from the above list

Subindicator / Type

PSM bias / T

Method

National laws and regulations Overviews of national media legislation can be found on: EPRA website: <http://www.epra.org/articles/media-legislation> Websites of national regulatory and competition authorities Merlin database European Audiovisual Observatory: <http://merlin.obs.coe.int/>

Answer options

- Low risk: Yes, there is a well elaborated law which is implemented effectively
- Medium risk: There is a law but it is not comprehensive or is not implemented effectively
- High risk: There is no law to regulate such matter
- Not Applicable
- No Data

132. Is there a media law (including conventions between PSM and the government) that guarantees access to airtime on PSM channels and services for political actors during election campaigns, and is the law implemented effectively?

This variable assesses the existence of regulatory safeguards for fair access to airtime on PSM channels **during electoral campaigns**. It does **NOT aim to capture the political advertising** rules and practices. A law is **effectively implemented** if there is:

- a designated body monitoring compliance with the law/ functional equivalent to the law.
- this body having sanctioning/enforcement powers in order to impose proportionate remedies (behavioural and/or structural) in case of non-respect of the law/functional equivalent to the law
- sanctioning/enforcement powers are effectively used
- appeal mechanisms with regard to the decisions of the designated body is available and effective In your reply:
- summarize/copy paste the relevant legal provisions, as they are written in the law
- mention the Law and the article(s) of the law that you refer to, and add it as a source
- list the elements that confirm effectiveness of implementation from the above list

Subindicator / Type

PSM bias / T

Method

National laws and regulations Overviews of national media legislation can be found on: EPRA website: <http://www.epra.org/articles/media-legislation> Websites of national media authority Merlin database European Audiovisual Observatory: <http://merlin.obs.coe.int/> See also: Council of Europe (2007) Recommendation CM/Rec(2007)15 of the Committee of Ministers to Member States on Measures concerning Media Coverage of Election Campaigns (+ Explanatory Memorandum CM(2007)155 add)

Answer options

- Low risk: Yes, there is a well elaborated regulation which is implemented effectively
- Medium risk: There is a regulation but it is not comprehensive or is not implemented effectively
- High risk: There is no regulation on this matter
- Not Applicable
- No Data

133. Is there an internal charter of PSM or other self-regulatory instrument that guarantees impartiality and access to PSM channels for political actors?

In some countries the rules aiming at the fair representation of political viewpoints in news and informative programmes on PSM channels and services may be governed by self-regulatory instruments. This variable assesses the existence of and internal charter of PSM or other self-

regulatory instruments guaranteeing proportional representation on PSM channels to political actors. In your reply:

- summarize/copy paste the relevant provisions, as they are written in the (self)regulation
- mention the (self)regulation and the article(s) of that you refer to, and add it as a source

Subindicator / Type

PSM bias / E

Method

Co- and self-regulation (acts, decrees, branch agreements, codes of conduct...)

Answer options

- Yes
- No
- Not Applicable
- No Data

134. Do PSM channels and services provide fair representation of political actors and political viewpoints in news and informative programmes in practice?

Fair encompasses proportional and unbiased.

Subindicator / Type

PSM bias / T

Method

Practice assessment.

Answer options

- Low risk: PSM channels and services provide fair representation of political actors and political viewpoints
- Medium risk: The representation of political actors and political viewpoints on PSM is not always fair
- High risk: Different groups of political actors and/or political viewpoints are represented in a biased way, clearly favoring some political actors and/or viewpoints over others
- Not Applicable
- No Data

135. Does audiovisual coverage of the electoral campaign on PSM offer fair representation of the different groups of political actors?

This variable assesses the proportions of representation of various political and ideological viewpoints and interests in the audiovisual media, as well as the existence of dominant one-sided (negative or positive) media portrayal of specific political actors during the election campaigns. Fair encompasses proportional and unbiased.

Subindicator / Type

PSM bias / T

Method

National Regulatory Agencies monitoring and various monitoring reports by NGOs and/or scholars (e.g. academic research on political bias) See also: Council of Europe (2007) Recommendation CM/Rec(2007)15 of the Committee of Ministers to Member States on Measures concerning Media Coverage of Election Campaigns (+ Explanatory Memorandum CM(2007)155 add). Studies/reports: Open Society Institute (2005) and follow-up reports. Television Across Europe: Regulation, Policy and Independence, available at: <http://www.opensocietyfoundations.org/reports/television-across-europeregulation-policy-and-independence> Election monitoring reports by OSCE Election Monitoring Mission, available through: <http://www.osce.org/>

Answer options

- Low risk: Different groups of political actors are represented in a fair way on PSM
- Medium risk: The representation of different political actors on PSM is not always fair

- High risk: Different groups of political actors are represented in a biased and non-proportional way, clearly favoring some political actors over others
- Not Applicable
- No Data

136. Are there any laws and/or self-regulatory measures that guarantee access to airtime on private channels and services for political actors during election campaigns?

This variable assesses the existence of regulatory (e.g. law obliging private media to be fair and objective) and/or self-regulatory (e.g. codes of ethics) safeguards for fair access to airtime on private channels and services for political actors during election campaigns. It does NOT aim to capture the political advertising rules and practices. In your reply:

- summarize/copy paste the relevant legal provisions, as they are written in the law
- mention the Law and the article(s) of the law that you refer to, and add it as a source

Subindicator / Type

Commercial audiovisual media bias / E

Method

National laws and regulations, including co- and self-regulation (acts, decrees, branch agreements, codes of conduct...), case law, regulatory decisions etc. Overviews of national media legislation can be found on: EPRA website: <http://www.epra.org/articles/media-legislation> Websites of national regulatory and competition authorities Merlin database European Audiovisual Observatory: <http://merlin.obs.coe.int/> See also: Council of Europe (2007) Recommendation CM/Rec(2007)15 of the Committee of Ministers to Member States on Measures concerning Media Coverage of Election Campaigns (+ Explanatory Memorandum CM(2007)155 add)

Answer options

- Yes
- No
- Not Applicable
- No Data

137. Does audiovisual coverage of the electoral campaign on private channels and services offer fair representation of the different groups of political actors?

This variable assesses the ways in which various political and ideological viewpoints and interests are represented in the commercial, privately owned audiovisual media, as well as the existence of dominant one-sided (negative or positive) media portrayal of specific political actors. Private radio and television channels are sometimes not captured by formal regulation, and are therefore allowed to follow an editorial line which might show specific political preferences. Fairness and accuracy, however, are mentioned in codes of ethics worldwide as basic journalistic principles which should be respected when covering any (also opposing) political viewpoints. Please elaborate in the comment box why political coverage is judged as at 'low', 'medium', or 'high' risk. The relevant timeframe for the assessment should be four years.

Subindicator / Type

Commercial audiovisual media bias / T

Method

Academic research on political bias in media, monitoring reports, and similar sources

Answer options

- Low risk: Different groups of political actors are represented in a fair way on private channels
- Medium risk: The representation of different political actors on private channels is not always fair
- High risk: Different groups of political actors are represented in a biased and non-proportional way, clearly favoring some political actors over others
- Not Applicable
- No Data

138. Is there a media law or other statutory measure that prohibits or imposes restrictions to political

advertising on PSM during election campaigns to allow equal opportunities for all political parties, and is it implemented effectively?

This variable assesses the existence of regulatory safeguards (e.g. conventions between PSM and the government and legislation on the financing of political parties or on elections) that prevent financially stronger political actors from obtaining a large amount of airtime for political advertising while other political actors, who do not have similar financial resources, are relatively suppressed from those channels. The relevance and impact of political advertising increases significantly during election periods. This question refers to PSM. A law is **effectively implemented** if there is:

- a designated body monitoring compliance with the law/ functional equivalent to the law.
 - this body having sanctioning/enforcement powers in order to impose proportionate remedies (behavioural and/or structural) in case of non-respect of the law/functional equivalent to the law
 - sanctioning/enforcement powers are effectively used
 - appeal mechanisms with regard to the decisions of the designated body is available and effective
- In your reply:
- summarize/copy paste the relevant legal provisions, as they are written in the law
 - mention the Law and the article(s) of the law that you refer to, and add it as a source
 - list the elements that confirm effectiveness of implementation from the above list

Subindicator / Type

Rules on political advertising in audiovisual media / T

Answer options

- Low risk: The law allows for equal opportunities and is implemented effectively
- Medium risk: There is a law but the law is not implemented effectively
- High risk: There is no law or the existing provisions do not allow for equal opportunities
- Not Applicable
- No Data

139. Is the possibility of buying advertising space on commercial audiovisual media available to all contending parties, on equal conditions and rates of payment in practice?

This variable assesses the general practices of leading commercial audiovisual media as regards the sale of advertising spaces to political actors during electoral campaigns and referenda.

Subindicator / Type

Rules on political advertising in audiovisual media / T

Answer options

- Low risk: Yes
- Medium risk: Not always
- High risk: No
- Not Applicable
- No Data

140. Does the regulatory framework ensure that the public is aware that the message is a paid political advertisement?

This variable assesses the existence of regulatory safeguards to ensure that the public is aware of paid political advertisements on both PSM and private channels and services. It can be achieved through proper identification, e.g. a complete sponsorship identification that fully and fairly discloses the true identity of the person, corporation, committee, association, or other group that paid for the advertisement. In your reply: - summarize/copy paste the relevant legal provisions, just as they are written in the law - mention the Law and the article(s) of the law that you refer to.

Subindicator / Type

Rules on political advertising in audiovisual media / E

Method

National laws and regulations, including conventions between PSM and the government and legislation on the financing of political parties or on

elections, co- and self-regulation (acts, decrees, branch agreements, codes of conduct...), case law, regulatory decisions etc.

Overviews of national media legislation can be found on: EPRA website: <http://www.epra.org/articles/media-legislation>

Websites of national regulatory and competition authorities

Merlin database European Audiovisual Observatory: <http://merlin.obs.coe.int/>

Nordicom (for Scandinavian countries):<http://www.nordicmedia.info/>

Answer options

- Yes
- No
- Not Applicable
- No Data

141. Is there a regulation that aims to ensure equal opportunities and transparency of online political advertising during electoral campaign?

This variable assesses the existence of legislation that seeks to guard democracy and prevent certain political actors from capturing online political communication by buying and targeting online political advertising in a non transparent manner.

In your reply:

- summarize/copy paste the relevant legal provisions, just as they are written in the law
- mention the Law and the article(s) of the law that you refer to

Subindicator / Type

Rules on political advertising online / E

Answer options

- Yes
- No
- Not Applicable
- No Data

142. Are the rules for political parties, candidates and lists competing in elections to report on campaign spending on online platforms in a transparent manner implemented effectively?

This variable aims to assess whether there are **any rules** on the national level for political parties to disclose campaign spending on online platforms (e.g. Facebook and Google) in a transparent way, and whether the rules are implemented effectively. European Commission Recommendation of 9 September 2018 (Recommendation on election cooperation networks, online transparency, protection against cybersecurity incidents and fighting disinformation campaigns in the context of elections to the European Parliament) “encourages” and asks Member States to “encourage” further transparency commitments by European and national political parties and foundations, in particular by making “*available on their websites information on their expenditure for online activities, including paid online political advertisements and communications*”; “*as well as information on any targeting criteria used in the dissemination of such advertisements and communications*”. [1]

Subindicator / Type

Rules on political advertising online / T

Answer options

- Low risk: Yes, the rules are well elaborated and implemented effectively. Contenders are reporting on their campaign spendings on online platforms in a transparent way.
- Medium risk: The rules are in place but are not effectively implemented. Or there are no rules but some contenders are reporting on their spendings on online platforms at their own initiative.
- High risk: There are no such rules and overall there is no transparency on campaign spendings on online platforms.

Not Applicable

No Data

143. Are political parties and candidates in your country transparent about the spendings and techniques used in social media political campaigns?

This variable aims to assess the practice. In addition to the commitments laid down in the Code of Practice on Online Disinformation and relying on social media platforms to increase transparency of political advertising online, the EC Recommendation of 9 September 2018¹¹, “encourages” and asks Member States to “encourage” further transparency commitments by European and national political parties and foundations, in particular to “make available on their websites information on their expenditure for online activities, including paid online political advertisements and communications”; “as well as information on any targeting criteria used in the dissemination of such advertisements and communications”.

Subindicator / Type

Rules on political advertising online / T

Answer options

Low risk: Yes, they make all the materials used in the campaign available on their websites or by other means.

Medium risk: They are transparent only to some extent or only some parties are transparent.

High risk: There is a lack of transparency on spending and on techniques used in political campaigning.

Not Applicable

No Data

144. By signing the Code of Practice on Disinformation several online platforms have committed themselves to clearly label political and issue-based advertising as such and to indicate who paid for it. Was this the case in your country during the elections for the European Parliament and any other following elections?

This variable aims to assess the effectiveness of the the [Code of Practice on Disinformation](#) in a specific national context. Please elaborate in the comment box if there were any issues with labeling political advertising and indicating who paid for it, and whether the Ad Library (publicly accessible libraries of political advertising provided by online platforms) started working properly and timely. Please note also other relevant information.

Subindicator / Type

Rules on political advertising online / T

Answer options

Low risk: Yes, political advertising placed on platforms is clearly labeled as such, it is indicate who paid for it, and Facebook's Ad Library is fully operational.

Medium risk: There were some issues with the implementation of platforms' transparency policies on political advertising.

High risk: Labeling political advertising on platforms as such and clearly indicating who paid for it is not implemented effectively and/or the Ad Libraries are not fully operational.

Not Applicable

No Data

145. Does the data protection authority in your country take a sufficient account and monitor the use of personal data on individuals by political parties for electoral campaigning purposes?

The Commission guidance on the application of GDPR in the electoral context (EC, 2018d) underlines that it “applies to all actors active in the electoral context”, including European and national political parties, European and national political foundations, platforms, data analytics companies and public authorities responsible for the electoral process. Any data processing should comply with the GDPR principles such as fairness and transparency, and for specified purposes only. The principles of fairness and transparency require that individuals (data subjects) are informed of the existence of the processing operation and its purposes (GDPR, Art. 5). The Commission’s guidance clearly states that data controllers (those who make the decision on and the purpose of processing, like political parties or foundations) have to inform individuals about key aspects related to the processing of their personal data, including why they receive personalised messages from different organisations; which is the source of the data when not collected directly from the person; how are data from different sources combined and used; and whether the automated decision-making has been applied in processing. In its communication, the EC particularly emphasizes the strengthened powers of

authorities and calls them to use these sanctioning powers especially in cases of infringement in the electoral context (think of Cambridge Analytica case here). However, European DPAs have historically been very reluctant to regulate political parties. We want to see whether this has been changed due to the strengthened powers and an explicit call to act more in the political realm.

Subindicator / Type

Rules on political advertising online / E

Answer options

- Yes
- No
- Not Applicable
- No Data

19. State regulation of resources and support to media sector

This indicator assesses the existence and implementation of regulations that ensure fair and transparent distribution of state advertisements and subsidies, as well as spectrum allocation. Lack of clear and transparent rules might serve favouritism and channeling money to specific media outlets.

146. Does the legislation provide fair and transparent rules on spectrum allocation?

This variable assesses the existence of the legal framework that respects general regulatory principles and policy objectives of the Radio Spectrum Policy Programme (RSPP 2012). In your reply:

- summarize/copy paste the relevant legal provisions, as they are written in the law
- mention the Law and the article(s) of the law that you refer to, and add it as a source

Subindicator / Type

Spectrum allocation / E

Method

National laws and regulations Decision No 243/2012/EU of the European Parliament and of the Council of 14 March 2012 establishing a multiannual radio spectrum policy programme - Text with EEA relevance

Answer options

- Yes
- No
- Not Applicable
- No Data

147. Is the legislation on spectrum allocation implemented effectively?

The effective implementation usually involves several or all of the following aspects: Availability of a designated body monitoring compliance with the law/ functional equivalent to the law. This body having sanctioning/enforcement powers in order to impose proportionate remedies (behavioural and/or structural) in case of non-respect of the law/functional equivalent to the law. Effective use of these sanctioning/enforcement powers. Availability of appeal mechanisms with regard to the decisions of the designated body. The effectiveness of these appeal mechanisms, including the fact that they are NOT systematically misused to delay the enforcement of remedies. **To motivate your reply, please add in the comment box which of the aspects listed above are in place, if any and assess the overall practice.**

Subindicator / Type

Spectrum allocation / T

Method

National laws and regulations Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services (Framework Directive) Decision No 243/2012/EU of the European Parliament and of the Council of 14 March 2012 establishing a multiannual radio spectrum policy programme Text with EEA relevance.

Answer options

- Low risk: The legislation on spectrum allocation is implemented effectively
- Medium risk: There were some cases for concern
- High risk: The legislation on spectrum allocation is not implemented effectively
- Not Applicable
- No Data

148. Does the legislation provide fair and transparent rules for the distribution of direct subsidies to media outlets?

This variable assesses the existence of regulatory safeguards for fair and transparent distribution of direct state subsidies (e.g. cash grants, interest-free loans) to media outlets, other than PSM. In your reply:

- summarize/copy paste the relevant legal provisions, as they are written in the law
- mention the Law and the article(s) of the law that you refer to, and add it as a source

Subindicator / Type

Distribution of government subsidies / E

Method

National laws and regulations.

Answer options

- Yes
- No
- Not Applicable
- No Data

149. Are the direct state subsidies distributed to media outlets in a fair and transparent manner?

This variable assesses the general practice of direct state subsidies distribution to media outlets, other than PSM. Direct state subsidies are e.g. cash grants, interest-free loans. Please note that this variable focuses on subsidies to media outlets that operate on **a national level**. The MPM contains another variable focusing on direct and indirect subsidies to the local/regional media in the Social Inclusiveness area.

Subindicator / Type

Distribution of government subsidies / T

Method

National laws and regulations analysis, academic reports, press reports, reports of independent bodies or NGOs.

Answer options

- Low risk: The direct state subsidies are distributed to media in a fair and transparent manner.
- Medium risk: The direct state subsidies are distributed to media based on a set of criteria but it is unclear whether they are fair.
- High risk: There are no clear criteria regarding the distribution of direct state subsidies to media outlets or these criteria are unfair.
- Not Applicable
- No Data

150. Does the legislation provide fair and transparent rules for the distribution of indirect subsidies to media outlets?

This variable assesses the existence of regulatory safeguards for fair and transparent distribution of indirect state subsidies (e.g. tax exemptions, reduced postal service and telephone rates) to media outlets, other than PSM. In your reply:

- summarize/copy paste the relevant legal provisions, as they are written in the law
- mention the Law and the article(s) of the law that you refer to, and add it as a source

Subindicator / Type

Method

National laws and regulations.

Answer options

- Yes
- No
- Not Applicable
- No Data

151. Are the indirect state subsidies distributed to media outlets in a fair and transparent manner?

This variable assesses the general practice of indirect state subsidies distribution to media outlets, other than PSM. Indirect state subsidies are e.g. tax exemptions, reduced postal service and telephone rates. Please note that this variable focuses on subsidies to media outlets that operate on a **national level**. The MPM2017 also contains another variable focusing on direct and indirect subsidies to the local/regional media (117) "Are the state subsidies distributed to local and regional media outlets in a fair and transparent manner?".

Subindicator / Type

Distribution of government subsidies / T

Method

National laws and regulations analysis, academic reports, press reports, reports of independent bodies or NGOs.

Answer options

- Low risk: The indirect state subsidies are distributed to media in a fair and transparent manner.
- Medium risk: The indirect state subsidies are distributed to media based on a set of criteria but it is unclear whether they are fair.
- High risk: There are no clear criteria regarding the distribution of indirect state subsidies to media outlets or these criteria are unfair.
- Not Applicable
- No Data

152. Does the legislation provide fair and transparent rules on the distribution of state advertising to media outlets?

This variable assesses the existence of regulatory safeguards for fair and transparent distribution of state advertising that prevent preferential treatment and/or misconduct. State advertising should be understood as any advertising paid by governments (national, regional, local) and state-owned institutions and companies. The content of this advertising does not need to be political. In your reply:

- summarize/copy paste the relevant legal provisions, as they are written in the law
- mention the Law and the article(s) of the law that you refer to, and add it as a source

Subindicator / Type

Distribution of state advertising / E

Method

National laws and regulations.

Answer options

- Yes
- No
- Not Applicable
- No Data

153. Is state advertising distributed to media outlets in a fair and transparent manner?

This variable assesses the fairness and transparency of state advertising distribution. State advertising should be understood as any advertising paid

by governments (national, regional, local) and state-owned institutions and companies. While addressing this question, please also consider the possible use of state advertising to channel money to media (directly or indirectly via intermediaries).

Subindicator / Type

Distribution of state advertising / T

Method

Please consider all: TV, radio, newspapers and online media.

Answer options

- Low risk: State advertising is distributed to media outlets in a fair and transparent manner.
- Medium risk: State advertising is distributed to media outlets based on a set of criteria but it is unclear whether they are fair.
- High risk: There are no clear criteria regarding the distribution of state advertising to media outlets or these criteria are unfair.
- Not Applicable
- No Data

20. Independence of PSM governance and funding

The indicator is designed to measure the risks which stem from appointments procedures for top management positions in the public service media, and the risks arising from the PSM funding mechanisms and procedures.

154. Does the law provide fair and transparent appointment procedures for management and board functions in PSM, which guarantee independence from government or other political influence?

This variable assesses the existence of both fair and transparent appointment procedures for management and board functions in PSM (stipulated in the e.g. media law, administrative law, company law, labour law, conventions between PSM and the government) that guarantee independence from political interference. These requirements could be met for example by applying merits-based appointment procedures. In your reply:

- summarize/copy paste the relevant legal provisions, as they are written in the law
- mention the Law and the article(s) of the law that you refer to, and add it as a source

Subindicator / Type

PSM management board / E

Method

Analysis of national laws and regulations, including media law, administrative law, company law, labour law, conventions between PSM and the government. Overviews of national media legislation can be found on: EPRA website: <http://www.epra.org/articles/media-legislation>; Websites of national regulatory and competition authorities Merlin database European Audiovisual Observatory: <http://merlin.obs.coe.int/> See also: Council of Europe (2012). Recommendation CM/Rec(2012)1 of the Committee of Ministers to member States on 15 February 2012 EBU – European Broadcasting Union: <http://www.ebu.ch/en/> European Audiovisual Observatory: <http://www.obs.coe.int/> National media regulation databases (available on web sites of relevant state bodies). Open Society Institute (2005) and follow-up reports. Television Across Europe: Regulation, Policy and Independence, available at: <http://www.opensocietyfoundations.org/reports/television-across-europeregulation-policy-and-independence>

Answer options

- Yes
- No
- Not Applicable
- No Data

155. Are the appointments and dismissals of PSM management and board functions independent from political influence in practice?

This variable assesses whether the legal safeguards for appointment and dismissal procedures for management and board functions in PSM are implemented in practice, or whether there is evidence of systematic conflicts concerning appointments and dismissals of managers and board members of the PSM.

Subindicator / Type

PSM management board / T

Method

Academic reports, press reports, reports of independent bodies or NGOs

Answer options

- Low risk: No political interference in the appointments and dismissals of managers and board members of PSM
- Medium risk: Occasional political interference in the appointments and dismissals of managers and board members of PSM
- High risk: Systematic political interference in the appointments and dismissals of managers and board members of PSM
- Not Applicable
- No Data

156. Does the law provide fair and transparent appointment procedures for Director General of the PSM, which guarantee independence from government or other political influence?

This variable assesses the existence of both fair and transparent appointment procedures for Director General of PSM (stipulated in the e.g. media law, administrative law, company law, labour law, conventions between PSM and the government) that guarantee independence from political interference. These requirements could be met for example by applying merits-based appointment procedures. In your reply:

- summarize/copy paste the relevant legal provisions, as they are written in the law
- mention the Law and the article(s) of the law that you refer to, and add it as a source

Subindicator / Type

PSM Director General / T

Method

Analysis of national laws and regulations, including media law, administrative law, company law, labour law, conventions between PSM and the government. Overviews of national media legislation can be found on: EPRA website: <http://www.epra.org/articles/media-legislation>; Websites of national regulatory and competition authorities Merlin database European Audiovisual Observatory: <http://merlin.obs.coe.int/> See also: Council of Europe (2012). Recommendation CM/Rec(2012)1 of the Committee of Ministers to member States on 15 February 2012 EBU – European Broadcasting Union: <http://www.ebu.ch/en/> European Audiovisual Observatory: <http://www.obs.coe.int/> National media regulation databases (available on web sites of relevant state bodies) Open Society Institute (2005) and follow-up reports. Television Across Europe: Regulation, Policy and Independence, available at: <http://www.opensocietyfoundations.org/reports/television-across-europeregulation-policy-and-independence>

Answer options

- Low risk: Yes, the law provides for fair and transparent appointment procedures, which guarantee independence from government or other political influence, and is implemented effectively
- Medium risk: There is a law but its provisions do not guarantee fully independence from government or other political influence, or there are some deficiencies in the implementation
- High risk: There is no specific law on appointment procedures for Director General of PSM or the existing law does not guarantee independence from government or other political influence
- Not Applicable
- No Data

157. Are the appointments and dismissals of PSM Director General independent from political influence in practice?

This variable assesses whether the legal safeguards for appointment and dismissal procedures for PSM Director General are implemented in practice, or whether there is evidence of systematic conflicts concerning appointments and dismissals of PSM Director General.

Subindicator / Type

PSM Director General / T

Method

Academic reports, press reports, reports of independent bodies or NGOs

Answer options

- Low risk: No political interference in the appointments and dismissals of PSM Director General
- Medium risk: Occasional political interference in the appointments and dismissals of PSM Director General
- High risk: Systematic political interference in the appointments and dismissals of PSM Director General
- Not Applicable
- No Data

158. Does media law prescribe transparent and fair procedures in order to ensure that the funding of PSM is adequate?

This variable assesses the existence of regulatory safeguards for fair and transparent procedures of funding and against the under-funding of PSM.

Adequate entails (a) adequate to cover all aspects of the public service remit, and (b) stable on a pluri-annual basis. In your reply:

- summarize/copy paste the relevant legal provisions, as they are written in the law
- mention the Law and the article(s) of the law that you refer to, and add it as a source

Subindicator / Type

PSM funding / E

Method

Analysis of national laws and regulations, including media law, administrative law, company law, labour law, conventions between PSM and the government Case law Overviews of national media legislation can be found on: EPRA website: <http://www.epra.org/articles/media-legislation> Websites of national regulatory and competition authorities Merlin database European Audiovisual Observatory: <http://merlin.obs.coe.int/>

Answer options

- Yes
- No
- Not Applicable
- No Data

159. Does the law provide that funding adequately covers the online public service missions of the PSM without distorting competition with private media actors?

The financing of PSM is strictly connected to the definition of their remit according to EU state aid rules and to the interpretative indications given by the European Commission as to their application. Yet, if it is to remain relevant in the online sphere and contribute the democratic sphere, "every PSM needs some kind of mechanism allowing it to launch innovative new media services outside the scope of its formal remit in a timely manner, whilst at the same time ensuring that the market is informed and not disproportionately distorted as a result" (AMO, 2015: 87). For additional explanations please consult the [Audiovisual Media Observatory report \(2015\)](#), in particular pages 86-87. In your reply:

- summarize/copy paste the relevant legal provisions, as they are written in the law
- mention the Law and the article(s) of the law that you refer to, and add it as a source

Subindicator / Type

PSM funding / E

Method

National laws and regulations analysis.

Answer options

- Yes
- No
- Not Applicable
- No Data

160. How would you evaluate the mechanism of providing financing to the PSM by the government?

This variable assesses the effective implementation of regulatory safeguards that ensure that the funding of PSM is adequate.

Subindicator / Type

PSM funding / T

Method

Case law, decision practice, press reports, reports of independent bodies or NGOs EBU – European Broadcasting Union: <http://www.ebu.ch/en/>
See in particular documents available at: <http://www3.ebu.ch/policies/initiatives/sustainable-psm> European Audiovisual Observatory:
<http://www.obs.coe.int/> National media regulation databases (available on web sites of relevant state bodies). Open Society Institute (2005) and follow-up reports. Television Across Europe: Regulation, Policy and Independence, available at:
<http://www.opensocietyfoundations.org/reports/television-across-europeregulation-policy-and-independence>

Answer options

- Low risk: Level of financing (licence fee or other) depends on the economic indicator set in the law
- Medium risk: Government decides on the level of financing based on thorough analysis with public discussion and taking into account others' views
- High risk: Government decides on the level of financing without public discussion
- Not Applicable
- No Data

11. Access to media for minorities

The indicator assesses whether the minorities (both legally recognised and those that are not) have access to airtime on PSM, private TV and radio. Variables have been elaborated on the basis of CoE and OSCE documents. The OSCE's Oslo Recommendations (1998), p. 6) states: "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 are facilitated in their access to the media (Council of Europe, 1995, Article 9).

161. Does the law guarantee access to airtime on PSM to legally recognized minorities?

This variable assesses the legal safeguards for access to airtime on PSM channels of **legally recognised** minorities. The definition of minorities is here restricted to national minorities recognised by the law. Minority definition: 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, • minority groups should be 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. This variable has been elaborated on the basis for of CoE and OSCE documents. In particular, on the basis of OSCE's Oslo Recommendations (p. 6): "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." Source: OSCE (1998). The Oslo Recommendations Regarding the Linguistic Rights of National Minorities & Explanatory Note. <http://www.osce.org/hcnm/67531?download=true> PLEASE ALSO CONSULT THE GLOSSARY FOR FURTHER DETAILS.

Subindicator / Type

Access to PSM / E

Method

Recommended sources: "Filling the Frame: Five Years of Monitoring the Framework Convention for the Protection of National Minorities". In particular, consult (i) State Periodical Report (ii) Committee of Experts' evaluation report and (iii) Committee of Ministers' Recommendation reports, especially sections discussing Article 11 on Media: http://www.coe.int/t/dg4/education/minlang/Report/default_en.asp World Directory of Minorities and Indigenous Peoples: <http://minorityrights.org>

Answer options

- Yes

- No
- Not Applicable
- No Data

162. Do legally recognised minorities have access to airtime on PSM channels in practice?

This variable assesses access to airtime of **legally recognised minorities** in practice. The definition of minorities is also here restricted to national minorities recognised by the law.

Minority definition: 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,
- minority groups should be 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.

Subindicator / Type

Access to PSM / T

Method

For this variable, the country team also has to conduct a brief interview with at least one expert on minorities in the country. The interview has to be referenced. Please attach a note listing the name, title, and organisation of the expert interviewed and the date and channel (in-person/telephone) for the interview. You might want to consult the list of experts of the CMFE Experts Group: <http://cmfe.eu/?cat=10> Other sources: Case law, decision practice, press reports, reports of independent bodies or NGOs.

Answer options

- Low risk: Minorities have access to airtime and the access is proportional to the size of their populations in the country, without any significant exception.
- Medium risk: Most of the minorities have adequate access to airtime but there are some significant exceptions.
- High risk: Most minorities do not have access to airtime or it is not proportional to the size of their populations in the country.
- Not Applicable
- No Data

163. Do minorities, which are not recognised by law, have access to airtime on PSM channels in practice?

This variable assesses access to airtime of minorities in practice. **Here, the definition of minorities is expanded to include also minorities not recognized by the law.** Do not assess the situation of legally recognised minorities when you score this variable but focus only on the other minorities present in the country.

Minority definition: 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,
- minority groups should be 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. Please note that PSM stands for Public Service Media.

Subindicator / Type

Access to PSM / T

Method

For this variable, the country team also has to conduct a brief interview with at least one expert on minorities in the country. The interview has to be referenced. Please attach a note listing the name, title, and organisation of the expert interviewed and the date and channel (in-person/telephone) for the interview.

Other sources: Case law, decision practice, press reports, reports of independent bodies or NGOs.

Answer options

- Low risk: Minorities have access to airtime and the access is proportional to the size of their populations in the country, without any significant exception.
- Medium risk: Most of the minorities have adequate access to airtime but there are some significant exceptions.

- High risk: Most minorities do not have access to airtime or it is not proportional to the size of their populations in the country.
- Not Applicable
- No Data

164. Do the PSM have national news available in minority languages?

This variable assesses whether the PSM broadcasts national news in minority languages. This variable concerns languages of both **minorities that are legally recognised and those who are not**.

"Regional or minority languages" are defined in accordance with the "European Charter for Regional or Minority Languages" as: traditionally used within a given territory of a State by nationals of that State who form a group numerically smaller than the rest of the State's population; and different from the official language(s) of that State.

Subindicator / Type

Access to PSM / T

Method

Sources: Please check the programming schedule of all PSMs in the country.

Answer options

- Low risk: National news in most minority languages are available on a regular basis (at least once a week)
- Medium risk: National news in some of the minority languages are available on a regular basis OR national news in most minority languages are available but only sporadically.
- High risk: National news are not available in any of the minority languages.
- Not Applicable
- No Data

165. Do legally recognised minorities have access to airtime on private TV and radio?

This variable assesses access to airtime of **legally recognised minorities** in practice. The definition of minorities is here restricted to national minorities recognised by the law.

Subindicator / Type

Access to private broadcasters / T

Method

Media sample: Two private TV channels and two private radio channels with the largest audience shares in the country. For this variable, the country team also has to conduct a brief **interview with at least one expert on minorities in the country**. The interview has to be referenced. Please attach a note listing the name, title, and organisation of the expert interviewed and the date and channel (in-person/telephone) for the interview.

Other sources:

European Audiovisual Observatory (EAO), National Regulatory Authorities.

Answer options

- Low risk: Minorities have access to airtime and the access is proportional to the size of their populations in the country, without any significant exception.
- Medium risk: Most of the minorities have adequate access to airtime but there are some significant exceptions.
- High risk: Most minorities do not have access to airtime or it is not proportional to the size of their populations in the country.
- Not Applicable
- No Data

166. Do minorities, which are not recognised by law, have access to airtime on private TV and radio?

This variable assesses access to airtime of minorities in practice. Here, **the definition of minorities is expanded to include also minorities not recognized by the law**. Do not assess the situation of legally recognised minorities when you score this variable but focus only on the other minorities present in the country.

Subindicator / Type

Access to private broadcasters / T

Method

Media sample: Two private TV channels and two private radio channels with the largest audience shares in the country. For this variable, the country team also has to conduct a brief interview with at least one expert on minorities in the country. The interview has to be referenced. Please attach a note listing the name, title, and organisation of the expert interviewed and the date and channel (in-person/telephone) for the interview.

Other sources:

European Audiovisual Observatory (EAO), National Regulatory Authorities.

Answer options

- Low risk: Minorities have access to airtime and the access is proportional to the size of their populations in the country, without any significant exception.
- Medium risk: Most of the minorities have adequate access to airtime but there are some significant exceptions.
- High risk: Most minorities do not have access to airtime or it is not proportional to the size of their populations in the country.
- Not Applicable
- No Data

12. Access to media for local/regional communities and for community media

Media at the regional and local level are particularly important for democracy, since their relationship with local audiences tends to be closer if compared to national media. That proximity is confirmed by both the user statistics and by the level of the participation of users in the media. Regional and local media can also serve as alternative spaces for discussion for those 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 now, when more and more local and regional newspapers and broadcasters are struggling to survive.

167. Does the law grant regional or local media access to media platforms and is the law implemented effectively?

This variable assesses whether the law contains specific provisions granting access to media platforms to regional or local media. Relevant provisions concern reservation of TV or radio frequencies; or guarantees for access to radio and TV networks via must-carry rules.

Subindicator / Type

Access to media for local/regional communities / T

Method

National laws and regulations (e.g. acts, decrees, branch agreements), case law and regulatory decisions. Overviews of national media legislation can be found at: EPRA's list of Media Legislation in Europe: http://www.epra.org/news_items/updated-epra-list-on-media-legislation-in-europe
Websites of national regulatory and competition authorities: Merlin database European Audiovisual Observatory: <http://merlin.obs.coe.int/>
Nordicom (for Scandinavian countries)

Answer options

- Low risk: Yes, the law grants regional or local media access to media platforms and is implemented effectively
- Medium risk: There is a law but it is not implemented effectively
- High risk: There is no law or the law does not grant this access to regional or local media
- Not Applicable
- No Data

168. Does the state support local/regional media through subsidies?

This variable assesses whether the state (national/regional/local levels) distributes direct or indirect subsidies to community media. Direct subsidies are e.g. cash grants and interest-free loans. Indirect subsidies are e.g. tax exemptions, and reduced postal service or telephone rates.

Subindicator / Type

Access to media for local/regional communities / T

Method

Sources: Public documents, press reports, reports of independent bodies or NGOs.

Answer options

- Low risk: The state supports regional/local media with an adequate level of subsidies.
- Medium risk: The state supports regional/local media with a limited number of subsidies.
- High risk: The state does not support regional/local media with subsidies.
- Not Applicable
- No Data

169. Are the state subsidies distributed to local and regional media outlets in a fair and transparent manner?

This variable assesses whether the state distributes direct or indirect subsidies to local/regional media outlets in a fair and transparent manner. Direct subsidies are e.g. cash grants and interest-free loans. Indirect subsidies are e.g. tax exemptions, and reduced postal service or telephone rates.

Subindicator / Type

Access to media for local/regional communities / T

Method

National laws and regulations analysis, academic reports, press reports, reports of independent bodies or NGOs.

Answer options

- Low risk: The state subsidies are distributed to media in a fair and transparent manner.
- Medium risk: The state subsidies are distributed to media based on a set of criteria but it is unclear whether they are fair.
- High risk: There are no clear criteria regarding the distribution of state subsidies to media outlets or these criteria are unfair.
- Not Applicable
- No Data

170. Is the PSM obliged to keep its own local/regional correspondents or branches?

This variable assesses whether the PSM is obliged (either via legislation or a functional equivalent) to have its own regional correspondents or branches. In the opposite case, the PSM can rely on material acquired from news agencies.

Subindicator / Type

Access to media for local/regional communities / E

Method

Sources: National laws and regulations (e.g. acts, decrees, branch agreements), case law and regulatory decisions. EPRA's list of Media Legislation in Europe: http://www.epra.org/news_items/updated-epra-list-on-media-legislation-in-europe

Answer options

- Yes
- No
- Not Applicable
- No Data

171. Does the law grant community media access to media platforms and is the law implemented effectively?

This variable assesses whether the law contains specific provisions granting access to media platforms to community media. **Please not that if the law does not consider community media at all (as category), then the answer to this question is automatically "no".** Relevant provisions

concern reservation of TV or radio frequencies for community media or guarantees for access to radio and TV networks via must-carry rules.

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.

Subindicator / Type

Access to media for community media / T

Answer options

- Low risk: Yes, the law grants community media access to media platforms and is implemented effectively
- Medium risk: There is a law but it is not implemented effectively
- High risk: There is no law or the law does not grant this access to community media
- Not Applicable
- No Data

172. Does the law guarantee independence of community media?

This variable assesses the legal safeguards for the independence of community media.

Subindicator / Type

Access to media for community media / E

Method

Sources: UNESCO (2013). Tuning into development: an international comparative survey of community broadcasting 2013. <http://unesdoc.unesco.org/images/0022/002246/224662e.pdf> National laws and regulations (e.g. acts, decrees, branch agreements), case law and regulatory decisions. Overviews of national media legislation can be found at: EPRA's list of Media Legislation in Europe: http://www.epra.org/news_items/updated-epra-list-on-media-legislation-in-europe Websites of national regulatory and competition authorities: Merlin database European Audiovisual Observatory: <http://merlin.obs.coe.int/> Nordicom (for Scandinavian countries): <http://www.nordicmedia.info/>

Answer options

- Yes
- No
- Not Applicable
- No Data

173. Is the independence of community media safeguarded in practice?

This variable assesses if community media is present in the country and independent or if there is evidence of systematic political censorship, interference or manipulation of this type of media.

Subindicator / Type

Access to media for community media / T

Method

Sources:

Case law, decision practice, press reports, reports of independent bodies or NGOs.

Answer options

- Low risk: Community media is present in the country and independent.
- Medium risk: Community media is present in the country but is not fully independent.
- High risk: Community media is absent or, if present, not independent.
- Not Applicable

No Data

174. Does the state support community media through subsidies?

This variable assesses whether the state ((national/regional/local levels) distributes direct or indirect subsidies to community media. Direct subsidies are e.g. cash grants and interest-free loans. Indirect subsidies are e.g. tax exemptions, and reduced postal service or telephone rates.

Subindicator / Type

Access to media for community media / T

Method

Sources:

Public reports and statistics; civil society or media reports.

Answer options

- Low risk: The state supports community media with an adequate level of subsidies.
- Medium risk: The state supports community media with a limited number of subsidies.
- High risk: The state does not support community media with subsidies.
- Not Applicable
- No Data

13. Access to media for people with disabilities

All citizens have the right to access the media and persons with disabilities need this access in order to live independently and to participate fully in all aspects of life (European Blind Union, 2016). 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.

175. How would you evaluate the policy on access to media content by people with disabilities in your country?

This variable assesses the existence and coherence of policies for the promotion of access to media content and services by persons with disabilities. People with disabilities are defined here as blind, partially sighted, deaf and hard of hearing people. The term “policy” includes regulation, self-regulation and (a set of) laws that govern a certain issue.

Subindicator / Type

Legal safeguards / T

Method

Analysis of policies and support measures. For this variable, the country team also has to conduct a brief **interview with at least one representative of an academic institution specialising in media accessibility or a non-governmental organisation (NGO) representing the interests of people with disabilities**. You can consult the list of media accessibility experts, mostly academics, provided by the CMPF or check out the website of the Academic Network of European Disability experts at: <http://www.disability-europe.net/about-us> However, note that you are also free to find experts of your choice. The interview has to be referenced. Please attach a note listing the name, title, and organisation of the expert interviewed and the date and channel (in-person/telephone) for the interview. **Other suggested source:** Accessibility Map (in Beta): <http://www.mapaccess.org/index.php/accessometer>

Answer options

- Low risk: Well-developed and implemented policy. There is already a strong tradition of policy making in this area. The existing measures are coherent and up-to-date with the latest societal changes.
- Medium risk: Underdeveloped policy. The existing policies are only nascent and the policy measures taken are fragmented. And/or not effectively implemented
- High risk: No policy.
- Not Applicable
- No Data

176. Is there any legislation in place in your country that requires access services for people with disabilities?

This variable assesses the existence of legal requirements for access services, including signing and audio description, for people with disabilities. People with disabilities are defined here as blind, partially sighted, deaf and hard of hearing people.

Subindicator / Type

Legal safeguards / E

Method

Sources:

National laws and regulations (e.g. acts, decrees, branch agreements), case law and regulatory decisions

Answer options

- Yes
- No
- Not Applicable
- No Data

177. Is the law implemented effectively?

This variable assesses effectiveness of the safeguards against excessive control of media distribution networks by politicians.

The effective implementation usually involves several or all of the following aspects:

Availability of a designated body monitoring compliance with the law/ functional equivalent to the law.

This body having sanctioning/enforcement powers in order to impose proportionate remedies (behavioural and/or structural) in case of non-respect of the law/functional equivalent to the law.

Effective use of these sanctioning/enforcement powers.

Availability of appeal mechanisms with regard to the decisions of the designated body.

The effectiveness of these appeal mechanisms, including the fact that they are NOT systematically misused to delay the enforcement of remedies.

Subindicator / Type

Legal safeguards / E

Method

National laws and regulations

Overviews of national media legislation can be found on: EPRA website: <http://www.epra.org/articles/media-legislation>

Websites of national regulatory and competition authorities

Merlin database European Audiovisual Observatory: <http://merlin.obs.coe.int/>

Nordicom (for Scandinavian countries): <http://www.nordicmedia.info/>

Case law, decision practice, press reports, reports of independent bodies or NGOs

Answer options

- Yes
- No
- Not Applicable
- No Data

178. How would you evaluate the support available for people with hearing impairments in audiovisual media?

This variable assesses the support for people with hearing impairments to access TV, in particular in terms of subtitles, signing and sound descriptions available.

Subindicator / Type

Support services / T

Method

Media sample:

Two private TV channels with the largest audience share in the country, and all TV channels of the PSM. As a starting point, you could consult this website of the **Zero project**, which provides a map of accessible broadcasting services (TV and radio programs) readily available to persons with disabilities. The map is not very complete and the information has to be cross checked but can work as a starting point.

<https://zeroproject.org/indicator/4-broadcasting-systems> You can also check the **G3ict – the Global Initiative for Inclusive Information and Communication Technologies** that provides country fiches with relevant information. Again, the information should be cross checked for reliability and recent developments: http://g3ict.org/resource_center/country_profiles/country_profile_austria

Answer options

- Low risk: Subtitles, signing and sound descriptions are available on a regular basis in different scheduling windows.
- Medium risk: Subtitles, signing and sound descriptions are available only on irregular basis or in the least popular scheduling windows (e.g. before 14.00).
- High risk: No subtitles, signing and sound descriptions are available.
- Not Applicable
- No Data

179. How would you evaluate the levels of audio description available for blind people?

This variable assesses to what extent audio description are available for blind people on TV.

Subindicator / Type

Support services / T

Method

Media sample:

Two private TV channels with the largest audience share in the country, and all TV channels of the PSM. As a starting point, you could consult this website of the **Zero project**, which provides a map of accessible broadcasting services (TV and radio programs) readily available to persons with disabilities. The map is not very complete and the information has to be cross checked but can work as a starting point.

<https://zeroproject.org/indicator/4-broadcasting-systems> You can also check the **G3ict – the Global Initiative for Inclusive Information and Communication Technologies** that provides country fiches with relevant information. Again, the information should be cross checked for reliability and recent developments: http://g3ict.org/resource_center/country_profiles/country_profile_austria

Answer options

- Low risk: Audio descriptions are available on a regular basis in different scheduling windows
- Medium risk: Audio descriptions are available only on irregular basis or in the least popular scheduling windows (e.g. before 14.00).
- High risk: No audio descriptions are available.
- Not Applicable
- No Data

14. 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, 201548).

The Council of Europe considers gender equality to be an integral part of human rights, inter-related with media freedom, including editorial freedom, and hand-in-hand with freedom of expression, to be a fundamental right (Council of Europe Recommendation, 2013).

180. Do the PSM have a comprehensive gender equality policy?

This variable assesses if the PSM(s) in the country have gender equality policies in place and whether they are comprehensive. To be considered

comprehensive the policy should **cover both personnel issues and programming content**. In the comment box please summarise the policy (if any) and state what kind of measures are in place regarding programming or personnel. Background: The MPM2017 indicator on women and media are partly based on the indicators proposed by the EIGE report "Advancing gender equality in decision-making in media organisations" (<http://eige.europa.eu/node/344>). The European Council in June 2013 adopted the EIGE report and recommended the EC and the Member States to monitor the presence of women in decision-making roles in the print and broadcast media by using the indicators as set out in the EIGE report.

Source: European Council conclusions (2013). "Advancing Women's Roles as Decision-makers in the Media". http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/lisa/137546.pdf

Subindicator / Type

Gender equality in PSM / T

Method

Check on the PSM website or contact the PSM by email or telephone to verify if there is a policy and whether it is comprehensive, i.e. it covers personnel issues and programming content.

Answer options

- Low risk: Yes, the PSM has a comprehensive gender equality policy covering both personnel issues and programming content, and it is implemented effectively.
- Medium risk: Yes, the PSM has a gender equality policy but it is limited in scope or not implemented effectively.
- High risk: No, the PSM does not have any gender equality policy.
- Not Applicable
- No Data

181. What is the share of women on PSM management boards?

This variable assesses whether the representation of women and men on PSM management boards is balanced. Please note that the name of the Board may vary across countries (PSM management board is not a standard name) but what we are focusing on is the PSM board responsible for media content, e.g. in the case of the BBC it would be the Executive Committee.

This variable is based on CoE recommendations. The CoE recommends a balanced representation of men and women in decision-making bodies of public service media (see reference below).

Source: Council of Europe Recommendation CM/Rec(2012)1 of the Committee of Ministers to member States on public service media governance (Adopted by the Committee of Ministers on 15 February 2012 at the 1134th meeting of the Ministers' Deputies. https://wcd.coe.int/ViewDoc.jsp?id=1908265#P212_20764

Subindicator / Type

Gender equality in PSM / N

Method

To make the calculation you need to have a list of PSM management board members. You count the number of female members and then divide it by the total number of members. This will give you a percentage that you insert into the value box (rounded, whole, number with no decimals).

In case there are more than one PSM in the country, you make this calculation for each of the PSM. Then, you add up the averages and divide by the number of PSM in the country. For example, the country Atlantis has 3 PSM: Atlantis Radio, Atlantis Television and Atlantis Educational broadcaster. Atlantis Radio management board has 1 of 5 women, Atlantis Television 3 of 6, and Atlantis Educational broadcaster has 5/5 women. In percentages this would be: Atlantis Radio 20% women, Atlantis Television 50% women, and Atlantis Educational broadcaster 100% women. In sum: $20+50+100=170$. 170 is divided by 3 (the number of PSMs), which equals 56,66. Round this up to 57%. 57 is also the number you insert on the platform. **Please also put a description of the underlying information in the "comment box"**, i.e. There are 3 PSMs in Atlantis. Atlantis Radio management board has 1 of 5 women, Atlantis Television 3 of 6, and Atlantis Educational broadcaster has 5/5 women.

Thresholds used by the CMPF:

Low risk: 40% or higher are women

Medium risk: 30-39%

High risk: 29% or lower are women Source:

Check on the PSM website or contact the PSM by email or telephone. In the latter case, please state the name of the contacted person, the title, and the date of contact in the sources section.

Answer options

- Insert the number
- Not Applicable
- No Data

182. What is the share of women among executives of PSM?

This variable assesses whether the representation of women and men among executives of PSM is balanced. Please note that the name of the position may vary across countries but what we are focusing on management or executive boards, e.g. in the case of Sweden it would be positions such as SVT Managing Director and in the case of the UK it would include BBC Director General of the Executive committee. **This is a follow-up question to variable 181. Here, we want to know if there are any women among the chairs/directors of the management boards of the PSMs assessed in 181.**

Subindicator / Type

Gender equality in PSM / N

Method

To make provide a figure you need to identify the PSM Managing Director(s). In case there are more than one PSM in the country, you count the number of female directors and then divide it by the total number of directors. This will give you a percentage that you insert into the value box (rounded, whole, number with no decimals). For example, the country Atlantis has 3 PSMs: Atlantis Radio, Atlantis Television and Atlantis Educational broadcaster. Atlantis Radio managing director is a women, Atlantis Television managing director is a man, and Atlantis Educational broadcaster managing director is a man. In percentages this would be: Atlantis Radio 100% women, Atlantis Television 0% women, and Atlantis Educational broadcaster 0% women. In sum: $100+0+0= 100$. 100 is divided by 3 (the number of PSMs), which equals 33,33 (etc.). Round this to 33%. 33 is also the number you insert on the platform. Please also put a description of the underlying information in the "comment box", i.e. Atlantis has 3 PSMs: Atlantis Radio, Atlantis Television and Atlantis Educational broadcaster. Atlantis Radio managing director is a women, Atlantis Television managing director is a man, and Atlantis Educational broadcaster managing director is a man.

Thresholds:

Low risk: 40% or higher are women

Medium risk: 30-39%

High risk: 29% or lower are women

Source:

Check on the meida companies websites or contact the PSMs by email or telephone. In the latter case, please state the name of the contacted person, the title, and the date of contact in the sources section.

Answer options

- Insert the number
- Not Applicable
- No Data

183. What is the share of women among members of management boards of private TV companies?

This variable assesses whether the representation of women and men on the management boards of private media companies is balanced. Please note that the name of the Board may vary across countries but what we are focusing on is the boards responsible for media content.

Subindicator / Type

Representation of women / N

Method

Media sample: Two private TV companies with the largest audience share in the country. To make the calculation you need to have a list of management board members. You count the number of female members and then divide it by the total number of members. This will give you a percentage that you insert into the value box (rounded, whole, number with no decimals). You make this calculation for each private TV company in the sample. Then, you add up the averages and divide by the number of companies that make up the sample. For example, in the country Atlantis the 2 largest TV companies are: ATV and TV Alba. ATV management board has 1 of 5 women, TV Alba 3 of 6. In percentages this would be: ATV 20% women, TV Alba 50% women. In sum: $20+50= 70$. 70 is divided by 2 (the number of companies), which equals 35%. 35 is also the number you insert on the platform. Please also put a description of the underlying information in the "comment box", i.e. Th 2 largest TV companies are ATV and TV Alba. ATV management board has 1 of 5 women, Alba TV 3 of 6. Thresholds:

Low risk: 40% or higher are women

Medium risk: 30-39%

High risk: 29% or lower are women Source:

Check on the media companies websites or contact the companies by email or telephone. In the latter case, please state the name of the contacted person, the title, and the date of contact in the sources section.

Answer options

- Insert the number
- Not Applicable
- No Data

184. What is the share of women among executives of private TV companies?

This variable assesses whether the representation of women and men among executives of media companies is balanced. Please note that the name of the position may vary across countries but what we are focusing on management or executive boards. **This is a follow-up question to variable 137. Here, we want to know if there are any women among the chairs/directors of the management boards of the two private TV companies assessed in 137.**

Subindicator / Type

Representation of women / N

Method

Thresholds: Low risk: 40% or higher are women

Medium risk: 30-39%

High risk: 29% or lower are women

Answer options

- Insert the number
- Not Applicable
- No Data

185. What is the share of women among editors-in-chief in the leading news media in the country?

Please for the sample of the leading news media consider 2 most relevant (based on readership and/or impact) news media per type (audiovisual, radio, newspapers, digital native). In total, you should calculate the share on the basis of 8 leading news media companies in the country.

Subindicator / Type

Representation of women / N

Answer options

- Insert the number
- Not Applicable
- No Data

186. Are women represented in news and current affairs broadcasting in a way that is proportionate and free from stereotypes?

This variable aims to assess the representation of women in news and current affairs broadcasting content because of the genre's (still) wide reach and role in shaping public perceptions about society. Please, consider here both public service and commercial audiovisual media.

Subindicator / Type

Representation of women / T

Method

Please consult the academic literature, recent studies and reports that can be based on quantitative or qualitative analysis.

Answer options

- Low risk: Women are proportionately represented in news and current affairs broadcasting and free from stereotypes
- Medium risk: Women are in some cases or in some media not represented in a proportionate way and free from stereotypes
- High risk: Women are underrepresented or depicted in a stereotyped way
- Not Applicable
- No Data

187. Are female experts invited to comment in informative and political programmes and articles to the same extent as male experts?

Subindicator / Type

Representation of women / T

Method

Please provide your assessment here based on any available evidence, such as: academic papers, NGO reports, interviews with experts, etc. If, for example, media organisations in the country are trying to build a database of women with expertise in a wide variety of fields to ensure more gender balance in their programmes and articles, this should be seen as positive development and as such taken into account for the assessment.

Answer options

- Low risk: Female and male experts are in general equally invited by media to comment on political and other relevant matters and events
- Medium risk: Female experts are not always invited to the same extent as male experts, or there are some prominent media in the country where female experts are underrepresented
- High risk: Male experts are evidently and systematically more often invited by media to comment on political and other relevant matters and events than female experts
- Not Applicable
- No Data

188. What is the percentage of women trained for (and employed in) jobs with specialist ICT skills?

Both greater and broader participation in the media market is key to gender parity in and around media. Source: Digital Agenda 'Scoreboard' 2019 [wid_sse] the weighted average of 3 indicators: 3.1 STEM graduates (33.3%), 3.2 ICT specialists (33.3%), 3.3 Gender pay gap (33.3%).

Indicator: 3 Specialist skills and employment

- **Definition:** WID Use of Internet Dimension calculated as the weighted average of the three indicators: 3.1 STEM graduates (33.3%), 3.2 ICT specialists (33.3%), 3.3 Gender pay gap (33.3%).

Breakdown: Score for Women in Digital

Unit of measure: Score (0 to 100)

- **Definition:** The score of the country, from a minimum of 0 to a maximum of 100.

Subindicator / Type

Representation of women / N

Answer options

- Insert the number
- Not Applicable
- No Data

15. 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 so as to fully enjoy fundamental rights, such as freedom of expression and access to information (UNESCO, 2013). This indicator assesses the comprehensiveness and implementation of media literacy policies; availability of media literacy activities; presence of media literacy in education; training of teachers on media literacy; digital competencies of individuals; and protection against hate speech.

189. How would you evaluate the policy on media literacy in your country?

This variable assesses the public policies on media literacy in a given country. The term “policy” includes regulation, self-regulation and (a set of) laws that govern a certain issue. The definition of media literacy used by the MPM: To be media literate means to be able to use the media well. It means to have the ability to understand how messages and meanings are produced and shared.

Going more into the detail of the definition:

"Media literacy is an umbrella expression that includes all the technical, cognitive, social, civic and creative capacities that allow a citizen to access, have a critical understanding of the media and interact with it" (1). "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 (2). "(Media literacy) refers to all kind of media (television, radio, press), through all kind of channels (traditional, internet, social media) and to all ages. (...) (A) key stone in all possible definitions of media literacy is the development of critical thinking by the user." (1).

Sources: (1) Mandate of the EC's Expert Group on Media Literacy. <https://ec.europa.eu/digital-single-market/en/news/meetings-media-literacy-expert-group> (2) Audiovisual Media Services Directive (2010). Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive). <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32010L0013>

Subindicator / Type

Media literacy policies / T

Method

For this variable, the country team has to conduct a brief **interview with at least one media literacy expert in the country**. The interview has to be referenced (please attach a note listing the name, title, and organisation of the expert interviewed and the date and channel (in-person/telephone) for the interview). You can consult the **list of media literacy experts provided by the CMPF** but you are also free to find experts of your choice. Please avoid interviewing government or public agency representatives given that they might have been involved in the development or implementation of related policies (if any) and might have a biased opinion. Other sources: Public reports and statistics; civil society or media reports.

Answer options

- Low risk: Well-developed and implemented policy. There is already a strong tradition of policy making in this area. The policy has concrete targets, and the existing measures are coherent and up-to-date with the latest societal changes.
- Medium risk: Underdeveloped or not well implemented policy.
- High risk: No policy.
- Not Applicable
- No Data

190. To what extent is media literacy present in the education curriculum?

This variable assesses whether media literacy is present in the education curriculum, as a separate subject, as a cross-cutting subject or as part of another subject (e.g. ICT or language). Introduction of media literacy in the compulsory education curriculum is recommended in the COMMISSION RECOMMENDATION of 20 August 2009 on media literacy in the digital environment for a more competitive audiovisual and content industry and an inclusive knowledge society (2009/625/EC) and is part of the provision of key competences for lifelong learning, set out in the Recommendation of the European Parliament and of the Council of 18 December 2006 on key competences for lifelong learning.

Subindicator / Type

Media literacy activities / T

Method

Sources: Public reports and statistics; civil society or media reports.

Answer options

- Low risk: Media literacy is present in the education curriculum.
- Medium risk: Media literacy is present but only to a limited extent.
- High risk: Media literacy is absent from the compulsory education curriculum.

Not Applicable

No Data

191. Is teachers' training in media literacy provided?

Subindicator / Type

Media literacy activities / T

Answer options

Low risk: There is a well-developed and comprehensive training programme in media literacy for teachers

Medium risk: There are only some occasional training for teachers in media literacy

High risk: Teachers are not provided with any training in media literacy

Not Applicable

No Data

192. To what extent is media literacy present in non-formal education?

Non-formal education is defined as learning and training which takes place outside recognized educational institutions (Tight 2012, p. 70). As a general rule of thumb, formal education is linked with schools and training institutions; while non-formal education takes place with community groups and other organizations, but the two categories can sometimes overlap. Please note that In many northern countries the notion of non-formal education is not common in internal policy debates – preferred alternatives being community education and community learning, informal education and social pedagogy.

The types of non-formal education considered are training, research and studies of media literacy.

Subindicator / Type

Media literacy activities / T

Method

Sources:

Public reports and statistics; civil society or media reports.

Answer options

Low risk: The subject of media literacy is widespread in non-formal education.

Medium risk: The subject of media literacy is present but only to a limited extent.

High risk: Media literacy is absent from non-formal education.

Not Applicable

No Data

193. How would you evaluate the extent of media literacy activities in your country?

Media literacy activities should aim at educating users (e.g. young people, parents and teachers) and can include the following activities: campaigns, provision of funding, networking platforms, information days, distribution of information packs (e.g. about the risks involved in processing personal data through information and communication networks). Media literacy activities can be carried out by civil society organisations, public or private bodies.

Subindicator / Type

Media literacy activities / T

Method

For this variable, the country team has to conduct a brief interview with at least one media literacy expert in the country. The interview has to be referenced (please attach a note listing the name, title, and organisation of the expert interviewed and the date and channel (in-person/telephone) for the interview). **Other valuable sources:** European Audiovisual Observatory (2016). "Mapping of media literacy practices and actions in EU-28": <http://www.obs.coe.int/documents/205595/8587740/Media+literacy+mapping+report+-+EN+-+FINAL.pdf/c1b5cc13-b81e-4814-b7e3-c64dd4de36c> Public reports and statistics; civil society or media reports.

Answer options

- Low risk: Activities on media literacy are widespread across the country and across different groups of people.
- Medium risk: Activities on media literacy are limited to some part(s) of the country or to certain groups of people.
- High risk: Activities on media literacy are hardly ever conducted.
- Not Applicable
- No Data

194. What is the percentage of population that has basic or above basic overall digital skills?

This variable assesses the percentage of population that has basic or above basic overall digital skills in the country. SOURCE OF DATA: Eurostat DATASET: Individuals' level of digital skills [isoc_sk_dskl_i] Last update: 05-02-2020 (for 2019) IND_TYPE All Individuals UNIT Percentage of individuals

Subindicator / Type

Digital competencies / N

Method

The percentage in the answer corresponds to the sum of these two answer categories of the indicator:

- Individuals who have basic communication skills
- Individuals who have above basic communication skills

Calculate percentiles based on available country scores (28 countries, no data for Albania & Slovakia), the following percentiles have been calculated: 25 percentiles at 48%

median at 56%

75 percentiles at 67%

Thresholds: Below 25 percentiles is considered to be high risk, while above 75 percentiles is considered to be low risk:

high risk: 0-47%

medium risk: 48-67%

low risk: 68-100%

Source: Eurostat

<https://appsso.eurostat.ec.europa.eu/nui/submitViewTableAction.do>

Answer options

- Insert the number
- Not Applicable
- No Data

195. What is the percentage of population that has low overall digital skills?

This variable assesses the percentage of population that has low overall digital skills in the country, which is not desirable state of play. SOURCE OF DATA: Eurostat DATASET: Individuals' level of digital skills [isoc_sk_dskl_i] Last update: 05-02-2020 (2019) IND_TYPE All Individuals UNIT Percentage of individuals

Subindicator / Type

Digital competencies / N

Method

Calculate percentiles based on available country scores (28 countries, no data for Albania & Slovakia), the following percentiles have been calculated: 25 percentiles at 24%

median at 28%

75 percentiles at 32%

RISK LOGIC: the higher the percentage the higher the risk - the aim is to have the population with at least basic and above basic digital skills, not to have significant share of population with low overall digital skills Thresholds: Below 25 percentiles is considered to be low risk, while above 75 percentiles is considered to be high risk:

low risk: 0-23%

medium risk: 24-32%

high risk: 33-100%

Source: Eurostat

Answer options

- Insert the number
- Not Applicable
- No Data

196. Is (self)regulatory framework to counter hate speech effective?

The definition of **hate speech** used here is based on case law of the European Court of Human

Rights https://www.echr.coe.int/Documents/FS_Hate_speech_ENG.pdf: Every ‘formality’, ‘condition’, ‘restriction’ or ‘penalty’ imposed to freedom of expression must be proportionate to the legitimate aim pursued. (Handyside v. the United Kingdom judgment of 7 December 1976, § 49).

“Tolerance and respect for the equal dignity of all human beings constitute the foundations of a democratic, pluralistic society. That being so, as a matter of principle it may be considered necessary in certain democratic societies to sanction or even prevent **all forms of expression which spread, incite, promote or justify hatred based on intolerance** ..., provided that any ‘formalities’, ‘conditions’, ‘restrictions’ or ‘penalties’ imposed are proportionate to the legitimate aim pursued.” (Erbakan v. Turkey judgment of 6 July 2006, § 56).

Subindicator / Type

Protection against hate speech / T

Method

The Protection against hate speech sub-indicator aims to assess whether there is a (self)regulatory framework to counter hate speech online and whether it has been efficient in removing hate speech toward ethnic or religious minorities, people with disabilities and women from online platforms, while not presenting any risk to freedom of expression. It further takes note on whether there are any media literacy or other educational initiatives in a country that aim to prevent or counteract hate speech.

- In particular, the sub-indicators aims to assess whether the (self-)regulatory instruments (Code of conduct on countering illegal hate speech, 2016, Council of the EU 2008 Framework Decision on combatting certain forms and expressions of racism and xenophobia, an if applicable EU Directive 2018/1808 (Audiovisual Media Services Directive) art 28b on Video sharing platforms) are effectively and non-arbitrarily limiting hate speech and foster an online media environment that is inclusive and non-discriminatory.

The Protection against hate speech sub-indicator has been included to Media literacy assessment as it is deemed that the more media literate people are, the more resilient they should be to hate speech, and should also resist spreading it online by understanding better the potential consequences (including legal, social and individual). The competencies within media literacy can educate and empower individuals and provide them with the competencies they need to respond to perceived hate speech rapidly as it appears. ML initiatives can also aim to inform individuals about the reach and potential impact of unlawful or harmful speech online, as well as about legal frameworks and consequences for that kind of speech, in order to raise the awareness and the culture of communication and expression online.

Answer options

- Low risk: Yes, the (self)regulatory framework to counter hate speech is effective
- Medium risk: There is a (self)regulatory framework but it is either not adequate or it is not effectively implemented
- High risk: There is no such (self)regulatory framework
- Not Applicable
- No Data

197. Have efforts to remove hate speech toward ethnic or religious minorities from social media been effective?

The definition of **hate speech** used here is based on case law of the European Court of Human

Rights https://www.echr.coe.int/Documents/FS_Hate_speech_ENG.pdf: Every ‘formality’, ‘condition’, ‘restriction’ or ‘penalty’ imposed to freedom of expression must be proportionate to the legitimate aim pursued. (Handyside v. the United Kingdom judgment of 7 December 1976, § 49).

“Tolerance and respect for the equal dignity of all human beings constitute the foundations of a democratic, pluralistic society. That being so, as a matter of principle it may be considered necessary in certain democratic societies to sanction or even prevent **all forms of expression which spread, incite, promote or justify hatred based on intolerance** ..., provided that any ‘formalities’, ‘conditions’, ‘restrictions’ or ‘penalties’ imposed are proportionate to the legitimate aim pursued.” (Erbakan v. Turkey judgment of 6 July 2006, § 56).

Subindicator / Type

Protection against hate speech / T

Method

Method of measurement This variable aims to assess whether there is a (self)regulatory framework to counter hate speech online and whether it has been efficient in removing hate speech toward ethnic or religious minorities, while not presenting any risk to freedom of expression. It further takes note on whether there are any media literacy or other educational initiatives in a country that aim to prevent or counteract hate speech.

- In particular, the sub-indicators aims to assess whether the (self-)regulatory instruments (Code of conduct on countering illegal hate speech, 2016, Council of the EU 2008 Framework Decision on combatting certain forms and expressions of racism and xenophobia, an if applicable EU Directive 2018/1808 (Audiovisual Media Services Directive) art 28b on Video sharing platforms) are effectively and non-arbitrarily limiting hate speech and foster an online media environment that is inclusive and non-discriminatory.

Answer options

- Low risk: Yes, efforts have been effective
- Medium risk: Not in all cases
- High risk: Efforts are not being effective at all or there have been no such efforts
- Not Applicable
- No Data

198. Have efforts to remove hate speech toward people with disabilities from social media been effective?

The definition of **hate speech** used here is based on case law of the European Court of Human

Rights https://www.echr.coe.int/Documents/FS_Hate_speech_ENG.pdf: Every ‘formality’, ‘condition’, ‘restriction’ or ‘penalty’ imposed to freedom of expression must be proportionate to the legitimate aim pursued. (Handyside v. the United Kingdom judgment of 7 December 1976, § 49).

“Tolerance and respect for the equal dignity of all human beings constitute the foundations of a democratic, pluralistic society. That being so, as a matter of principle it may be considered necessary in certain democratic societies to sanction or even prevent **all forms of expression which spread, incite, promote or justify hatred based on intolerance** . . . , provided that any ‘formalities’, ‘conditions’, ‘restrictions’ or ‘penalties’ imposed are proportionate to the legitimate aim pursued.” (Erbakan v. Turkey judgment of 6 July 2006, § 56).

Subindicator / Type

Protection against hate speech / T

Method

Method of measurement This variable aims to assess whether there is a (self)regulatory framework to counter hate speech online and whether it has been efficient in removing hate speech toward people with disabilities from online platforms, while not presenting any risk to freedom of expression. It further takes note on whether there are any media literacy or other educational initiatives in a country that aim to prevent or counteract hate speech.

- In particular, the sub-indicators aims to assess whether the (self-)regulatory instruments in place are effectively and non-arbitrarily limiting hate speech and foster an online media environment that is inclusive and non-discriminatory.

The Protection against hate speech sub-indicator has been included to Media literacy assessment as it is deemed that the more media literate people are, the more resilient they should be to hate speech, and should also resist spreading it online by understanding better the potential consequences (including legal, social and individual). The competencies within media literacy can educate and empower individuals and provide them with the competencies they need to respond to perceived hate speech rapidly as it appears. ML initiatives can also aim to inform individuals about the reach and potential impact of unlawful or harmful speech online, as well as about legal frameworks and consequences for that kind of speech, in order to raise the awareness and the culture of communication and expression online.

Answer options

- Low risk: Yes, efforts have been effective
- Medium risk: Not in all cases
- High risk: Efforts are not being effective at all or there have been no such efforts
- Not Applicable

No Data

199. Have efforts to remove hate speech toward women from social media been effective?

The definition of **hate speech** used here is based on case law of the European Court of Human Rights https://www.echr.coe.int/Documents/FS_Hate_speech_ENG.pdf: Every ‘formality’, ‘condition’, ‘restriction’ or ‘penalty’ imposed to freedom of expression must be proportionate to the legitimate aim pursued. (Handyside v. the United Kingdom judgment of 7 December 1976, § 49). “Tolerance and respect for the equal dignity of all human beings constitute the foundations of a democratic, pluralistic society. That being so, as a matter of principle it may be considered necessary in certain democratic societies to sanction or even prevent **all forms of expression which spread, incite, promote or justify hatred based on intolerance** ..., provided that any ‘formalities’, ‘conditions’, ‘restrictions’ or ‘penalties’ imposed are proportionate to the legitimate aim pursued.” (Erbakan v. Turkey judgment of 6 July 2006, § 56).

Subindicator / Type

Protection against hate speech / T

Method

Method of measurement This variable aims to assess whether there is a (self)regulatory framework to counter hate speech online and whether it has been efficient in removing hate speech toward people with women from online platforms, while not presenting any risk to freedom of expression. It further takes note on whether there are any media literacy or other educational initiatives in a country that aim to prevent or counteract hate speech.

- In particular, the sub-indicators aims to assess whether the (self-)regulatory instruments in place are effectively and non-arbitrarily limiting hate speech and foster an online media environment that is inclusive and non-discriminatory.

The Protection against hate speech sub-indicator has been included to Media literacy assessment as it is deemed that the more media literate people are, the more resilient they should be to hate speech, and should also resist spreading it online by understanding better the potential consequences (including legal, social and individual). The competencies within media literacy can educate and empower individuals and provide them with the competencies they need to respond to perceived hate speech rapidly as it appears. ML initiatives can also aim to inform individuals about the reach and potential impact of unlawful or harmful speech online, as well as about legal frameworks and consequences for that kind of speech, in order to raise the awareness and the culture of communication and expression online.

Answer options

- Low risk: Yes, efforts have been effective
- Medium risk: Not in all cases
- High risk: Efforts are not being effective at all or there have been no such efforts
- Not Applicable
- No Data

200. Are there any media literacy or other educational initiatives in your country that aim to prevent or counteract hate speech?

The focus here is on hate speech online. The competencies within media literacy can educate and empower individuals and provide them with the competencies they need to respond to perceived hate speech rapidly as it appears. ML initiatives can also aim to inform individuals about the reach and potential impact of unlawful or harmful speech online, as well as about legal frameworks and consequences for that kind of speech, in order to raise the awareness and the culture of communication and expression online.

Subindicator / Type

Protection against hate speech / T

Answer options

- Low risk: There are many and/or well-established media literacy or other educational initiatives that aim to prevent or counteract hate speech
- Medium risk: There are only nascent or fragmented initiatives
- High risk: No initiatives of this kind
- Not Applicable
- No Data

Appendix: Summary tables

Area	Indicator	Subindicator	N° variables	Digital
Basic Protection	Protection of freedom of expression	Respect of FoE international standards	6	0
Basic Protection	Protection of freedom of expression	Guarantees for FoE online	6	6
Basic Protection	Protection of freedom of expression	Proportionate balance between protection of FoE and dignity	3	0
Basic Protection	Protection of right to information	Legal protection of right to information	4	0
Basic Protection	Protection of right to information	Protection of whistleblowers	3	0
Basic Protection	Journalistic profession, standards and protection	Access to the profession	1	0
Basic Protection	Journalistic profession, standards and protection	Working conditions	2	0
Basic Protection	Journalistic profession, standards and protection	Physical safety	3	0
Basic Protection	Journalistic profession, standards and protection	Life safety	1	0
Basic Protection	Journalistic profession, standards and protection	Digital safety	2	2
Basic Protection	Journalistic profession, standards and protection	Positive obligations	1	0
Basic Protection	Journalistic profession, standards and protection	Protection of sources	2	0
Basic Protection	Journalistic profession, standards and protection	Journalism and data protection	3	3
Basic Protection	Independence and effectiveness of the media authority	Appointment procedures	2	0
Basic Protection	Independence and effectiveness of the media authority	Competencies	4	0
Basic Protection	Independence and effectiveness of the media authority	Independence	1	0
Basic Protection	Independence and effectiveness of the media authority	Budgetary independence	2	0
Basic Protection	Independence and effectiveness of the media authority	Accountability	1	0
Basic Protection	Universal reach of traditional media and access to the Internet	PSM coverage	2	0

Basic Protection	Universal reach of traditional media and access to the Internet	Broadband coverage	1	1
Basic Protection	Universal reach of traditional media and access to the Internet	Internet access	2	2
Basic Protection	Universal reach of traditional media and access to the Internet	Net neutrality	3	3
Market Plurality	Transparency of media ownership	Disclosure of media ownership	5	2
Market Plurality	Transparency of media ownership	Transparency of ultimate ownership	4	2
Market Plurality	News media concentration	Horizontal concentration - Regulatory safeguards	4	1
Market Plurality	News media concentration	Horizontal concentration - AVMS	2	0
Market Plurality	News media concentration	Horizontal concentration - radio	2	0
Market Plurality	News media concentration	Horizontal concentration - newspapers	2	0
Market Plurality	News media concentration	Horizontal concentration - digital	3	3
Market Plurality	News media concentration	Cross-media concentration	4	4
Market Plurality	Online platforms concentration and competition enforcement	Gateways to news	4	4
Market Plurality	Online platforms concentration and competition enforcement	Competition enforcement	5	4
Market Plurality	Media viability	Revenue and employment trends - AVMS	2	0
Market Plurality	Media viability	Revenue and employment trends - Radio	2	0
Market Plurality	Media viability	Revenue and employment trends - Newspapers	2	0
Market Plurality	Media viability	Revenue and employment trends - Digital native	2	2
Market Plurality	Media viability	Revenue and employment trends - Local media	2	0
Market Plurality	Media viability	Media market resources	4	3
Market Plurality	Media viability	Regulatory Incentives	4	3
Market Plurality	Commercial & owner influence over editorial content	Appointments and dismissals	2	0

Market Plurality	Commercial & owner influence over editorial content	Editorial decision-making	6	3
Political Independence	Political independence of media	Conflict of interest	2	0
Political Independence	Political independence of media	Political control over media outlets	5	1
Political Independence	Political independence of media	Political control over news agencies	2	0
Political Independence	Editorial autonomy	Appointment of editor-in-chief	2	0
Political Independence	Editorial autonomy	Effectiveness of self-regulation	3	1
Political Independence	Audio visual media, online platforms and elections	PSM bias	5	0
Political Independence	Audio visual media, online platforms and elections	Commercial audiovisual media bias	2	0
Political Independence	Audio visual media, online platforms and elections	Rules on political advertising in audiovisual media	3	0
Political Independence	Audio visual media, online platforms and elections	Rules on political advertising online	5	5
Political Independence	State regulation of resources and support to media sector	Spectrum allocation	2	0
Political Independence	State regulation of resources and support to media sector	Distribution of government subsidies	4	0
Political Independence	State regulation of resources and support to media sector	Distribution of state advertising	2	0
Political Independence	Independence of PSM governance and funding	PSM management board	2	0
Political Independence	Independence of PSM governance and funding	PSM Director General	2	0
Political Independence	Independence of PSM governance and funding	PSM funding	3	1
Social Inclusiveness	Access to media for minorities	Access to PSM	4	0
Social Inclusiveness	Access to media for minorities	Access to private broadcasters	2	0
Social Inclusiveness	Access to media for local/regional communities and for community media	Access to media for local/regional communities	4	0
Social Inclusiveness	Access to media for local/regional communities and for community media	Access to media for community media	4	0
Social Inclusiveness	Access to media for people with disabilities	Legal safeguards	3	0
Social Inclusiveness	Access to media for people with disabilities	Support services	2	0

Social Inclusiveness	Access to media for women	Gender equality in PSM	3	0
Social Inclusiveness	Access to media for women	Representation of women	6	0
Social Inclusiveness	Media literacy	Media literacy policies	1	0
Social Inclusiveness	Media literacy	Media literacy activities	4	0
Social Inclusiveness	Media literacy	Digital competencies	2	2
Social Inclusiveness	Media literacy	Protection against hate speech	5	4