

Media Clientelism Index 2015

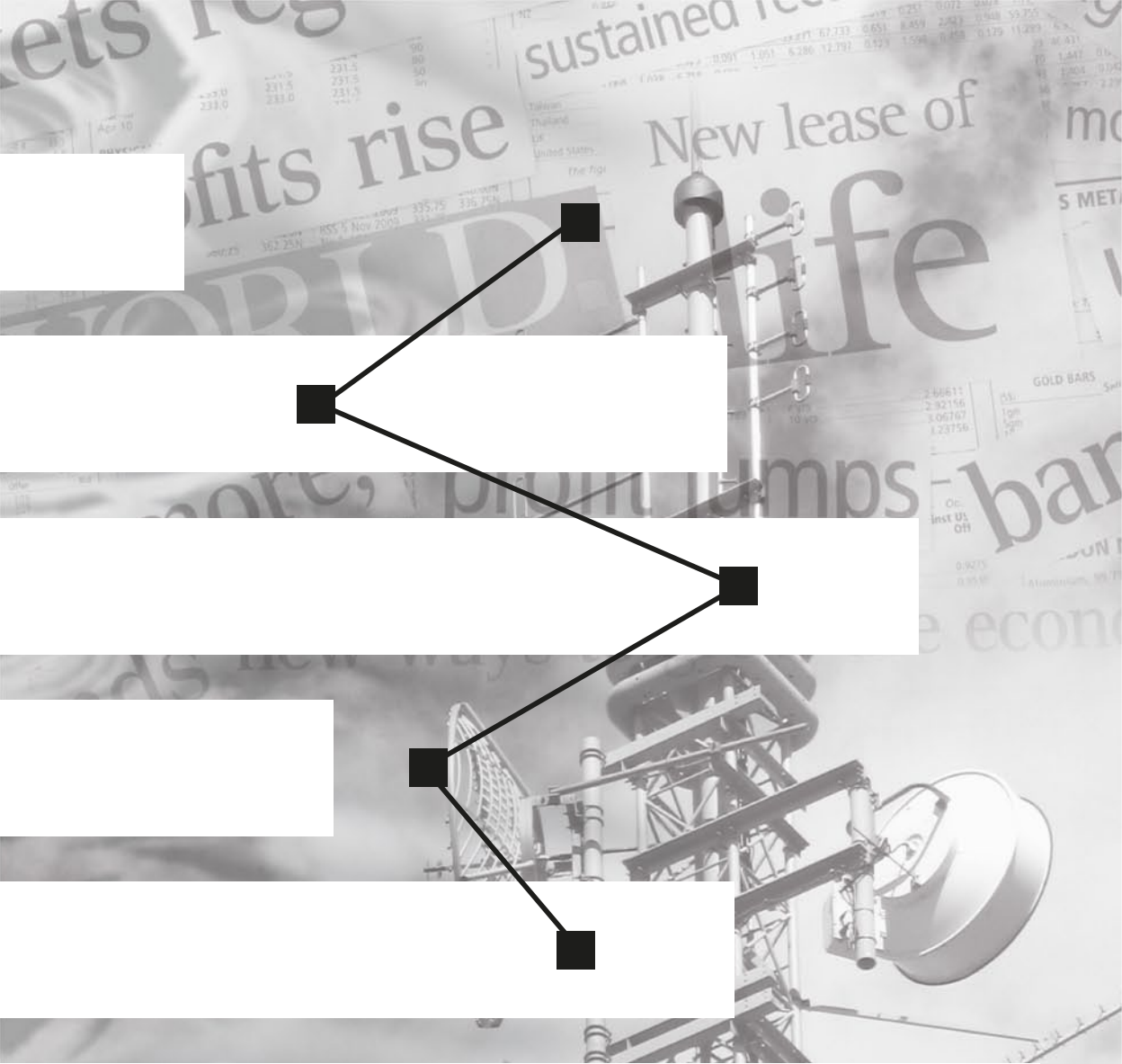
Measuring Media Realities



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Measuring Media Realities

MEDIA CLIENTELISM INDEX 2015: MEASURING MEDIA REALITIES

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MEDIA CIRCLE project aims to create permanent values – a tool for monitoring Media Clientelism Index and news portal Fairpress.eu, dealing exclusively and systematically with media related issues. These unique instruments are creating data and insight into the media world that has never been available before while designing cross country emergency response system to journalists in need and continuous advocacy and awareness network of committed professionals and organizations.

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Introduction

The Media Clientelism Index (MCI) is the first cross-country comparative and country-specific report on the state of media clientelism and politicisation based on empirical data. Experimental research, i.e. ground zero measuring of the Index, was conducted in six countries of South East Europe (the Republic of Croatia, Bosnia and Herzegovina, Montenegro, FYR Macedonia, the Republic of Serbia, and Romania) within the framework of the Civil Response to Clientelism in Media – MEDIA CIRCLE project financed from the Instrument for Pre-accession Assistance by the European Union (IPA) Civil Society Facility (CSF) and co-financed by the Croatian Government Office for Cooperation with NGOs. The project leader is the Partnership for Social Development, with a consortium comprising eight organisations, including the Expert Forum from Romania; BH journalists and VESTA from Bosnia and Herzegovina; the Public Policy Institute from Montenegro; the Public Association for Research, Communications and Development from FYR Macedonia; the Independent Journalists' Association of Vojvodina and the Lawyers' Committee for Human Rights (YUCOM) from Serbia.

Clientelism in media; what is it, why and how do we measure it?

The Media Clientelism Index (MCI) focuses on evidence-based proof of limitations in terms of clientelist practices, and consequently on measuring the risks of media capture in targeted societies. Clientelism is a broad term used to define the social, political and economic “quid pro quo” relationships defined by asymmetrical power between the participants in a certain relationship (Roniger, 2004). The Index itself needs to be examined as a means of determining political pathology, i.e. the level of deviation from the universal principle connected to the exercise of social power. For the most part, the Media Clientelism Index refers to the documentation of regulatory and institutional barriers to malignant forms of clientelism that turn into political corruption. Documentation of proof that these exist (mostly determined by yes/no answers supported by documentary “proof of existence” from primary sources) is “translated” into the Index using the Potential method (ranking) based on graph theory.¹ The method may be applied in modelling all human activities which are based on preferences (in our case, the main priority is the existence of the previously mentioned limitations in terms of clientelism in the media). This method has been implemented so far in various forms of multi-criteria decision-making (hierarchical models and decision table

¹ Author of the Potential Method is Lavoslav Čaklović, Ph.D., University of Zagreb, Faculty of Science, Department of Mathematics. More information in: Čaklović, Lavoslav (2014) Theory of Evaluation with Emphasis on the Potential Method – principals, methods, applications, Zagreb: Slap

models with missing data), as well as in other areas where a set of existing and missing indicators leads to diagnosis (including medical). In the context of the Index, the results of measuring the Media Clientelism Index ground zero in the media can be interpreted as the diagnostics of barriers to clientelist practices in the media, or as the measurement of the level of universality of interaction between politics, the media and the population (including the private sector).

Politics, the media and the population

The best way to visualise the Media Clientelism Index (MCI) is to draw a chart of the relations and exchange of power and services between different actors: politics, the media, the population (and private entities in general – i.e. economic operators). Each of these groups has a certain asymmetric power in relation to the others that can be used in trade-offs. In a normal, functioning democracy, the asymmetric powers in different relations between actors are held in balance by universal principles. The ideal equilibrium, if reached, serves as the self-perpetuating engine of development and advance in governance, and in other areas of human activity. However, when one (or more) trade-off deviates from universal norms, undue influence over democratic processes and malignant power imbalances result. The occurrence of such deviations in the public sector and political decision-making is often seen by the general public as corruption, and is often detected as the discrepancy between public opinion on corruption (that corruption is widespread) and the actual experiences of ordinary citizens in giving/receiving bribes (often noted as low/incidental). Even in developed democracies, the population tends to have a perception that corruption is widespread, although the evidence of day-to-day bribery is almost non-existent. This “invisible”, often non-determinable aspect of corruption largely lies in malignant clientelist practices in the exercise of power by the above-mentioned actors.

Clientelism or clientelist practice leads to deviation from universal principles in exercising power by one or more actors, as well as in the process of distributing resources, which are by default limited. Consequently, clientelism limits access to resources for actors who are not part of the clientele, and depletes the universality of the democratic system. In the case of media clientelism, different actors wield different asymmetrical powers against each other. Politicians, when elected, wield the power of framing media policies and distributing financial resources and/or licenses for a variety of media activities that can significantly affect media market operators. At the same time, the media wield the power of distorting politicians’ images, and this can affect their election success. Therefore, the politics-media relationship is a high risk area for the occurrence of clientelist practice. On the other hand, citizens and the private sector wield a

certain power over both politicians and the media – firstly by casting their votes, and secondly by reading/watching and advertising. Therefore, each of these relationships, if not guided by universal principles, can cause significant damage to the democratic system and, if not properly dealt with, can lead to social capture and reform-resistant societies, in which the power equilibrium of clientelist elites run the show. In social capture societies, democracy and democratic processes simply represent tools of deception for the general public, and generators of formal power. Therefore, the Media Clientelism Index may serve as a detection and prevention tool in the case of malignant clientelist practices, i.e. in the process of exercising certain social powers. It can ultimately assist and drive policymakers and social actors toward building a society based on universality, enabling them to measure and see progress based on empirical evidence rather than impressions.

Although the MCI refers to academic theory in different areas, at this stage its purpose is not to develop new theories or prove existing ones. The MCI is first and foremost a tool for actors and decision-makers in the media policy area, to help them reach decisions based on “reality”. Since the Index provides the relevant evidence for decision-making in any political discourse, it serves a consultation tool for all interested actors.

What is being measured, and how?

For the purpose of compiling the Media Clientelism Index, scientific papers were consulted, as well as various measurements of associated terms by various actors, such as Freedom House Freedom of the Press, CIRI Index, Global Integrity index, World Governance index, etc. However, in the sense of the development of media policies, institutional frameworks, groups of indicators and their expected measurements, the document *Guidelines for EU support to media freedom and media integrity in enlargement countries, 2014-2020* was used.

Since the Index targets EU member countries, and countries in the accession process, the greatest impact in designing the Index comes from attitudes and measurements formulated by the bodies of the EU. Therefore, it is to be expected that the MCI will have the greatest effect and relevance exactly in these areas.

The MCI collects all data that might be relevant in measuring compliance by the legal and institutional framework in relation to EU standards and criteria in the area of media policies, at a time when these standards and criteria are standardised at the EU level. Alongside the previously mentioned indicators, the collection of indicators measuring “reality”, i.e. data that determine the level of accountability of media actors and limitations in terms of clientelist practices, as

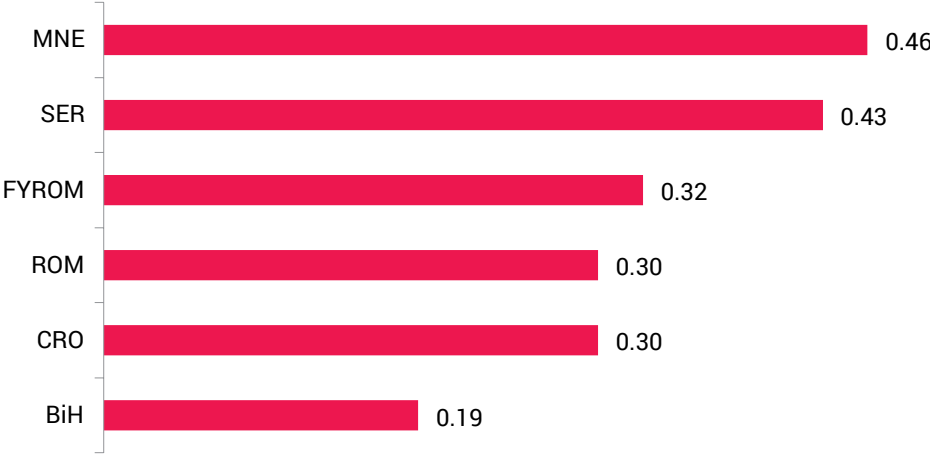
well as the functioning of the media industry as a whole, benefits each respective country where the measurements were conducted to determine priorities in defining public policies.

At ground zero, the Index is still unstable, given the dynamics of the development of media policies and scenes in the different countries it covers. The stabilisation of the Index, i.e. its fixation, is expected in the first measurement of the progress of the countries it covers (December 2016). Until then, given the availability of data, the Index will ensure comprehensive measurements in various areas.

Since the Index was designed to be sensitive to changes in the media scene as well as changes in socio-economic indicators, a greater dynamic and sensitivity towards changes in measurements, in comparison to other indices, is to be expected over time.

The Media Clientelism Index is a composite index based on four partial indices, each measuring different, but mutually connected categories (topics, attributes). Measurements are shown for each category and for the composite Index. Finally, indications of the measurement of the Index in reality were determined (econometric indicators).

MC1 T1/ Country's legal and institutional capacity to detect and eradicate particularistic practices in media policy-making and industry performance (0-1 best)

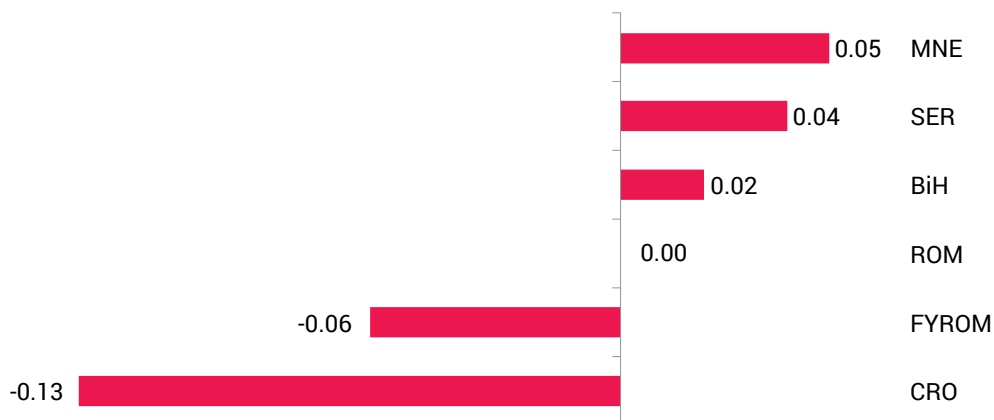


The longer, the more intense and more dynamic the process of accession to the EU, the better the picture and quality of the regulatory and institutional framework in relation to the risk of clientelism. In the area of protecting journalists, all countries have more or less successful professional associations engaged in the issues of protecting the profession and rights of journalists. The obligation of public access to information on political party advertising in (all) media is present in most countries (with certain restrictions in Bosnia and Herzegovina), while audits of the business operations of public media are obligatory and publicly available in almost all the countries observed (with restrictions in regard to Romania and Bosnia and Herzegovina).

Risks:

- High risk of exposure of members of working groups involved in making media policies (institutional and regulatory framework) to undue influence (clientelist practice) and conflict of interest without real regulatory impediments
- No real barriers to the adoption of "clientelist" laws
- Financial relations, i.e. money flows between the public sector and media (including advertising and commercial contracts) not documented in a satisfactory manner
- No real barriers to clientelism in regard to awarding grants or financial aid to the media.
- No unified, obligatory documentation of various forms of work in the media, leading to the profession's high exposure to (dependence on) owners and employers
- No unified statistics concerning civil lawsuits and criminal proceedings against journalists and publishers in the areas of defamation, insults and public humiliation.

MCI T2 / Practice in policy processes, the existence of clientelistic practices and barriers to it (-1 worst, 1 best)

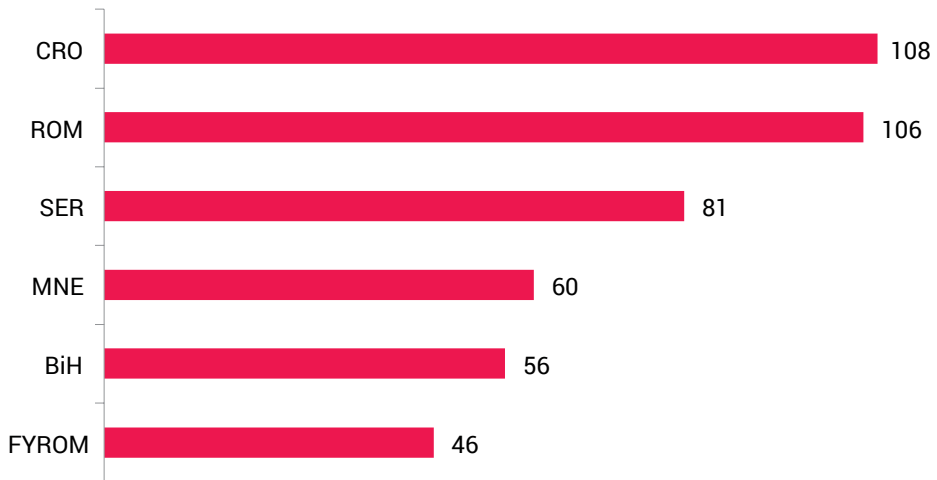


According to data available in public documents, the situations in Montenegro and Serbia are the best in the area of policymaking and policy monitoring, which is to be expected considering the results in MCI T1. Therefore, this chapter also shows the influence of the dynamic of accession to the EU in these countries. In the table below, the countries are divided according to successful/good practices and risks of clientelism in various areas.

**Good practice versus risks of clientelism by country
(table accompanying T2 index):**

	POSITIVE	NEUTRAL	NEGATIVE (HIGH RISK)
Bosnia and Herzegovina		Employment rights; Self-regulatory bodies	Transparency of ownership; Monopoly; Transparency of public media financing
Montenegro	Self-regulatory bodies	Transparency of ownership; Transparency of public media financing	Monopoly; Employment rights
Croatia	Employment rights		Transparency of ownership Monopoly Transparency of public media financing; Self-regulatory bodies
FYR of Macedonia	Employment rights	Transparency of ownership	Monopoly; Transparency of public media financing Self-regulatory bodies
Serbia	Transparency of ownership	Transparency of public media financing Employment rights Self-regulatory bodies	Monopoly
Romania	Transparency of public media financing	Transparency of ownership Monopoly	Employment rights

MCI T3 Ability of countries to apprehend the situation in the media according to the declarative existence of data (max. 148)



For the measurement results in all countries, the following data were collected: information on the existence and duration of public discussion in relation to passing regulatory acts; the jurisdiction and jurisprudence of regulatory bodies and the influence of decisions by regulatory bodies on the media in question; the existence and number of public service broadcasters and media in public ownership, and general economic data such as the average salary in the country, GDP, etc. The data least available in the observed countries were in the area of information on the marketing/advertising industry, including the proportion and value of advertising in certain media and the state of the advertising industry and proportion of the public sector in the advertising industry.

**Good practice versus the risks of clientelism by country
(table accompanying T3 Index):**

	POSITIVE	NEUTRAL	NEGATIVE (HIGH RISK)
Bosnia and Herzegovina		Process of passing regulatory acts and their effect; Media ownership (detecting anomalies); Risk of undetected market clientelism; Risk of the influence of clientelism on press freedoms	
Montenegro		Media ownership (detecting anomalies); Risk of undetected market clientelism; Risk of the influence of clientelism on press freedoms	Process of passing regulatory acts and their effect
Croatia	Functioning of the institutional framework; Media ownership (detecting anomalies); Determining the risk of market clientelism; Determining the risk of the influence of clientelism on press freedoms	Process of passing regulatory acts and their effect; Risk of undetected market clientelism; Determining risk of the influence of clientelism on press freedoms	

FYR
Macedonia

Determining the risk
of the influence of
clientelism on press
freedoms

Process of passing
regulatory acts and
their effect

Functioning of
the institutional
framework;

Media ownership
(detecting
anomalies);

Ability to determine
the risk of market
clientelism

Serbia

Process of passing
regulatory acts and their
effect;

Media ownership
(detecting anomalies)

Ability to determine
the risk of market
clientelism;

Risk of the influence
of clientelism on press
freedoms

Risk of the influence
of clientelism on
press freedoms

Romania

Process
of passing
regulatory acts
and their effect;

Functioning of
the institutional
framework;

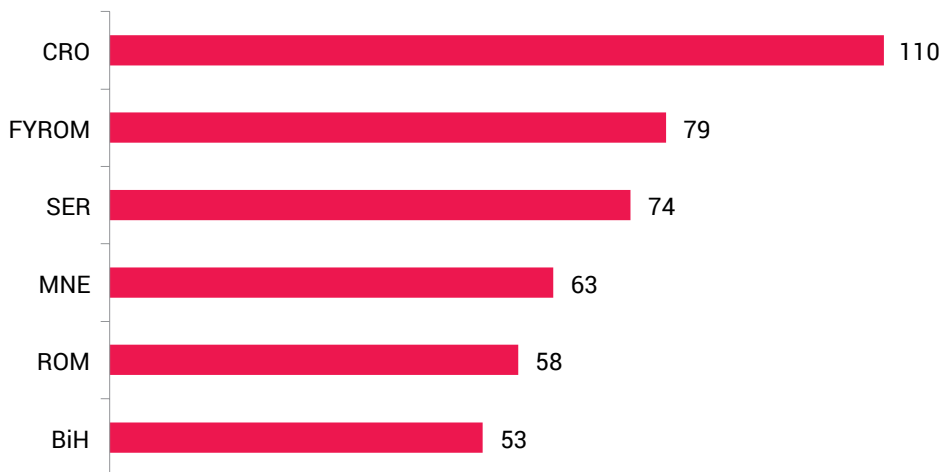
Determining the
risk of market
clientelism;

Determining
the risk of the
influence of
clientelism on
press freedoms

Media ownership
(detecting anomalies)

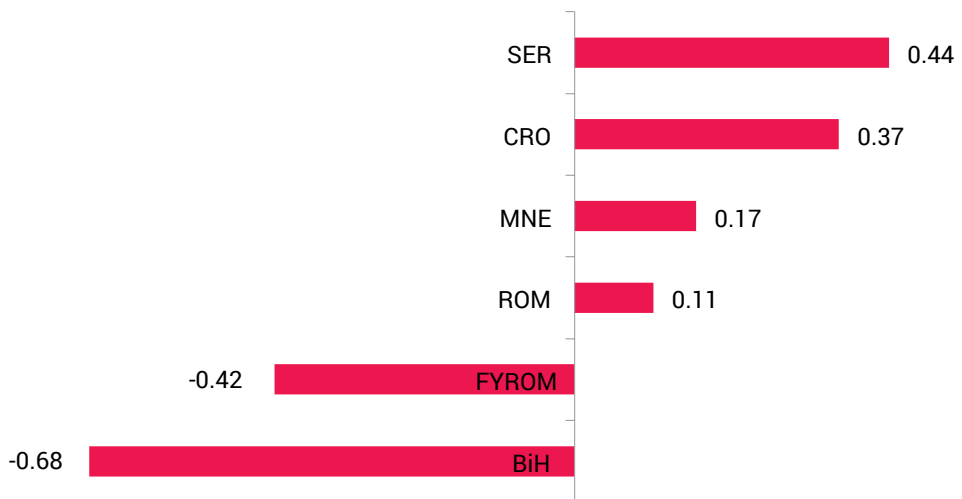
MCI T4 Social capacity to measure media reality (max. 115)

The MCI T4 Index tests the reality of all of the above indices. The value of this index is based on real collected data, which above all test the declarative existence of data in regulations and public documents (index T3, but also T1 and T2), so that in every country observed, specific data were sought to enable the detection of media clientelism in all five categories (Legislative and regulatory framework including adoption processes; Institutional framework and its functioning; Ownership and transparency of media functioning; Market Indicators (media markets); Media freedoms, and Ethics and fundamental rights of journalists).



According to the values in the MCI T4 index, Croatia ranks best, while the worst are Bosnia and Herzegovina and Romania. It is important to stress that in this category (measuring reality), all countries except Croatia show significant limitations in terms of attempts by media policy actors to determine anomalies, especially the risks of media clientelism (political patronage, and also market distortions). The categories measured in this index (115 different categories) suggest that public information management in most of the countries observed is rather poor and lacks a comprehensive, user-friendly approach. The lack of basic data on media industry performance, or interaction between the public sector and private entities (i.e. accurate, verifiable data on subsidies, financial aid, and the economic performance of media outlets) provides a breeding-ground for the development of clientelist practices in most of the societies observed.

Composite Media Clientelism Index, 2014 (-1 worst, 1 best)



As is evident from the previous graph, the best positioned country in the Ground Zero Media Clientelism index is Serbia, which shows considerable advantages in relation to other countries in the following categories: development of the regulatory and institutional framework, impediments to clientelist practices, and the appropriate availability and quality of data dealing with the media issue. Croatia is in second and Montenegro in third place. Romania is in the middle of the scale, while Macedonia and Bosnia and Herzegovina have negative scores, indicating some degree of urgency in these countries in terms of reshaping media policies and infrastructure.

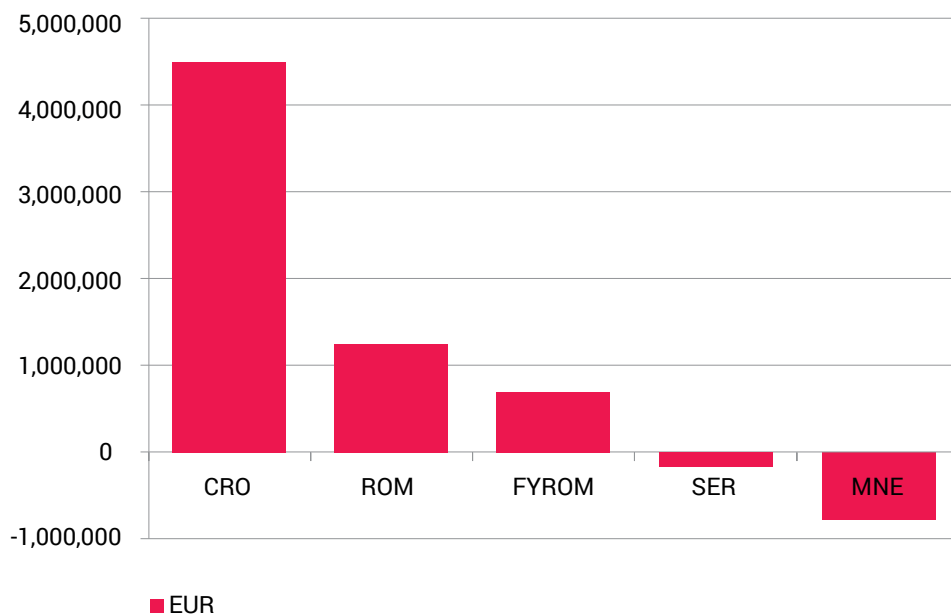
However, although the ranking argues in favour of the media situation in Serbia and Croatia, the result of measurement shows that we are a long way from the required, expected values in each of the respected partial indices. Considering the findings, it is safe to say that the situation in all the observed countries is poor, and that the establishment of serious impediments to clientelist practices has not even started, or is merely in the early stages.

REGIONAL OVERVIEW OF INDICATORS

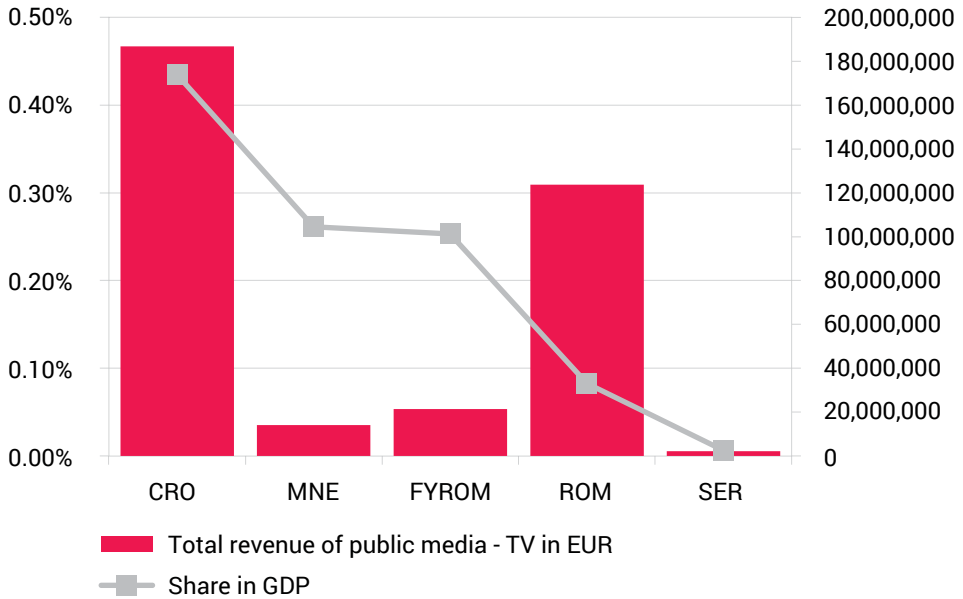
In addition to measuring clientelism, the MCI provides a variety of data (in each subsequent category for each country where such data from primary source exist) on the performance of the media, media industry, employment rights, public service broadcasters' performance and share in the media industry, as well as other indicators relevant to EU level and national policymaking in the areas of media freedoms, integrity of the media, fundamental rights of media actors, and the media industry in general.

Overview of indicators, where cross-country data were available:

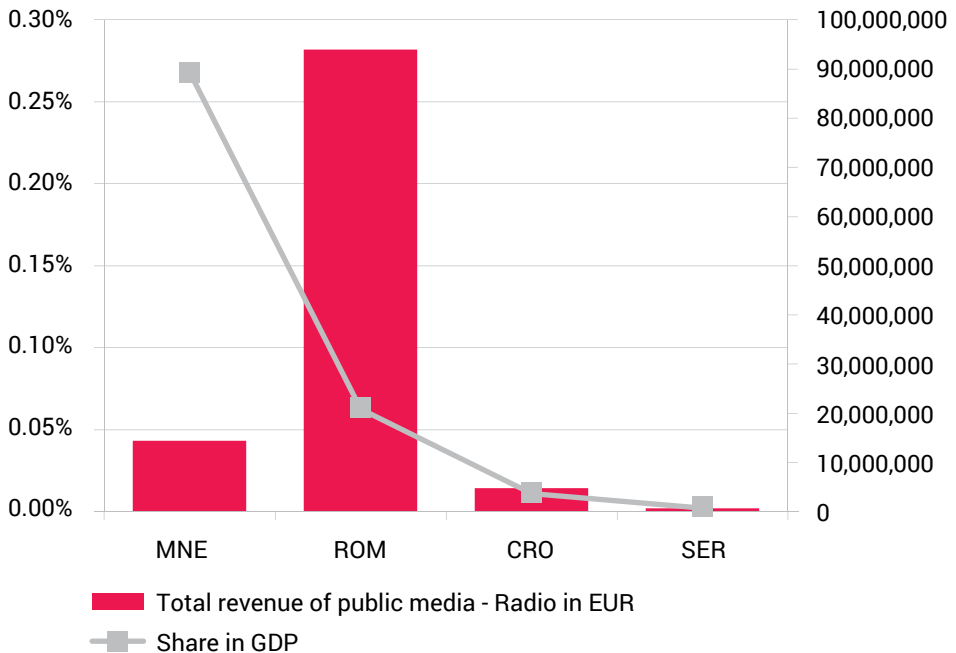
Graph 1 Total profit/loss in public media in EUR, 2014



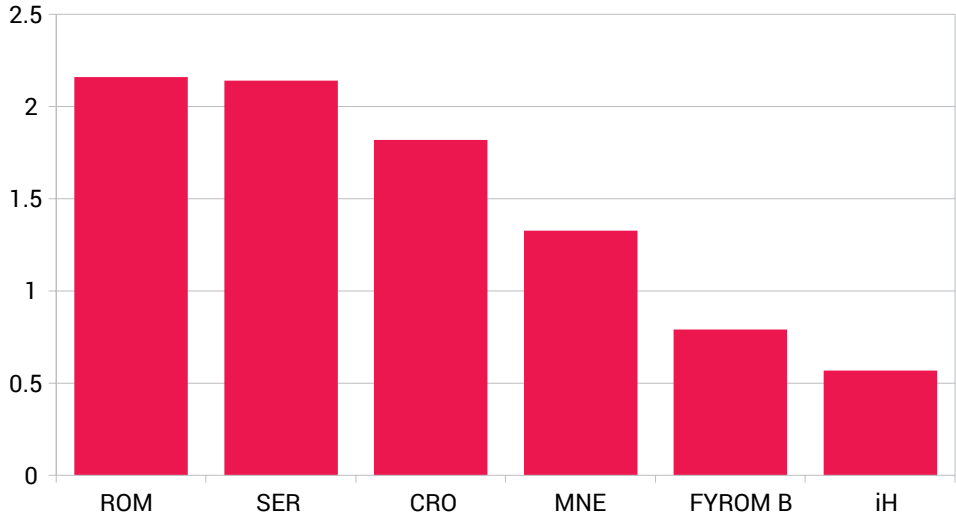
Graph 2 Total revenue of public media – TV in EUR and proportion of GDP



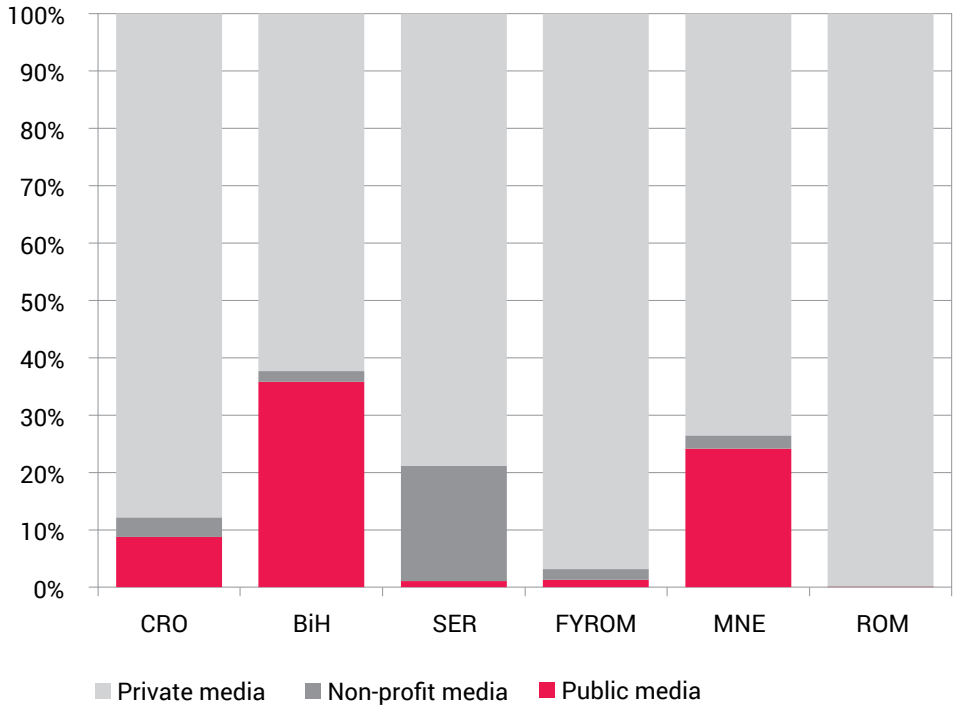
Graph 3 GDP Total revenue of public media – RADIO in EUR and proportion of GDP



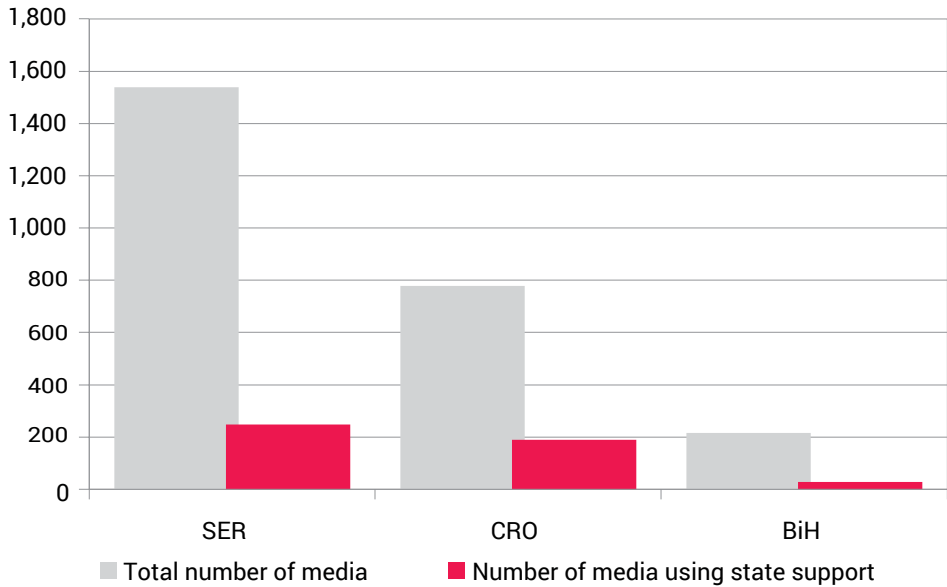
Graph 4 Total number of media (public, non-profit and private) per 10,000 residents in 2014



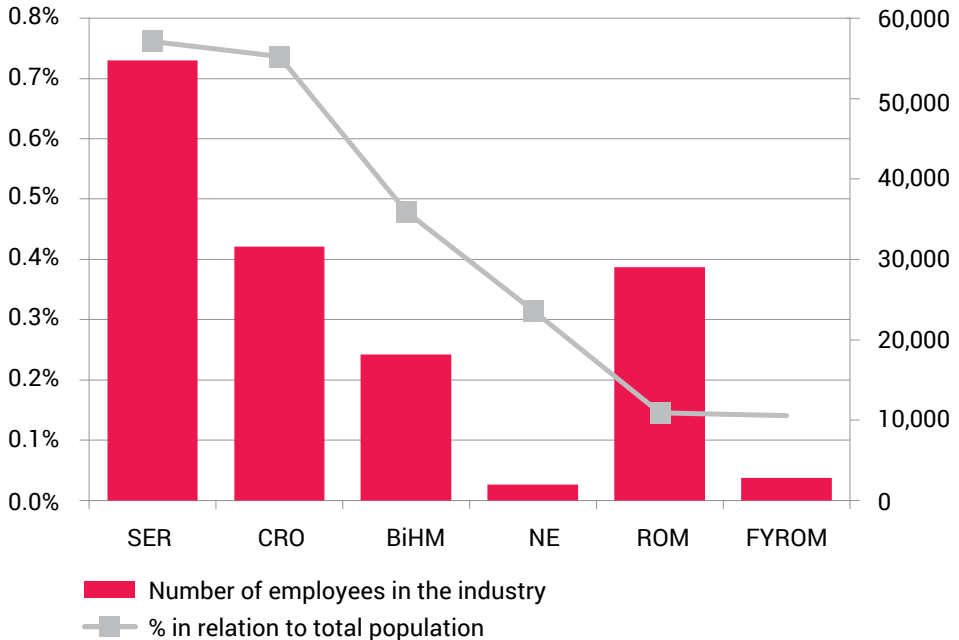
Graph 5 Structure according to type of media ownership in 2014



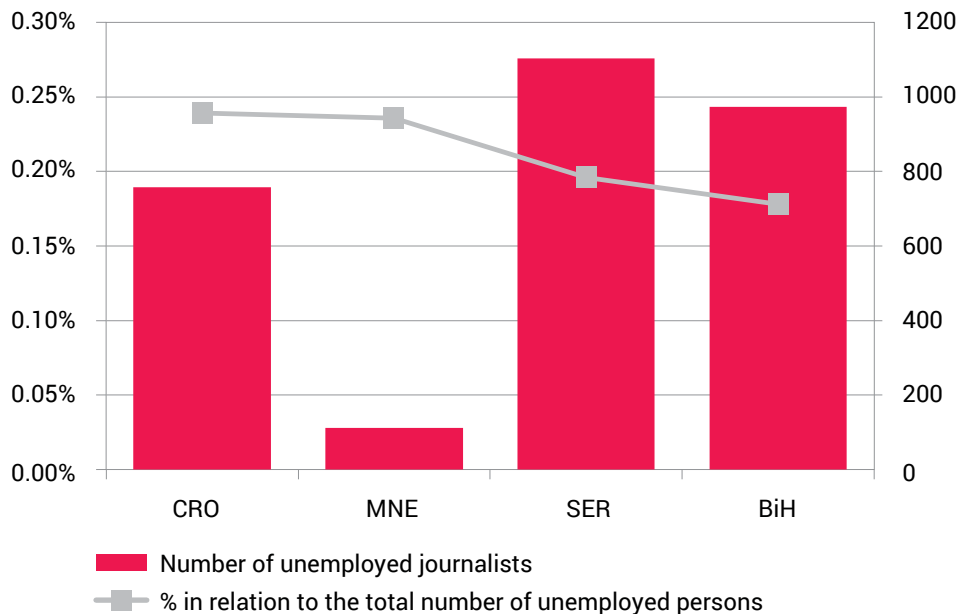
Graph 6 Number of media state aid beneficiaries in 2014



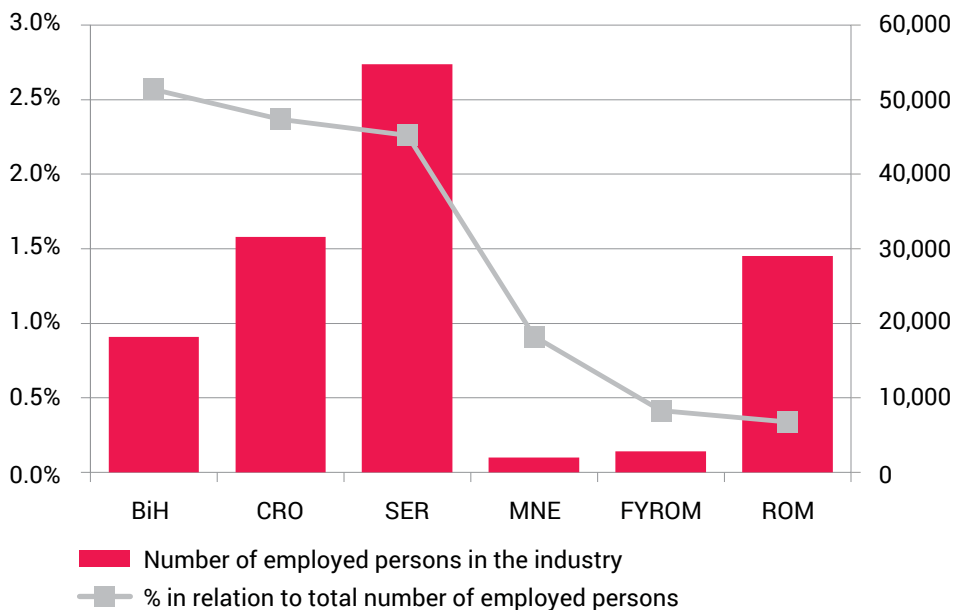
Graph 7 Number of employees in the industry in relation to total population in 2014



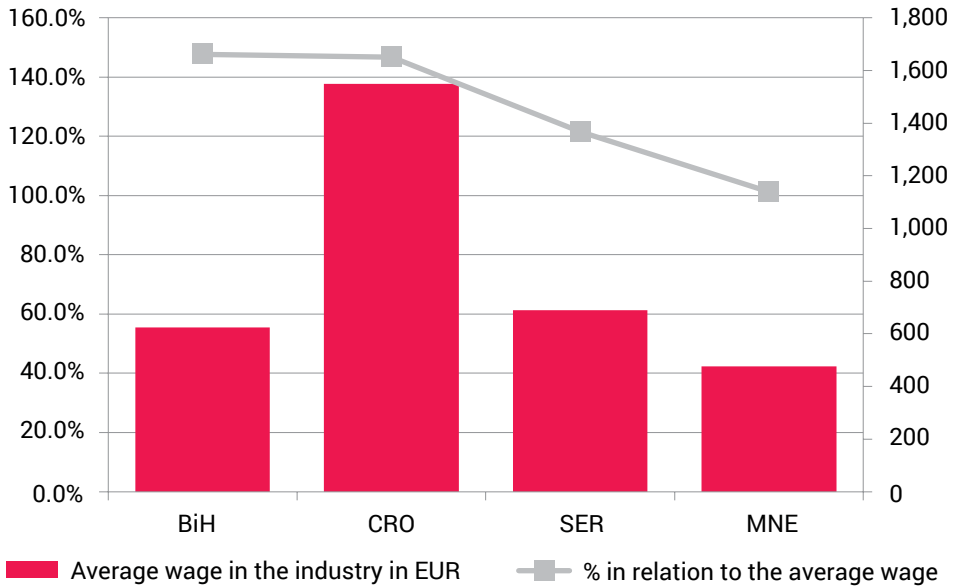
Graph 8 Number of unemployed journalists in relation to the total number of unemployed persons in 2014



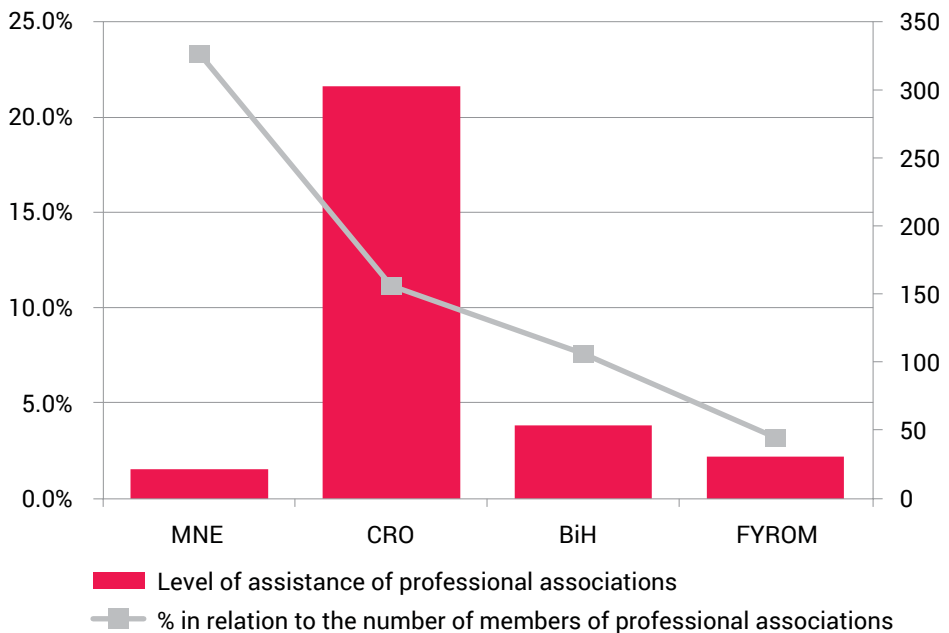
Graph 9 Number of employed persons in the industry in relation to total number of employed persons in 2014



**Graph 10 Average wage in the industry in EUR
in relation to the average wage in 2014**

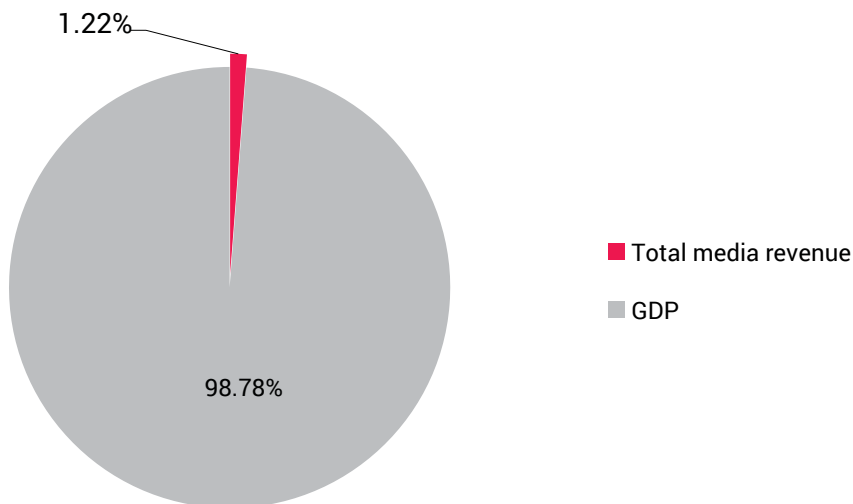


**Graph 11 Level of assistance of professional associations in relation
to the number of members of professional associations in 2014**

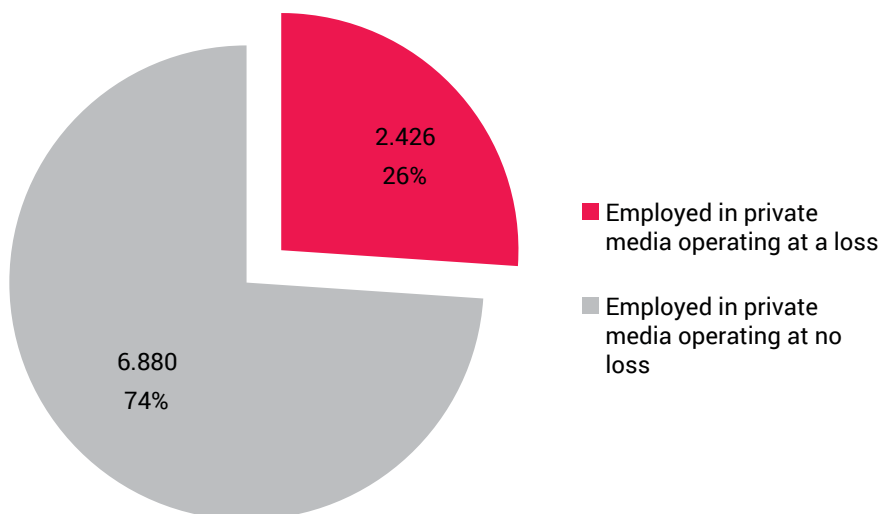


OVERVIEW OF INDICATORS AVAILABLE ONLY FOR CROATIA

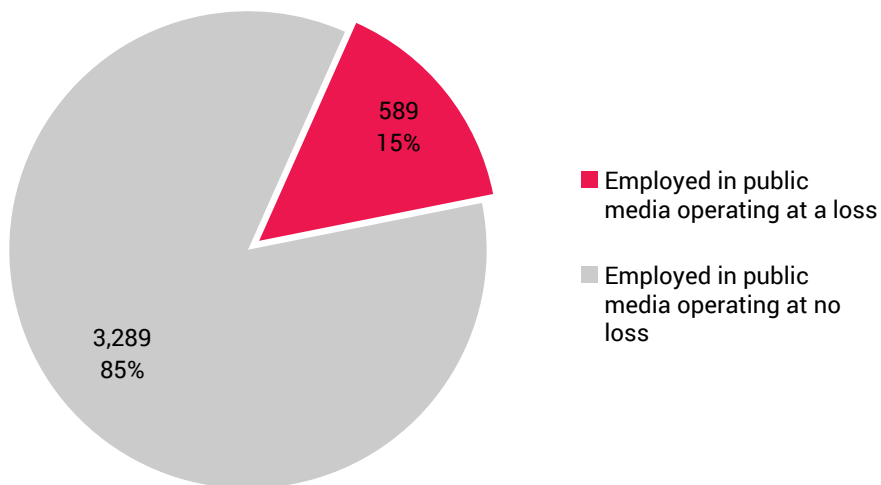
Graph 12 Proportion of revenue of all media in GDP, Croatia 2014



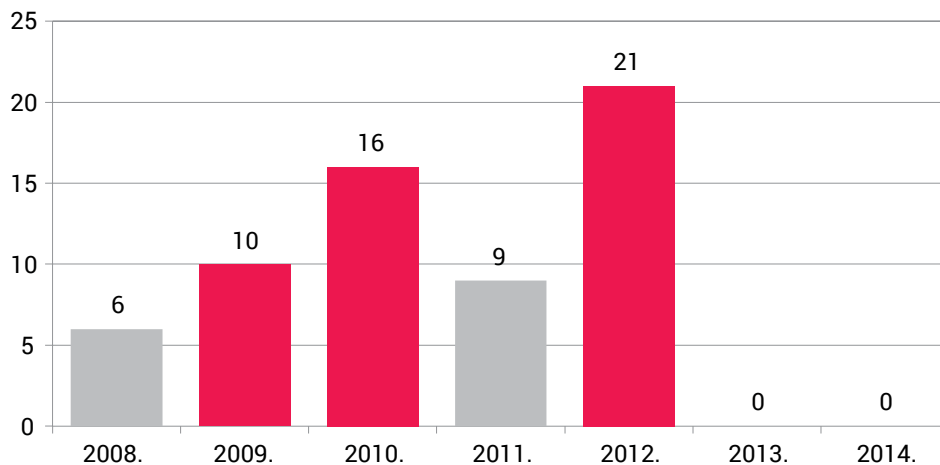
Graph 13 Employed in private media operating at a loss and employed in private media operating at no loss, Croatia 2014



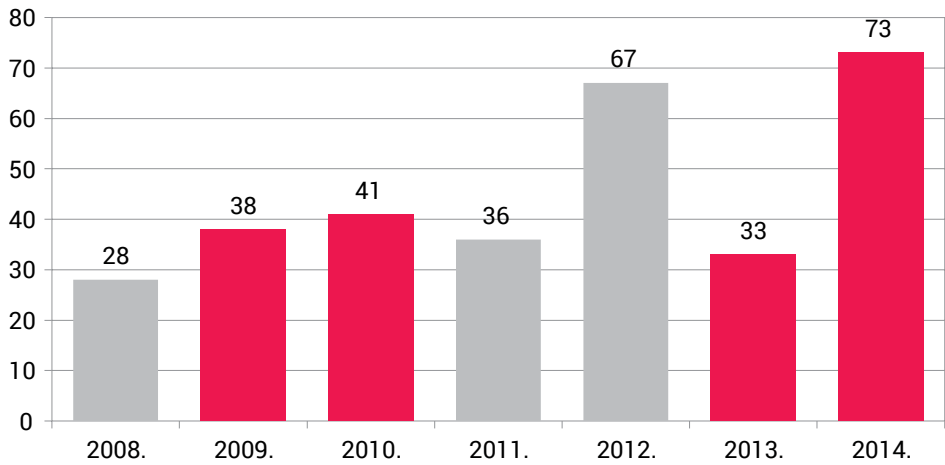
Graph 14 Employed in public media operating at a loss and employed in public media operating at no loss, Croatia, 2014



Graph 15 Number of changes in management bodies of public media owned by central government, 2008 – 2014



Graph 16 Number of changes in management bodies of public media owned by local government, 2008 – 2014



Country narratives:

Bosnia and Herzegovina report: A fragmented political and administrative system that marginalizes the media's need for existence

During research in Bosnia and Herzegovina as part of the “Media Circle project – citizens’ responses to media clientelism in South East Europe” a key problem was presented by the fragmented administrative structure of Bosnia and Herzegovina. Institutions, employment agencies, statistical agencies and laws and regulations are fragmented, which makes it more difficult to collect information and results in inadequate data on journalism and the media industry in the country. Complete, official and precise data on (un)employed journalists, average journalists’ salaries, the number of those on piecework contracts, media operations, and the value of the media industry market, are impossible to obtain. Due to the lack of systematised information and data on journalism and the media industry, requests for access to information are sent to each institution separately, and in regard to media financing, from the municipality to the canton, entity ministries, entity governments, or state ministries. In addition, the fragmentary nature of the administrative structure, laws and regulations is one cause of institutional irresponsibility in the sense of (a lack of) transparency in distributing funds to the media, access to information, the involvement of experts in working groups to produce draft laws, or during elections to important regulatory agency bodies and the radio-television system. This irresponsibility creates a particularly suitable atmosphere for clientelism in the media, and a tendency to present reality as it suits political circles and centres of power, a reality in which public interest and citizens’ needs are not on the media’s list of priorities

Media policy

All important laws relating to the media were passed with the support of the international community up to the end of 2002. The country’s institutions have not shown much interest in the past 12 years in improving the legal framework and media environment. There is no media strategy, and no interest in resolving important aspects of the media, such as ownership transparency, privatisation, the transparency of budget financing, or creating a better economic framework for the media. In contrast to real needs in Republika Srpska (RS), at the beginning of 2015, the Act on Public Order and Peace was adopted, aimed at controlling the internet and thus limiting the freedom of speech in the country. There is no Advertising Act at the state level in Bosnia and Herzegovina. The media there do

not have equal access to advertisers. Via Serbia and Croatia, major advertisers have built up a market in Bosnia and Herzegovina, creating pressure on the country's own media. The lack of interest on the part of decision-makers and the tendency to ignore the media sector have resulted in the last time-limit for the digitalisation process in Bosnia and Herzegovina, 17 June 2015, being overrun, so the country has violated an international agreement and placed the survival of the RTV signal in danger. In addition, in 2015, the public service faced serious threats to its financial survival as a result of the lack of an efficient, stable system for collecting RTV fees for the three public entities (BHRT, RTVBIH and RTRS). Due to political pressure, and attempts to divide the public information system further according to national and political interests, rather than the information needs of citizens, the survival of public services as independent, professional media has been placed under serious scrutiny. It is important to emphasise that solid prerequisites have not yet been formed for the creation of new media laws or proposals for amendments. The adoption of laws in the country does not involve clear legal provisions obliging all institutions to include public debate on draft laws, nor is the selection of the members of working groups for the adoption of acts sufficiently defined, while public invitations to select the members of such groups are avoided. Draft laws or draft amendments are mostly not made accessible to the public in an adequate manner. It cannot be claimed that high-quality consultations, public debates, or transparent legislative organs form part of adopting regulations. The practice of the authorities consulting with the civil sector on legal acts is virtually non-existent. An example is the adoption of the Act on Public Order and Peace in Republika Srpska. Neither civil society nor professional associations were involved in preparing the draft act, and in reaching important decisions unless they themselves got involved at the crucial time and fought for positions in these processes. *A positive example is the influence of civil society in preventing the adoption of amendments to the Act on Access to Information in Bosnia and Herzegovina. The Justice Ministry launched the process of public consultations regarding amendments to Act on the Freedom of Access to Information on 10 May 2013. The draft amendments were confirmed by a working group in which no representatives from the academic community, civil society organisations or professionals from the relevant authorities were included. In addition, at the beginning of 2013 the Bosnia and Herzegovina Journalists' Association insisted on and succeeded in proposing members of an ad hoc committee to implement the procedure of selecting candidates for the Council of Regulatory Agencies for Communication. The Ministry of Traffic and Communication, though violating the legal time-limit by three months, proposed two Members of Parliament to represent the government sector in the ad hoc committee, while other members were either involved in conflicts of interest, or did not possess the required expertise in the area of telecommunications and the media*

Transparency of ownership

There is no law in Bosnia and Herzegovina regulating transparency of ownership in the media, so there is no way of making the register accessible in a “simple and transparent manner”, as stated in one of the Council of Europe’s directives. This envisages a complete register of the media, with information on ownership, and monitoring of capital resources and hidden ownership. Ownership concentration has been completely unregulated since 2006, when the Regulation on media concentration and ownership of electronic and printed media expired (adopted in 2004). The Act on Competition relates to all business sectors and provides a response to specific complaints, but does not act strategically in this regard. Due to the lack of ownership regulation, there is a clear danger of monopolisation in the media sphere, opening the door to media clientelism. There is no publically accessible, complete register of all media in Bosnia and Herzegovina, whether private or public, radio stations, television, printed or online media. Electronic media are required to register and report their ownership structures to the RAK, in order to be granted licences for television or radio stations. They are also required to report any changes in ownership structures affecting more than 5%. The register is published on the RAK website, but does not contain information on ownership, only details regarding editors and directors.

Transparency of ownership is especially controversial when it relates to online media. There is no standard for publishing ownership details, which creates a huge problem in potential court cases waged against portals. The press and online media register is available on the website of the Press Council of Bosnia and Herzegovina, giving details of editors and directors, but without separating private from public media. A complete, precise register of online media is impossible to compile, given the large number of online media and the lack of organisation in terms of compulsory registration. Domestic institutions have shown no interest in regulating the area of transparency of ownership as one of the key elements in preserving and strengthening pluralism, which is the essence of democratic society in Europe.

Media financing

Research has indicated a lack of transparency in media financing from public budgets. The Government of Bosnia and Herzegovina allocates budget funds at different levels to finance both public and private media. However, there are no clear rules on the basis of which state organs should allocate funds to public media, which leads to uneven financing and the creation of great disparities. Alongside regular public media financing, the media are also given non-refundable grants, again without clearly defined criteria or public invitations to apply. These

grants are not structured so as to enable support for particular projects, such as children's, documentary, or educational programmes. In state and entity institutions, primarily ministries, advertising and media services feature in various acts, but it is difficult to arrive at precise information on paid media services. In the budgets of these institutions, media services are often not identified clearly. The lack of transparency in media financing is a consequence of political clientelism in the media, which makes them biddable and introduces censorship and self-censorship. Budget funds are most often handled in a non-transparent way at the level of the cantons of the Federation of Bosnia and Herzegovina and Republika Srpska.

The most obvious example of the non-transparent allocation of budget funds was the media fund of the Government of RS for media in the entity. The highest amount was set apart in 2008, when KM 2 million was earmarked for the media, but during budget revisions, a further KM 5 million was added. During 2010 and 2011, the Government of the RS spent a further KM 7.5 million, mostly financing private media. In 2012, it paid KM 830,000 to private media in the entity in the first four months of the year. It took funds for subsidising private media from the budget line for paying for expert services. Economic sustainability is stimulated not only by government, but also by party structure. Non-transparent media financing through advertising a political party's public companies places pressure on the media and demands compliance. The only way to foster a diverse media environment is to develop suitable criteria, with transparent allocation of public funds.

Political influence on the media

The institutional and political environments do not contribute to the formation of conditions for complete freedom of speech and media functioning in Bosnia and Herzegovina. Political pressure on journalists and intimidation are constantly present factors. There is no guaranteed financial or institutional stability, nor editorial independence in public services or local public media. The public broadcasters of the entity are subjected to political pressure through the nomination of members of their management boards. The most obvious example is the illegal nomination of three 'temporary' members of the Management Board of RTV Federacije BiH, which occurred on 26 June 2012. The House of Representatives of the Parliament of the Federation, during its sitting, appointed the members of the Management Board of RTV Federacije BiH, and confirmed their appointment during the sitting of the Parliament's House of Peoples on 3 July. This represented a gross violation of key provisions of the Act, which guaranteed the legal, transparent and politically independent formation of public service management boards. Following a reaction from the Association of BH Journalists, this nomination attempt was foiled. In local public media, pressure

on journalists is constant, leading to express censorship and self-censorship. The most recent example of pressure on local public media was a speech made by the premier of the Una-Sana Canton, in which he said that there was no freedom in the state media, who had to “do what the state says”. RAK has also found itself under intense political pressure, and has had no properly appointed director since 2008. It has not managed to resist various influences and adopt a pro-active role in the area of electronic media market regulation in Bosnia and Herzegovina. The erroneous application of the Act on Protection from Libel has for years exerted direct pressure on journalists and the media, jeopardising the right to the freedom of expression. The media in Bosnia and Herzegovina are facing a large number of lawsuits on various grounds, but the mediation process which should be adhered to when filing suits is completely ignored, in contravention of Article 8 of the Act on Protection from Libel, which requires damage to be mitigated, in which an essential role is to be played by the Press Council of Bosnia and Herzegovina. Up to a hundred libel suits are filed annually. Trials go on for years, in direct opposition to the goals of the Act. It is of particular concern that the libel laws at various levels of legislative authority in Bosnia and Herzegovina have not been aligned, and judicial institutions do not apply the same legal standards in trying libel cases, particular in reference to proving responsibility for libel.

Political links between media owners are most obvious in the press and online media sectors. Based on media content, it is easy to conclude that the daily newspapers and online media support particular political options. Most media which manage to survive on the market, in spite of continually dwindling revenues, are an indicator of business and political efforts to keep them afloat at the state or local level, in exchange for compliance. As far as specific attacks and pressure on journalists are concerned, according to the Journalists' Helpline, there were 35 different cases of pressure, intimidation or physical attack on journalists up to December 2015. They were also attacked verbally by people in high political functions and police officers. *Milorad Dodik, the President of Republika Srpska, also threatened and insulted journalists, as did Dragan Mektić, Minister of Security of Bosnia and Herzegovina, Emdžad Galijašević, Mayor of Bihać, and Izudin Saračević, prefect of Una-Sana Canton, while in Tuzla, police officers threatened journalists during a workers and farmers' strike, in front of the Tuzla Canton Government building. Early in October, a car was set alight belonging to a journalist working for Bosnia and Herzegovina Radio 1, Emil Karamatić, but the perpetrators, as in most cases involving journalists, were never found. A police raid on the offices of the Klix.ba portal and threats made against the editors of Tačno.net at the beginning of the year were the most direct forms of pressure on the media experienced in recent years, and prompted journalists in several towns in Bosnia and Herzegovina to stage protests and express solidarity with their colleagues. However, attacks on journalists have not stopped. The fact that attacks on journalists go unpunished and their safety is threatened has*

become a real legal problem, particularly in the context of how far justice is available to journalists and media workers, and the (in)equality of citizens before the law.

Croatia report: Media capture as political strategy

Croatia is the only country covered by MCI with almost satisfactory public information management, which is relevant for media policies. This can be used as a model to improve public information management in other covered countries, but such a process is not yet at a satisfactory level in any of the countries that the index refers to. For example, in an analysis of the interaction between the public sector and the media, in Croatia it is possible to determine the lump sum of budget expenditures on media promotion and communication that, in 2014, amounted to approximately 30 million EUR. Such expenditures are almost impossible to determine in other countries. However, the level of information available does not enable researchers and observers to determine the share of the expenditure that goes directly to media outlets and to determine what portion, for example, goes to advertising agencies and/or to a variety of promotional materials.

Croatia has the highest revenue from the public media within the region, which indicates the significance of the state owned media in the distribution of information. Also, this suggests that the risk of information capture by the political elite in Croatia is relatively high (due to the ownership and the managerial rights of the public sector). The average salary in the media industry in Croatia is 1.550 EUR (1.057 EUR being the average salary in the country), which suggests that journalists in Croatia could be free from undue economic influence. However, a high number of unemployed journalists (over 700) and the tendency to replace the educated and relatively expensive work force with occasional student significantly affects a journalist's (author's) autonomy in their work, consequently leading to a relatively high frequency of the breach of integrity in this profession. The problems of integrity and of an unspoken threat to journalists related to their work position escalate with the fact that over 30% of the media work force works in public entities (2.426 persons out of the total 7.854), which doubles the pressure on journalists engaged in these outlets. By default, they have to satisfy the representatives of the owners of the media, which in this case are the elected politicians themselves. Our country's specific data on the changes in managerial structures in state owned media reflect the tendency to tighten political control over public media. In 2012 (the year after the elections at the end of 2011), the number of changes in managerial structures in state owned media outlets increased by more than 100% than in non-election years. This suggests that the control of the public media is a political priority in Croatia.

With over 1,81 media outlets per 10.000 inhabitants, Croatia rests in the middle of

the scale of media pluralism. However, the large participation of the public sector in a number of media outlets, the monopolization of printed media, and non-transparent ownership in general negatively affect the pluralism of information (a large number of media publishing the same story, promoting a singular view of the issue). While the practice of publicizing the origin of the financial support of the establishment and the sustainability of non-profit media is commendable (contributing to the distribution of the information that is of public interest and to the pluralism of media), it was highly affected by the conflicts of interests between the actors in regulatory bodies, the NGO's recipients of the financial aid, and all of the supporters of the 2011 - 2015 coalition government. This has led to the abolishment of a big part of state aid instruments to non-profit media by the new government (2016).

Media policies - Croatian Media Strategy

Croatia has never had a comprehensive media strategy that would strategically respond to the following question: Where do we want our media scene to be? The Media Strategy is being created ever since 2011. The Strategy was postponed a few times so far and the deadline is still not determined. The adoption of this document is crucial for several reasons. The most relevant is that this strategy should act as the foundation for the creation of new laws (Media Act and Electronic Media Act). In October 2014, a draft of the Media Strategy was published and the (now already former) Minister of Culture, Andrea Zlatar, announced a public debate on it. However, this draft of the document ran into a storm of criticism, from both media professionals and scholars. „I regret reading it. This is a news article, it could pass as a blog, but it is absolutely inappropriate for the Ministry of Culture to publish this kind of a document“, said Viktorija Car, PhD, from the Faculty of Political Science in Zagreb.

Media Ownership controversies: Case of Europapress Holding.

The legal battle between the prominent Croatian attorney Marijan Hanžeković, the current owner of EUROPAPRESS HOLDING (EPH), and Ninoslav Pavić, the former governor of this media giant is culminating at various instances of the Croatian judiciary. This case, which affects more than 40% of the printed media market in Croatia, became highly controversial. It revealed the backstage stories about how the media ownership was manipulated and hidden from the public eye. In November 2014, Marijan Hanžeković took over EPH, at that time owned by its founder Ninoslav Pavić and the German WAZ. According to the majority of media reports at the time, there was nothing “unusual” about it. Except for the fact that EPH was taken over via a legal entity operating at a loss since 2012 and whose financial reports showed barely any business activity. One of the three

legal procedures still active at the Municipal Civil court of Zagreb is based on Pavić's lawsuit filed on 11 March 2015. The legal basis for the lawsuit, where Pavić demands from Hanžeković a compensation of the damages caused by deceit and the loss of income, is the contract "The relationship of the members of the EPH company after the implementation of the pre-bankruptcy settlement" that Pavić and Hanžeković signed on January 14, 2014. In this particular step of the process, Hanžeković and Pavić, together with Miran and Vjeran Pavić (sons), indeed signed the aforementioned contract. According to the contract, the plan was that Hanžeković, via a special purpose legal entity EURO POTICAJI (whose only function was to keep a share in EPH), finance the purchase of the receivables of the Hypo Group with the purpose of gaining 90% of the shares of EPH. Further on, the Contract foresees that Hanžeković will turn over to Pavić 49% of the shares of the company EURO POTICAJI. That way Pavić would indirectly (via a share in the company EURO POTICAJI) have a 44,1% share in EPH and he would maintain power over his media giant. With this contract, Pavić ensured the implementation of everything he envisioned – to stabilize business operations and to regain the ownership and the managerial rights of EPH. Immediately upon the signing of the contract, Pavić handed over the keys to Hanžeković. However, by handing over the keys, Pavić also opened the door to the takeover of his media empire by unknown financial moguls. The last piece of the puzzle, a seemingly minor detail in the whole operation – the official transfer of the 49% share of the company EURO POTICAJI to Ninoslav Pavić – never happened.

This sort of a „clash of the titans” in the Croatian media and in the social context is especially important for the outlook of the entire media scene in the next ten years. This story reveals a variety of legal/economic operations in the Croatian media sphere that are borderline criminal, including hiding the ownership and making it untraceable to the average citizen, or even to a well-informed journalist. This case, although large in the scale and share of the media market, represents just the tip of the iceberg in terms of the strategies applied in order to hide the actual interests behind the ownership of the media. The Croatian media is seriously limited when it comes to the apprehension of and the informing on the conflicting interests behind the ownership of the media, and when it comes to the revelation of the actual state of business in the media. This is visible in the fact that so far only the Fairpress.eu (the official news portal of this project) has covered this story, despite the fact that it affects many media workers and the media industry in general.

FYR Macedonia report: Universal rules in the media sphere are either non-existent or ignored

The basis for including the public in the process of adopting acts is regulated by the Constitution and other legal documents: the Rulebook of the Government, the Act on Referenda, and the Strategy for Cooperation between the Government and Civil Society. Even though there are well-established mechanisms and practices in communication with civil society and the public in Macedonia, a pro-active approach to informing and involving the public and civil society in the work of the Ministries is lacking (Sazdevska and Ogenovska, 2012).

In December 2013, the media sphere in Macedonia was regulated through two new acts: the Media Act and the Audio and Audiovisual Media Services Act. Only eight months later, the Audio and Audiovisual Media Services Act was amended four times in short procedures, without any previous public debate.

As the first partial index of the Media Clientelism Index (MCI) showed, Macedonia's EU accession process has had a positive impact on building a favourable regulatory and institutional setting for detecting and preventing particularist practices in creating media policies. The Index ranked Macedonia in front of Croatia and Romania, but behind Montenegro and Serbia, meaning there is still room for improvement and strengthening the regulatory framework. Despite the fact that Macedonia has a more positive regulatory framework than Croatia, Romania and Bosnia and Herzegovina, when it comes to implementing public policies, the country has negative trends in terms of clientelist practices and the barriers they create. In other words, there is poor law enforcement.

Market concentration and ownership

Current media legislation, the Audio and Audiovisual Media Services Act (Articles 37 and 39), sets out clear limitations in terms of ownership to prevent media concentration. In addition, elected and appointed officials are prohibited from holding ownership shares in media outlets (Article 38). Additionally, the Media Act stipulates the obligation of media owners to publish and inform the public about ownership structures (Articles 12 and 13).

Numerous research projects conducted by the civil society sector have shown indirect political links between the national commercial TV stations with the biggest market share and current political leaders. Investigations, in essence, have demonstrated that through joint-stock companies and business partnerships, the true owners of media outlets have managed to evade the law and cover up the true ownership of the media through the formal transfer of ownership to proxies (Dimovski, 2015).

Moreover, the contents of intercepted communications have revealed close links between the government and media owners with the highest numbers of viewers and circulation, who also receive most of the funding allocated to government advertising campaigns (EC, 2015).

Public media financing

At the moment, there is only one public service broadcaster in Macedonia - Macedonian Radio Television (MRTV) and TV and radio each function as integrated structures, with the board and management overseeing all operations. As stipulated in the Audio and Audiovisual Media Act, the sources of MRTV funding are broadcasting fees, advertising, donations (which must not jeopardize independence), selling programmes and services, and funds allocated from the state budget (for improving programme quality and technological development) (Article 105).

In reality, the public service broadcaster in the last few years has been increasingly dependent on the state budget, despite undertaking measures to improve licence fee collection. In 2014, 18 percent of the MRTV budget was provided from the state budget, 7.3 percent from the Government and Agency for Electronic Communications to support the process of digitalization, and 0.5 percent from the Ministry of Culture to support the production of Macedonian music (Macedonian Radio Television, 2014).

The legislation guarantees the editorial independence of the public service broadcaster. However, due to its financial dependence on the state budget and its governing body's lack of independence, autonomy and balance in reporting are not yet ensured. Additionally, the model for management and supervision of the public service broadcaster leaves room for political influence by ruling parties.

Is self-regulation the way out of the ongoing media crisis in Macedonia?

The first attempts at self-regulation in Macedonia date back to 2001, when the Council of Honour was established and the Journalists' Code of Conduct introduced. The limited success of the Council of Honour is largely due to politically based division among journalists, very limited financial resources, and a lack of partnership between the relevant media actors (Shopar and Sarachini, 2016).

At the beginning of 2014, the Council of Media Ethics of Macedonia was established. The Council is a self-regulatory media body which applies moral sanctions to those who do not observe professional standards and the Journalists' Code. This newly-formed self-regulation body has met with a lack of acceptance in the media community and the decisions it has made have not been published by media as stipulated in the Council's rules of operation (Council of media ethics of Macedonia, 2015).

Institutional framework - independence of the main regulatory body

The Agency for Audio and Audiovisual Media Services (AVMS), the major regulatory body in the sphere of the media, has been subject for a long time to serious criticism regarding the transparency of procedures for appointing members of the Council² and granting broadcasting licenses. On the other hand, the AVMS has exerted a high extent of transparency in respect to the transparency of decisions, rules, conduct, control of regulated subjects and feedback (Tomic et al., 2015). Despite the fact that the introduction of new legal mechanisms was expected to increase the independence of the AVMS, the political centres of power continue to find new ways of influencing the Agency's operations (Nikodinovska, 2016).

Although it is stipulated in the Agency's code of conduct (Agency for audio and audiovisual media services, 2015) that the by-laws that regulate its scope of competence will be subject to prior public consultation, in reality, a number of by-laws were adopted during 2014 in a procedure that excluded public opinion.

Public money in the media sphere

In Macedonia, there is no systematic or detailed reporting on government advertising (EC, 2015), despite the fact that the Government started to appear among the top advertisers in 2008. Continuous participation in the share of advertising income has given rise to allegations that prominent media outlets are under the indirect control of the governing parties. To date, the only report in which the Government released information about the amount of public money spent on advertising was in 2014, when data for the period between 2012 and the end of the first quarter were revealed.³ Based on this report, in the indicated period the Government spent about €18 million on 27 government media campaigns, €6.6 million in 2012, €7.2 million in 2013 and about €4 million in the first six months of 2014.

² One of the governing bodies of the Agency for audio and audiovisual media services

³ Government of the Republic of Macedonia. Податоци за матрица за информирање на граѓаните. Available at: <http://vlada.mk/node/9241> (Accessed 10/12/2015).

Montenegro report: Most mechanisms appears to exist, but the implementation and execution of legal and normative constraints to clientelism still remains an issue

The media landscape in Montenegro continues to show insignificant progress when it comes to the overall situation in the media.

The relatively small media market, with a population of around 650,000, is still characterized by a low level of pluralism in the news, transparent (yet non-transparent) media ownership, and media concentration issues, along with inadequate working conditions for journalists.

According to the independent regulator for audio-visual services, the Agency for Electronic Media of Montenegro, in April 2015 there are four television channels with national coverage, 15 commercial television stations, three local public TV stations, two non-profit radio stations, 37 commercial radio stations, 14 local public radio stations, four national dailies, one political weekly and two local editions of Serbian dailies.

From the legal and policy aspect, the Ministry of Culture continues to operate as the key body in charge of legal framework alignment with EU legislation. Public debate on proposed changes to the Electronic Media Act took place in 2015, mostly concerning alignment with the Directive on Audiovisual Media Services 2010-16 and the application of the rules on state aid for public broadcasting services in accordance with the Commission's Report on the application of the rules on state aid to public broadcasting services (2009 / C 257/01). Amendments to the Act have not yet been passed in Parliament.

The institutional setting, formally set up with the Parliamentary Committee on the Political System, Judiciary and Administration, the Directorate for Media, the Ministry of Culture, the Agency for Electronic Media of Montenegro, the Media Council for Self- Regulation, the Media Trade Union of Montenegro (SMCG) and the Agency for the Protection of Competition, still permits a certain amount of room for irregularities, especially in the area of public media financing, advertising, and the regulation of competition on the media market.

Montenegro does not have a reliable database of the number of media operating at the moment. The Ministry of Culture has a Register of Media, however this database is neither reliable nor realistic, as it is left to the goodwill of media owners to disclose information. This is why the database includes 700 print media, while

only 50 are considered active. The situation with electronic media is significantly better, as the register is regularly updated by the Agency for Electronic Media. As far as on-line media are concerned, this is a completely unregulated and unrecognized area according to the Act. The AEM claims to be in the process of preparing a Regulation.

In the light of this, Montenegro ranks relatively high on the scale of media ownership transparency in terms of data availability, however, connections between official owners and the capital behind ownership is already indicating an alarming state of media monopoly and illegal concentration, accompanied by strong political and business influence on the media market. This should be demonstrated further in the next stage of research.

Montenegro scores high for the transparency of public media financing. As far as the category of state media funding of media is concerned, the results of the Index seem contradictory. While Montenegro ranks second in the region when it comes to funding transparency, it is important to highlight that the Reports of the Commission in charge of State Aid only include the totals in each category of aid provided, without specifying the details of financial support for individual media outlets. This is why the MCI does not recognize Montenegro as a country with data available on the number of media receiving state aid.

However, the Act on the Availability of Information allows this information to be obtained upon request. Overall, the financing of any media from state funds is relatively unclear in terms of criteria.

One of the lowest-scoring categories in Montenegro is the working rights of journalists. Apart from the fact that the State Agency MONSTAT does not have a specialized database for media professionals, therefore there are no data on the number of journalists, their positions, gender, education level etc., journalists are not recognized as professionals by any existing Act.

According to OSCE research conducted in 2014, "Social status of journalists in Montenegro", there are 809 journalists working in Montenegro, employed in 57 media houses.

The public media RTCG (radio, television and online portal) has a transparent policy on this matter, and employs 737 journalists.

Concerning the labour rights of journalists, they are given regular work contracts and do not have any special rights and protections for the job they perform.

According to unofficial data, most journalists are employed according to a service

contract, in accordance with the Act on Obligations of Montenegro, which does not provide employment rights (no health or pension insurance, nor paid taxes or surtaxes).

Journalists' unions in Montenegro are weak and do not offer any specific protection for media professionals.

There is a formal self-regulatory body, but it does not achieve any significant results in practice. Its members do not include all national media and its decisions are neither obligatory nor abiding. It is still mostly financed from the state budget, therefore its objectivity is questioned, including by the media community. In addition, there is no available relevant or detailed information on the numbers of readers/viewers/listeners.

Serbia report: significant progress in many areas, however, politicization and undue influence over of media editorship is on the rise

Among the many, mostly negative trends on Serbia's media scene in 2014, the adoption and initial implementation of three new media acts can be regarded as positive.⁴ These acts, among other things, prescribe state withdrawal from media ownership structures and mark the beginning of competitive media financing. Article 17 of the Public Information Act states that all levels of government in Serbia are obliged to distribute budget funds "based on conducted public bids and individual donations, based on the principles governing the distribution of state aid, free competition and non-discrimination", and that "no more than 5 percent of the total of funds allocated for the furthering of public interests through bids can be spent on individual donations".

Even though the European Commission's Yearly Progress Report for Serbia states that the adoption of these acts represents a significant positive development, and that "the media package, consisting of three acts, was passed after inclusive consultations and active participation by media associations during the preliminary phase, even if in a rushed proceeding" (EC, 2014) The deteriorating media situation is a result of many other "problems"- the decline of the commercials market, further tabloidization of the media, the increased number of physical assaults on journalists and many other issues, as when the popular informative weekly programme *Utisak nedelje* by Olja Beckovic was taken off the air.

⁴ Public Information and Media Act, Electronic Media Act and Media Public Services Act.

This state of affairs, according to the Anti-Corruption Council – which identified and stressed five systematic problems which have been paralyzing the public information system in Serbia for years⁵ - is mostly the result of **insufficient transparency in media ownership, a lack transparency in their financing, their leverage over the media through budget funds, taxation and other indirect forms of public media financing, issues surrounding media privatization, the uncertain status of public interest, censorship, self-censorship, and tabloidization.**

Important facts which are indicators in estimating the economic and social standing of journalists are not being gathered or analyzed systematically. Based on the data available from the Statistical Office of the Republic of Serbia – which conducts “research on the employed and their earnings”, a total of **54,718 people** were employed in the **Information and communication** sector in 2014, **34,955 men** and **19,723 women**. We should add that, according to the Statistical Office’s classification, the “information and communication” sector includes other activities besides those associated with the media: all publishing activities, including book publishing, computer games and other software; jobs in cinematography and television production, track recording and publishing, telecommunications, computer programming, data processing, etc.

The average wage in the information and communication sector recorded in December 2014 was RSD 83,519 , which was considerably above the republic average, which was RSD 60,767 gross and RSD 44,124 net in October 2015⁶. However, according to all other indicators, journalists’ wages are considerably lower. When we analyze the results of a poll conducted by the Journalists Association of Serbia, wages that average between RSD 35,000 and 45,000 net, are received regularly by three out of four journalists, thirteen percent receive their wages with a one-month delay, while nine percent are owed several months’ wages.⁷

According to information available from the Serbian Business Register Agency, there are as many as 37 journalists’ associations in Serbia, most which are local or national (minorities) in nature, or specialized (sports journalists’ associations, for example). The Independent Journalists’ Association of Serbia (IJAS), Journalists’ Association of Serbia (JAS) and Independent Journalists’ Association of Vojvodina (IJAV) are recognized as representative associations among the

⁵ Anti-Corruption Council’s Report on the Ownership Structure and Control over Media in Serbia. The Council presented this report to the Government of Serbia on February 20th 2015. <http://www.antikorupcija-savet.gov.rs/Storage/Global/Documents/izvestaji/izvestaji%20mediji%2026%2002.pdf>.

⁶ Off. Gazette RS 97/2015 http://www.paragraf.rs/statistika/01_stat.htm.

⁷ How much do Serbian journalists earn? Workman - E-Magazine for social dialogue and union issues. <http://www.radnik.rs/u-fokusu/577-koliko-zaraduju-novinari-u-srbiji>.

general public. These three associations form part of the Media Coalition, along with the Independent Electronic Emitters Association (IEEA) and Local Press (an association of local, mostly printed media).

An analysis of public announcements by the three largest media associations based on time and topic point towards balance and variety in that regard. The overall number of public announcements increased dramatically in the period 2008-2014. It is evident that 2009 marked the start of increased interest on the part of journalists' associations in the media legal framework, which coincided with the forming of the Media Coalition as well as the first calls for the adoption of a Media Strategy, i.e. reforms in the media sector.

The available data show that most journalists' association public announcements have related to the media legal framework, followed by pressure from government representatives (i.e. media and journalist discrimination), threats, verbal assaults and intimidation aimed at journalists, and physical assaults on journalists and property. Statements and reactions to such occurrences have been rising constantly since 2009.

Since there was previously no precise data on the overall number of media in Serbia, the newly formed Media Registry, based on Article 141 of the Public Information and Media Act (OG RS 83/2014), is considered a notable achievement in defence against the monopolization of the market and the maintenance of transparency in media financing and ownership.

The new **Media Registry** (which was launched on 13 February 2015), as defined by law, represents a single, centralized, electronic database on the media, aimed at making information concerning the media publicly available. It contains, but is not limited to, information pertaining to media editors-in-chief, the language in which the media is published, information on digital and other media forms, documents which contain information concerning physical and legal entities who either directly or indirectly have a share larger than 5% in the founding capital of the publisher, as well as the amount of funds granted to the media through state aid, and average circulation in a calendar year.⁸

According to information received from the Serbian Business Register Agency, on 30 November 2015 there were exactly 1,559 registered media in Serbia. Based on the categorization in Article 29 of the Public Information and Media Act, 777 were published daily or periodically, 277 were radio programmes, 177 television programmes, 23 were news agencies, 296 were internet portals, editorially formed

⁸ Public Information and Media Act http://www.paragraf.rs/propisi/zakon_o_javnom_informisanju_i_medijima.html.

internet pages and other electronic editions. Fifteen percent of registered media were categorized as miscellaneous.

Government institutions in Serbia allocate substantial budget funds to advertising, which creates opportunities for personal and political party promotion through the media. The Government of Serbia’s Anti-Corruption Council published a report on budget funds spent on advertising, PR services and sponsorship, which gives us precise information on the scale of government spending on media and advertising agencies. In four years, based on the representative sample of 124 government authorities, organizations, funds, public companies, companies with majority shares owned by the government, and local municipalities, more than EUR 60.9 million were spent on these activities, while it is estimated that for the period 2011- 2014, it was over EUR 840 million.

Bearing in mind many media in Serbia are financially unsustainable and that budget funds are most frequently the means through which media are bought by the authorities, it is interesting to monitor editor-in-chief and director appointments in state-owned media for the period 2004-2014.

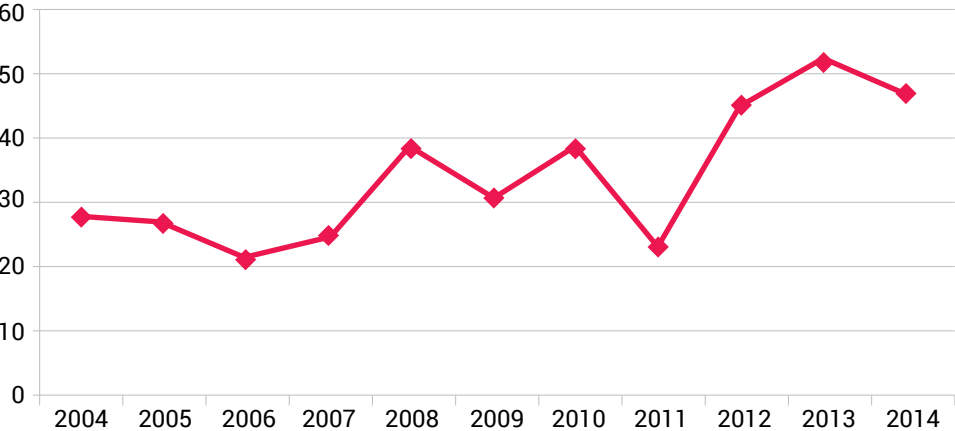


Table 4: Appointments and dismissals of directors and editors-in-chief in public media in Serbia⁹

⁹ IJAV research covered 63 media owned by the state.

Each change of editor-in-chief and director in public/government-owned companies in the period 2004-2014, regardless of whether they were appointments or dismissals, is numerically defined. The total number for each year was generated by an overview of changes in each individual media and a summary of data from 63 public/government-owned media in Serbia. The chart clearly shows that the number of dismissals and appointments rose constantly during this period, peaking in 2013, when the sum of all changes amounted to 52 units. Based on this sample, consisting of 63 media, there were new appointments of editors or directors in four out of five media observed.

Romania report: Liberalization of the media market does not always result in free media

As in most of Europe, including the New Member States, the Romanian media have undergone substantial transformations over the past decade. The most important drivers have been the global economic crisis, which reduced news and advertising budgets by more than the average economic decline, and the rise of the internet and digital channels, which led to the virtual disappearance of printed, general newspapers. This double shock was especially hard because it occurred in a relatively short period of time, following about ten years of exuberant growth in volume, diversity and revenues for the media sector after 2000.

The immediate consequences were the virtual obliteration of the old general, printed media, which was hit hardest by new market trends (unlike other countries in the region, Romania does not have state- or municipality-owned newspapers), a general budget cuts (i.e. salaries and newsroom capacity), especially in the local media, and the disappearance of quality media products such as in-depth journalism (reporting, investigation) which requires time and money that nobody is willing to invest anymore. Increasingly, the profession is drifting towards part-time contracting, freelancing and blogging, with a handful of small NGO media initiatives puncturing the landscape, carrying out investigations and social reporting on a non-commercial basis.

On the other hand, we have seen a proliferation in sources of free information and some relevant examples of citizen journalism. Social media have increasingly played a leading role in triggering institutional and political changes at key moments, as in November 2015, when the cabinet resigned and various pieces of legislation were put into the fast-track procedure as a result of a sudden burst of activism, exposures on the Internet of high-level wrongdoings, and street protests. Increasingly, the impression is that the remaining traditional channels – TV and radio – are only piggy-backing on content generated freely by the *wiki* intelligence of the masses. Electronic media operations mostly involve small studios where

“news channels” hold endless talk shows, regurgitating information pulled from the internet, or hosting politicians and figureheads who quarrel interminably. The big advantage for media owners being that such operations cost next to nothing.

The downside of this mutation is of course the decline in the quality and reliability of information and opinions circulated – or the much-spoken about *tabloidization*. Sources are not cross-checked, plagiarism of content is rife and hidden advertorials abound. The media have given up on their role to filter and package information, passing this to consumers, who must do the filtering for themselves. Under severe budget constraints, the public is encouraged to form issue-oriented niches, creating its own content and using media channels as echo chambers.

The cost-savings strategies and Balkanization of journalism do not offer guarantees against politicization and corruption, and arguably may actually create more vulnerability. Because money is scarce and the business very fragmented, programmes and the people who make them are cheaper to buy than before the economic crisis. This is obvious in the number of scandals and manipulations orchestrated and, more recently, in the number of media managers and opinion leaders involved in cases of political corruption investigated by prosecutors. Moreover, the most expensive operations (TV) increasingly rely on state aid, usually taking the form of turning a blind eye towards unpaid taxes and social contributions. The electronic media regulator (CNA) also experiences pressure from desperate media owners with various political connections. As a result, its decisions have become more erratic and, if so proved by a current criminal investigation, openly clientelist.

The public media (national TV, national radio and the state news agency) continue to be subject to open politicization and power games. Although the issue has been discussed repeatedly, it has completely failed to define clearly and operationalise what public service obligations are expected in exchange for state money received. Parties try on a daily basis to influence programmes and reporting, either by applying pressure on management, or through key insiders. However the game is often more subtle; these bloated, poorly managed institutions can also fall prey to inside vested interests (the governing board, trade unions, various professional groups) which are not necessarily interested in party politics, but in rent-seeking and the status quo. Nepotism and family connections are notorious in the Romanian public media.

As a result of all this dysfunction, the overall trend for the state TV and radio has been to lose its market share and become more and more irrelevant. Financially, the public TV and radio have been in perpetual crisis lately, the former more than the latter. Since both institutions are under the control of Parliament, a body with diffuse responsibility, there is little accountability for the (lack of) performance by

the state media; money can always be found to do some last-minute stopping of black holes, so the politicization, overstaffing and demotivation continue.

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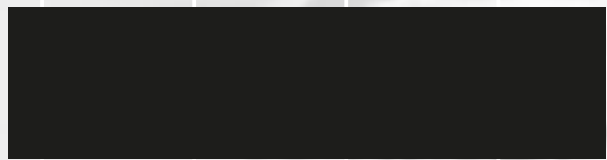
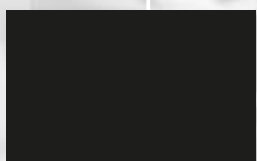
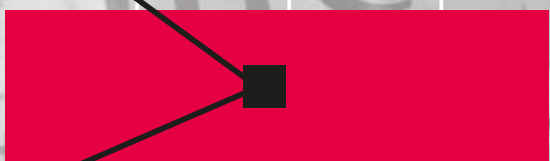
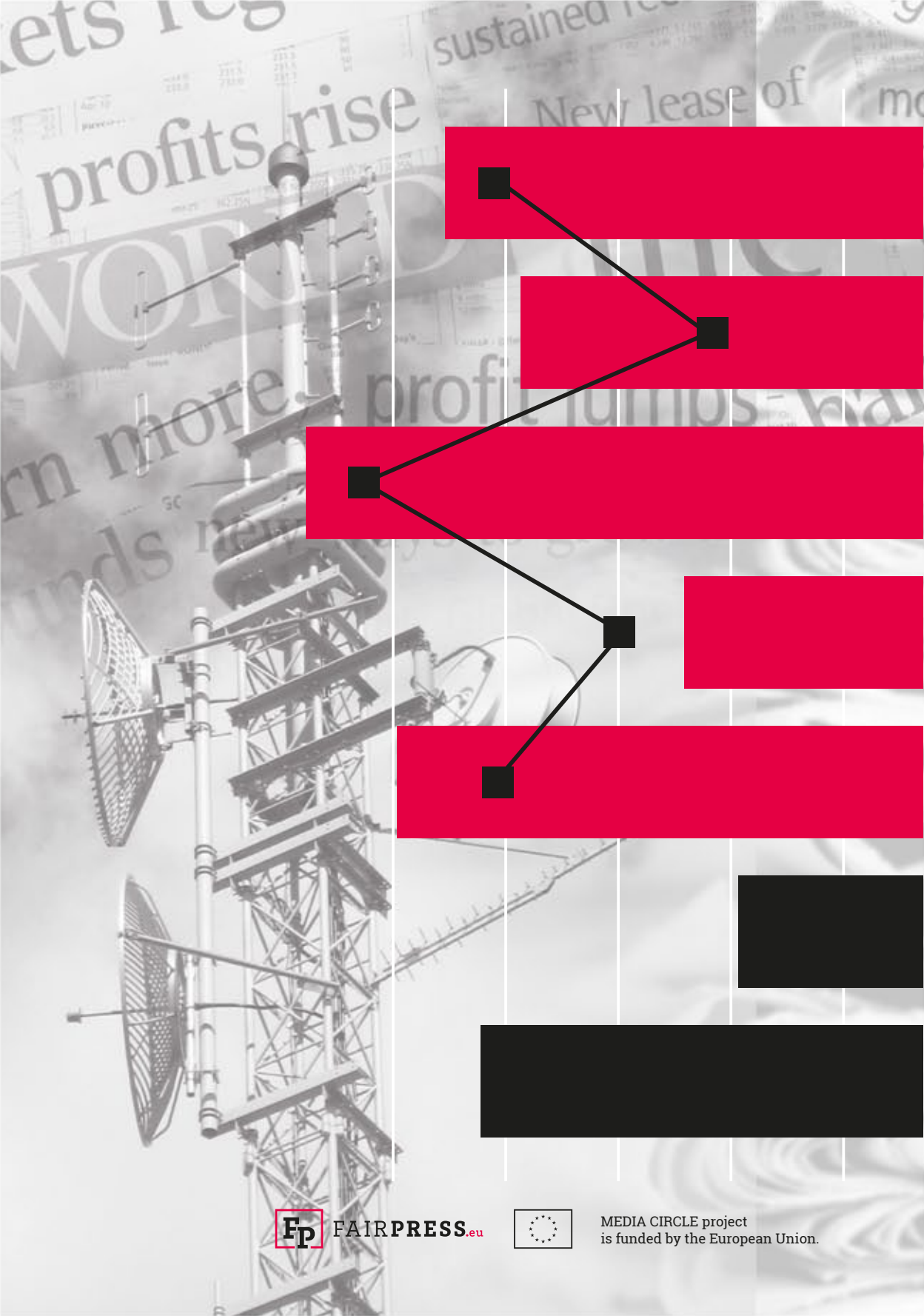
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