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Monitoring Media Pluralism in Europe: Testing and Implementation of the Media Pluralism Monitor 2014

Policy Report

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Elda Brogi, Alina Dobрева et al., Monitoring Media Pluralism in Europe – Testing and Implementation of the Media Pluralism Monitor 2014 – Policy Report, Robert Schuman Centre for Advanced Studies, San Domenico di Fiesole (FI): European University Institute, January 2015.

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The Authors thank their colleagues Paula Gori for her important contribution in the research and in the editing of the report and Lorenzo Giuntini for creating and maintaining the online platform of data collection.

Executive Summary

Scope of Application and Results of the MPM 2014 Implementation. Risks to Media Pluralism in the Selected Countries

In September 2013, the European Commission assigned to the Centre for Media Pluralism and Media Freedom at the European University Institute, the task of updating, simplifying and conducting a pilot-test implementation of the Media Pluralism Monitor (MPM) developed in 2009 by a consortium led by the University of Leuven. The Centre, acting independently from the Commission and the Member States, after reducing the scope of application of the MPM to news and current affairs, fulfilled these tasks and pilot tested the Monitor in a sample of nine EU countries. This action was followed with the scope of enhancing the practical applicability of the MPM as a research instrument that would potentially be usable for future implementation, in a neutral and standard way, across all of the EU Member States, and to assess the risk to media pluralism in the selected countries. Based on scientific and neutral criteria, the CMPF has designed the MPM2014 by reducing the number of legal, economic and socio-political indicators that were included in the MPM2009, has set standard methodological strategies in order to improve the data collection's feasibility across the EU Member States. The MPM2014 has been constructed as a streamlined version of the MPM2009, but with an effort to maintain its holistic character and to reflect the growing importance of the internet. The simplified MPM2014 has been focused on news and current affairs aspects of the media due to their key importance for the civic and political awareness of citizens and for the democratic processes.

In order to pilot test the MPM tool, the CMPF selected a sample of 9 countries, where it was implemented. The list of the sampled countries includes: Belgium, Bulgaria, Denmark, Estonia, France, Greece, Hungary, Italy and the UK. Several criteria have been used to assure the highest degree of neutrality and representativeness of the sample, to allow for a consistent implementation in different contexts. In particular, the selected countries represent all of the broad geographical regions, including Western and Central-Eastern countries, Southern and Northern parts of the continent; founding and recently accessed Member States and also countries with different size and population, as well as different political and media systems. Based on the selected countries, the CMPF has identified and established a network of outstanding institutions and experts in the field of media pluralism, who are based in each of selected countries, with the scope of collaborating and supporting the CMPF's work on the implementation of the MPM according to their expertise in the country.

The analysis of the results from this test-implementation proved to be very useful in terms of testing the methodology, country media systems' analysis, assessing media pluralism and media freedom, and in defining strategies for a further enhancement of the tool in terms of applicability, universality and comparability.

The aim of the MPM, as a measurement tool, is to assess the risks to media pluralism in the country monitored. The results of the pilot-test implementation therefore show a provisional assessment of the risk to media pluralism through different risk domains in the selected countries. The current scores however, are somewhat influenced by the not-fine-tuned design of the instrument and therefore, should be taken only as indicative ones. The examined risk domains are: Basic domain, Cultural pluralism in the media, Geographical pluralism in the media, Pluralism of media ownership and control, Political pluralism in the media and Pluralism of media types and genres.

Within the **Basic Domain**, the Monitor tests the strength of the media's legal framework in each country and measures whether there are risks for the protection of freedom of speech and related rights (including the rights of journalists) and risks for the independence of the governance bodies of the media system. Additional to that, when it comes to internet policies, the basic domain considers as relevant if a country is promoting measures for the impartial circulation of internet data. The basic domain measures also the risk of insufficient media literacy and the country's policies to foster it. The selected countries show an overall compliance with basic and common legal standards on freedom of expression. Problems raised in those countries where defamation is a criminal offence, or where the implementation of the law is not consistent with the principle set in the law itself. Some concern is raised in some of the countries by the high score given by the assessment of the independence of the national regulatory authorities (NRAs). This domain scores low risk for Belgium, Denmark, France and the UK, and medium risk for Bulgaria, Estonia, Greece, Hungary and Italy.

The risk domain **Cultural Pluralism in the Media** is focused on the universality of the media's accessibility and representation, especially in relation to minorities and special needs groups. It is one of the risk domains that have been most significantly transformed when compared with the MPM2009, due to the shifting focus towards news and current affairs. This risk domain struggles with the lack of a unified and politically accepted definition and approach to minorities across the EU - an issue that is to be tackled in the next application of the MPM. This issue creates a measurement problem, but it is also indicative of some policy deficiencies, which often go beyond the media policies. The major risks to media pluralism are here related to this, and to the consequent lack of sufficient provisions that guarantee media pluralism relating to minorities. This domain scores a low risk for Denmark and the UK; a medium risk for Belgium, Bulgaria, France, Greece, Hungary and Italy; and a high risk for Estonia.

The risk domain **Geographical Pluralism in the Media** includes indicators concerning the level of representation of local and regional communities, defined on the basis of both the spatial and social dimensions, in the various media outlets. This risk domain has been examined in a limited pilot fashion by the MPM2014 as some indicators focused on measuring risks only on national level. High risk is assessed in Greece and Hungary; medium risk is assessed in 6 countries (Belgium, Bulgaria, Denmark, Estonia, Italy, the UK), while France scores a low risk in relation to this domain.

The domain **Pluralism of Media Ownership and Control** assesses the guarantees that media outlets are sufficiently owned by multiple independent actors, which fosters the likelihood to limit the level of control on such media, which facilitate pluralism in content production. By

monitoring the risks of high ownership concentration in the media, high concentration of cross-media ownership, and lack of transparency in ownership structures, indicators assess a medium to high-risk result in all of the 9 countries. It must be stressed, nonetheless, that the results must be interpreted in the light of the different sizes of the national markets. This result indicates a risk to media pluralism, but also it emphasises the necessity of careful application of coefficients reflecting the structural characteristics of media markets, especially their size and resourcefulness.

The risk domain **Political Pluralism in the Media** focuses on the risks related to political pressure and interference in the content and functioning of the media outlets. This risk domain includes indicators measuring the legal safeguards as well as the socio-political context. The data demonstrates that in a number of countries there are many aspects that need thorough attention in order to achieve low risk in this domain. An important issue in this domain is the lack of data and transparency of ownership in some countries, which created methodological challenges to be addressed in the future application of the MPM, as well as demonstrated a risk to pluralism. This domain scores a low risk for Belgium, Denmark, Estonia, the UK; medium risk for Bulgaria, France, and a high risk for Greece, Hungary and Italy.

The risk domain **Pluralism of Media Types and Genres** relates to measures that ensure that the markets effectively remain plural when it comes to the distribution of information of public interest, or the supply of public service media. This domain has been transformed and limited significantly due to the MPM2014 focus on news and current affairs. It scores high risk in Italy and Greece.

The application of the MPM2014 demonstrates that there are various risks for media pluralism across the selected countries and every country has a specific weakness that creates high scores, meaning high risk. Due to the yet unfinished design of the MPM, in these cases a further investigation is needed to understand whether the high score means a clear and present danger for media pluralism, or whether it is a false positive. From a methodological point of view, the pilot test implementation of the MPM is highly successful. Based on this, the CMPF will further fine-tune the tool according to the outcomes of the test-implementation, to enhance the usability and the validity of the monitoring exercise and to limiting results that can be read as false positives. The pilot test implementation led to a number of conclusions regarding the future implementation of the MPM, including better definitions and thresholds for some indicators, instructions on how to evaluate lack of data, implementation of coefficients, extended collaboration with stakeholders and further simplification of the risk domains. This further enhanced and fine-tuned instrument will be applied in the 19 EU Member States that were not included in this first experimental implementation.

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1. Monitoring Media Pluralism: State of Play

1.1. EU Policy and the Political Debate Related to Media Pluralism and its Measurement

Freedom of expression, freedom of the press, freedom of information, access to information, and, of course, media pluralism: this is just a small list of the fundamental rights and principles, stemming from freedom of speech, that are basic features of contemporary democracies. Media pluralism, in particular, is the factor that enables democracy itself a pluralistic media offering that is the condition that allows citizens to participate and actively contribute to the public debate, to the political agenda and, in the end, to the political decision-making process.

It is self-evident that this principle is at the core of the shared values of EU Member States and that is why it is enshrined in the Charter of Fundamental Rights of the European Union. Moreover, when implementing its enlargement policy, the EU requires countries that are seeking its membership to respect media freedom and pluralism (Brogi, Dobрева, Parcu, 2014). Indeed, the EU considers media freedom and media pluralism as prerequisites of EU membership and as values that must be safeguarded, monitored and assessed. The monitoring and assessment efforts of the accession procedures, however, are yet to be matched with media pluralism monitoring of the Member States.

In 2007, the European Commission initiated the so-called “three step approach” to media pluralism, which was proposed by Commissioner Reding and Vice-President Wallström.

As a first step, the European Commission published a Staff Working Document (SEC (2007) 32, 16 January) (EC Working Document, 2007) on “Media Pluralism in the Member States of the European Union”. The document provides an overview of the broad meaning of media pluralism and underlines how “the concept embraces a number of aspects, such as diversity of ownership, variety in the sources of information and in the range of contents available in the different Member States” (EC Working Document, 2007). There are different levels of commitment – from the EU and the Council of Europe - to its preservation and fostering. The Working Document does not endorse a European legislative initiative on pluralism, but proposes to adopt a new analytical framework made up of concrete indicators that are used to measure and assess the risks to media pluralism across Member States.

Accordingly, DG INFSO (now DG CONNECT) launched the “second step” of this action,

namely, a study aiming to clarify and advance the debate on media pluralism. This study, carried out in 2009 by a consortium of the University of Leuven, the Central European University, Jönköping International Business School, Ernst & Young Consultancy, Belgium, defined a set of 166 indicators and guidance towards a monitoring tool to measure the threats to pluralism in the Member States (Valcke et Al., 2009). According to the EC Working Document, then, the third step should have been a Communication of the Commission presenting the outcome of the study and recommending its use by stakeholders (Commission Staff Working Document, 2007). In October 2011, EC Vice-President Kroes appointed a High Level Group (HLG) of experts on media pluralism and freedom with the mission of analysing and providing recommendations on the main issues on the topic. On the media industry side, in December 2011, she established the EU Media Futures Forum, chaired by Christian van Thillo, CEO of the De Persgroep, to reflect on the impact of the digital revolution on the European media industries and on ways in which the policy framework for the European media industries could be improved. In the meantime, she also initiated the Centre for Media Pluralism and Media Freedom (CMPF) at the Robert Schuman Centre for Advanced Studies at the European University Institute of Florence, with the long-term mission of accompanying the process of European integration on media pluralism and freedom, and the short-term mission of developing a policy report on European Union competencies on media freedom and media pluralism (Brogi, Parcu, 2014).

The report of the High Level Group, particularly in providing a list of policy recommendations to foster media freedom and pluralism, calls also for a monitoring system to support the EU in having updated data on the situation in regard to media pluralism across the Member States.

More recently, the European Parliament and the Council of Ministers have shown a growing and specific interest in monitoring media pluralism policy strategy. This was firstly done through the Resolution of 21st May, 2013, on the EU Charter: on the standard settings for media freedom across the EU, where the European Parliament called for a regular monitoring activity on media freedom and pluralism in all of the Member States. Moreover, the European Parliament, stressing its engagement in safeguarding media pluralism, allocated funds for a pilot project on the implementation of the MPM2009 tool. In this framework, the EC allocated the funds of the Parliament's Pilot Project to the CMPF, which conducted the pilot-test implementation of the Media Pluralism Monitor, as described in this report.

The EU Council also endorses the monitoring policy: The Council of the European Union and the representatives of the Governments of the Member States, meeting on 26th November, 2013, adopted the Conclusions on media freedom and pluralism in the digital environment, inviting the Commission to keep supporting the independent monitoring tools for assessing the risks to media pluralism in the EU.

1.2. The Media Pluralism Monitor 2009: Challenges and Opportunities

Following the public discussions and concerns about media pluralism in Europe and the related political demand for further information, in 2009, the above mentioned consortium of predominantly academic organisations created The Independent Study on Indicators for Media Pluralism in the Member States – Towards a Risk-Based Approach (MPM2009). The study resulted in the designing of a comprehensive inventory of indicators addressing different aspects and potential threats to media pluralism in a systematic and in-depth analytical way. Its holistic approach to the phenomenon of media pluralism guaranteed an adequate complexity and comprehensiveness in examining a rather complex phenomenon. However, the holistic approach also resulted in making it a rather large and hard to implement research instrument. The MPM2009 consists of 166 indicators, covering three areas of risk assessment (supply, distribution and use) in six main risk domains (basic domain, cultural pluralism, political pluralism, geographical pluralism, pluralism of ownership and control, diversity of media types [including PSM] and genres) and 43 specific risks, assessed through the application of three types of indicators: legal, economic and socio-political-demographic ones. This structure meant that it became a very challenging instrument in terms of data collection, analysis and the elaboration of its results. The challenging perspective of the implementation of the MPM2009 created the necessity for a revision and a pilot test implementation of the instrument. It is precisely this revision and pilot testing that are the central aim of the study presented in this report. However, the MPM still preserves its holistic nature reflecting all major aspects of media pluralism risks, unlike most existing indices in this area.

The core characteristic of the MPM2009 is its risk-based approach. The instrument is designed not so much to diagnose the media pluralism situation, but mostly to flag up certain issues in the legal, political and economic areas that carry the risk of jeopardising media pluralism. It indicates and measures the predispositions and conditions that constitute the risks to media pluralism in the respective country. From an academic point of view, this approach provides a deep analysis of the context in which media pluralism is settled. From a policy point of view, this approach provides constructive and helpful information, rather than simply outlining the problems; an early warning system, rather than discovering the deficiencies in media pluralism that are already there. Unlike other existing indices in the field of media freedom and pluralism, the MPM does not count or assess the already conducted violations of media freedom and pluralism, but seeks to establish the structural conditions creating risks and potential or existing problems. The risk-based approach is maintained as a core characteristic and principle of the MPM throughout this study, and the revision of the indicators has better focused the study on registering the media pluralism risks.

A major goal in revising and simplifying the MPM2009 has been to enhance its neutrality and applicability throughout the European Union, without favouritism for a particular media system or model. The instrument is envisaged as a tool that guarantees the comparability of the assessment outcomes, taking into account the variety of media systems and markets in Europe, including systems focused on internal and/or external pluralism. The opportunity to create a comparative tool also creates the challenge to build a set of indicators that are applicable and relevant to all of the countries. Although the team creating the MPM2009 had put considerable effort into building the instrument in line with this principle, only a pilot test implementation could verify and fine-tune the instrument's parameters after the scrutinising of each indicator, its application, and of the instrument as a whole.

An advantage of the MPM2009, as an instrument aiming at a high level of validity, is the fact that it uses both quantitative and qualitative measurements, following the character of the particular indicators that it measures. The combination of data collection methods, as well as the combination of several fields of expertise, creates a challenge in writing a rather detailed and thorough User Guide. This challenge has been faced and resolved during the pilot test implementation of the MPM, with the help of the initial outline that was provided by the MPM2009 itself.

When created, the MPM2009 reflected the contemporary trends in academic and policy approaches to media pluralism. However, it was also designed as an evolving tool, "which has deliberately been developed to be sufficiently flexible so as to allow for regular updates and adjustments" (Valcke, 2009). Based on this, the study presented in this report is focused on testing a revised version of the MPM, as well as on updating it according to the currently relevant developments in media markets and media policies, including a strengthened focus on the internet and a focussed scope of application (news and current affairs).

1.3. Comparing Media Pluralism in Europe and Other Measurements

The main challenge of the Media Pluralism Monitor 2009 was the validity of its indicators across different national media systems. Although we are witnessing an increasing debate that is addressing a European dimension of the media landscape, national media platforms are still largely an expression of national socio-demographic, economic and political peculiarities. Given the fragmentation of its media landscape, a European media policy debate calls for monitoring strategies that are able to compare media pluralism across the variety of socio-demographic and political dimensions that characterise the EU Member States. To this scope, multiple parties are increasingly engaged in exploring media pluralism within countries and across national contexts. International organisations (Council of Europe 2008; UNESCO

2007), media regulators (Ofcom 2012), and academic research (CMPF 2013; Gálik 2010; Irion & Ledger 2014; Craufurd Smith & Tambini 2012; Valcke et al. 2010) are enhancing discussion in the field in order to identify a common theoretical framework. This is a key priority in designing comparative approaches that are able to capture the multidimensional nature of media pluralism in Europe, and in providing neutral and comprehensive data.

We are also witnessing an increasing availability of indices that aim to compare media freedoms across countries from multiple perspectives, including Freedom of the Press (by Freedom House), Press Freedom (by Reporters Sans Frontières), Freedom on the Net (by Freedom House), and UNESCO's Media Development Indicators. The outcomes of these indices provide rankings that facilitate a comparison of unequal freedoms in media systems across countries, but they also often show inconsistencies amongst the final results. Hallin and Mancini (2004) stress that in order to identify a more efficient comparative research strategy, it is key to first identify the predefined theory, thus better framing the comparative study. According to this, the lack of a unique approach to media freedom and a common research strategy on ways to measure it across different socio-political contexts causes a variety of measurements and comparative strategies that provide different outcomes.

Similarly to media freedom, media pluralism is also a multidimensional concept, which can be observed from several perspectives. The design of a comparative research strategy to assess and measure media pluralism across Europe goes hand in hand with the challenge of taking into consideration multiple predefined theories. In other words, media pluralism is determined, threatened or secured by multiple factors, and we can design many measurement and comparative strategies, and consider many perspectives. Within this framework, the literature is rich in contributions that look at media pluralism according to media ownership concentrations, for instance, or at media market competition. Others look at the level of independence of the national regulatory bodies, or, finally, at press freedom, or the variety of content production (Valcke et al. 2010; Schulz et al. 2014). However, as a consequence of the lack of an overall approach to the measurement of media pluralism, the discussion about how to assess and compare media pluralism across different national media regulatory frameworks is still open. In particular, the comparison and assessment of media pluralism across the variety of national regulation, socio-political and economic contexts across Europe, is still a major challenge.

This is, however certainly, not new to media studies, where a comparative research approach, regardless of the challenges involved, remains a key strategy in order to shed light on phenomena that otherwise risk remaining invisible (Blumler & Gurevitch 1995); or in verifying a theory under different conditions, and also to expand our knowledge about other national contexts (Livingstone 2003). In this scope, and to explore media pluralism in relation to the variety of national peculiarities, both the relevant scholarly and policy research in the field call for more cross-national research and the identification of common comparative strategies that

are able to explore media pluralism across socio-political frameworks. In Europe, a comparative approach and a monitoring strategy to assess media pluralism across the EU Member States is called for in order to expand our understanding of media pluralism in relation to national socio-political and economic frameworks, but also to obtain a comparable picture that allows us to identify the similarities and inequalities across European countries. Moreover, given that comparative research strategies also offer an opportunity to learn about policy making from multiple national experiences (Livingstone 2003), comparing media pluralism across EU national contexts should also facilitate the identification of successful policy initiatives that can be exported and implemented in other contexts.

The MPM pursues this goal, and in what follows we address the challenges of its implementation, and the results achieved.

2 The MPM 2014

2.1 The Simplification Strategy

The Goals and Principles of the Simplification

As is widely acknowledged, the MPM2009 is a comprehensive, and therefore very complex, inventory of risk indicators, which covers most of the potential threats to pluralism in an in-depth analytical way. Inevitably, the very complexity of the inventory also turns it into an instrument that is rather difficult to implement. Based on scientific and neutral criteria, before launching its pilot test implementation, the original MPM was simplified in terms of the number of indicators, as well as in the very scope and definition of media pluralism that is used in the study (for detailed record of the simplification on the level of indicators see Appendix 4 of this report). It was also streamlined in terms of methodological and data collection procedures. This simplification enhances the practical applicability of the MPM research instrument, facilitating its foreseen future implementation in a neutral and standard way across all of the EU Member States. The simplification of MPM2009 is focused on the following major aspects:

Relevance: the scope of the MPM2009 is considered to be too wide. A number of indicators address issues that may not be part of a truly operational definition of media pluralism. Other indicators tackle information that is only indirectly related to the goal of media freedom and pluralism to guarantee and facilitate the presence of well-informed citizens in relevant current and political affairs and public debates.

Applicability: some indicators are particularly complex, consume both time and money, and therefore hardly fit within the tight timeframe and budgetary limitations of the MPM2014 and future applications.

Measurability of indicators: several MPM2009 indicators seem not to be fully convincing in their role as effective instruments for the evaluation of media pluralism; there are also indicators whose measurement could be considered overwhelmingly subjective.

Cross-country validity: some indicators appear too idiosyncratic, i.e., they measure aspects of the functioning of a media system that are either not applicable to all Member States, or that have different meanings and impacts on the level of media pluralism, depending on the country context and the different political and social structures of those countries.

Simplification Steps

Led by these principles, the simplification of the MPM2009 included the following steps:

- 1) **Narrowing the scope of application of the Monitor (Relevance):** in line with recent policies in the area of media pluralism, as well as the current academic trends, the MPM2014 focuses only on the indicators that fall, or that can be strictly referred to, under the general definition of “*news and current affairs*”. As a result, any instrument of information or entertainment that does not fall into the "news and current affairs" category is now considered to be outside of the scope of the MPM tool. News and current affairs media platforms and programmes are the current focus of the monitoring, as one aspect of the standards of democratic functioning (Copenhagen political criteria of institutional guarantees for democracy, human rights and minority protection). However, all indicators that assess the general universality of media coverage and the outreach of the diffusion of information are included in the revised MPM. They are considered to be basic indicators that are relevant to the infrastructure and universality principles as a whole. In particular, indicators on pluralism *vis à vis* minority coverage, outreach to disabled people, and media literacy, are preserved as part of this holistic principle.
- 2) **Clustering the indicators according to more general principles (Applicability):** due to the shared risk domain and the overall similarity of a number of indicators, they were clustered, where appropriate, in order to achieve a higher level of usability. Apart from streamlining the data collection, such clustering makes the results of the MPM much more readable, and clearer to the policy makers and the wider public;
- 3) **Simplifying the procedures for data collection (Applicability, Measurability of indicators):** this principle is applied, especially in the cases of content analysis and panels of experts, in order to assure the applicability of the measurements within the time and budget constraints of this project, as well as to streamline the data collection and make it easier for further elaboration and scrutiny.
- 4) **Revision of the universality (Cross-country validity):** this principle is applied on each indicator, in order to analyse the validity of each indicator in the respective countries as an actual measurement of pluralism risk. Additionally, it is applied on the Monitor as a whole, in order to assure the lack of bias in the measurement instrument as a whole, i.e. preference of a particular media system not based on the actual risk to pluralism

Outcome of the Simplification

According to the principles of, and the steps in, the simplification, the MPM2014 has been constructed as a rather streamlined version of the MPM2009, but still maintains its holistic character. It tackles all major elements included in the media pluralism definitions, namely diversity of media supply, the free public sphere, freedom and independence of media outlets, access and representation of all groups of people in the society (CMPF, 2013). The simplification has affected all risk domains, but to a different degree. The risk domains that are exposed to the most changes are the Cultural pluralism in the media (7 out of 10 risks have been excluded) and Pluralism of media types and genres (4 out of 6 risks have been excluded). The impact on these two risk domains is related mainly to the more focused approach of the MPM2014 onto news and current affairs. In some cases, certain indicators have been eliminated, even if their relevant risks are still present. Then the risk is measured on the basis of a shorter list of indicators that does not include those eliminated indicators. In other cases, indicators that closely measure related phenomena, or simply the same phenomenon, but refer to different media platforms, have been merged into one indicator. Whenever applicable, different types of media have been grouped according to the logic of media convergence.

The data collection methods and the samples of the media examined have been reduced in many cases. The outcome of this simplification has impacted to the largest extent on the use of content analysis. It has been heavily reduced and implemented only experimentally in a format that is insufficient for a standardised use in the MPM. Therefore, the results of the content analysis, in particular indicator 29, should be considered as indicative, but not conclusive.

The simplification of the indicators also has an obvious consequence in the need to revise the score grids. Scores have been adapted according to, and in parallel with, the simplification and/or merging operations. For example, indicator 4 *Regulatory safeguards for the journalistic profession* simplifies and includes in itself the three indicators in the **Basic domain** on the regulatory safeguards for the journalistic profession. Indeed, it covers the former three indicators on journalistic practice, the protection of sources, and access to events. With regard to the scoring, in order to be consistent with the merging, some former assessments have been cut, the remaining ones have been readapted, and the score has been assessed accordingly.

As a whole, the outcome of the simplification is the reduction of the indicators from 166 indicators in the MPM2009 to 34 indicators in the MPM2014. The risks that are no longer covered by the MPM are listed in the table below (Table 1):

Risk domain	N of risks	Total Indicators	Legal	Economic	Socio-political	Risks that are not covered in MPM2014
Basic domain	3	11	11	0	0	—
Cultural Pluralism in the Media	10	44	13	6	25	1 Insufficient media representation of European cultures 2 Insufficient media representation of national culture 3 Insufficient proportion of independent production 4 Insufficient proportion of in-house production 5 Insufficient representation of world cultures 6 Insufficient representation of the various cultural and social groups in mainstream media content and services 9 Insufficient representation of different cultural and social groups in HR in the media sector
Geographic Pluralism in the Media	6	25	7	6	12	4 Insufficient representation of regional and local communities in HR in the media sector, 5 Dominance of a limited number of information sources for local issues
Pluralism and Media Ownership Control	10	28	13	15	0	5 High ownership concentration of magazines, 7 High ownership concentration in book publishing, 9 High vertical concentration
Political Pluralism in the Media	8	37	16	0	21	8 Insufficient citizen activity and political impact in online media
Pluralism of Media Types and Genres	6	21	7	12	2	2 Lack of/under-representation of/dominance of media genres, 3 Lack of sufficient market resources to support range of media, 5 Insufficient engagement of PSM in new media, 6 Insufficient attention paid to public participation.
Total	43	166	67	39	60	

Table 1: Table of risks not covered by the MPM2014

2.2 Update: Digital Indicators

The internet has been described as facilitating the circulation of traditional media in unprecedented ways. Due to their online presence, traditional media, *e.g.*, newspapers, can now reach broader audiences at lower costs, beyond geographical, societal and cultural barriers. Moreover, the internet also facilitates new bottom-up forms of information processes. Through the internet, people not only access information but, as simple members

of the public, they are in a position to report on facts and events and to contribute to the public debate, via blogs, social media, personal pages, or through many of the other available digital platforms (so-called User Generated Content). Giving people the opportunity to create new independent channels of communication could be an opportunity for a dramatic impact on the hegemonic role that traditional media had so far as the only available source of information. For this reason, the internet is broadly seen as offering endless amounts of information coming from multiple sources, including from people of any gender, race and age, and going beyond any geographical barriers in the process of communication (Rheingold 2000).

As a result, in the context of pluralism, the internet is likely to expose audiences to multiple points of view on politics, and many other fields (Mossberger et al. 2008; Garrett et al. 2004)¹. Where traditional media may have difficulties in being representative of the multiple political, societal and cultural dimensions of society, the internet - by facilitating bottom up forms of information production - allows people to contribute to debates and to circulate information representing their own opinions and perspectives on facts and events.

In order to facilitate the circulation of information, the internet infrastructure should put people in a condition where they can actively produce and circulate information as freely and easily as possible. If the production of online content from the bottom up is not facilitated by internet services, however, the production of information may be inhibited, and the impact of the internet on pluralism may be limited. In this context, in addition to the small number of digital indicators that already existed in the MPM2009, the MPM2014 includes new indicators and variables through which to assess the pluralistic dimensions of the internet as a media platform in its own right, and not only as an extension of the traditional media. The new indicators and variables collect information on the ways in which the infrastructure of the internet and its national policy framework, favour pluralism in each country by also facilitating bottom up forms of content production. In sum, two new indicators have been created and three new variables have been included in order to back up the three different and already existing major indicators. At the same time, three indicators that existed in the MPM2009 have now been turned into variables controlling three major indicators. Finally, in the MPM 2014, the risks to pluralism in the digital environment are assessed as being the following:

- 1) The following two new indicators are included in the MPM2014:
 - *20 Regulatory safeguards for the impartial transmission of information*, without regard to content, destination or source, controlling the policy implementation and discussion that aims to

¹ This possible influence of the internet is highly debatable as there is still insufficient research on the (long-term) effect of internet on the heterogeneity/homogeneity of the information audiences receive. For example, a notable theory, claiming that internet in fact leads to decreased pluralism of the perceived information, is the filter bubble theory of Eli Pariser. Both approaches and further empirical research of the issue will be considered in the MPM2015 revision of the internet-related indicators.

safeguard the neutrality of the internet infrastructure.

- *24 Availability and quality of broadband*, obtained by merging values about the following 4 variables:
 - Both 24.1 Broadband subscribers and 24.2 Mobile Broadband subscribers: assess the actual access to broadband connectivity in each country.
 - 24.3 Broadband speed (for downloading): assesses the speed of download and therefore the quality of the internet infrastructure for accessing content and, in particular, multimedia content;
 - 24.4 Broadband speed (for uploading): assesses the speed of uploading content, which is indicative of how versatile the connectivity to produce content from the bottom up is.

2) Furthermore, 3 new variables have been included and have been merged with indicators that were already included in the MPM2009. The list here includes:

1.7i Regulatory safeguards for online content production, Variable included in indicator 1, assessing whether there is or is not evidence of any law/case law that unreasonably restricts freedom of expression on the internet (*e.g.*, the filtering of information, the blocking of websites, control of social networks).

21.4 Ownership concentration in Internet Service Providers (ISPs), Variable of indicator 21 *Ownership Media Concentration*, substituting for indicator *O6.1*, Ownership concentration in internet content provision (horizontal) in the MPM2009. This indicator assesses the percentage of market shares of the TOP 4 ISPs within each country.

22.4 Subscription concentration in internet services provision, variable of indicator 22 *Audience and readership media concentration*, substituting for indicator *O6.2*, Readership concentration in internet content provision in the MPM2009. This indicator assesses the percentage of subscribers to the TOP 4 internet service providers within each country.

3) Finally, the following indicators have been turned into variables and have been merged with other indicators that already existed in MPM2009:

11.4i (Formerly *G6.4*) – Policy measures to promote the roll out of, and access to, broadband networks in remote and/or rural areas.

12.3 (Formerly *O6.3*) – Regulatory safeguards against a high concentration of ownership and/or control in ISP.

28.4i (Formerly *G6.3*) – Availability of broadband networks in rural areas, controlling the possibly unequal availability of access to broadband in urban and rural areas.

2.3 List of Indicators

Following the simplification and updating of the MPM tool, this is the list of the 34 indicators (see also Appendix 5 for further details):

	Risk Code	RISK NAME MPM2013/14	Indicator ID	KEY INDICATOR
Basic Risk Domain	B1	Freedom of speech and related rights and freedoms are insufficiently protected	1	Regulatory safeguards for freedom of expression
	B1	Freedom of speech and related rights and freedoms are insufficiently protected	2	Regulatory safeguards for right to information
	B1	Freedom of speech and related rights and freedoms are insufficiently protected	3	Recognition of media pluralism as an intrinsic part of media freedoms and/or as a policy objective of media legislation and/or regulation
	B1	Freedom of speech and related rights and freedoms are insufficiently protected	4	Regulatory safeguards for the journalistic profession
	B2	Insufficiently independent supervision in media sector	5	Regulatory safeguards for the independence and the efficiency of the relevant national authorities
	B3	Insufficient media (including digital) literacy	6	Policies and support measures for media literacy (particularly digital literacy) among different groups of the population
	B4	Barriers to the free flow of digital information	20	Policy measures for the impartial circulation of internet data, without regard to content, destination or source
Cultural Pluralism in the Media	C1	Insufficient representation of the various cultural and social groups in PSM	7	Regulatory safeguards for access to airtime on PSM by the various cultural and social groups
	C2	Insufficient system of minority and community media	8	Regulatory safeguards for minority and community media
	C2	Insufficient system of minority and community media	25	Minority and community media
	C3	Limited accessibility by special needs people	27	Guarantees for universal access to media regarding special needs groups

Geographical Pluralism in the Media	G1	Insufficient system of regional and local media	9	Regulatory safeguards and policies for regional and local media
	G2	Insufficient representation of regional and local communities in news	10	Regulatory safeguards for locally oriented and locally produced news delivered by PSM channels and services
	G3	Insufficient access to media and distribution systems due to geographical factors	11	Regulatory safeguards for the universal coverage of the media
	G3	Insufficient access to media and distribution systems due to geographical factors	28	Guarantees for universal coverage of PSM and broadband networks in regard to geographical coverage
	G4	High centralisation of the national media system	26	Centralisation of the national media system
	G5	Insufficient quality of the digital infrastructure	24	Availability and quality of broadband
Pluralism and Media Ownership Control	O1	High ownership concentration in media	12	Regulatory safeguards against high concentration of ownership and/or control in media
	O1	High ownership concentration in media	21	Media ownership concentration
	O1	High ownership concentration in media	22	Media audience and readership concentration
	O2	High concentration of cross-media ownership	13	Regulatory safeguards against high degree of cross ownership between television and other media
	O2	High concentration of cross-media ownership	23	Number of sectors in which top 8 firms/owners are active
	O3	Lack of transparency in media ownership	14	Regulatory safeguards for transparency of ownership and/or control
Political Pluralism in the Media	P1	Political bias in the media	15	Regulatory safeguards for fair, balanced and impartial political reporting in media
	P1	Political bias in the media	29	Representation of political views in the media
	P2	Excessive politicisation of media ownership/control	16	Regulatory safeguards against excessive ownership and/or control of mainstream media by politicians
	P2	Excessive politicisation of media ownership/control	30	Political control over media and distribution networks ownership
	P2	Excessive politicisation of media ownership/control	31	Political control over media funding by advertising
	P3	Insufficient editorial independence	32	Presence of professional associations providing advocacy for editorial independence and respect for professional standards
	P4	Insufficient independence of PSM	17	Fair, objective and transparent appointment procedures for PSM professionals and management boards

	P4	Insufficient independence of PSM	33	Level of independence of PSM considering the mechanisms of its financing
	P5	Insufficient pluralism of news agencies	34	Independence and ownership of news agencies
Pluralism of Media Types and Genres	T1	Lack of/under-representation of/dominance of media types	18	Regulatory safeguards for the distribution of public interest channels on cable, DSL and/or satellite platforms
	T2	Lack of sufficient resources to support public service media	19	Regulatory safeguards for the objective and independent allocation of adequate, consistent and sufficient financial resources to PSM

Table 2: Table of risk domains and indicators included in MPM2014 ²

² Legal indicators are seen in red, economic in blue and social-political in green.

3. The MPM 2014 Test-Implementation

3.1. The Goal of the Pilot Test Implementation

The overall goal of this research project is to create the conditions for an implementation of the MPM in all EU Member States. In order to fulfil this goal, the pilot test implementation aims at the following particular goals: (1) re-designing the MPM in order to improve its applicability, (2) updating the internet related indicators, (3) creating a full methodological operationalisation, standardisation and guidance on the application of each MPM indicator, (4) testing and enhancing the applicability and validity of the overall revised instrument.

The inventory of risks to media pluralism, listed in the MPM2009, attempted to construct the Monitor as a comprehensive tool in terms of the variety of media pluralism risks that could occur in different media systems. The first goal of the pilot test implementation is to keep the general comprehensiveness in terms of risks, yet to focus the instrument in order to create a more applicable and manageable, simplified version of the Monitor (the simplification of the Monitor is discussed in detail in section 2). In particular, the pilot test implementation aims to narrow the focus of the MPM to news and current affairs.

The second goal is the updating of the MPM, in particular to the technological and societal evolution related to the area of the internet. Although the internet had, of course, already been included in the MPM2009, recent developments in social media and in portable and mobile devices require a more in-depth analysis of the impact of these technologies and the penetration of the internet on media pluralism.

The third goal of the pilot test implementation is the creation and testing of a detailed measurement guide, *i.e.*, a full methodological operationalisation, standardisation and guidance on the application of each MPM indicator. The MPM2009 had indicated some guidance on the necessary measurements. However, the development of a full and detailed guide to the research and data collection procedures is crucial in order to guarantee the reliable application of the instrument across all countries. It also guarantees the outcome of the collection of comparable indicator scores, which can be substantiated with relevant data.

The fourth goal of the pilot test implementation is to test the feasibility of the MPM's application. Testing the instrument on a sample of nine very diverse EU countries (see section 3.2. for details of the sample) provides data that moves a step closer to full guarantees for the applicability of the indicators right across the Union. The pilot test implementation helps to discover potential problems in the practical application of the

indicators, which can be caused by the differences amongst the media systems in Europe. The pilot testing also allows a fine-tuning of the instrument that can potentially prepare it for permanent application across the European Union.

3.2. Country Selection: Criteria and Selection

The pilot testing of an instrument, especially one as complex as the MPM, requires a manageably small sample in order to pay sufficient attention to the implementation of the complexities. However, it also requires a sufficiently broad sample to verify the applicability of the instrument in a wide variety of settings. Following these two necessities, the CMPF decided to select 9 countries in which it would implement the MPM2014.

The selection itself is based on providing the widest possible variety of cases, according to the following criteria: media market size (including the population of the country/number of inhabitants and the economic conditions/GDP per capita), geopolitical path or typology of media and political systems and geographical criteria, existing political assessments of the level of media freedom and pluralism.

These criteria are selected as structural and political conditions, which determine or characterise the functioning of the media markets. The use of a combination of these criteria therefore guarantees the highest degree of neutrality and representativeness of the sample to allow for a consistent implementation in different contexts and for a verification of its applicability as a comparative tool.

In particular, the selected countries represent all of the broad geographic regions, including Western, Southern, Northern and Central-Eastern countries, which come from different political background and traditions. The sample includes founding and recently accessed Member States. A particular interest in this study is the fact that these countries have traditions of different media systems (Hallin and Mancini, 2004, and their subsequent work). An additional criterion for ensuring representativeness was the attention paid to problems with media freedom and pluralism in the recent past, which is reflected in different international studies, as well as in EP resolutions, hearings and reports. Finally, the sample of countries was selected by trying to represent both large and small markets, in terms of both their population and economic wealth. In the selection, we followed the thresholds indicated in the MPM2009 (20 million inhabitants and 23,500 EUR GDP per capita-PPP), but also ensured that somewhat more extreme cases are also present, *e.g.*, Estonia as one of the smallest Member States, the UK and France as two of the biggest, Bulgaria as the Member State with the lowest GDP.

Detailed information of the country selection is represented in the table below (Table 3). The wide variety of Member States included in the sample will provide an adequate basis for ensuring the applicability of the MPM to all of the Member States in the future. The list of the countries sampled includes: Belgium, Bulgaria, Denmark, Estonia, France, Greece, Hungary, Italy and the UK.

Country	geographical areas/political history (Hallin-Mancini)	Population (,000)	GDP (PPP) / Capita (€) <small>International monetary fund</small>
Bulgaria	No classification (post communist)	7.282	11.140
Denmark	Northern European countries	5.606	29.310
France	Southern European countries	65.635	27.668
Hungary	No classification (post communist)	9.906	15.285
Italy	Southern European countries	59.561	23.456
United Kingdom	Atlantic countries	63.182	28.753
Belgium	Northern European countries	11.151	29.486
Estonia	No classification (post communist)	1.287	16.900
Greece	Southern European countries	10.815	19.073
EU			24.923

Table 3: Table of Member States to be included in MPM2014 (Data Autumn 2013)

3.3. Local network: Selection and Description

Based on the countries selected, the CMPF identified and established a network of outstanding institutions and experts in the field of media and media pluralism. The selection of institutions was aimed at independent and neutral institutions, which have established a reputation as such in their respective countries. The experts are also people with experience in conducting international and comparative research. Each of the countries selected for the pilot testing of the MPM2014 is represented by the country's correspondent team, which participates in the study with the scope of collaborating with the CMPF in the implementation of the MPM2014 in their respective country. The network of local correspondents guarantees the appropriate implementation of the tool, the access to data locally, as well as a deeper understanding of the national media market. The list of selected institutions includes (in alphabetical order):

Belgium: KU Louvain | Peggy Valcke

Bulgaria: Media Democracy Foundation | Orlin Spassov

Denmark: Roskilde University | Ida Willig

Estonia: Tartu University | Halliki Harro-Loit

France: Science Po | Thierry Vedel

Greece: Eliamep | Evangelia Psychogiopoulou

Italy: Centre for Media Pluralism and Media Freedom (CMPF) | Pier Luigi Parcu

Hungary: Central European University | Amy Brouillette

United Kingdom: Reuters Institute for the School of Journalism | Robert G. Picard

Each team-leader worked with a team of other local correspondents in order to reflect the complex nature of the MPM, which demands expertise in the fields of media law, media economics, communications and political science. The actual structure and organisation of the local teams was determined by the national team-leaders in consultation with the CMPF team. The overall work of the local network was based on a synergy between local expertise and the guidance and double-checking of the CMPF team.

3.4. Data Collection and Fieldwork

The data collection and fieldwork are key to the methodology testing. The purpose of the data collection and fieldwork is to test the applicability of the indicators in general, as well as in different contexts, and to verify the estimations of the necessary resources that are involved in the MPM's implementation. On a more operational level, it also aims to test and enhance the User Guide and the procedures of the MPM's implementation. Following the outlined aims, the data collection included two tracks: (1) data about the media pluralism risks in the selected countries, and (2) information about the procedural details and challenges in applying the MPM.

The direct data collection is administered by the local research teams under the instruction, supervision and quality control of the CMPF. There is an attempt to rely only on official data sources, and/or sources with a high level of reliability and trust. If such sources are not available, then the procedure requires verification of the data by other independent sources. However, an attempt is also made to use the same types of sources across all countries as much as possible, in order to keep the comparability between countries fully guaranteed. Nevertheless, the lack of data in some countries creates challenges to the application of certain indicators (see further details of this problem in section 5.1.). In all cases, the data sources that are used for the estimation and calculation of the variable values are thoroughly

documented by the local teams in order to be available for double-checking.

The data collection is conducted following a detailed User Guide (see Appendix 2 for the full User Guide), which provides instructions on the data collection procedure and on the calculation and estimation of the operational scores of the risk indicators. The User Guide includes a short description of each indicator, the method of its measurement, the data sources, and a detailed score grid listing all of the variables included in the respective risk. It is inspired by the User Guide of the MPM2009, but it is further developed to provide clear and executable instructions (guarantees of comparability), separate variables for each measured item (operationalising what is measured), and additional definitions and thresholds (clarifying what is measured). The User Guide is also fully integrated into the data collection platform, thus enhancing its usability for everyone administering the MPM (see section 3.5).

The User Guide applies a standardised and consistent scoring-grid structure throughout all of the indicators. Some variables are continuous, e.g., variables measuring the concentration of the market. In order to fit such variables to the scoring grid, border values or thresholds are determined and, according to them, the exact variable value falls into one of the three scores - low, medium or high risk. Other variables are categorical. In those cases, a description was provided to determine which case falls into which of the same three scoring categories. The third types of variables, which are present only with the legal indicators, determine the existence, or lack, of a particular legal framework. Such variables are also categorical variables, but their value scores fall into the categories “yes” (existent; related to low risk) or “no” (non-existent; related to high risk).

A specific case of data collection is the application of a content analysis of media production. For the purposes of the pilot implementation, the content analysis was conducted over a rather small sample of two days’ news and current affair programming from two television stations in each country. The objective and reliable implementation of the method demands a significantly longer monitoring period and the inclusion of a significantly wider variety of media outlets and platforms. This was not possible due to budgetary limitations. Based on that, all scores of the indicator *29 Political bias in the media* should be perceived as indicative and not conclusive. However, a small methodological testing of the MPM2014 was applied, in order to determine its potential for future MPM versions and applications. Television was chosen as being the most important media platform that is used by citizens to acquire information about news and current affairs (see data collected by the regular Eurobarometer, which consistently confirms the importance of television). Although there are age differences in the shares of people perceiving TV as their most important information source, for the time being, it maintains its position of a dominant media platform. The future application of the MPM beyond the pilot-testing format however, need to pay attention to media content of a variety of platforms and reflect their contemporary influence. Due to the high costs of such monitoring, secondary data analysis is likely to be applied in the future

applications of the MPM.

The content analysis was conducted by the local teams, using special instructions and a codebook, prepared by the CMPF, in order to guarantee the reliability and comparability of the data collected (see Appendix 3 for further details on the content analysis application). This was the only case in which the local teams were asked to produce data, instead of merely collecting it from other sources and conducting an initial or secondary analysis. It demonstrated the importance and complexity of monitoring media content and outlined key aspects of data comparability that should be taken into consideration in the future.

3.5 Setting-up of an Online Platform for Data Collection

The creation of an online platform to collect data from the country teams is one of the practical key innovations of the tool developed within the pilot-test implementation, and this gives an added value to the feasibility and transparency of the project itself. The MPM2009 projected results output, in fact, consisted of a Microsoft Office Excel document containing 13 sheets, six of them to be used to enter the scores of each indicator, calculated according to the User Guide, six of them reporting the results of the specific risk domain. Another sheet contained the list of indicators and risks.

The innovations to the platform developed by CMPF are several: firstly, the new tool allows an immediate scoring of the risks, as it links the final value of any given indicator to the formula for creating a joint score for the included variables, provided by the new User Guide to assess the value of the indicator itself. What had previously been achieved through two different and separated operations (scoring through the user guide and then filling the Excel file) is now possible using a single tool. In addition, this tool makes the transition between step one, data collection, and step two, scoring, an automatic operation.

Secondly, the tool is online and this allows an on-going monitoring of a country's implementation and the possibility to check and compare, in real time, the logic of the replies and the results, and the collection of feedback, as well as the scrutinising of the work of the country teams. The online platform, in fact, was structured in such a way that it allowed the local teams to comment and add information on the sources and assessment criteria used for the specific answers to the questions of the MPM's User Guide. Indeed, one of the main criticisms of the MPM2009 was the lack of comparability between the different media systems and a lack of comparability in the data (see the debate at the CMPF Workshop "A definition of pluralism in the media sector. Comparing the results of the European projects with an interdisciplinary approach" 27-28 April 2012

<http://cmpf.eui.eu/events/definition-of-pluralism.aspx>). The possibility of supervision of the logic and quality standards of the replies and a permanent discussion and fine-tuning of the answers, in the light of constant comparison of the data for the same indicators, helped to produce more consistent evaluations and scores for same indicators across the different national MPM implementation exercises.

Thirdly, the use of the online platform is a very important innovation of the MPM2014 as it provides a database, as the data collected through the platform can be processed also for different and diverse purposes other than the media pluralism assessment.

Finally, the online platform allows better accountability, verification and transparency for the whole research process. It also creates a user-friendly archive of the research process and it can be addressed and scrutinised at any point. Considering the importance and sensitivity of the area researched, this characteristic of the platform is of utmost importance.

It is also worth mentioning that, when inserting their answers on the online platform, the local correspondents were asked to provide a more practical evaluation of each single indicator. In particular, they had to give an evaluation that went from 1 (low) to 5 (high) in relation to: the specificity, the measurability, the possibility of accessing data in a reasonable way, general agreement on the results, and the timeframe. Very often, the local correspondents provided useful practical feedback on the indicators. As part of the next implementation of the MPM, the CMPF will analyse this feedback from local correspondents, use it for further fine-tuning of the MPM and implement a new version, based on the analysis of the application and the feedback from this MPM's pilot-testing.

The implementation of the MPM2014, in fact, highlighted in some few cases (see below section 5) that the formula that scores automatically the indicator may be considered too strict and lead to scores that are perceived as too penalizing.

The online platform also contains an F.A.Q. section, as well as a list of common sources, instructions for the teams and a glossary. These sections allow for constant improvement of the support provided by the CMPF to the local teams and responds to any challenges they may face. It also allows for an exchange of good practice amongst the country teams themselves.

3.6. Use of Panels of Experts and Discussions with Stakeholders

The existence of media pluralism risks that cannot be clearly quantified demands the introduction of qualitative measurement for such risks. In order to guarantee and verify the objective evaluation of such indicators, the MPM2014 introduces a special procedure that

involves a panel of experts in the evaluation of these indicators. The following indicators of the MPM2014 are reviewed by the panel of experts: **30 Political control over media and distribution network ownership**, **32 Presence of professional associations providing advocacy for editorial independence and respect of professional standards**, **33 Level of independence of PSM, considering the mechanisms of its financing**, and **34 Independence and ownership of news agencies**.

Each country organises its separate panel of experts, following clearly defined criteria and the approval of the CMPF. The panel is composed of established national specialists with a substantial knowledge and experience in the media and communications fields, and with a good reputation in the professional community. In order to avoid the risks of leaning towards a particular stakeholder bias, the panel consists of media experts from various fields, namely:

2 Academic/NGO researchers on social/political/cultural issues that are related to the media;

1 Academic/NGO researcher in media law and/or economics;

1 Representative of the media regulators;

1 Representative of a journalistic organisation;

1 Representative of a publishers' organisation;

1 Representative of a broadcasters' organisation.

The procedure for involving the panels of experts is as follows:

- (1) Following the CMPF's instructions, the national correspondents select and engage the members of the panel of experts prior to the actual period of data collection. The same panel of experts is used for all of the indicators that are included in the verification procedure.
- (2) The country's correspondent conducts the data collection and the scoring of the above-mentioned indicators, as they do for any other MPM indicator.
- (3) Once the scoring has been fully conducted by the local correspondent, the scoring of the indicators and its explanation is sent to the panel of experts, requesting from them a verification (review) of the scoring, a confirmation of the accuracy of the evaluation.
- (4) The feedback from each member of the panel of experts (*i.e.*, their agreement with the accuracy or their suggestions for changes in the scoring) need to be received in writing and this is subsequently documented thoroughly and presented to the CMPF team. Any suggestions for changes in the scoring need to include an explanation and/or justification that are provided by the respective member of the panel of experts.
- (5) In the case of a disagreement on the indicator scoring between the country's

correspondents and the panel of experts, the CMPF examines the justifications for each scoring and takes the final decision on that scoring. If a suggestion from the panel of experts is rejected, this is also explained, justified and documented as part of the MPM's data collection documentation.

This procedure has been applied in all countries included in the pilot-testing of the MPM and a relation with the local stakeholders has been established. This research pattern has been perceived as a novelty in most countries, but has been welcome in principle. Moreover, there have been calls for its extension over more MPM indicators. In addition to the above-described procedure, during the pilot test implementation of the MPM2014, the data collected was discussed with wider groups of national stakeholders in each of the countries included in the pilot stage, as well as with European level stakeholders meeting with the CMPF team. These discussions with the stakeholders have contributed to the better understanding of the challenges that the MPM's application faces. They have also contributed to the generation of ideas for further fine-tuning of the instrument and for making it applicable in an easier and more reliable way.

4. Results

The analysis of the results from this test-implementation proved to be very useful in terms of methodological testing, comparison of countries' media systems, assessment of media pluralism and media freedom risks, and the defining of strategies for a further enhancement of the tool in terms of universality and comparability. It has delivered rich data regarding the methodological task of testing the monitoring tool. However, the results related to the actual evaluation of the media pluralism risk in each country should be considered as indicative and not conclusive, based on the fact that the monitoring tool itself needs fine-tuning of the indicator measurements.

Throughout this report the scoring and the graphical representation of the MPM indicators is conducted according to the following numerical scale: 1 - low risk, 2 - medium risk and 3 - high risk.

4.1 Analysis of the Basic Risk Domain

The **Basic domain** is fundamental to the evaluation of the risks to media pluralism: The indicators measuring the risk deal with the essential nature of media freedom, the basic conditions for the existence of free speech and of an enabling environment for freedom of expression. The basic domain is, then, the gauging of the risk to democratic debate in a given country.

The indicators of the basic risk domain that are considered in the MPM2014 version are very similar to those that were considered in the MPM2009: They are all legal indicators and they cover the regulatory safeguards for freedom of expression and freedom of the press, the regulatory safeguards for journalists, the level of independence of the NRAs in the media sector, and media literacy. They represent the regulatory backbone of the media sector in every contemporary democracy and they cover four different risks: The risk that freedom of speech and related rights and freedoms are insufficiently protected (B1), the risk that there is insufficient independent supervision in the media sector (B2), the risk of insufficient media literacy (B3). A new risk and a new indicator were introduced: the risk of barriers to the free flow of digital information (B4) this is evaluated through the indicator on regulatory safeguards for the impartial transmission of information on the internet, without regard to content, destination or source.

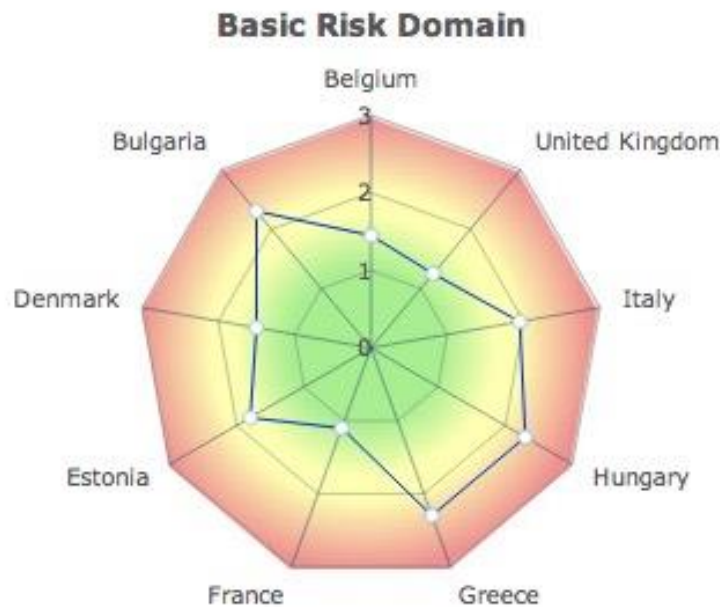


Figure 1 Basic domain scores per country

The evaluation of the first risk is made through four indicators that received quite good scores across the nine countries of the test implementation. The first indicator is on *regulatory safeguards for freedom of expression* (1): **Of the nine countries, three scored medium risk (Bulgaria, Greece, Hungary), while the others scored a low risk.** Most of the countries in the test group benefit from a long regulatory tradition on media freedom. Some problems are raised where, notwithstanding the existence of a regulatory safeguard, continuous regulatory interventions as modifications of the constitution itself; or the introduction of ancillary laws (see the country report on Hungary) can hamper the existence of an established right and probably affect the rules of democracy itself; or where the implementation of the limits to freedom of expression is too broad; or when other restrictions upon freedom of expression (privacy rules, national security rules) are not clear and are narrowly defined in law, and are justifiable as being necessary in a democratic society (in accordance with Art. 10 ECHR).

Indicator 2 on *regulatory safeguards for the right to information* aims to address the existence of the right to access information that is held by public administrations. This indicator is very broad and it should probably be rephrased in a way that is more focused on

the existence of a freedom of expression act (FOIA) and its effective implementation. **Six countries show low risk, while three others show a medium risk (Bulgaria, Hungary, Italy).**

Media pluralism is the specific subject of indicator **3** that deals with the ***recognition of media pluralism as being an intrinsic part of media freedoms and/or as the policy objective of media legislation and/or regulation.*** This indicator is a self-evident starting point for any analysis of media pluralism in a given country. According to the scores, **four countries have a low risk, four a medium risk, and one a high risk.** It must be noted, then, that the high score is for Estonia, as it belongs to the group of countries in which there are few laws that specifically regulate the media field (see Estonia country report). The lack of regulation and of policies on media pluralism does not mean a clear and present danger in this case, but it does highlight a regulatory void that may potentially create problems and the need for a second step in analysis.

Indicator **4** is on the ***regulatory safeguards for the journalistic profession.*** This indicator merges and simplifies the three indicators in the **Basic domain** on the regulatory safeguards for the journalistic profession provided in MPM2009. Indeed, it covers the former three indicators on journalistic practice, the protection of sources and access to events. According to the scores, **two countries show low risk, five medium, and two high (Estonia and Greece).**

The other risk, of insufficient independent supervision in the media sector (B2), is covered through the indicator **5** on the ***regulatory safeguards for the independence and efficiency of the relevant national authorities.*** This indicator takes into consideration the three authorities that are relevant to the media market. It merges the MPM2009 three indicators in the basic domain on the regulatory safeguards for the independence and efficiency of the media/competition/telecommunications authorities. It is a given, as is logically granted, that these authorities exist. Indeed, besides the media authority, any organisation that has competence in media policy in a given country must also be taken into account. The scoring system is also merged. The scores for this indicator are interesting as they show that **4 out of nine countries have low risk, while two has medium, and three have high risk. The three countries with high risk are Bulgaria, Greece and Hungary. It must be noted, nonetheless, that the structure of this indicator must be revised, as the requirements needed to obtain a low risk score are too strict (see below, section 5.2).**

The third risk that is taken into consideration in the basic domain is insufficient media (including digital) literacy (B3). The indicator for this risk is the assessment of the ***Policies and support measures for media literacy (and particularly digital literacy) among different groups of the population (6).*** Media literacy is a condition of universal access to

information, for the development of critical thinking and awareness, and for effective empowerment of the citizen in a democratic society. The lack of a media literacy policy can be assessed as being a risk to media pluralism. **Scores: three countries low and six medium risk.**

The last risk within the basic domain is the risk of barriers to the free flow of digital information (B4): this indicator is a newly introduced one and deals with the openness of the internet as a condition for the free flow of information. The indicator for this risk is in the ***Policy measures for the impartial circulation of internet data, without regard to content, destination or source.*** This is an indicator that does not assess the existence of a legislative framework and its implementation, but considers whether the country is moving towards a regulatory policy on net neutrality. Quoting the EU Parliament, the EU law should provide “a lasting guarantee that all internet users can in principle openly access or provide any kind of online content, services or applications in accordance with the principle of net neutrality” (EP 3/4/2014). This indicator measures the regulatory policies in this respect and shows that, so far, the states are not approaching this topic in a systematic way: **two countries show low risk (Estonia and France), while the rest show a medium risk (Belgium, Bulgaria, Denmark, Greece, Hungary, Italy, the UK).** It must be noted, nonetheless, that the fact that these countries are not taking any policy or legislative measure to tackle the issue, does not mean automatically a risk for pluralism, as the topic of net neutrality is a European issue and still debated at European level. Most of the EU countries are waiting for a defined and binding policy from the EU: once the policy will be developed, it will be easier to assess if the policy itself will be effectively pluralism-oriented and if the country implemented correctly the rules, accordingly.

4.2 Analysis of the Risk Domain Cultural Pluralism in the Media



Figure 2 Cultural pluralism domain scores per country

The cultural risk domain is the risk domain, which has passed through the most significant transformation if comparing the MPM2009 and MPM2014. Due to the more focused approach of the MPM2014, which targets only news and current affairs, most of the risks related to cultural production and representation have been eliminated from the Monitor and, in particular, from this risk domain. One aspect which, however, still remains important for the MPM2014, and which is reflected in this risk domain, is the universality of the media in the respective countries, including media for minorities and special needs groups. This change of focus in the risk domain makes it appropriate to consider a future revision of the name of the domain itself, which would better reflect its content. The risk domain consists of four indicators - two legal, one economic, and one social-political.

The legal indicators are indicator **7 *Regulatory safeguards for access to airtime on PSM by the various cultural and social groups***, and indicator **8 *Regulatory safeguards for***

minority & community media. Indicator 7 aims to assess the regulatory safeguards that are typically related to internal pluralism, in particular regarding the Public Service Media, which is a fundamental element of media pluralism, and the mission of the PSM is to provide access to airtime for different cultural and social groups. The risk evaluated is that of the insufficient representation of the various cultural and social groups in PSM (C1). The main challenge to the implementation of this indicator is the lack of properly politically approved definitions, and of internationally harmonised definitions and methods for the measurement of issues related to minorities. Despite the efforts of the CMPF to provide a rather robust definition of a minority, the differences in the way the phenomenon is treated (conceptualised, measured, acknowledged, etc.) in different countries made it difficult to follow a fully unified standard. A further need for definition and measurement of functional equivalents regarding minority related legislation is needed in the future applications of the MPM. For example, in France, a specific legislation on minority media representation is missing, however, there are efforts to safeguard access to airtime on PSM by the various cultural and social groups. Generally speaking, the results of indicator 7 show that access to airtime on PSM by the various cultural and social groups is something that needs to be further analysed and tackled, as **two countries report low risk, three medium, and four high risk (Denmark, Estonia, France and the UK)**.

Indicator *8 Regulatory safeguards for minority & community media* looks at the possibility for minorities to access the media system as a whole, i.e., external pluralism, and measures the risk of an insufficient system of minority and community media (C2). This indicator faces the same challenge related to the definition of minorities that has already been acknowledged and used on the national level. Similarly, the results of the indicator are also somewhat unsettling and run parallel with indicator 7. **Two countries report low risk, two medium, and five high risk (Belgium, Bulgaria, Estonia, France, Greece)**.

Since these two indicators examine the same risk, but from different perspectives (*i.e.*, internal and external pluralism), the future application of the MPM will consider a secondary analysis of these two indicators in relation to each other. The reason for that is that different media systems can emphasise only internal or only external pluralism. Since none of the two is considered superior than the other, it is possible that the guarantees against minority underrepresentation are achieved even only by emphasis on internal or only by emphasis on external pluralism. Similar approach will be taken in other occasions related to internal and external pluralism.

Indicator *25* addresses the economic aspects of the *Minority and community media and it also measures risk from an insufficient system of minority and community media (C2)*. In this case, **one of the nine countries has highlighted a low risk, four medium, and four high risk (Belgium, Bulgaria, Estonia and Hungary)**. Following the deficiencies in the legal framework in this area, this result also demonstrates that in many countries there are no

sufficient non-legal mechanisms that guarantee an adequate level of pluralism in terms of minority and community media. The difficulty of measuring the availability of minority and community media in relevance to the actual minority composition of the country and the demand for such channels is related to the lack of commonly politically accepted definition of minority and therefore data about the actual statistics in each country. However, an attempt to move in that direction will be considered for the MPM2015. Otherwise, the indicator cannot measure the level of sufficiency of provision, which is related to the level of demand, i.e. sufficient provision will be different in countries with vastly different presence of minorities.

Indicator *27* measures the risk of *Limited accessibility by special needs people* (C3) and it addresses a different aspect of the universality of the media system - the *Guarantees for universal access to media by special needs people*. This indicator demonstrates rather encouraging results, with **no country indicating a high risk, four countries indicating medium risk (Bulgaria, Greece, Hungary and Italy), and five countries a low risk**. The relative deficiencies in those countries can be explained by the lack of financial resources or by the policy tradition in the field, which could be expected to improve without any vested resistance. However, we need to acknowledge that it is very likely that this indicator will include more variables in the future, reflecting the trend towards raising the standards for media access for special needs people.

The challenges in the implementation of the indicators in this risk domain reflect the difficulty of tackling the minority issue in a consistent manner throughout the Union. A further fine-tuning of the tool will be implemented, and a certain level of centralisation of the data collection and analysis may be necessary in order to guarantee the full harmonisation of the application of the indicators in this risk domain.

4.3 Analysis of the Risk Domain Geographical Pluralism in the Media



Figure 3 Geographical pluralism domain scores per country

Indicators included in the risk domain Geographical pluralism in the media aim to monitor the existence of the eventual unequal representation of local and regional communities in the media. The indicators look at potential forms of inequalities from both a spatial and social perspective.

Legal indicators controlling the Geographical pluralism in the media include 3 indicators: *9 Regulatory safeguards and policies for regional and local media*, *10 Regulatory safeguards for locally oriented and locally produced content on PSM channels and services* and *11 Regulatory safeguards for universal coverage of the media*.

The risk **Insufficient system of regional and local media (G1)** is assessed by indicator *9 Regulatory safeguards and policies for regional and local media*, monitoring whether there is risk to fair and diverse representation and the expression of local and regional communities in the media (falling into the category of external pluralism). According to the results that emerged from the pilot-test implementation, the risk to media pluralism related to

representation of local and regional communities is **low only in three of the nine countries, medium in two, and high in four (Bulgaria, Denmark, Estonia, Greece).**

Indicator *10 Regulatory safeguards for locally oriented and locally produced news on PSM channels and services* assesses the risk relative to the **Insufficient representation of regional and local communities in news (G2)**, namely, controlling regulatory safeguards for internal pluralism from a geographical perspective. Due to their very nature and mission, PSM will guarantee the involvement of regional and local communities in news production. With regard to this indicator, some of the local correspondents shared some concerns about the obligations and duties that are related to the mission of PSM and these were about potentially different national interpretations (this is something that, as will be seen below, emerged with other indicators). Looking at the outcome of the 2014 pilot test implementation with regard to the country sample, the risk for a violation of this safeguard is, in general, medium-high: **three countries scored low risk, two medium, and four high (Belgium, Greece, Hungary, the UK).** The relation of indicators *9* and *10* as covering internal and external pluralism will be analysed as part of the MPM2015 fine-tuning.

Finally, indicator *11 Regulatory safeguards for universal coverage of the media* control the risk of **Insufficient access to media and distribution systems due to geographic factors (G3)**. This is the result of a merging of three former indicators from the MPM2009, and it aims to assess, in the logic of progressive convergence, the universal coverage of essential services. In particular, it looks at three levels of media coverage, namely PSM services, the distribution of newspapers in remote and/or rural areas, and broadband networks in the same areas. In **4 of 9 of the selected countries, the risk for a threat to such a safeguard resulted as low, while in the remaining five there seems to be either a medium (two) or high risk (Bulgaria, Estonia, Hungary).**

The one socio-political indicator in this risk domain is indicator *28 Guarantees for universal coverage of PSM and broadband networks regarding geographical coverage (risk Insufficient access to media and distribution systems due to geographical factors - G3)*. This indicator includes two variables that respectively measure the coverage of PSM and broadband. These two particular platforms are singled out, as there is a state responsibility to construct and maintain such networks and to provide coverage for the whole population. The measurement of this indicator has been rather clear and there were no significant challenges. As a whole, **there are three countries with a low risk, five countries in which there is medium risk, and one high (Greece³).** This result mainly demonstrates the differences in the stages of the development of the broadband networks in different countries. A specific case here is Greece - due to the transitional stage of the reform of the PSM in that country,

³ The country correspondents provided the elaborated data, but the CMPF team assigned the indicator score.

there is no effective coverage of the population with fully functioning PSM. This issue remains open, as further and quick developments are expected in this area.

The list of economic indicators that assess the risk domains in the context of Geographical pluralism in the media includes 2 indicators. The risk domain concerning **High centralisation of the national media system (G4)** includes indicators that assess the estimated reach and audience share of regional and local media. The high risk is determined in cases where national media do not equally reach population over the national territory. This risk is assessed with indicator **26** monitoring the *Centralisation of the national media system*. This indicator aims to denote the probability of a threat arising to the external diversity of a media system that is perceived as being high, and the growing centralisation of a media system on a national scale; and the high and growing concentration of local and regional media ownership. The score for this indicator is assigned by aggregating results generated from the following tests: 1) The relative strength of local/regional media (daily newspapers, TV channels, radio stations, news websites) in a particular media system; 2) The combined ownership of regional/local media and national media outlets by the same company; 3) The proportion of regional and local television and radio broadcast channels to national broadcast channels; 4) The proportion of regional and local newspapers to national newspapers. Although **six of nine of the countries have highlighted a low risk concerning their national centralisation of media systems, one, medium, and Belgium and Estonia reported high risk**. Some countries experienced a lack of the data required to fill this indicator and therefore, the results are inconclusive.

The new risk concerning the **Insufficient quality of the digital infrastructure (G5)** is assessed with indicator **24**, *which* monitors the *Availability and quality of broadband*. The scoring assessing this indicator differs significantly across countries. **Three countries, Greece, Hungary and Italy, have scored high risk, while two countries scored medium risk, and a final group of four have instead scored a low risk**. If the number of subscribers to landline, as well as mobile, broadband is indicative of the level of the national Digital Divide, the measures relating to the speed of the broadband instead measures the quality of the internet infrastructure. Since we should expect that high speed increases the usability of online content, including video-streaming, in countries with a broadband speed below the EU average (such as Greece, Hungary, Italy), the use of the internet for online content consumption might be impeded by the limited bandwidth. At the same time, a low available speed is likely to be a serious obstacle for bottom up forms of media production.

The application of the risk domain on Geographical pluralism demonstrated the need for a revision of the approach to the issue as a whole. The MPM2015 will consider the introduction of coefficients to some indicators in this domain, in order to reflect the considerable variations in the geographic diversity of the EU Member States. Such a revision will aim at the improvement of the validity and cross-country comparability of the indicator scores. The

relation of this risk domain with the risk domain on Cultural pluralism will also be considered.

4.4 Analysis of the Risk Domain Pluralism and Media Ownership Control



Figure 4 Pluralism and media ownership control domain scores per country

The risk domain *Pluralism of media ownership and control* refers to the existence of sufficient media outlets and platforms that are owned, or controlled, by a plurality of independent and autonomous actors. It encompasses a plurality of actors at the level of media production, media supply and media distribution (i.e., variety in media sources, outlets, suppliers and distribution platforms)(MPM2009). In this context, this risk domain includes indicators covering the risk of **High ownership concentration in the media (O1)**, **High concentration of cross-media ownership (O2)**, and **Lack of transparency in ownership structures (O3)**.

The risk **High ownership concentration in media (O1)** includes legal and economic indicators that assess the high, medium or low risk that a national media landscape is highly concentrated across different media outlets. Media ownership concentration is commonly considered one of the key factors that determine a threat to media pluralism. The more concentrated the market is, the more exposed it is to a lack of variety in content availability in respect of the plurality of the political, cultural and societal diversities that characterise each country.

Among the legal indicators, the **12 Regulatory safeguards against high concentration of ownership and/or control in media** merges five previous indicators (i.e. indicators included in the MPM2009 as separate ones) that assess media concentration in different media. The rationale behind this merger is the current process of convergence of the different types of media. It evaluates the existence and implementation of regulatory safeguards on media ownership concentration for TV, newspapers, radio and ISPs and assesses the risk to the overall media system accordingly. The score for this indicator is **three countries low risk, five medium, and one high (Hungary)**.

The economic indicators in the ownership domain under the same risk are **21, 22** and **23**. Indicator **21** assessing the **Media ownership concentration** controls the concentration of the market across the 4 main media outlets: TV, Newspapers, Radio, and ISPs. 4 different variables control the media concentration in each of these media outlets. The methodology used is the Top 4 method, which is based on market shares, namely, the share of the total revenue in a market for each owner of the total market for each media platform. The Top 4 is obtained by summing the market shares of the 4 major owners in the market. In a case where the 4 major owners (Top 4) have a market share below 25%, then there is low risk. In contrast, if this percentage is between 25% and 49%, then this indicator scores a medium risk. Finally, we register a high risk when the 4 major owners have a market share above 50%. As a result, and due to the final score that is based on this scoring strategy, **all countries scored a high risk** in media ownership concentration, which is indicative of the high concentration that characterises the EU media markets.

Nonetheless, this indicator, as well as indicator **22**, on **media audience and readership concentration** (see below), must be interpreted in the light of the size and wealth of each country and of the resources of the market itself. This is an indication that comes also from the MPM2009, which provides provisional coefficients that lower the score (and the risk) for the economic indicators that assess ownership concentration in specific cases. This is based on the understanding that a small country and therefore, with a small media market and/or a low GDP, in fact, is more likely to develop a concentrated market, as the existence of many operators cannot be sustainable and this creates fragmentation rather than plurality. The provisional MPM2009 coefficients however, create rather broad groups and therefore, do not introduce the necessary distinctive power. For example, a coefficient of 0.75 is

introduced if the country's population is less than 20 million people, which puts countries like Malta (less than 0.5 million), Netherlands (just below 17 million) and Romania (just below 20 million) under the same conditions. The same applies to the coefficient related to the low GDP. In order to reflect the necessity of coefficients with stronger discriminating power, the MPM2015 will introduce coefficients related to the market size and resourcefulness that will have a higher number of steps. Consequently, the MPM2015 will be able to better reflect the country specificities. These coefficients will be applied to all relevant indicators.

Indicator **22** concerning the *Media audience and readership concentration* assesses the audience share per Top 4 owners competing in the media market in 4 different media outlets, including TV, newspapers, radio and ISPs. The share is based on the standard or most accepted audience/readership/subscription measurement system that is available in the country. Similarly to the previous indicator, the Top 4 are obtained by summing the audience/readership/subscription shares of the 4 major owners in the market. By using a similar rationale to that of the previous indicator, a country scores low risk when the 4 major owners (Top 4) have an audience share below 25%. If this value falls between 25% and 49% this indicator instead scores a medium risk. Finally, high risk is scored in a case where the 4 major owners have an audience share that is above 50%. As a result, **7 of 9 countries (Belgium, Bulgaria, Denmark, France, Hungary, Italy, the UK) scored a high risk; the two remaining countries scored one medium, and one low risk.** These results again should be read as non-conclusive as graded coefficients reflecting the size and viability of the markets have not been applied.

Indicators **13** and **23** cover the risk **High concentration of cross-media ownership (O2)**. In the light of media convergence, in the simplification process, the legal indicator **13** on *Regulatory safeguards against a high degree of cross-ownership between television and other media* merges two indicators that the MPM2009 assessed as having a high-degree of cross ownership in media between television (according to its broad definition) and other media. The scores for this indicator are that 4 countries have low risk, and five medium risk. **Medium risk applies to Bulgaria, Estonia, Greece, Hungary and Italy.** A second level of investigation would be useful in these cases in order to better understand the nature of the medium risk.

The economic indicator **23** *Number of sectors in which top 8 firms/owners are active* instead assesses the cross-ownership concentration in the different sectors of the national media industry, including television, newspapers, radio and any internet service providers. This indicator is assessed by using the Top 8 concentration measure. Similarly to the previous indicator, the Top 8 measure is obtained by summing the market shares of the 8 major owners in the different sectors of the media market. If the result obtained is below 50%, then we are in a low risk case. If this instead falls between 50% and 70%, the country

scores a medium risk. Finally, a high risk is scored when the 8 major owners have a market share that is above 70%. As a result, **almost all of the countries have scored high risk in cross-ownership concentration, including (Belgium, Bulgaria, Denmark, Estonia, Italy, the UK). Only two countries reported a medium risk.** This indicator therefore shows a generally high risk of cross-ownership concentration across the countries monitored.

The risk of **Lack of transparency in media ownership (O3)** is evaluated by indicator *14 Regulatory safeguards for the transparency of ownership and/or control*. The transparency of the media ownership structures is fundamental for healthy media and democratic systems. This indicator merges two fundamental elements of regulation on media ownership transparency. Transparency of ownership and/or control is seen both towards the public and towards the relevant authorities. This indicator shows a **low risk in three countries, medium in five, and is high in Denmark**, as, according to the data collected, this country has no regulatory safeguards on media transparency. This is one of the cases where the MPM needs a second-step approach in order to assess the effectiveness of the given risk that results from a different media system, culture and legal framework. An interesting indication of the media ownership transparency is indeed the accessibility of the data necessary for this very Monitor.

4.5 Analysis of the Risk Domain Political Pluralism in the Media



Figure 5 Political pluralism domain scores per country

The Political risk domain includes all the risks which are related to political interference in the media market and its functioning. The types of indicators included here are legal and socio-political ones. There are nine indicators (three legal and six socio-political ones), which are the measures of five different risks. This risk domain examines the interaction between political actors and the media, and it is reflected in the functioning of political communications as a guarantee for the existence of free, open and pluralistic political debate, discourses and representation.

The first risk in this domain is the risk **Political bias in the media (P1)**. It includes one legal indicator - *15 Regulatory safeguards for fair, balanced and impartial political reporting in television*, and one socio-political one - *29 Representation of political views in the media*. These indicators cover the regulations and their application, both during and

beyond elections. In the pilot test implementation, only television was monitored, as it is still the medium with the largest audience, and also audiences consider it to be their most important source for news and current affairs information (see the Standard Eurobarometer for data that has consistently confirmed this over time). However, future applications of the MPM could consider including variables that are also related to the other media platforms. This is especially relevant with the shifting focus of audiences onto the internet based media outlets, but also to the convergence of the media. Indicator **15** assesses the ***existence and implementation of regulatory safeguards that are essential for guaranteeing political information in a fair, balanced and impartial way.*** Indicator **29** assesses the actual ***representation of different political groups, organisations and personalities in the media.*** Both indicators demonstrate high risk in a number of countries - **high risk in three countries regarding indicator 15 (Bulgaria, Greece⁴, Hungary); four regarding indicator 29 (Denmark, Greece, Hungary and Italy); medium risk in two countries in relation to indicator 15, and three countries in relation to indicator 29; low risk in four countries relating to indicator 15, and two countries in relation to indicator 29.** It is important to emphasise that indicator 29 had been applied on a sample that is far from representative and therefore, its results can be only indicative and not conclusive. Due to the high level of resources that are necessary for the application of indicator **29**, especially when implemented with an appropriate sample, there should be a debate on its transformation into a second level explanatory indicator (see details in section 5.4.) or to rely on a secondary analysis of data already collected by others. However, it should not be ignored, due to its crucial role in measuring media pluralism and the relevant risks.

The second risk is the **Excessive politicisation of media ownership/control (P2)**. It includes three risks: one legal - **16 Regulatory safeguards against the excessive ownership and/or control of mainstream media by politicians**, and two socio-political - **30 Political Control over media and distribution network ownership**, and **31 Political control over media funding by advertising**. This risk is devoted to the assessment of the political pressure on the media system as a whole. It is a key risk covering a number of important variables. The legal indicator, **16**, examines the effective legislative regulatory measures that are needed to avoid the politicisation of media. Somewhat alarmingly, we see that there are **six countries with high risk here (Bulgaria, Estonia, Greece⁵, France, Italy, and the UK)**, **two countries with medium risk, and one country with low risk.** Interestingly enough, this risk level is not reflected by the socio-political indicators in this risk, where **only one country is identified as high risk (Hungary), two countries with medium risk, and six countries with low risk for indicators 30 and 31.** A closer examination of the feedback provided by the country teams, however, uncovers that there

⁴ On the interpretation of this score, please, see the Greek country report in attachment.

⁵ On the interpretation of this score, please, see the Greek country report in attachment.

are also considerable suspicions of excessive politicisation in regard to these indicators, but there is insufficient official data to support or reject this. The scores of these indicators should therefore be considered carefully but, even more importantly, in the future, MPM should provide special scoring options for cases in which there is a lack of ownership transparency, and a lack of transparency in regard to the major advertisers and funders of media outlets. Excessive politicisation is an important risk, but the lack of transparency in regard to such potential politicisation is a risk to media pluralism with a potentially even bigger impact.

The third risk here is **insufficient editorial independence (P3)**. It is covered by a social-political indicator, namely, indicator **32 *Presence of professional associations providing advocacy for editorial independence and respect for professional standards***. The application of this indicator faced certain challenges in addressing the multitude and variety of traditions, institutions and channels for interaction between professional associations and editorial boards. The rich information provided by the country teams will be used for further fine-tuning and to enrich this indicator. Currently, **two countries demonstrate high risk (Hungary and Italy), three countries medium risk, and four countries are at low risk.**

The fourth risk is the **insufficient independence of PSM (P4)**. This includes one legal indicator - **17 *Fair, objective and transparent appointment procedures for professional, management and board functions within PSM, ensuring independence from government / a single political group***, and one social-political indicator - **33 *Level of independence of PSM (mechanisms for its financing)***. Indicator **17** focuses on the procedure for appointing the board of managers of PSM and it is therefore highly relevant to assess the structural independence of the PSM from the government. Indicator **33** focuses on the ***mechanisms and procedures for financing the PSM***. The combination of the two indicators provides a good illustration of the risk of political pressure (or lack of it) over the PSM. The results show that there are certain risks in this regard in a number of countries. **High risk regarding indicator 17 is identified in two countries (Hungary and Italy), and three countries relating to indicator 33 (Estonia, Greece and Hungary);** medium risk - three countries in relation to indicator **17** and in regard to indicator **33**; low risk - four countries in regard to indicator **17**, and three countries in relation to indicator **33**. Both indicators will also benefit from further fine-tuning in the future, especially indicator **33**, which should reflect the latest PSM budgetary developments in Italy and include an option to measure such cases in these indicators. It should also better reflect the countries where PSM is not funded by fees.

The fifth, and last, risk in this risk domain is the **Insufficient pluralism of news agencies (P5)**. It includes one socio-political indicator - **34 *Independence and ownership of news agencies***. This aspect of media pluralism is often ignored, however, it is rather important as it creates the foundation for political information content, especially regarding non-domestic

issues. The results also demonstrate that there is indeed a risk to media pluralism that is related to this indicator in some countries - **two countries scoring high risk (Hungary and Greece), four countries scoring medium risk, and three countries scoring low risk**. Considering the rather high level of concentration that is related to medium risk, these results should not be ignored. However, it also needs to be acknowledged that until not so long ago, news agencies were entirely centralised on a national level almost everywhere. There is therefore a need to monitor the developments in this area in the future.

The political pluralism risk domain presents a rather complex picture and outlines certain risks that are related to media pluralism. Many of the indicators included here need further fine-tuning and therefore the results presented are not absolute values, but are tentative, and they present the orientation of the trends. However, they are a clear indication that media pluralism needs increased attention in a number of countries.

4.6 Analysis of the Risk Domain Pluralism of Media Types and Genres

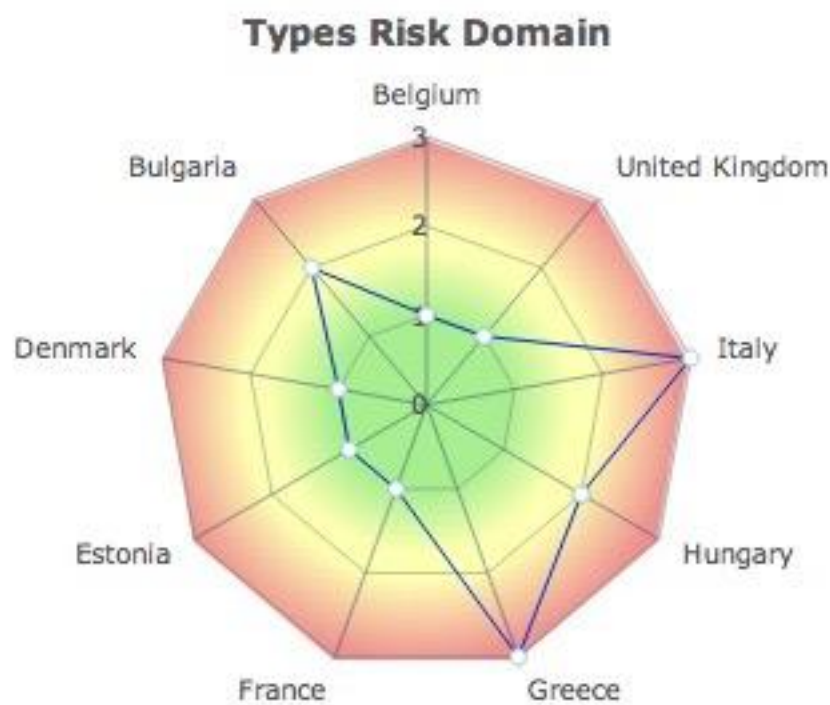


Figure 6 Pluralism of media types and genres, domain scores per country

According to the MPM2009, the risk domain Pluralism of media types and genres “refers to the co-existence of media with different mandates and sources of financing, notably commercial media, community or alternative media, and public service media, within and across media sectors, like print, television, radio and internet. Pluralism of media genres refers to diversity in the media in relation to media functions, including providing information, education, and entertainment”. This broad definition however, has been somewhat re-focused due to the overall focusing of the MPM on news and current affairs. This risk domain therefore has been reduced and reshaped significantly. The indicators that were selected to form part of the MPM2014 in this domain relate to the remedies that ensure that the markets effectively remain plural when it comes to the distribution of information of public interest, or the supply of public service media. The risks included in this domain are the **Lack of/under-representation of/dominance of media types (T1)** and the **Lack of sufficient resources to support public service media (T2)**.

Indicator *18* on *Regulatory safeguards for the distribution of public interest channels on cable, DSL and/or satellite platforms measures* evaluates the risk **Lack of/ under representation of/ dominance of media types (T1)**. In particular, the indicator analyses the existence of "must carry rules" that are imposed when they are necessary to achieve a defined public interest objective. In this regard, **seven countries scored as being low risk, where two scored as high risk (Italy and Greece)**.

PSM is considered part of the tradition of the European Member States. A mixed media market, where private and public operators are present, is an asset for the circulation of different information and for a pluralistic market. It is considered a risk that there is a lack of sufficient resources to support PSM **(T2)**. The MPM2014 measures this risk through indicator *19* on *Regulatory safeguards for the objective and independent allocation of adequate, consistent and sufficient financial resources to PSM*. This indicator is also structurally relevant in assessing the independence of PSM. Indeed, because of their mission, underfunded PSM could represent a threat to media pluralism.

The scores are **four countries low, one medium, and four high (Italy, Hungary, Greece and Bulgaria)**. The results of this indicator are interesting and need a second level of investigation in the light of the different genesis and the effective role of the different PSM in the different countries.

5 Analysis of Methodology Testing. Analysis of the Indicators

5.1 Problems and Solutions for the Data Collection - Availability, Reliability and Cooperation of Data Collection Outlets

The pilot test implementation of the MPM2014 was successful in reaching its main methodological and research goals. It has sketched a snapshot of the media pluralism risks in the sample of nine countries in the EU but, most of all, it has successfully tested the complex MPM2014 instrument, it has proved its applicability and has outlined particular ways to enhance and fine-tune it further. The challenges and future improvements in the MPM are in terms of both the structure of the tool and its application procedures. The pilot testing has thus outlined the way to make the MPM even more manageable, reliable, objective and to produce comparable, informative and rich data regarding media pluralism risks in the EU Member States.

The enhancement of the MPM in terms of its content of indicators will be related mainly to resolving the lack of clarity on some definitions and instructions in the User Guide, as well as accommodating the variety of cases, practices and structures which have not been covered by the previous versions of the MPM. This enhancement of content will improve the applicability of the MPM as a comparative measurement, and in its overall reliability and validity. The definitions and instructions will include explanations of what the functional equivalents that can be considered by the MPM are, whenever a particular phenomenon does not exist in the particular country, e.g., purely private terrestrial television in Denmark, media law elsewhere, etc. Although very important for the functioning of the instrument, these changes are not going to impact on the overall structure and the principles of the tool. The enhancements will take place at the level of instructions on the variable measurements, additional glossary definitions and thresholds, stricter instructions and standards in relation to data sources. Only in a limited number of cases will the list of variables in an indicator be enriched.

A challenge that has impacted on the data collection in a number of countries has been the issue of missing data. In some cases, the data is missing, i.e., there is no attention to the issue in question as there has been no problem that is related to it. For example, if the advertising market in some countries has been rather vibrant and competitive, consequently, state advertising would play an insignificant role in it and there would therefore be no need to establish mechanisms for monitoring it. However, the lack of the same data could also be attributed to the lack of transparency of the politically controlled funds that enter the media

outlet budgets. In countries with a less vibrant and competitive advertising market, this non-transparent state advertising could play a crucial role in the viability of media outlets. A significant problem that is related to missing data has been the lack of reliable information about the ownership of media outlets in some countries, or the presence of data that is limited to owners who represent opaque legal entities with unclear final ownership. Following the instructions of the MPM2009, the missing data in these cases led to neutral values, i.e., medium risk. The CMPF considers this to demonstrate a lack of validity for the measurement. The feedback from the country correspondents strengthened even further this concern about the validity of treating missing data neutrally. Based on the experience of the MPM2014, the future MPM's instructions will include special guidance on how to evaluate the missing data. As a general principle, unless there is convincing evidence that the missing data is caused by the lack of even a potential risk, the missing data will be evaluated as demonstrating a lack of transparency and therefore as a high risk. In the name of the full transparency of the MPM instrument, whenever the data is requested from official institutions and regulators, this principle of dealing with the phenomenon of missing data will be communicated together with the data collection request.

Another change that will be introduced in the MPM2015 is the graded and expanded coefficients. The application of the MPM2014 demonstrated the significant need to reflect and take into account the demographic, geographic and economic characteristics of each country, as well as the importance of each media platform, when estimating the levels of risk to media pluralism. The MPM2009 have included coefficients related only to the number of inhabitants and the GDP of the country. We consider this to be an insufficient list of coefficients, as it does not cover the diversity of the country's population, which is essential for determining the demand for pluralism and diversity of media representation. Another problematic issue related to the application of the MPM2009 coefficients have been their cutting points, i.e. grouping countries into only two groups (large or small, rich or poor) without reflecting the considerable diversity within these groups. Due to that they have been considered limited, misleading and inapplicable to the MPM2014, but will be replaced by coefficients introducing grades and scale.

The simplification of the MPM2014 has been led by the focusing of the MPM on news and current affairs. This has led to the refocusing of some risk domains, in particular the Cultural and Geographic ones, as well as the Types and genres domain. A restructuring or merging of these risk domains under the umbrella of Universality will be considered. Such a restructuring will reflect the current focus of these risk domains on access and representation of minorities, regions, special groups, as well as universality of content distribution.

The analysis of the collected data demonstrated the need to analyse the indicators measuring similar issues from the perspective of either internal pluralism, or external pluralism to be analysed together. This relation between such indicators will be revised and a methodological

link between such pairs of indicators will be considered.

The enhancement of the MPM in terms of procedures will be related to further streamlining of the data collection, verification and communication of the results. Naturally, the extension of the MPM application to another 19 countries will lead to an extension of the network of national teams working on the MPM. The collaboration with the national teams has so far proved to be useful and indispensable, especially in the collection of qualitative data, data that is only available in the national language and, moreover, in the verification and interpretation of the data. However, it will be beneficial to conduct a detailed discussion and clarification of the MPM's commitment to the potential national teams, in order to avoid misunderstandings and a lack of clarity, as well as to secure clearer commitments.

In order to reduce the cost of the data collection itself, some of the data will be collected centrally by the CMPF team. This would be relevant only to quantitative data that has established EU standards of collection and does not need extensive national interpretation. The CMPF also considers the central collection of data that is provided by the NRAs.

Another important procedural aspect of the MPM's implementation that will be further enhanced is the communication of the results. The successful use of the online data collection platform will be extended to communicate the MPM's results. Different audiences will be granted different levels of access to the platform. National teams will keep their access to the data collection pages - including all instructional materials and the rights to input and change data. As a first platform enhancement step, the communication and the data verification of the MPM by the stakeholders of the Panels of Experts will be conducted through the platform. Each member of the Panel of Experts will be given access to the data already collected and the evaluated scores for his/her country, and will be asked to comment on it on the platform. As a final step, the platform will include a third level of users, namely, the general public. Any subject will be allowed to see the end results of the MPM's scoring, including the level of variables, as well as the data sources on which it has been based. Moreover, the platform will develop further the visualisation of the results, in order to present results on the level of risk domain and risk in an even better way.

5.2 Analysis of the Methodology: Legal Indicators

As well as the MPM2009, the MPM2014 is mostly composed of legal indicators (20 out of 34). The indicators that are in the new MPM, after the elimination of those not dealing with news and current affairs, cover all the risk domains.

Notwithstanding the legal indicators are still the majority of the indicators in the MPM2014, the simplification work on the legal indicators was considerable and challenging. The legal indicators in the MPM2009 amounted to 67: after the merging operation and the elimination of indicators that did not fit with the narrowed scope of application of the Monitor, most of the legal indicators, with the exception of a few in the basic domain, were heavily reshaped to fit the concept of the MPM2014, and the total number was reduced to 20.

From a theoretical perspective, these indicators cover issues that are very relevant and that are essential for any evaluation of media freedom and media pluralism. Part of them are not directly linked to the scope of the application of the MPM2014 (news and current affairs), but are the essential prerequisite for any democratic society and, in this respect, they fit perfectly with the logic of the revised MPM. Most of the indicators in the basic domain, for instance, must be interpreted in this light.

Legal indicators are not always very easy to assess, as they deal with concepts and principles that live in the work of legislators, administrators and judges within the specificities of each country's legal tradition, constitutional framework and political situation. The challenge of the MPM, nonetheless, is to give a score to what is difficult to measure. One way to face this challenge is to extend the use of Panels of Experts as a verification panel of some legal indicators. Moreover, it must be stressed that different country's traditions are strictly linked to common principles, like those enshrined by the EU Charter for Fundamental Rights and those of the European Convention on Human Rights, enforced by the European Court in Strasbourg that give a common ground for interpreting the legal framework of the selected countries

When measuring media pluralism according to the legal indicators, the pilot-test implementation used the methodology provided by the MPM2009, which proved to be a good starting point from which to try to develop common standards of evaluation amongst all the country teams for each single indicator.

The evaluation of the legal indicator was carried out, as the MPM2009 user guide suggests, and as explained in section 3.2, using the methodology of first MPM assessing the existence of a certain regulatory safeguard and then evaluating the way that the specific regulatory safeguard was implemented.

That meant also that there had to be a re-balancing operation for the weights of "yes" and "no" in scoring each legal indicator, where this proved necessary. In general, the scoring logic of the merging indicators was also respected in the merged indicator.

The operation was not very easy, as the variables to assess the score were sometimes too broad and sometimes too narrow to clearly fit the peculiarity of each country profile, or were univocal. In many cases the country teams highlighted that some indicators were difficult to

assess, as it did not perfectly fit the country's case. In this regard, the CMPF's interpretation of the information and data provided by the local teams helped to define assessments that could be consistent in all the countries and could take into consideration the different regulatory peculiarities.

In the light of these issues, the MPM tool needs to be fine-tuned for future implementations. In particular, some variables in the indicators will be rephrased, just to allow the indicator to take into consideration how the rule of law, or the judicial review work in different countries' constitutional frameworks (i.e., change the wording "Constitutional Court" to "Superior Court" or its functional equivalent - i.e., indicator **3**). In other cases, the variables will be slightly changed to better fit the aim of the indicator itself (i.e., it could be useful to better develop indicator **2** with variables that are more tailored to assess the existence and implementation of FOIAs according to international standards and to add some specific variable on the independence of data commissioners or offices, as often this shapes the culture of access to information). The implementation variables will, whenever possible, be better tailored to the specific indicator, introducing more measurable criteria for evaluation than the general existence of a functioning judiciary and a guaranteed system of appeal.

In the case of some other indicators, CMPF will consider whether a change in the formula may be logical and possible so as to obtain scores that are less "extreme" (as in the case of indicator **4** on the *regulatory safeguard for the journalistic profession*, or **5** on the *independence of the regulatory authorities*, where the formula comes directly from the MPM2009's indicators and may lead to polarised results, since to have a low risk for all the variables requires that all the variables are replied to with "yes", and other studies will be taken in consideration (for instance the INDIREG indicators). Another indicator that may need some minor formulaic change is indicator **15**, which, after merging different indicators, is quite "heavy". This indicator covers the major elements of the regulation of political communication, specifically, during the electoral period. This can be criticised as in some countries a media law that guarantees fair, balanced and impartial representation of political viewpoints in news and informative programmes on commercial channels and services can be seen to limit freedom of expression. On the other hand, the interpretation of the results of the Monitor should take into consideration that in some traditions obligations and duties related to the mission of PSM can be considered to go against a strong tradition of editorial independence (or editorial freedom) and a strong remit for PSM (Denmark).

In the case of the legal indicators on media ownership, new variables on the internet must be taken into consideration, namely, the role of the companies and applications that operate as intermediaries for the content flowing onto the web and the ways in which online advertising is shaping the information market. The indicators to media ownership should take the revenues of the new internet markets into consideration in a clearer way. Moreover, the final assessment for indicator **12** should also take into consideration the different weight of

different media in the consumption of news and current affair information, and then create a system of coefficients that can be applied to different media and that are based on the penetration of the medium in that specific country within a given timeframe.

In the light of the fine-tuning of the tool, indicator **6** on *media literacy* will be shifted to the socio-political indicators, as it is based more related to policy evaluations than to regulatory arguments.



Figure 7: Legal type of indicators. Average of the scores of the MPM legal indicators

5.3. Analysis of the Methodology: Economic Indicators

The simplification work on the economic indicators of the MPM 2014 brought their number down from the 39 of the 2009 MPM to only 6. However, this drastic simplification was obtained partially through an important process of merging indicators with the aim of examining the different media within the economic media landscape of each country, taken in view of its integration and not in its isolated parts. Even in this case, as for the legal indicators, the concentration on news and current affairs was not the only driver of the

simplification process.

One of the main problems that emerged from the analysis is the result produced by what can be considered as the more “traditional” indicator, from an economic viewpoint, indicator **21** assessing **Media ownership concentration**. The fact that all the countries examined present a high level of ownership concentration has different elements that should be considered. It cannot be a surprise that the media industries have a traditionally high level of concentration: this is a type of industry, at least at the production level, with high fixed costs and low or almost non-existent marginal costs. Normally, this is an easy pre-condition for high market concentration. However, the indicator seems to show too low a capacity for discernment among different situations. Probably a more sophisticated index than one based on the cumulative market shares of the Top 4 companies could help to better assess the real economic concentration of media ownership in different countries. This is more likely also because the set of information that is available could probably allow the effective elaboration of a more comprehensive kind of index. However, the improvement could also derive from a better weighting of the different media in relation to their importance in terms of revenue, audience, importance for the formation of opinion, or other relevant parameters. The same list of considerations is certainly valid also for indicator **22**, concerning the **audience and readership media concentration** that assesses the audience share of the Top 4 owners competing in the media market in 4 different media outlets, including TV, newspapers, radio and ISPs. Probably, in this case, a weighting of results that is based on their importance in the formation of public opinion, in terms of news and current affairs, is even more urgent. Cross ownership between different media, explored through a Top 8 firm market share, indicator **23**, appears also to be very high in most countries but, even in this case, the grain of the indicator can be re-examined to improve performance and the ability to discern the risk in different situations.

The economic indicator relating to internet infrastructure assumes that high speed broadband can substantially increase the usability of online content, but the reverse is also true, in terms of productive developments: a low speed for the broadband network can hinder the spread and growth of new media enterprises that are based on the internet, thus limiting pluralism at source. However, in economic terms, it is likely that even the present version of the MPM does not cover all the relevant sources of risk, especially if one considers the very tumultuous developments in on-line advertising and its effect on the survival possibilities for traditional media. Data collection on the pluralistic dimension of the internet, or on the digital environments in a broader sense, is facilitated by the fact that, in most of the cases, the data consists of numerical values. This makes their collection through commonly shared standard measuring mechanisms possible. As a result, monitoring the digital environment is facilitated by the existence of a centralised dataset that is available through international organisations and governmental bodies, including the OECD and the World Bank. For example, concerning the quality of services offered by internet service

providers, in the MPM2014 it was possible to rely on comprehensive databases that facilitate the data gathering in respect of common methodological approaches, such as Eurostat. It is more problematic, but increasingly possible, to acquire reliable data on the value of online advertising and its influence on the rest of the media industry.

The last two economic indicators of the MPM 2014: *High centralisation of the national media System* and *System of minority and community media*, essentially present measurement challenges that will need to be faced to assure consistency in their evaluation across countries. The problems, however, are slightly different. The first indicator shows a lack of reliable measurements for the phenomenon, at least in some countries, while the second presents national peculiarities in a deep manner. Nonetheless, in both cases, significant differences among countries have been made evident by the MPM's application.



Figure 8: Economic type of indicators. Average of the scores of the MPM economic indicators

5.4. Analysis of the Methodology: Socio-Political Indicators

If compared to the MPM2009, MPM2014 includes only a limited number of socio-political indicators, respectively 60 indicators in the MPM2009 and 8 indicators in the MPM2014. Many of the indicators that have been left aside did not satisfy the criteria for being related to news and current affairs in the media. The socio-political indicators are mostly present in the political risk domain. The exceptions include one indicator that falls under the cultural risk domain, and one that falls under the geographical risk domain. None of the risk domains is monitored only by socio-political indicators. However, the socio-political indicators are a necessary element of the MPM as they provide important information about the actual functioning and context of the legal framework and the media market.

Sometimes the socio-political indicators partially overlap with the legal indicators, if they refer to the implementation of the legal framework. For example, indicator **6**, on media literacy, which is currently listed as a legal indicator, can very likely be re-classified. On other occasions, indicators are intertwined with the economic indicators, especially when they refer to the political ownership of media outlets (indicator **30**) or to political influence over the financial resources available on the market (indicator **31**). Such cases demonstrate the strong internal links between the different elements of the MPM, as well as the necessity to see the tool as a holistic instrument, which should be addressed and analysed in its entirety and not element by element. A high score even for one risk could indicate a risk with negative consequences for the whole media system of the respective country.

In discussing the MPM with different stakeholders, it has been obvious that the socio-political indicators create hesitation in many stakeholders, who suspect that qualitative measurement could become synonymous with biased measurement. There are three counter factors to these suspicions and objections.

The first one is that the political and social culture and forces have an undeniable effect on the media systems and it is therefore paramount that they are included in the MPM. A specific characteristic of the socio-political indicators is that their measurement is predominantly qualitative. The second factor is that there have been considerable efforts to guarantee that the clear instructions and scoring categories for each variable will result in objective evaluations of the socio-political risks to pluralism. The methodological and measurement instructions in the MPM2014 use the MPM2009 as an inspiration, but they are significantly enriched, clarified, specified, and operationalised. All these improvements turn them into a more useful, and better, methodological instruction guide. Following high scientific standards for the application of qualitative measurements, including thorough documentation and explanatory texts for each score, is a guarantee of the objectivity of these

indicators.

The third factor is the introduction of a special method of score verification, namely, the Panel of Experts. This methodological step (described in detail in section 3.6) functions as a further guarantee of the objectivity of the measurements and takes advantage of the information provided by a wider expert and stakeholder network. This methodological step has worked fairly well in almost all of the cases examined in the MPM2014. Apart from its purely methodological value, the use of the Panel of Experts has a significant role in the provision of a high level of transparency for the MPM as a tool. It is therefore likely that the future applications of the MPM would introduce the Panel of Experts' comparison in relation to even more indicators than in the MPM2014.

The pilot implementation of the MPM2014 has demonstrated that the socio-political indicators work rather well, as a whole. Almost all of the challenges to their implementation may be overcome in the future with the help of additional editorial work on the methodological instructions. Certain descriptions need to be further clarified, and some additional definitions need to be introduced in order to guarantee the full comparability of the scores of different countries, e.g., the definition of state advertising. This has already been partially done, as answers and clarifications have continually been given to the local teams during the pilot test implementation.

The other aspect in which the pilot test implementation has been beneficial for the socio-political indicators, has been the feedback provided by the local teams regarding specific cases, which do not fit the descriptions and classifications of the MPM (neither those of MPM2009, nor those of MPM2014), e.g., the lack of purely private terrestrial TV in Denmark. All cases like this will be taken into account for the further fine-tuning of the measurement instructions. The future MPM indicators will provide a uniform treatment for such cases in order to guarantee the complete applicability of the MPM throughout the EU. In addition, the recent developments in some of the monitored countries also provide important information about variables that are related to the risks of political interference and that need to be included in the MPM, e.g., recent changes in taxation policies in Hungary (related to indicator **31**) or the ways changes in the PSM budget have been introduced in Italy (related to indicator **33**).

Indicator **29 *Political bias in the media*** was the only one involving content analysis as data collection (see details of this in the Appendix). The method was applied only experimentally with a reduced sample and testing period. This testing was focused on the evaluation of the applicability of the data collection method, and in no way is it claimed to be fully sufficient for the proper evaluation of political bias in the media. Although the experience of the pilot testing demonstrates that content analysis provides important and reliable information on the measured indicator, there are still question marks about its applicability in the future. The

data collection, even from this very reduced sample, has been rather demanding of resources. If the sample size is enlarged to its necessary levels, the sustainable applicability of the content analysis could rapidly become highly problematic. Based on this, it is recommended that the use of content analysis be considered either as a second order indicator, which is applied only when necessary to explain the risks that have already been flagged up by other indicators; or to work towards the use of content analysis data that has already been collected by the national regulators or other official/reliable sources. The first recommended option is probably better suited to a short-term interim solution, and the second recommended option might be long-term and closer to an optimal solution. However, the use of content analysis that is conducted by different external bodies must be methodologically comparable and well suited to the purposes of the MPM. A guarantee of the availability of such data needs to be examined and coordinated by the CMPF in the future.

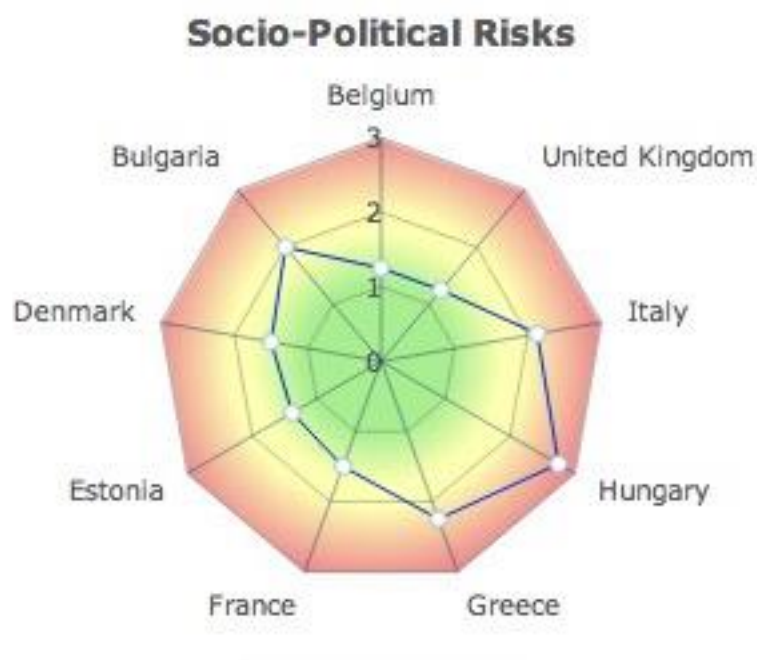


Figure 9: Socio-political type indicators. Average of the scores of the MPM socio-political indicators

6. Outlook for Further Improvements to the MPM

6.1. Centralisation of the Monitoring

The results of the pilot-test implementation, in terms of methodology, show that the MPM tool, as modified and improved by the CMPF project, is usable and can provide results that are reliable and comparable. Better: the results are comparable because they are processed by a single central body that organises, supervises and compares the information, evaluating and interpreting the locally provided data. The “centralisation” of the Monitor is an asset to the project as it is a guarantee of a homogeneous application of the tool and of a consistent interpretation of the same indicators in different countries. Indeed, the coordination of the different local correspondents by the CMPF represents one of the added values of the MPM 2014, and it is definitely an element that has contributed to the success of the pilot test implementation.

Through the centralised online platform that merges the scoring system with the user guide, the new MPM tool’s methodology allows for better traceability and transparency of the logic of assessment for the scores for each indicator. Moreover, a “centralised” evaluation and interpretation of the data guarantees better consistency in the potential differences in assessing the same indicator. It also involves fewer resources and is therefore preferable whenever the variable and the data allow it.

This first pilot-test implementation was an occasion on which to explore the different approaches and feedback to the same questions from the different teams in each selected country: It was part of the exercise to decide a strategy to cope with this and to define the standards of interpretation of the data to overcome the different country’s approaches.

6.2 The Networking of the NRAs for Comparable Data

Another interesting result of the pilot-test implementation of the MPM has been an indirect comparison between the activities of the regulatory authorities in the media sector. It is known that the media fall under different regulatory competencies in different Member States and that the European legislation itself does not require the NRAs to have a specific composition, method of appointment, and competencies that are harmonised across Europe

(CMPF 2013 and Brogi and Parcu, 2014). Nonetheless, the MPM's implementation would greatly benefit from the collection of data from the NRAs on the same indicators, and reliance on common definitions and on the common methodology that the NRAs use in collecting the data themselves. In this regard the Commission could consider involving the Centre itself in the on-going dialogue between the Commission and the NRAs within the ERGA and, in any case, to promote the cooperation of the NRAs with the CMPF in the collection of data, according to the MPM's standards. Such an approach would be beneficial not only for the MPM, but also to enhance the overall transparency and information that is provided by the NRAs through the exchange of best practice and the establishment of minimum standards.

6.3. Two Levels of Variables or Indicators

The pilot test application of the MPM2014 demonstrates that the cases in which medium/high risks to media pluralism are indicated may often need additional exploration in order to determine the extent to which such a risk is present. Such exploration demands the existence of additional variables in the indicators that score high risk. In cases that indicate a high risk relating to the risk domain as a whole, even additional indicators may be welcome as a clarification. The introduction of such additional variables or indicators, however, would make the future versions of the MPM more difficult to apply and more demanding, in terms of additional resources for the implementation. Our recommendation is therefore that such variables are introduced only for the cases in which there is an indication of high risk. They would function as a second level, or as explanatory variables.

There is a possibility for a few of the current variables to also be converted into such a second level variables in order to further simplify the MPM as a tool. In order to reflect the nature of these second level variables, the weight they carry for the calculation of the risk indicators should be different from the weighting of the first level, or core, variables. This adjustment of the weighting would guarantee that there will be no watering down of the risk indicator score, but only a more detailed exploration of it.

Another aspect of a second level analysis that is suggested is the second stage paired-analysis of the indicators that cover the same risk, but from the points of view of internal or external media pluralism. This second level analysis will take into account the leaning of the particular media system towards internal or external pluralism and apply it when evaluating the actual risk in the Member State.

6.4. Coefficients

Given the above-mentioned fragmentation of the European media landscape, monitoring media pluralism across EU Member States consists in identifying a comparative strategy that is able to provide neutral and standardised data that is obtained in respect of national socio-economic peculiarities. Risks to media pluralism differ based on the characteristics of countries, and thresholds for alarms cannot be equal, regardless of the country's specificities, but they must be set accordingly. For instance, the level of media ownership concentration in smaller countries, where the market is likely to be small and have a limited number of competing media owners, cannot be assessed equally with a bigger market, which is likely to be characterised by a higher level of market competition. Outcomes and data collected from monitoring media pluralism across Europe must therefore be contextualised. In order to further improve the accuracy of the monitoring of risk assessment for media pluralism according to the demographic, socio-economic and political peculiarities of each EU Member State, new coefficients will be designed. Particular attention will also be paid to designing new coefficients that weight the importance of the media outlet in each national media system in order to relate the level of the risk obtained, as well as the actual social, political and demographic diversity in the society, which needs to be reflected upon, represented and provided for by the media. A key novelty in these prospective coefficients is that they will have scales of application values (instead of clustering countries in only two groups), in order to reflect the wide variety amongst EU Member States.

6.5. Internet indicators

The updating of the digital indicators was limited, in this implementation, to the internet infrastructure and access to the services provided by the infrastructure. Access to the internet without any restriction was considered a basic condition to be safeguarded per se as a guarantee of access to the information on the web, but has just an indirect link to media pluralism as meant a condition of the media market. As mentioned in sections 5.2 and 5.3, the pilot-test implementation and the still growing importance of the internet shows the need to further update the MPM on the new challenges of the digital world, as well as to analyse the digital media in parallel and/or in connection with the traditional media market. This also includes a special focus on the role of the web intermediaries (search engines included) in shaping a plural media landscape and internet specific and/or native media.

In particular, the CMPF is already working on developing more in detail the indicator and

variables on internet of the basic domain indicators. Just as examples, the idea is to expand the importance and the weight of variables on filtering practices, on blocking of websites, on censorship on social networks. Moreover, the revision of the MPM will consider to assess the impact of the European Union Court of Justice on the right to be forgotten when measuring freedom of expression, to fine-tune the variables of the indicator on net neutrality, to find suitable solution to measure the impact of the intermediaries of the web in the media market, on public opinion and political agenda. Moreover, the CMPF will try to catch in some variables how consumers' behaviours themselves and the massive use of personal data to profile the internet users can reduce pluralism: information provided by the media outlets is more and more tailored on the tastes of the customer, creating a false perception of plurality.

6.6. Fine-tuning, Application to the Remaining 19 EU Countries

As a result of the pilot-test implementation, the CMPF has developed a new monitoring tool that has a smaller scope of application (news and current affairs) and that foresees streamlined procedures for data collection. The test on the sample of 9 countries has shown that the present tool still faces some limitations in terms of the validity of indicators (see above) and in terms of being updated to the latest developments in the digital environment. This means that, for the sake of a better comparability of the collected data and for complete reliability of the tool, thanks to this first pilot test implementation, the CMPF now has an instrument with which to better “fine-tune” the MPM before implementing it in the remaining 19 EU countries.

The CMPF will, then, apply the fine-tuned version in the 19 EU countries that were not included in the test-implementation. The data will be collected through fieldwork and through the assistance of a network of local correspondents. The establishment of a local network of correspondents (as for the MPM pilot-test implementation in the current project) proved to be useful and unavoidable, mainly in the collection of socio-political data.

After this additional fine-tuning operation, the application of the MPM could become a regular process in the EU countries and could also be recommended in the accession countries. Moreover, as the digital market is rapidly developing, the tool should be “maintained” and regularly updated according to developments in the information society.

6.7. Restructuring of Risk Domains

The focusing of the MPM2014 on news and current affairs has led to significant changes in some risk domains, in particular the domains Cultural Pluralism in the Media, Geographical Pluralism in the Media, and Pluralism of media types and genres. The Cultural Pluralism is focused on the universality of the media's accessibility and representation, especially in relation to minorities and special needs groups. The Geographical Pluralism covers the level of representation of local and regional communities. The Pluralism of media types and genres covers guarantees that the markets remain pluralistic in the distribution of information of public interest, or the supply of public service media. Merging these risk domains in a single one devoted to Universality can be considered. This new risk domain will reflect the current focus of these three risk domains on access and representation of minorities, regions, special groups, as well as universality of content distribution.

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APPENDIX 1: COUNTRY REPORTS

The country reports have been written by the country correspondent and have been edited by the CMPF team.

List of country correspondents:

Bulgaria: Orlin Spassov, Nelly Ognyanova, Nikoleta Daskalova

Belgium: Peggy Valcke, Ellen Wauters, Pieter-Jan Ombelet

Denmark: Ida Willig, Christian Berg

Estonia: Halliki Harro-Loit, Urmas Loit

France: Thierry Vedel

Greece: Evangelia Psychogiopoulou, Anna Kandyla, Tania Kyriakou

Hungary: Amy Brouillette, Peter Bajomi-Lazar, Judith Bayer, Borbala Toth

Italy: Elda Brogi, Andrea Calderaro, Alina Ostling

UK: Robert Picard, Jelena Dzakula

COUNTRY REPORT: BELGIUM

(December 2014)

Introduction

The implementation of the MPM2014 for Belgium shows a low/medium risk for media pluralism in the country. The results collected by implementing the MPM in Belgium, show risks in the country as follows: 23% (8) of the indicators assess a high risk; 12% (4) of indicators indicate medium risk, and 65% (22) refer to low risk.

Despite being a small country, Belgium has three linguistic communities: the Flemish, French and German-speaking ones (with powers mainly in the domains of culture (theatre, libraries, audiovisual media, etc., education, health care, social welfare and protection of youth), In parallel three Regions - the Flemish, Walloon and Brussels-Capital Region are competent in economic affairs [agriculture, energy, employment, city and local transport], environmental planning and tourism. During the successive state reforms (which started in 1970) the Community authorities have been given more powers to regulate the (audiovisual) media markets. As a consequence, each Community has its own media law and a separate media regulator (with sometimes varying tasks and competencies). For example, the French Community regulator, the Conseil Supérieur de l'Audiovisuel (CSA), is authorised to monitor concentration indices and to take regulatory action if they conclude that the media market in the French Community is becoming too concentrated, whereas the Vlaamse Regulator voor de Media (VRM) of the Flemish Community only monitors and publishes reports on media concentration.⁶ During the stakeholder workshop, the majority of the stakeholders agreed that media in Belgium had to be assessed along the lines of a market for Dutch speaking and French speaking media.

This linguistic diversity resulted in an economic reality, which has two separate media markets. No separate market for German-speaking media has been assessed. This was agreed upon by the research team and the stakeholders. The Medienrat, the media regulator of the German-speaking Community in Belgium, was contacted to address this issue, and their President, Mr. Yves Derwahl, stated that the German-speaking population mostly watches German television. They have three media providers, solely offering radio services (BRF, Offener Kanal Ostbelgien and Private Sender). Nevertheless, they have access to the Flemish and French Community media outlets. Certain media outlets concentrate on the Flemish speaking Community with their predominantly Flemish speaking population, while other outlets address the predominantly French-speaking population of the French speaking Community. This widely accepted division of the media markets⁷ results in media markets that are small if compared to neighbouring countries, like France, Germany or the Netherlands.

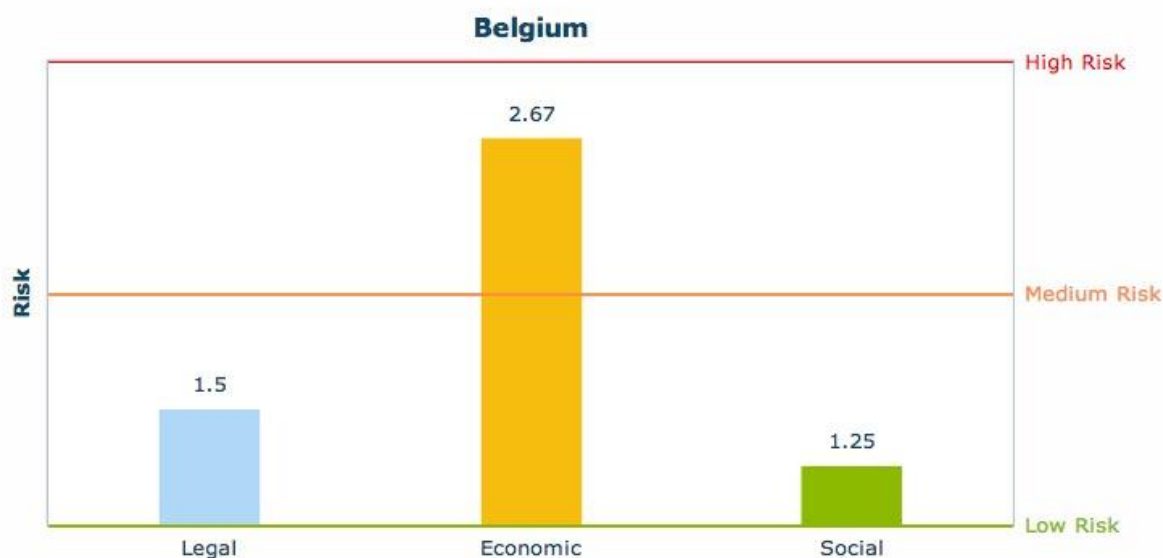
Moreover, the increased autonomy of regional authorities explains the need to assess the indicators of the Media Pluralism Monitor for both markets separately in those aspects, which fall under the competences of the regional Communities (e.g., legislation on radio and television broadcasting). Nevertheless, the reader should understand that despite the fact that the Dutch speaking media are aimed at the Flemish

⁶ Valcke, P., Groebel, J. and Bittner, M., "Media Ownership and Concentration in Belgium", in Noam, E., *Media Concentration around the World – Country Studies* (in print).

⁷ Valcke, P., Groebel, J. and Bittner, M., "Media Ownership and Concentration in Belgium", in Noam, E., *Media Concentration around the World – Country Studies* (in print).

Community, and that French speaking media are consumed mostly by the French speaking population of the French Community, we have considered them to be national media, as opposed to regional media, because no one is prevented from accessing all of the available sources provided in both languages, irrespective of location. This approach to the Belgian national market is accepted as a working definition for this pilot testing of the MPM, however, it needs a better justification, specification and possible revision. The media policy of the bilingual region, Brussels-capital, falls within the competencies of both the Flemish and French Community. Their results have been taken into account in assessing both markets.

By contrast, the situation was assessed at national level for those indicators relating to issues regulated by the Federal authorities (such as the availability of broadband).



Graph 1: Average level of risk for each type of indicator - Belgium

Legal Type of Indicator Assessing Risks to Media Pluralism

In relation to the legal risks to media pluralism, the overall assessment concluded that there is a low risk for most legal indicators. Furthermore, the few medium and high risks can be considered within the context of some specific aspects of the country.

Indicator **4 Regulatory safeguards for journalistic profession** has a medium risk score, which is due to one variable. There is indeed no mechanism in Belgium granting social protection to journalists in the case of changes in ownership and consequently the medium risk is justified, as this is a real lacuna in our federal legislation.

Indicator **8 Regulatory safeguards for minority and community media** shows a high risk in both the Flemish and French speaking Communities. The existing arrangement for the two distinct media markets for both big linguistic groups leads to the fact that there are relatively few linguistic minorities and communities that are not yet represented in national or regional media. There are therefore few stipulations in the media legislation concerning minority and community media. However, community

media, amongst other things, are expected to provide for other minorities, e.g., religious minorities. In the French speaking Community, community radio stations (*radios associatives et d'expression à vocation culturelle ou d'éducation permanente*) have been recognised for several years. According to Valcke and Lievens “[t]hese are independent radios mainly staffed by volunteers with programmes focused either on information, education, cultural development and citizen’s participation, or on musical genres that do not belong to the most popular ones”⁸ Recently, in 2014, the Flemish Act on Radio and Television Broadcasting changed, explicitly recognising non-profit “(local) community radio” as a separate category, besides commercial (local) radio stations. The results of this regulatory change can only be assessed in the coming years. This recent legislative initiative further shows that, during our assessment of the indicators, the scores for the Flemish and French speaking Community may differ. However, the changes did not amount to a different overall score.

Similarly, indicator 6 Policies and support measures for media literacy (or digital literacy in particular) among different groups of population showed differing results between the Flemish and French Community. The Flemish Community definitely has seen more media literacy initiatives than the French Community. The Flemish government explicitly brought media literacy forward as a crucial aspect of policy goals in their policy note, 2009-2013. However, the French Community has increasingly integrated media education into their educational system in the last decade. The risk for this indicator for both Communities is therefore low, but separate assessment showed that both Communities have a different approach when it comes to media literacy.

The division of media markets also explains a high risk for indicator **10 Regulatory safeguards for locally oriented and locally produced content on PSM channels and services**. Both the Flemish and French speaking PSM send their reporters to local events, without any difficulties or transport related issues. In this regard, certain questions seemed irrelevant in Belgium, as we don’t have regional languages within the boundaries of each community. However, if media outlets for each linguistic Community are perceived as being national media, there needs to be attention also given to the safeguards for each outlet presenting content that comes from the other Community. No specific rules exist in this regard.

Indicator 11 Regulatory safeguards for universal coverage of the media shows a high risk. This indicator aimed to assess the existence and effective implementation of regulatory safeguards for universal coverage of the media (which is regulated at a federal level). Today, Belgium does not have rural areas without access to broadband networks. The Communications Committee of the European Commission acknowledged this in their Working Document stating that “[in] Belgium (...) all the homes are already covered by fixed broadband technology.” The same applies to the distribution of newspapers in Belgium. Every area can receive both Flemish and French newspapers, without exceptions. Certain questions thus had to be answered negatively, especially those concerning the State’s active measures to promote access to broadband networks. The State takes no active measures, since there are no homes that lack fixed broadband technology.

Indicator 20 Policy measures for the impartial circulation of internet data, without regard to content, destination or source results in a medium risk for Belgium. Belgium is aware of the issue of net neutrality and started discussing measures to address this, but thus far no firm obligations have been adopted. The Federal Parliamentary Commission for Infrastructure continued working on this topic and developed extensive guidelines that will eventually result in more stringent legal requirements concerning net neutrality. Furthermore, the Belgian Institute for Postal Services and Telecommunications already has certain powers to intervene if necessary. In conclusion, Belgium has not yet introduced strict legal obligations for operators requiring them to respect net neutrality as, e.g., the Netherlands has (which

⁸ Valcke, Peggy and Lievens, Eva, *Media Law in Belgium*, Kluwer, Alphen aan de Rhijn, 2010, p. 86.

justifies the medium risk). However, policy makers are aware of the issue and have kept net neutrality on their agenda.

Economic Type of Indicator Assessing Risks to Media Pluralism

The scores for the economic indicators in Belgium show a more problematic situation if compared to the legal indicators, and this demands further explanation. Most economic indicators need assessment at the regional level (only the low risk ***indicator 24 Availability and quality of broadband concerned federal legislation***, which could lead to the demonstration of a higher risk for media concentration. Due to the relatively small market, only a few companies own all of the newspapers and/or television channels in both the Flemish and French Community. For example, Concentra owns all of the Flemish regional newspapers (there are only two) as well as some of the regional TV channels. In the French speaking community, the Sudpresse group has the largest market share.

This means that these indicators are obviously high for the Flemish and French speaking Communities due to the small size of the markets. Furthermore, the media sample used in indicator ***26 Centralisation of the national media system*** seems to be too big for smaller countries, as there are not 10 national daily newspapers in the Flemish, nor in the French speaking community. The same goes for national radio stations.

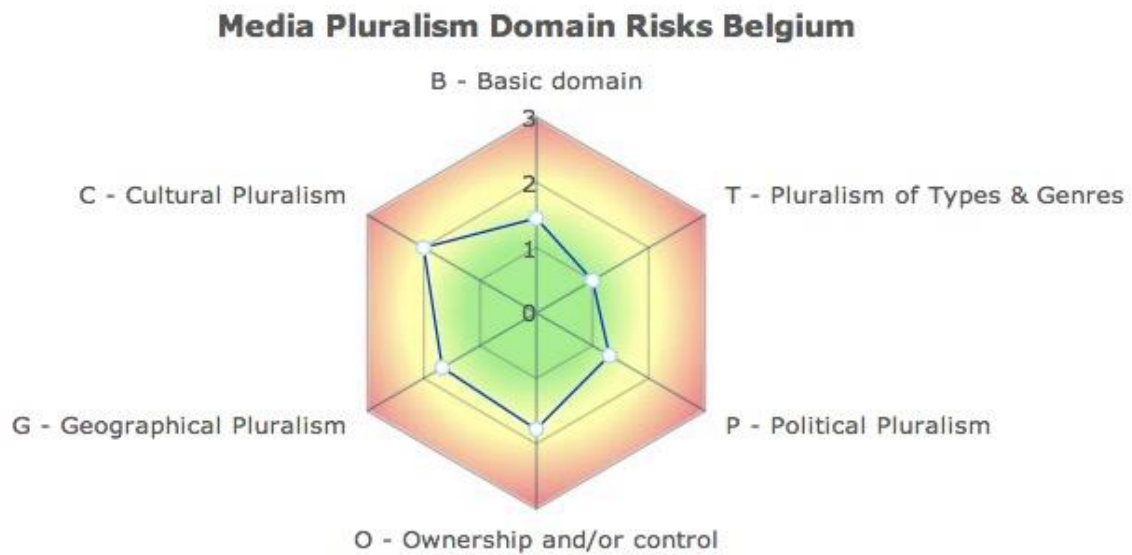
To conclude, there is a high level of ownership concentration in the Flemish Community in the market for television, radio, newspapers and the internet. For the French speaking Community, the level of concentration is even higher. Recently, there has been intense criticism following a number of mergers in the media sector. The pluralism of media ownership is clearly affected by this high concentration. This may eventually also have a negative impact on the diversity of media content. However, in order to maintain the economic viability of the Community's media companies, a high level of concentration seems inevitable.

Socio-political Type of Indicator Assessing Risks to Media Pluralism

With regard to the socio-political risks to media pluralism, the general impression is that, in Belgium, risks in these areas are rather low. Comments on some of these indicators have been addressed by the stakeholders. Two indicators scored a medium risk: ***33 Level of independence of PSM considering mechanisms of its financing*** and ***34 Independence and ownership of news agencies***. With regard to the level of independence of PSM, the stakeholders indicated that license fees in the Flemish Community and the Region of Brussels-Capital were abolished several years ago, although license fee is still applicable in the Walloon Region. Most experts agreed that the risk was rather low. However, one of the experts was opposed to this view and was of the opinion that there is no public discussion and no real democratic control on the budget of the PSM of the French speaking Community.

With regard to the independence and ownership of news agencies, there is also a medium risk. Only one main national news agency provides for both the Flemish and French speaking Community: Belga. The shareholders of Belga are the publishers of print and audiovisual media. Since Belga is the only news agency, it has a market share above 50%, resulting in a high risk on that particular question. On political affiliation and dependence, the risk is indicated as low. Both experts and stakeholders agreed that the overall risk for this indicator is medium.

Concerning indicator *30 Political control over media and distribution networks ownership*, the experts agreed that the overall risk is low. However, some indicated that there is a subtle link between politics and media ownership, albeit not a dangerous one. They also indicated that these links are very difficult to prove.



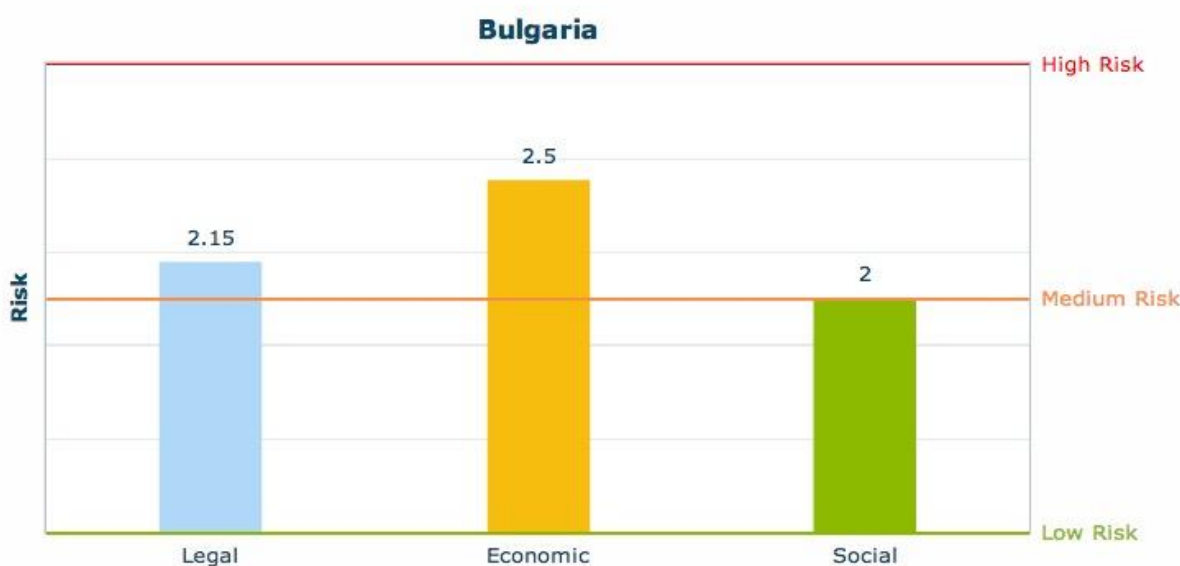
Graph 2: Level of risk for each risk domain - Belgium

COUNTRY REPORT: BULGARIA

(June 2014)

Introduction

The implementation of the MPM2014 for Bulgaria shows a medium/high risk for media pluralism in the country. In general, the risks to media pluralism in Bulgaria are divided as follows: 32% (11) of the indicators fall within the zone of high risk; 53% (18) indicate medium risk, and 15 % (5) refer to low risk.



Graph 3: Average level of risk for each type of indicator - Bulgaria

Legal Type of Indicator Assessing Risks to Media Pluralism

The legal indicators show low (four indicators), medium (nine indicators) or high (seven indicators) risks for the different aspects of media pluralism in Bulgaria.

Low risk has been identified in the following indicators: *Regulatory safeguards for access to airtime on PSM by the various cultural and social groups (7); Regulatory safeguards for locally oriented and locally produced news delivered by PSM channels and services (10); Fair, objective and transparent appointment procedures for PSM professionals and management boards (17); Regulatory safeguards for the distribution of public interest channels on cable, DSL and/or satellite platforms (18).*

The indicators concerning PSM fall into this group with one exception (*indicator 19 Regulatory safeguards for the objective and independent allocation of adequate, consistent and sufficient*

financial resources to PSM). The formerly state-owned radio Bulgarian National Radio (BNR) has been transformed, relatively successfully, into a public radio with seven regional centres in the country and one regional radio programme for the capital, Sofia.

The formerly state-owned television, Bulgarian National Television (BNT), has four regional centres situated in the cities of Blagoevgrad, Varna, Plovdiv and Russe. BNT and BNR have regional correspondents. PSM are regulated by the law both strictly and in detail. A broad spectrum of measures aimed at transparency and grounded on objective criteria for appointments and dismissals in PSM have been implemented. Nevertheless, the independence of PSM is still not fully protected in practice. The effective implementation of the legal safeguards for appointment and dismissal procedures in PSM is a function of the independence of the Council for Electronic Media (CEM) and varies according to its composition.

The legal measures are also effective – must-carry and must-offer rules were introduced at the initial stage of the liberalisation of the market for the main programme services of the PSM (cable and satellite must-carry). BNT and BNR provide at no charge (FTA) programme services to their cable, satellite and digital terrestrial broadcasting.

A large number of commercial TV programme services have been licensed for mandatory DTT transmission. Nevertheless, the absence of must-offer obligations for commercial TV stations, combined with the high costs of DTT transmission, is reducing the number of commercial FTA programme services that are transmitted terrestrially.

Medium risk has been identified in the following indicators: *Regulatory safeguards for freedom of expression (1), Regulatory safeguards for right to information (2), Recognition of media pluralism as intrinsic part of media freedoms and/or as a policy objective of media legislation and/or regulation (3), Regulatory safeguards for the journalistic profession (4), Policies and support measures for media literacy (and digital literacy in particular) among different groups of population (6), Regulatory safeguards against high concentration of ownership and/or control in media, high degree of cross ownership between television and other media, for transparency of ownership and/or control (12–14) and policy measures for the impartial circulation of internet data, without regard to content, destination or source (20).*

Communication rights are explicitly recognised in the Constitution. Bulgaria has signed and ratified the relevant Treaty obligations with no significant exemptions. According to these, the press and the other mass information media are free and shall not be subjected to censorship. Individuals have criticised the government without official reprisal. Freedom of expression online is generally respected. The media's regulatory environment is generally accepted as meeting international standards, but observers point to a continuing trend to biased implementation of the rules protecting media freedom. The existing laws do not provide fully effective protection for the access to information— the rules are bypassed, or they are selectively implemented.

As a policy objective, media pluralism is envisaged in the Radio and Television Law concerning PSM only, according to which PSM shall reflect the different ideas and beliefs in society. The Constitutional Court recognises media pluralism as an intrinsic part of media freedoms. However, the principle of media pluralism is not respected in practice. A main problem is the lack of effective legal remedies against media concentrations and the non-transparency of media ownership. According to the European Commission's first EU Anti-Corruption report, media ownership in Bulgaria is increasingly concentrated, thus compromising editorial independence.

Access to the journalistic profession is open. The protection of journalistic sources has generally been enforced. The ethical codes envisage a clear distinction between editorial decision-making, the commercial policy of the media and the protection of the editorial independence. Nevertheless, infringements of the rules are commonplace; self-regulation has proved ineffective in raising the standards of professionalism among journalists, as had been hoped.

The promotion of media literacy is not the statutory duty of the media regulatory authority in Bulgaria. Academic centres and NGOs provide the specific knowledge that is necessary for different types of digital competency and media literacy.

The risk in the field of media concentrations is medium. This conclusion is based on the fact that the media sector is not excluded from the scope of the implementation of the competition law. According to public opinion, however, non-transparent media ownership and the concentration of media outlets within a few conglomerates remain the weakest features of Bulgarian media, and the problem has continued to become more acute. Hidden forms of media ownership and control accompany the process of the liberalisation of the Bulgarian media market. No sector-specific competition measures are envisaged in Bulgarian law. The media have no obligation to publish their ownership structures on their websites or in documents that are accessible to the public.

High risk has been identified in the following indicators: *Regulatory safeguards for the independence and the efficiency of the relevant national authorities (5), Regulatory safeguards for minority and community media (8), Regulatory safeguards and policies for regional and local media (9), Regulatory safeguards for the universal coverage of the media (11), Regulatory safeguards for fair, balanced and impartial political reporting in media (15), Regulatory safeguards against excessive ownership and/or control of mainstream media by politicians (16), Regulatory safeguards for the objective and independent allocation of adequate, consistent and sufficient financial resources to PSM (19).*

The Council for Electronic Media (CEM) is defined by law as being an independent specialised body, which is guided by the public interest, protecting the freedom and pluralism of speech and information and the independence of media service providers. The competencies of the Council are sufficient, but some additional areas of competence are under discussion, such as: media pluralism evaluation, new media services' evaluation in the context of the remit of PSM, etc. The members of the media regulator have often been nominated by civil society organisations and then elected after public hearings. The competition regulator in Bulgaria is the Commission for the Protection of Competition (CPC). The regulator in the area of electronic communications in Bulgaria is the Communications Regulation Commission (CRC). The risk of political and economic influence over the regulatory bodies varies, but their independence is generally assessed as being problematic. Apart from the political leanings of some members of the regulatory authorities, there are also cases when political pressure is suspected.

Ownership of media by politicians is not explicitly prohibited or limited in Bulgaria, but interference is generally prohibited by law: The Radio and Television Law guarantees the freedom of media service providers and of the activities thereof from political and economic interference. When politicians are public office holders, in terms of the Conflict of Interest Prevention and Ascertainment Act, they have an obligation to disclose any private interest.

Another domain of high risk is PSM funding. BNT and BNR are being financed via a state subsidy, defined year-on-year in the respective annual State Budget Act. BNT and BNR are allowed to include in their programming services a very limited amount of advertising. The state subsidies are calculated according to a 'per hour of programming' principle as detailed in the law. The Vice-President of the European Broadcasting Union, Claudio Cappon, during his visit in 2014, urged Bulgaria's top politicians

to ensure sufficient and sustainable funding for PSM. "Bulgarian public radio and television receive only a quarter of the EU's average public funding, which is about 30 euros per capita. PSM need funds in order to be able to carry out their mission – something topical for all states in the European Union", he said. Budgets for public media are insufficient and their remit cannot be realised with the current level of funding, warned the President, Rosen Plevneliev. The National Assembly's President confirmed that the Parliament is aware of the problem and is committed to finding a solution.

Media law does not contain specific provisions for minority and community media. The Council for Electronic Media is obliged by the law to grant individual radio and television broadcasting licenses to radio and television broadcasters for national/regional programming services. The Bulgarian legislation does not envisage the reservation of frequencies for regional and local media, or must-carry rules for such media. Experts from CEM declare that, in practice, the specific experience of applicants from corresponding regions has been taken into account. There are regional newspapers in the major cities throughout the country, as well as local newspapers.

Fair, balanced and impartial representation of political viewpoints in news and current affairs programmes on PSM channels and services is subject to regulation by the Radio and Television Law. There are no specific requirements concerning impartiality in news and current affairs programmes on the commercial channels and services. The access of political actors to airtime on PSM during election campaigns is not covered by media legislation because the election campaigns are regulated by the Election Code.

Economic Type of Indicators Assessing the Risks to Media Pluralism

There are significant economic risks to media pluralism in Bulgaria. Four of the six economic indicators are indicative of high-risk domains. There is one medium-risk domain. One indicator is evaluated as low risk, but its evaluation is under the circumstances of data shortages and lack of ownership transparency, which is a risk to media pluralism in its own right.

Low risk has been identified in the domain of *26 Centralisation of the national media system.* Regional media are relatively well developed in terms of the numbers of titles and outlets. According to data from the National Statistical Institute, the proportion of regional and local TV and radio channels to national channels is above 80% of the proportion of regional to national population. The proportion of existing regional and local newspapers to the national newspapers is under 80% of the proportion of regional to national population. The audience share of local and regional TV stations is estimated by the Council for Electronic Media to be between 5-15% and the audience share of local and regional radio stations is estimated to be between 10-30%. Although general evaluation is of low risk, the lack of accurate data on all aspects of media system centralisation is already indicative of structural deficiencies within the system.

Medium risk has been identified in the domain of *24 Availability and quality of broadband.* Fixed and mobile broadband penetration in the country is below the EU average. The quality of available broadband, however, is of a high level. Both download and upload speeds are higher than the EU average. In addition, the country is among the top 3 member states within the EU with the highest growth rates in fixed broadband penetration.

High risk has been identified in the domains of *21 Media ownership concentration; 22 Media audience and readership concentration; 23 Number of sectors in which Top 8 firms/owners are active; 25 Minority and community media.*

Concentration of media ownership is very high. The Top 4 major owners in the television sector have an aggregated market share (based on advertising revenue only) of 93.35%. The Top 4 major owners of daily newspapers have an aggregated market share of 79.7%. The Top 4 major ISPs have an estimated market share that is above 50%. The market shares of owners of radio stations cannot be evaluated.

Audience and readership media concentration is also very high. In television, the Top 4 major owners have an audience share that is above 70%. An aggregated audience share of the Top 4 major owners in the radio sector is 83.16%. The Top 4 major newspaper owners have an estimated readership share between 25-49%, and the subscription share of the Top 4 major ISPs is estimated to be above 50%.

A precise evaluation of cross-ownership is difficult to track due to deficiencies in the data. As far as the data that are available are concerned, they point to the assessment that the Top 8 major owners have a market share that is above 70% across the different media sectors.

Minority and community media development is another high-risk factor. There is no television or radio channel that is dedicated to ethnic, linguistic or national minorities. Existing minority newspapers are very few and far smaller than the proportional size of the minority population.

Socio-political Type of Indicators Assessing Risks to Media Pluralism

Generally, there are medium socio-political risks to media pluralism in Bulgaria. **All eight socio-political indicators (27–34) are indicative of medium-risk domains.**

Policymaking in regard to the promotion of access to media content and services by special needs groups is underdeveloped. There is a national strategy that envisages an effective legal framework obliging all media to provide content in an adequate and appropriate way to people with disabilities, as well as access to all types of media content (print, broadcast, audio, audio-visual, online). Such standards, however, have not yet been effectively introduced. As a whole, access to television content by people with hearing disabilities is limited.

The universal coverage of PSM and broadband networks in relation to geographical coverage faces some difficulties. It has been calculated that less than 98% of the population (96.2%) is covered by the public TV channels' signal (terrestrial broadcasting). Some compensatory measures are being taken by the state to guarantee access to digital television for those individuals who are deprived of the free television signal. More than 99% of the population has access to public radio broadcasting. The rural coverage of DSL is less than 75%. The rural coverage of cable modem exceeds 15%. The relatively low general internet penetration in rural areas remains a problem.

The evaluation of political bias in the media during the election campaign for the European Parliament in May, 2014, indicated that the selected media represent the main political actors in a relatively balanced manner (one group – “other actors” – is more than 20% above the balanced representation of 25% per group, but this fact can be assessed as being a reflection of the presence of a wide variety of opinions). The proportion of the one-sided portrayal of political actors in the selected media items is low (under 25%).

Data on the political affiliations of media owners are generally insufficient. There is a deficit in transparency in regard to media ownership (especially of the press). A precise evaluation of the market shares, based on the total revenues of the media companies operating in Bulgaria, is hardly feasible. As a whole, the politically affiliated owners of leading media distribution networks who have been identified

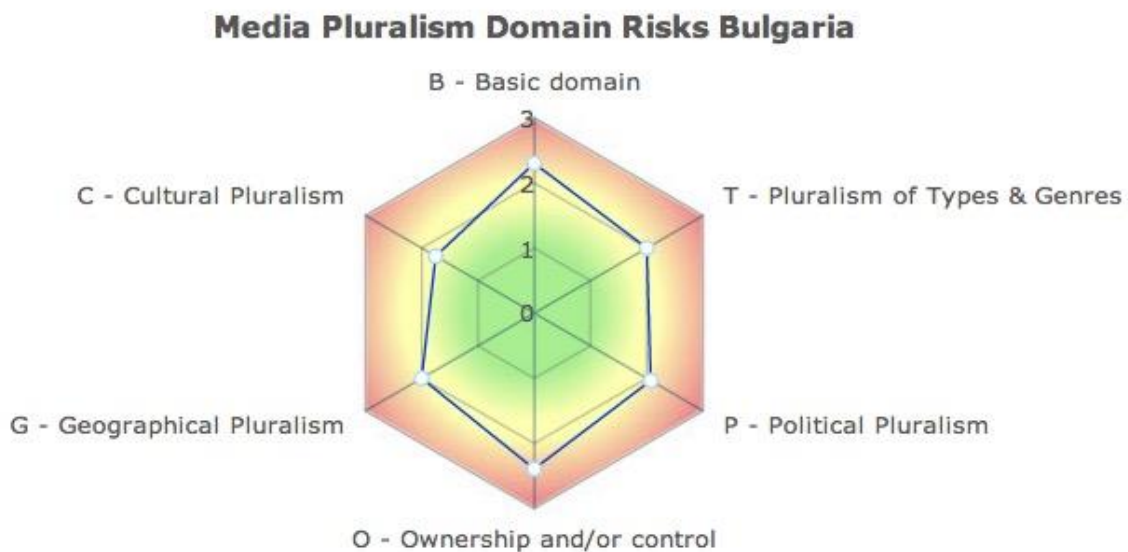
tend to occasionally discriminate against other market players.

The ratio of the state advertising and the audience share are relatively balanced in television and radio; there is no transparency for the press. Public service media receive comparatively low funding. A relatively small number of companies make use of public funds to a greater extent than do others. The law allows (for electronic media) the resources to be granted without public procurement, which is a precondition for subjectivism and political influence. Some of the campaigns have an unproven effectiveness.

Two alternative Codes of Ethics coexist in Bulgaria. As a result, the ethical standards are split according to the interests of different media groups. In practice, professional and trade union protection of journalists is very ineffective. With a few exceptions, there is a lack of confidence in the organisations that have declared such goals. Instead of turning to the trade unions, journalists are increasingly looking for support and protection directly from the NGO community.

The major mechanism for financing the public Bulgarian National Television (BNT) and Bulgarian National Radio (BNR) is the annual state budget subsidy. The state subsidy exceeds 25% of the total budget of both BNT and BNR. The government does not decide on the wages for the PSM's employees. The wages of the employees are decided by the managing bodies of BNT and BNR.

The Bulgarian Telegraph Agency (BTA), the largest news agency, is owned by the state. The market share of BTA is estimated to be between 30% and 50%. The appointment of key personnel at BTA is considered to be mainly based on professional criteria. The institution has a reputation for high professional standards and political independence. In Bulgaria, there are two large private news agencies. A few more private media organisations call themselves “information agencies”, but they essentially operate as news sites that do not have many of the formal characteristics of a news agency.



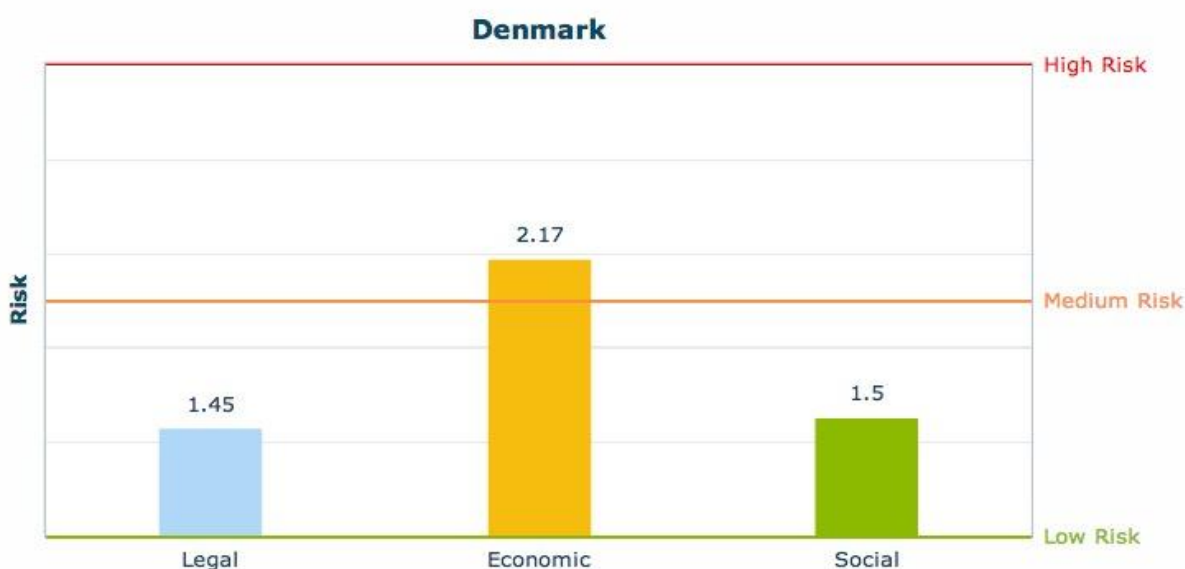
Graph 4: Level of risk for each risk domain - Bulgaria

COUNTRY REPORT: DENMARK

(November 2014)

Introduction

The implementation of the MPM2014 for Denmark shows a low/medium risk for media pluralism in the country. According to the results obtained through the implementation of the MPM in Denmark, the risks in the country are divided as follows: 20% (7) of the indicators fall within the zone of high risk; 18% (6) indicate medium risk, and 62% (21) refer to low risk.



Graph 5: Average level of risk for each type of indicator - Denmark

Legal Type of Indicators Assessing Risks to Media Pluralism

The overall conclusion of the legal indicators is that they pose relatively low risk. This conclusion is based on the fact that 14 indicators of 20 score low risk, 3 indicators score medium risk (6, 16 and 20), and the remaining 3 indicators assess a high risk (7, 9 and 14).

The system functions based on the arm's length principle, and it is relatively simple as the rules are adhered to. There is no general media pluralism legislation on ownership, but mergers and acquisitions have to be effectuated in accordance with the general competition rules. The media system is highly influenced by the public service media, especially in radio and television, but also online. This has resulted in recent discussions on competition between public and private media, especially in relation to digital media provisioning. Small markets like the Danish one, with a population of about 5.6 million, will have difficulties in securing the provisioning of sufficient content without some degree of intervention from the

state. The Danish model has been one of relatively limited regulation of the private commercial media in terms of content and ownership. However, it has stricter rules on advertising and product placement if compared to the UK, for example. Overall, the system provides an outcome of media pluralism, while taking into account that ownership does not necessarily reduce pluralism of content, but can be necessary to ensure sufficient turnover in order to have a profitable media sector. Nevertheless, potential risks should be explored.

Regarding freedom of information and freedom of speech, the Danish legal system follows the practice of the European court of Human Rights (see also the report from the Mediadem project [<http://www.mediadem.eliamep.gr/wp-content/uploads/2012/01/Denmark.pdf>]). Denmark does not have a Constitutional Court as such, but its Supreme Court can be considered to have the same functions.

There have been no legal cases (litigation) regarding media pluralism, or regarding limitations on media pluralism. There are no specific laws in Denmark regarding media pluralism, for instance, regarding media concentration, but the issue is covered by the general competition regulation. It is also important to note that the Danish laws on public service radio and television demand diverse programming and that all public service media have editorial freedom. Furthermore, there is a media subsidy system (innovation pool and direct subsidies) for editorial content for the written press online and in print, which is based on a perspective on pluralism. The Danish media system has various boards which function independently of the political system and that work as defined in law and following their statutory obligations. Finally, pluralism of the media and of content is a general principle of the media laws, especially concerning public service and media subsidies.

However, there are three indicators that are assessed as high-risk indicators. For all of them it is important to note, that this is the result of a methodology that is comparative and not finely tuned to the Danish media system in particular. The definition of the indicators and the empirical questions does simply not fit policies in Denmark. Therefore, the risk assessment 'high' for the three indicators should not be read as a conclusive empirical analysis, but an issue to be examined further.

Indicator **7 Safeguard for access to airtime on PSM by the various cultural and social groups** is one of them as the PSM due to the tradition of editorial independence are not limited by law in any way in terms of choosing who should and should not have access to airtime – outside of elections, where there is an obligation. For instance §10 in the Radio and Television act state that *“The overall public service activities shall, via television, radio and the Internet or similar, provide the Danish population with a wide selection of programmes and services comprising news coverage, general information, education, art and entertainment. Quality, versatility and diversity must be aimed at in the range of programmes provided. In the planning of programmes, freedom of information and of expression shall be a primary concern. Objectivity and impartiality must be sought in the information coverage. Programming shall ensure that the general public has access to important information on society and debate. Furthermore, particular emphasis shall be placed on Danish language and culture. Programming shall cover all genres in the production of art and culture and provide programmes that reflect the diversity of cultural interests in Danish society.”* (<https://www.retsinformation.dk/forms/R0710.aspx?id=161625>). This is also reflected in the public service contract, valid until end of 2014 (own translation): *“DR in its supply of public service must pursue quality, versatility and diversity. When scheduling, the emphasis must firmly be on the need for freedom of information and freedom of speech. For information, emphasis must be placed on objectivity and impartiality.”* (http://kum.dk/uploads/tx_templavoila/DRpublic%20service-kontrakt%20af%203%20%20juni%202013.pdf). The condition that various cultural and social groups do not have access to airtime per definition should not be necessarily considered a risk indicator. Note that various cultural and social groups are not excluded, but they do not have a right to access airtime directly, nor a right for having their own content distributed on the PSM. Nevertheless, there are provisions for services for different social groups.

Another indicator that demonstrates high risk is indicator **9 *Regulatory safeguards and policies for regional and local media***. Here, the variables must be considered too unspecific for the Danish case, especially variables 3 on media regulation that prohibit networking arrangements between regional/local media and national media and variable 4 on must carry rules). As such, there are regulatory safeguards and policies for regional and local media in Denmark which include the presence of minorities in community radio and television stations, but the way the indicator are defined makes the risk factor high contrary to actual policy.

The last legal indicator scoring high risk is **14 *Regulatory safeguards for transparency of ownership and/or control***. In Denmark, there are no separate rules on transparency for media companies. Instead they follow the general rules as stated in the Financial Statements Act (<https://www.retsinformation.dk/Forms/R0710.aspx?id=135933>). Private limited and co-operative companies have to state all owners with more than 5 % ownership. All ownership above 20 % of the shares has to be stated in the annual accounts. The fact that media companies follow the general rules does not mean that there is no transparency or that information is not available. Firstly, everyone can access the annual accounts of media companies, although there is a fee at the company register (cvr.dk), and most companies have the accounts on their website. Furthermore, in terms of ownership of media companies, the Danish Agency for Culture from 2014 publishes a report, including information about the ownership of the main media companies. It is also made publicly available. Additionally, there is an ownership register on its way and it should be ready in early 2015.

Economic Type of Indicators Assessing Risks to Media Pluralism

Denmark is a dual media system with strong public service media. The general competition is an oligopoly in radio, television and print. The online environment is also heavily influenced by competition from the legacy platforms, but remains a bit more diverse, albeit dominated by Google and Facebook. Domestically, the strong public service media (DR, TV 2) dominate the market for radio and television, closely followed by their private commercial competitors SBS Discovery Media (radio and television) and MTG (television). The print/news publisher JP/Politikens Hus and Berlingske Media dominate the national news print market (and also have strong hyperlocal weeklies), but there are strong regional competitors for local news. In recent years there have been a set of mergers and acquisitions within commercial media. Furthermore, the existing media have particularly increased the number of television channels and digital offers (i.e., apps, streaming services, and so on).

The public service media system consists of DR (with the following television channels DR1, DR2, DR3, DRK, Ramasjang and DR Ultra, as well as the following radio channels P1, P2, P3, P4, P5, P6 BEAT, P7 MIX, P8 JAZZ, DR RAMASJANG/ULTRA), TV2/Denmark A/S (the public service channel TV 2, TV 2 Zulu, TV 2 Charlie, TV 2 NEWS, TV 2 Fri and TV 2 FILM), eight regional television stations and 24syv, a privately owned public service radio channel.

The principal commercial television stations are SBS Discovery Media (with the television channels Kanal 4, Kanal 5, 6eren, ID, EUROSPORT 1, EUROSPORT 2, Discovery Channel, Discovery World, Discovery Science, Discovery HD Showcase, TLC, Animal Planet, Animal Planet HD, as well as the following radio channels NOVA, Radio 100, The Voice, myROCK, Radio Soft, as well as a 40 % share in Pop FM) and MTG TV A/S (TV3, TV3+, TV3 PULS, TV3 Sport 1, TV3 Sport 2, MTV og VH1). Note that the private commercial television companies are all registered in the UK, using the country of origin principle in the AVMS directive. Nonetheless, they still purchase Danish productions and thus help to sustain the funding ecosystem for audiovisual productions.

The television market has seen an increase in channels in recent years in both public and private media, through the establishment of numerous new channels. The public service media, while having suffered a loss in their main channels, have managed to diversify their product to more specifically target groups like small children (DR Ramasjang), and children who are a little older (DR Ultra), but also through a specifically cultural channel (DR K). The private media have done something similar, by targeting their channels to specific groups.

The principal print media companies are the duopoly of JP/Politikens Hus and Berlingske Media on the national level, and an oligopoly of media on the local/regional level, with Nordjyske Medier, Sjællandske Medier and Jyske Fynske medier (a current merger between the regional news publishers Fynske medier, Jyske Medier and Syddanske Medier). In recent years there has been a significant increase in online advertising, while print advertising has dwindled. This has left the print press in a dilemma where their turnover from advertising in the print editions has decreased, while that for the digital services has not – yet – to the same degree overtaken the reduction in turnover. Nonetheless, the main revenue for news publishers – for now – still comes from the print editions. The media system is in hasty development, but the development in media use remains evolutionary, rather than being related to a revolutionary introduction and take-up of digital services.

The overall conclusion of the economic indicators is that the risk is generally high. 2 of 6 economic indicators score low risk (indicators **24 Availability and quality of broadband** and **26 Centralisation of the national media system**), 1 scores medium risk (indicator **25 Minority and community media**) and 3 - high risk (indicators **21 Media ownership concentration**, **22 Media audience and readership concentration** and **23 Number of sectors in which top 8 firms/owners are active**).

This result can be explained by two factors: 1) Denmark is a small media market, and 2) the Danish state is a large domestic media owner, owning the two large broadcasting companies as well as 8 regional public service broadcasters (based on license fee funding), with one regional television channel each and regional windows on the largest television channel TV 2, if measured by audience. In regard to the relatively small size of the Danish media market, this is the case for most media commodities and is especially the case for news media and the production of domestic audiovisual content, for instance, high quality drama and content for children. As the population is just above 5.6 million, there is a limited number of consumers to pay for media content. In order to secure pluralism of media content, there is a tradition of broad political support for the existence of strong public service media and some degree of subsidy for editorial content in printed and online news media (a new scheme was implemented on 1st January, 2014) as well as subsidies for community radio and television.

Nevertheless, these indicators should also be examined in combination with other indicators in order to see if the risk to external media pluralism is compensated by the presence of well-safeguarded internal pluralism, which is, in principle, typical of PSM. Regarding the fact that the Danish state is a very large domestic media owner, it is important to stress that the state does not attempt to influence the media or the media content. On the contrary, there is a strong political commitment to the arm's length principle. The remit defining the role and obligations of the public service media is set in media agreements (usually for a four year period), often such agreements represent most parties, meaning that even after an election the agreement continues to hold.

Furthermore, in regard to ownership concentration, the basis of the oligopoly should be included. In general, oligopolies are the trend, especially in the television and newspaper markets in small countries, although there are exceptions.

Due to the new media environment, with increased competition for advertising from companies like Google and Facebook, but also with increased news provisioning online, which has reduced circulation

and subscription revenue, there has been a period of consolidation, especially for printed news companies (especially regional news providers) but also for national radio.

In regard to the economic indicators, we would like to note that the questions regarding minorities seems more suited to a particular media system other than a democratic-corporatist media system. Minorities do have community radio- and television stations, which can receive funding from the State. A new system for community television is being implemented this year (2014), which aims to increase quality and to secure a local connection. The result is a reduced number of local community channels, but with increased airtime and higher subsidy per channel. State advertising is based on clear criteria, and there is no indication of favouritism. The same is the case for advertising from the municipalities.

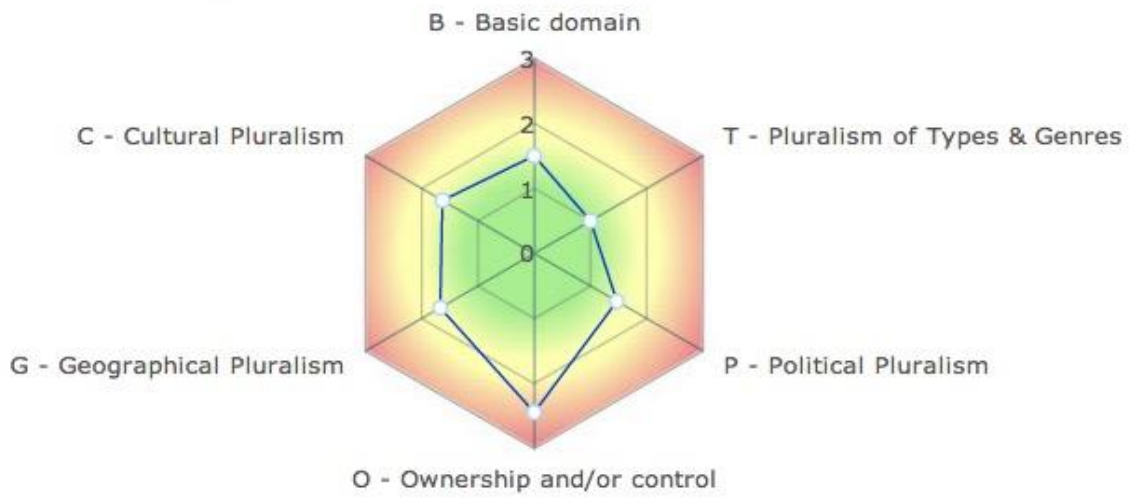
Socio-political Type of Indicators Assessing Risks to Media Pluralism

The overall conclusion of the socio-political indicators is that they pose a low-medium risk, except for indicator **29 Representation of political views in the media**, where the result is a high risk. Other indicators score the following level of risk: 5 of 8 assess a low risk (indicators **27, 30, 31, 32** and **33**) and 2 indicators score medium risk (indicators **28 Guarantees for universal coverage of PSM and broadband networks regarding geographic coverage** and **34 Independence and ownership of news agencies**).

The high risk scoring of indicator **29** however can be attributed to the limited scope of the content analysis conducted as part of the MPM. Additionally, there is a challenge in the sampled and analysed media formats. Neither of the two Danish broadcasters show political talk shows, which is a genre more common in, for instance, the UK and the south of Europe. In Denmark, there are political interviews in relation to general newscasts, and there are soft talk shows where politicians are interviewed on current affairs, but no political talk shows as such. A bigger sample and a more qualitative approach could uncover a different scoring for this indicator of political bias.

In relation to the medium risk scoring of indicator **34 Independence and ownership of news agencies**, it is important to note that the largest Danish news agency is owned by the media (or, more precisely, by most of the Danish media, both electronic and print) as this explains the high degree of ownership concentration.

Media Pluralism Domain Risks Denmark



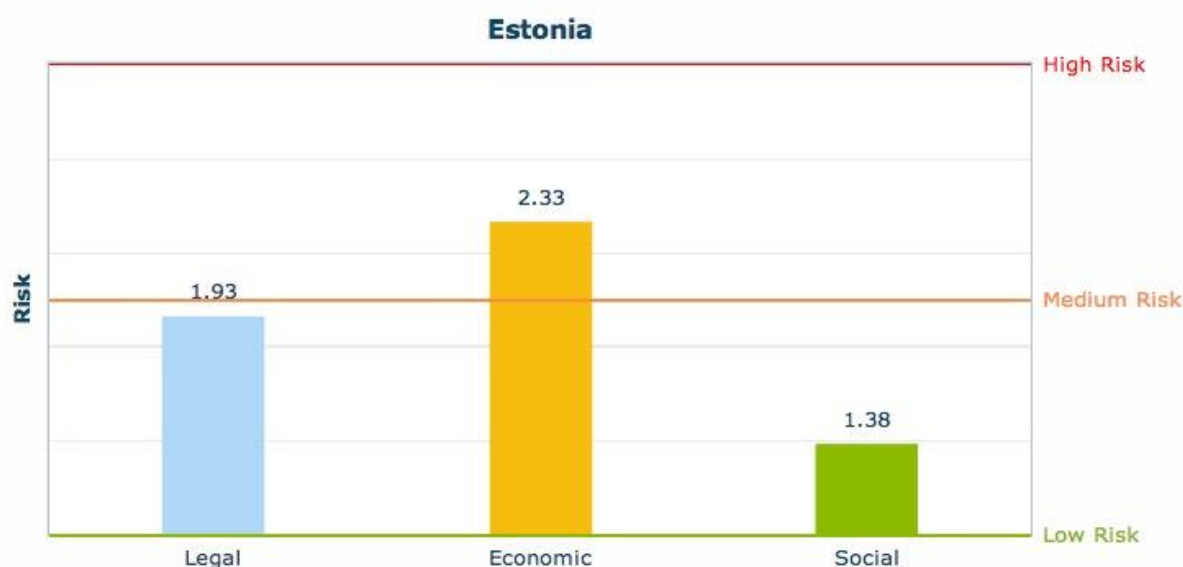
Graph 6: Level of risk for each risk domain - Denmark

COUNTRY REPORT: ESTONIA⁹

(July 2014)

Introduction

The implementation of the MPM2014 for Estonia shows a medium risk for media pluralism in the country. The results collected by implementing the MPM in Estonia, show risks in the country as follows: 35% (12 indicators) of the indicators assess a high risk; 18% (6 indicators) of indicators indicate medium risk, and 47% (16 indicators) refer to low risk.



Graph 7: Average level of risk for each type of indicator - Estonia

Legal Structure Type of Indicators Assessing Risks to Media Pluralism

Indicators assessing the national legal framework show the following level of risks: 7 indicators highlight a high risk (indicators **3, 4, 7, 8, 9, 11** and **16**), 5 indicators show a medium risk (indicators **5, 6, 10, 12** and **13**), and 8 indicators score low risk (indicators **1, 2, 14, 15, 17, 18, 19, 20**).

Freedom of expression (indicator **1**), **freedom of information** (indicator **2**) are generally guaranteed. Estonia belongs to the group of countries in which there are few laws specifically regulating the media field. Indicator **3**, technically, scores high risk, as there is no over-regulation in the media sector.

⁹ This report is partially edited by CMPF: it is mostly based on the narrative report and on the information uploaded in the online platform by the country team.

Indicator **4** on *regulatory safeguards for journalistic profession* scores high risk: the profession is open. Journalistic sources are protected according to the law: the effective implementation in court cases of this principle is difficult to assess, as protection of sources cases in Estonia are rare. It must be stressed that the Supreme Court of Estonia ruled that online media are responsible also of comments posted online by the users. The case of the portal Delfi, that was considered responsible by the Estonian Supreme Court, was submitted to the European Court of Human Rights that decided with a controversial ruling, that there was no infringement of article 10 of the European Convention on Human Rights. The ruling was referred to the Grand Chamber of the Court¹⁰.

Estonia is a country running liberal economic principles, introducing the value principles that are directed by the EU. The Electronic Communication Act foresees that two agencies are empowered to supervise the sector. The medium risk for indicator 5 comes from the fact that most government agencies are underfinanced, thus there is no particular discrepancy with the agencies for the media sector.

In Estonia, the law does not address media ownership concentration (except for Article 32 in the Media Services Act, which, however, is a mere declaration and is hard to implement in real life). The results of the pilot-test implementation on this country must be evaluated in the light of the size of the media market (indicator **12**). A small country, with a small media market and low GDP, in fact, is more likely to develop a concentrated market. Transparency of ownership (indicator **14**) has been legally granted – e.g., access to the commercial register is available online 24/7. The data on a legal entity are stored at the commercial register, the contents of which are publicly available over the internet. Journalists seldom use this information. However, in cases of media acquisition, the media's attention is strongly drawn to the topic.

Indicators **7, 8, 9** all relate to how media content is regulated. In this respect the last 20-25 years of liberal tradition applies, and the government generally avoids legislating on media content. The risk for indicator **7**, for instance, is high, because there is no regulation granting access to the PSM by various social and cultural groups. However, the law prescribes among the functions of the public service that it must (1) "distribute the programmes and media services introducing Estonian culture and society all over the world", and (2) "transmit programmes which, within the limits of the possibilities of Public Broadcasting, meet the information needs of all sections of the population, including minorities" (Art. 5). The autonomy of the journalistic output is the most esteemed value. In the field of broadcasting it has been insisted upon, both for the public broadcaster (Art. 3 in the Estonian Public Broadcasting Act) and the private broadcasters (Art. 13 in the Media Services Act). Internet traffic management is exceptional (indicator 20) and open internet is de facto protected¹¹.

The medium risk for indicator **5** on *Regulatory safeguards for the independence and efficiency of the relevant national authorities* comes from the fact that most government agencies are being underfinanced. The Competition Authority – more than in any other field in Estonia – regularly specifies the natural monopolies in the field of electronic communication and it imposes the relevant obligations on those who dominate the market. Again, in a small market, a question about the reasonability of fragmenting the market due to economic policy always stands.

When it comes to political communication (indicator **15**, low risk), commercial broadcasters have a regulation in one Article of the Media Services Act (regulating communication during the active pre-election period - providing all political subjects with equal opportunities. Before the adoption of the Media

¹⁰ CMPF

¹¹ CMPF (source <http://www.openforumacademy.org/library/ofa-research/OFA%20Net%20Neutrality%20in%20the%20EU%20-%20Country%20Factsheets%2020130905.pdf>)

Services Act the then Broadcasting Act stipulated that there should be equal access to the electronic media. The regulation of the code of conduct applies also to all broadcasters. Beyond that, the PSB has its own detailed regulation through the Estonian Public Broadcasting Act 1 which states that "the programmes of Public Broadcasting shall be politically balanced." (Art. 6). These principles have also been enforced by the Principles of Good Practice. In regard to political balance, the document (approved by the PSB's Broadcasting Council) stipulates that in programmes in which political actors have been involved, the principle of airtime balance shall be applied. As to making complaints, one can apply to the corresponding supervisory body - the Broadcasting Council, in the case of the PSB, and to the Technical Surveillance Authority for cases deriving from the Media Services Act. According to the Constitution, anyone has the right to appeal to the courts under any circumstances, in order to uphold his/her rights. The issues are not very frequently monitored by the supervisory agencies.

There is no advertising allowed in the PSB's output.

The law does not offer provisions against excessive ownership and/or control of mainstream media by politicians (indicator **16**, that, therefore scores high risk), however it does not appear that there is an acute need for this in Estonia. It is unwritten good conduct that politicians do not interfere with media, especially in a disguised manner. It has not been the case in Estonia that politicians hold shares in media undertakings. However, there is not legal framework to prevent them from doing so if they decide to.

The code of ethics for the Estonian press stipulates that "Freedom of communication is the basic premise for a working democratic society, and the free press are the means and prerequisite for attaining it." (cl. 1.1); "the press and other media shall serve the right of the public to receive true, fair and comprehensive information. The critical observation of the implementation of political and economic power is the main obligation of the press." (cl. 1.2) and "Editorial staff members may not be obliged by their employer to write or perform any like activity contradicting their personal convictions" (cl. 2.4).

The National Public Broadcasting Act declares that "Public Broadcasting shall be independent in the production and transmission of its programmes, programme services and other media services and shall be guided exclusively by the requirements of law." (Art. 3).

Indicator **17** scores low risk as to the PSM council. This is appointed by the Parliament's permanent commission (committee) on culture and the law, which also clarifies rules here (Art.-s 13-22). *Inter alia*, every political party represented in the Parliament shall be represented by one member on the Council, in addition to four expert members.

Indicator **19** scores low risk, as regulatory safeguards for the objective and independent allocation of resources to PSM exist. Indeed, this result should be read in the general context of the overall budgetary possibilities in Estonia, but studies indicate that even proportionally the PSB is underfinanced for long-term goals. Whilst the financing is not long-term based (allocations given annually from the state budgets) the PSB still writes three-year development plans which indicate the financial needs in detail. On the other hand, the state policy is not to plan the annual state budget by various laws, thus not leaving room for political debate over the state budget allocations. The option to politically determine the financial allocations thus leaves room for the possibility to politically manipulate the PSB. However, this has actually not been the case (i.e., the implementation of politically motivated punitive measures against the PSB).

The official documents of ERR (the PSB) indicate that the public broadcaster has been underfinanced and needs additional professional resources (Loit, U. (2013) Mapping Digital Media. Estonia Report <http://www.opensocietyfoundations.org/reports/mapping-digital-media-estonia>, 34, referring to the Development Plan 2012-2015).

Economic Type of Indicators Assessing Risks to Media Pluralism

Four indicators concerning the economic dimension of media pluralism in Estonia assess a high risk (21, 23, 25 and 26), while only 2 indicators (22 and 24) show a low risk. In Estonia, the media market has an oligopolistic character – as it is tiny and thus cannot accommodate too many owners. The most problematic aspect here is the paucity of local and regional media. Local terrestrial television is disabled due to technological restrictions that are related to the digital turn – it needs to fit into a multiplex that is provided in the state radio frequency plan and, cost wise, it would be preferable to have a national terrestrial coverage, even for local content (as in the case of Tallinn Television (*Tallinna Televisioon*, TTV). The only locally licenced terrestrial television (Alo TV) ceased to exist after the digital change over on 1st July 2010, and continued on two national cable networks after that. The above-mentioned *Tallinna Televisioon*, in the capital city, is the only terrestrial television providing local news, but it is broadcast nationally all over the country. This TV-station is predominantly financed by the city government and has been heavily criticised for political favouritism towards the single-party sway in the capital city. The mainstream media also criticises the newspapers issued (and paid for) by local municipalities – mainly for “infringing” the local advertising market. The counter-claim is that the “big media” do not cover local issues sufficiently and the local powers need alternative ways to disseminate their messages. Journalistically, the output varies from papers published under conventional journalistic standards to papers under political influence (offering self-promotion for the local politicians and administration, rather than offering objective information).

The share of local radios is also diminishing. There is no media policy addressing the local media, thereby providing support for the production of high-quality output. The local advertising market is indigent in providing enough resources to run comprehensive media content. Yet, the audience still very much wants this and, for instance, the Estonian Rescue Board relies on local media (especially radio) for crisis management. The latter, again, has no financial backing.

Media for minorities is mostly related to the Russians and Russian speaking minorities. The Estonian media system as a whole has not succeeded in addressing Russian-language Estonian media to this segment of the population. It must be outlined that many Russophones appear to be culturally bound to media produced in Russia, which, for financial reasons, has the capacity to offer incomparably more diverse content than any of the Estonian channels. Daily papers in Russian have not proven to be profitable, whilst the public service Radio 4, in Russian, has been the most, or the second most listened to radio station among Russophones.

There are some linguistic (dialectal) minorities in south-Estonia (Võro, Seto, Mulgi), who receive some subsidies to run their newspaper and newscasts on the national public radio.

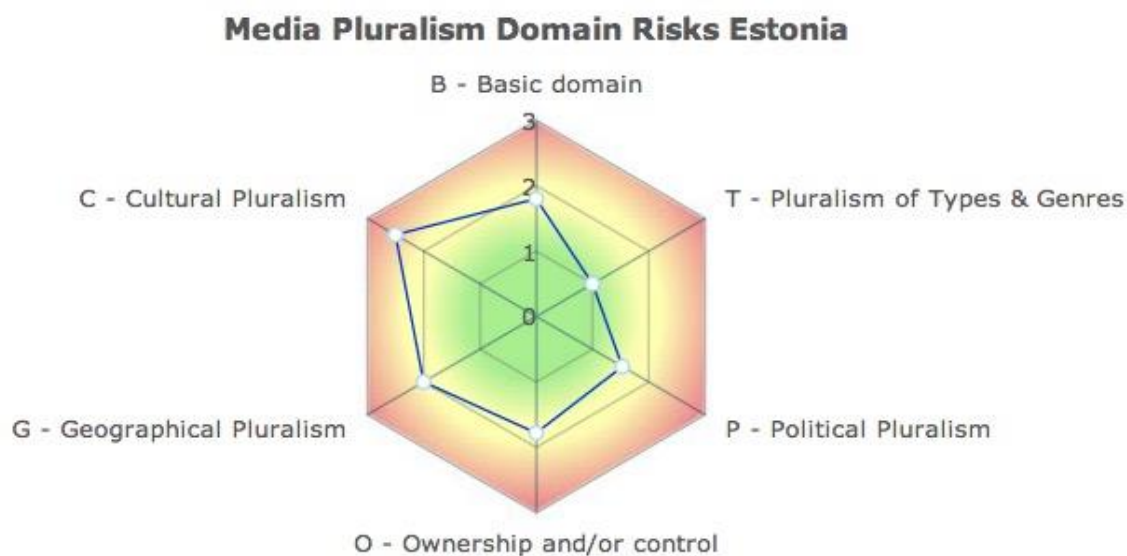
Socio-political Type of Indicators Assessing Risks to Media Pluralism

A generally low risk is assessed by combining the indicators included under the socio-political structure. In particular, 6 out of 8 indicators assess a low risk (27, 28, 29, 30, 31 and 32), only one indicator (33 *Level of independence of PSM considering mechanisms of its financing*) scores a high risk, while the 34 *Independence and ownership of news agencies* assesses medium risk. However, indicator 29 *Political bias in the media*, which was measured by a content analysis of TV programmes over only few days, appears to be problematic. During the week designated for the data gathering, the real European

Parliament pre-election campaign was in its very initial stages and the full debate occurred only the following week. Either way, the monitored period of time is rather short to be representative.

Indicator **27 Guarantees for universal access to media regarding special needs groups**, is essential as an indicator and scores low risk. Indicator **31 Political control over media funding by advertising** would benefit from a more detailed definition of “state advertising”. In Estonia, both state and public institutions buy advertising in all media types (public awareness campaigns) and give grants for producing specific programmes or articles. However, “state advertising” does not appear to be a tool with which to unequally distribute state funds among media organisations. In Estonia, the media plan is made by media agencies, based on target audiences and the actual ratings of the chosen media. Some public campaigns are run through the Broadcasters Association, during which the particular ad is on air in all member stations. Altogether, this is a “grey area” in terms of the transparency in using state funds, and this is difficult to track. However, there is no evidence that advertising that is bought by the state institutions would unavoidably induce “political control over media”.

Since 2002 the law prohibits advertising on PSM and therefore its only source of financing would be allocations from the state budget. The allocations are not made by the government, but by the Parliament according to routine parliamentary procedures. They include at least some political debate and economic reasoning. It is the general level of national need, which influences the distribution of funds. This was a political decision not to bind PSM's financing with long-term state obligations. In the years of economic recession the finances of the PSM have also been cut (indicator **33**).



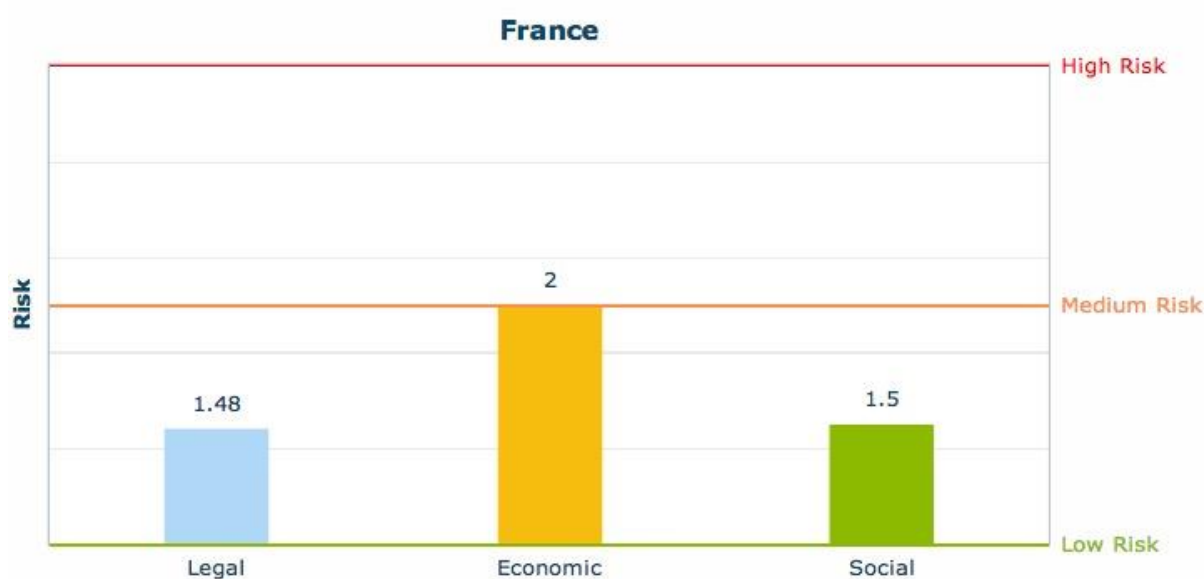
Graph 8: Level of risk for each risk domain - Estonia

COUNTRY REPORT: FRANCE

(September 2014)

Introduction

The implementation of the MPM2014 for France shows a low/medium risk for media pluralism in the country. In general, the risks to media pluralism in France are divided as follows: 15% (5) of the indicators fall within the zone of high risk; 26% (9) indicate medium risk, and 59 % (20) refer to low risk.



Graph 9: Average level of risk for each type of indicator - France

Legal Type of Indicators Assessing Risks to Media Pluralism

Overall, the legal risks to media pluralism are low in France. Existing laws and regulations comply with major safeguards that are measured by the legal indicators: freedom of expression, right to information, recognition of media pluralism, and independence of regulatory agencies, concentration limitation. France's government is developing policies for media literacy, net neutrality, and open data.

An important trend (not captured by the MPM's indicators, since it is a change over time) should be noticed regarding the balance between privacy protection and freedom of expression/right to information. Traditionally, France has strong legislation to protect individual privacy. However, since 2008, under the influence of the jurisprudence of the European Court of Human Rights, French courts take the general interest – and the right of people to be informed on important matters - when judging defamation cases and breaches into privacy, into account more than they used to do.

There are some MPM indicators that show high risks. Indicators **7 Regulatory safeguards for access to airtime on PSM by the various cultural and social groups** and **8 Regulatory safeguards for minority and community media** demonstrate high risk. The reason for this is the so-called "Republican model" (as opposed to the Communitarianist model) that the French constitution and legal practice have established: French law does not recognise ethnic origins, national minorities, or some other communities. Special safeguards thus do not exist in regard to those groups. It would be appropriate to introduce into the MPM a second level measurement, in order to examine the actual risk to pluralism relating to minority groups under the principles of the Republican model.

There is high risk related to indicator **16 Regulatory safeguards against excessive ownership and/or control of mainstream media by politicians**. This high risk is due to the lack of legislation, but does not necessarily mean that there is an excessive politicisation of French media. This indicator needs to be examined together with the socio-political indicators that are related to this risk, which do not demonstrate high risk.

Regarding concentration of ownership (indicator **12 Regulatory safeguards against high concentration of ownership and/or control in media and indicator, 13 Regulatory safeguards against high degree of cross ownership between television and other media**), there is a complex set of legal safeguards to prevent too much concentration in all platforms, but for internet service providers. However, the effective implementation of these safeguards can be questioned, given the insufficient legislation on financial transparency (indicator **14 Regulatory safeguards for transparency of ownership and/or control**), which does not guarantee easy access to financial information.

Indicator **4 Regulatory safeguards for the journalistic profession** shows low risks for the safeguards for the journalist profession. Yet, the legal situation for journalists in France is not fully satisfactory. There is no deontological code that is recognised by law, and no press council to monitor deontological breaches. The legislation on the confidentiality of sources has improved, but a law reinforcing the protection of journalists is still under discussion. This indicator should thus be looked at in the context of other measurements and the MPM's indicators.

Finally, it should be noted that the legislation against terrorism (which is currently being increased) might affect freedom of expression over the internet. Around the ban on the *burqa* (law of 10th October, 2010), which was also upheld by the European Court of Human Rights on 2nd July 2014, there has also been a debate in France about the freedom of religious expression (which France traditionally limits to within the private sphere).

Economic Type of Indicators Assessing Risks to Media Pluralism

Overall, according to MPM's indicators (**21 Media ownership concentration, 22 Media audience and readership concentration** and **23 Number of sectors in which top 8 firms/owners are active**), the French media system exhibits a moderate to high level of concentration. However, this general assessment will be nuanced when we get into the details of the media system.

Regarding newspapers, we must differentiate between national and regional newspapers. Four groups (Le Monde, Figaro, Les Echos, Le Parisien) dominate the national newspapers market and the number of national titles has been declining over time (France Soir, which used to be one of the major French dailies, disappeared in 2011; La Tribune moved to an online only edition; there are current difficulties for Libération).

On the regional newspaper market, there are around 60 major titles and, nationwide, the market appears to be moderately concentrated. There is no single group dominating the regional dailies market and the biggest groups have a market share that is below 18%. Yet, in any particular French region, a single newspaper title frequently enjoys a *de facto* monopoly position with, at best, some competition from smaller local papers, the national dailies and, in the larger towns, local editions of free newspapers.

In the broadcasting sector, there is reasonable diversity of ownership at both national and sub-national levels. Besides the public company, Radio France, four commercial groups dominate radio nationwide: the RTL group, the NRJ group, Lagardère and Next Radio (a newcomer which has been steadily developing over the last ten years). In addition to national networks, there are several hundreds of local radio stations (some of them being grouped in an independent network). In the larger French cities, more than 15 radio stations are typically available. However, local radio stations generally devote little airtime to news and current affairs, and the pluralism of information is mainly ensured by national radio networks.

In television, there are four dominant players: TF1 owned by the Bouygues group, the public company France Télévisions (with two over the air channels: France, especially France 2 and France 3), the M6 group (Bertelsmann), and the Canal Plus group (which operates a pay TV channel over the air). It was hoped that the shift to Digital Terrestrial Television (DTT) would lead to a reduction in ownership concentration in the television sector. While some new players did enter the market, notably BFM (Next radio) and NRJ, two groups coming from the radio market, and some other minor groups, new channels have been mainly allocated to the traditional TV groups, including Canal Plus, which now has a nationwide free TV station (D8).

It should be noted that, with the development of DTT, the supply of TV news is now particularly strong in France. In addition to the news editions offered by the traditional channels, two 24-hour news channels (BFM, i-télé) are freely available. There are also the two so-called Parliament channels (LCP and Public Sénat), which provide news editions and magazines (with independent teams of journalists).

Cross media ownership and vertical integration are low in the French media system. French media groups tend to operate on one market only, with a few exceptions. There is virtually no cross-ownership between news dailies and television, and only some limited cross-ownership between regional dailies and local radio stations. Only one group is significantly present in both radio and print media (Lagardère), and there is only one group (RTL group) that is significantly present in both radio and television (NRJ, an important player for radio, is only a minor player for television). In comparison with other major EU countries, France has no equivalent of a company on the scale of News Corporation in the UK, Bertelsmann in Germany, or Mediaset in Italy, which all have extensive cross-media activities.

Finally, the French media system is mainly operated by domestic firms. However, there are some foreign companies that operate media ventures, notably in the print magazine sector where the German Prisma group (Bertelsmann), the British EMAP, the Italian Mondadori and, more recently, the Belgium Roularta group, hold significant positions. In the broadcasting sector, Bertelsmann is also significantly present through the M6 Company (the second commercial TV group) and RTL (the first radio network).

A peculiar feature of the French media system is that media ventures are not purely media players but are often part of larger commercial and industrial conglomerates. Again, this makes France different from the UK, Germany and Italy, where the major media companies are almost exclusively focused on media-related activities. Moreover, these industrial conglomerates often bid for state contracts in France (e.g., Dassault in military aircraft production and sales, and Bouygues in construction), or their interests are subject to state regulation (for instance, Bouygues and telecommunications). This situation has been criticised, since it creates a sort of conflict of interests between the French state and some conglomerates. It has been feared that these conglomerates might be tempted to obtain state support that is beneficial to

their industrial activities by providing a good media coverage of government activities. However, this aspect of the market needs to be measured by additional socio-political types of indicators that tap into the political dependencies of the media.

On the internet access market, there are five dominant players: Orange, SFR, Bouygues, Numéricable and Free. Over the last 15 years, the latter has developed an aggressive rates policy - with a typical subscription rate of 30 euros/month for broadband access through fixed lines - which has contributed to an enlargement of the base number of internet users (currently around the 75% of French population).

Socio-political Type of Indicators Assessing Risks to Media Pluralism

The MPM's indicators show low to moderate socio-political risks to media pluralism. French people enjoy an excellent, nation-wide access to French media outlets (indicator **28 *Guarantees for universal coverage of PSM and broadband networks regarding geographic coverage***). Through a mutualised (though very costly) distribution system, print media are available throughout French territory. In all regions, all major television and radio networks are accessible. There are a few so-called dark zones, where terrestrial reception is difficult due to geographical constraints, but they represent less than 0.5% of the French population. Access to the internet with sufficient speed (at least 2 Megabits) is problematic in some rural zones and this may become a political issue in the near future, as some reports estimate that only 77% of the French population is well covered by ADSL.

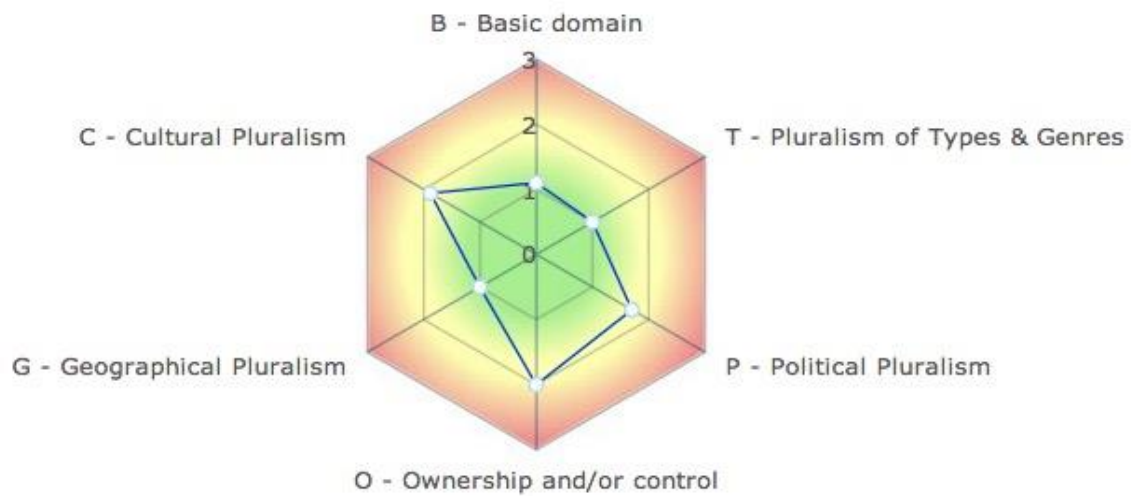
Indicators **30 *Political control over media and distribution networks ownership*** and **31 *Political control over media funding by advertising*** show that there is no excessive politicisation of the French media system. No major daily newspaper and no broadcaster is either owned by, or has close links with, a political party or another political organisation. In 2001, L'Humanité, once the official daily of the Communist party (PCF), was officially separated from the PCF, and its ownership was opened up to new stakeholders, including 20% by a holding in which the Lagardère group and TF1 had stakes.

In terms of content and editorial line, French newspapers rarely identify too closely with a particular political party or ideology. This is most apparent in regional newspapers. Due to the dominant position they occupy in their markets, they tend to avoid too marked political stances, which could upset sections of their wide readership. They devote to politics only a tiny proportion of their content, and they adopt so-called legitimist editorial lines, which focus on institutionalised politics and elected officials' activities. National dailies and news magazines are more politicised. They are supportive of peculiar values or policies, which makes them more in-line with the external pluralism model.

Political pluralism in broadcasting is mostly based on the so-called principle of reference, and is monitored by the CSA. Outside of electoral campaigns, politicians from the parliamentary opposition should receive at least half the time given to government and politicians from the parliamentary majority combined. In 2009, the interventions of the President that are linked to domestic politics were included in the government share of their output. However, this approach was criticised for being too quantitative. More importantly, there is no obligation in regard to political parties and organisations, which are not represented in Parliament. About a decade ago this was an issue with respect to the National Front (extreme right), which, compared to its electoral results, had been under-represented in French media. However, French media have now adjusted to the reality of the National Front, and they provide an accurate coverage in quantitative terms (although not necessarily in qualitative terms). Whether the National Front is a "regular" party or should be treated in a specific way due to its populist nature (and some would add its xenophobic stand), is a matter for debate in France (as it is in other European countries in which there are similar parties).

During electoral campaigns, candidates must first be covered in an equitable way (i.e., in proportion to their importance in public opinion and the importance of their campaign activities), then in an equal fashion during the last part of the campaign (usually two weeks before Election Day). Thanks to these regulations, but also to the professionalisation of French journalism, the coverage of French politics does not show any outstanding political bias (indicator **29 Representation of political views in the media**). Reports by the CSA show that broadcaster airtime is devoted according to regulations (with some occasional deviations, generally not in the same direction through time), but since it is different to the reference values of the MPM, indicator **29** scores medium risk. The content analysis performed for the MPM shows that the portrayal of political actors is generally neutral or ambivalent.

Media Pluralism Domain Risks France



Graph 10: Level of risk for each risk domain - France

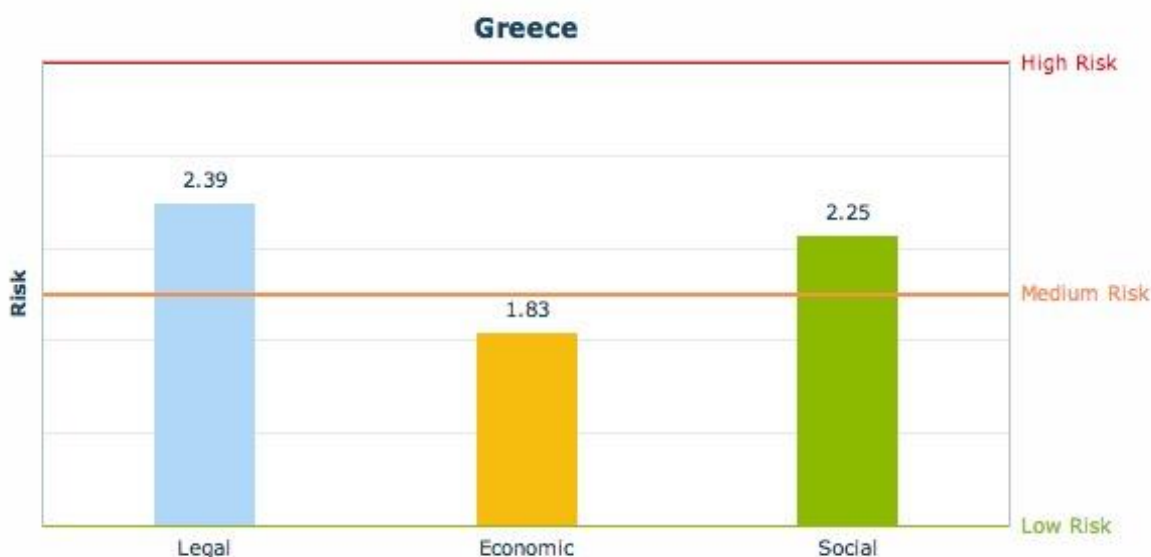
COUNTRY REPORT: GREECE

(June 2014)

Introduction

The implementation of the MPM2014 for Greece shows a medium/high risk for media pluralism in the country. The results collected by implementing the MPM in Greece, show risks in the country as follows: 44% (15) of the indicators assess a high risk; 38% (13) of indicators indicate a medium risk, and 9% (3) refer to low risk. Three indicators were not scored due to lack of data.

The pilot-test implementation of the MPM on Greece is valuable in terms of suggestions on methodology, structure and formula for the MPM's fine-tuning.



Graph 11: Average level of risk for each type of indicator - Greece

Legal Type of Indicator Assessing Risks to Media Pluralism

Overall, the regulatory safeguards for freedom of expression in the Greek legal system pose a medium risk for media pluralism. Freedom of expression is explicitly recognised in the Constitution and Greece has signed and ratified the relevant international treaty obligations. Citizens have legal remedies in cases of the infringement of their freedom of expression, and free speech is generally respected, including on the internet. However, there are interpretive problems regarding national security laws. The rules on blasphemy are also not very narrowly defined and defamation provisions abound in the Greek penal code (indicator 1-medium risk).

The right to information is explicitly recognised in the Constitution and in national laws. There are appeal mechanisms in place. However, these are slow. Moreover, the parallel existence of multiple legal provisions on the right to information/access to public documents ends by creating problems in regard to the implementation of this right. In addition, there is evidence of systematic non-compliance with the relevant rules. The score for this indicator appears to be “low risk”. In our view, the risk is higher than the one calculated by the MPM (indicator **2**).

Media pluralism is explicitly recognised both as an intrinsic part of media freedom and as a policy objective. In practice, however, not all aspects of media pluralism are respected. Media pluralism is mostly threatened in Greece by the high concentration of media power and the underlying interdependence between political, economic and media elites (indicator **3**-medium risk).

There is currently no licensing of journalists in Greece and access to the journalistic profession is open. However, those who want to become members of the journalists’ associations (membership is optional) need to fulfil the membership criteria set by the respective associations, which also function as journalists’ trade unions. According to the self-regulatory Code of Conduct of the Journalistic Profession, journalists should not accept money or any other type of compensation, which may affect their credibility/independence/objectivity. In principle, Greek courts recognise the protection of journalistic sources. However, the relevant variable was considered as not fulfilled, because the law was not considered to be in line with ECHR standards. The protection of press freedom also includes the protection of access to all sources. There is systematic evidence that media entrepreneurs intervene in their employees work (indicator **4**high risk)¹².

As far as the independence of the relevant national authorities is concerned:

- 1) The National Council for Radio and Television is fully funded by the State and its members are selected by the Conference of Chairmen of the Greek Parliament, a cross-party parliamentary college, seeking unanimity or an increased majority of four fifths of its members. The ability of the political parties that are in opposition to veto the nominations of their counterparts does not preclude nominations based on political affiliation and ideological identification. Furthermore, there is a lack of transparency in the process of nomination.
- 2) The Chairman and the Vice-Chairman of the Hellenic Competition Commission are elected by the Conference of Chairmen of the Greek Parliament. The remaining board members are appointed by the Minister of Finance.
- 3) The President and the two Vice-Presidents of the National Telecommunications and Post Commission are appointed by the Council of Ministers upon the proposal of the Minister of Infrastructure, Transport and Networks. The other six board members are appointed by the Minister of Infrastructure, Transport and Networks.

The above factors, combined, constitute a high risk to media pluralism (indicator **5**). The existing policies on media literacy are only nascent and the measures taken are fragmented (indicator **6**-medium risk). NERIT, the Greek PSM, is bound by law to serve the democratic, social and cultural needs of the society and to contribute to pluralism. The scarce rules regarding the accessibility of minority groups and the content of programmes seem to be complied with. However, given that the existing rules on cultural pluralism are restricted mainly to the accessibility of the disabled, one cannot safely conclude that such compliance amounts to an adequate representation of different cultural groupings (indicator **7**-medium

¹² The formula of this indicator should be fine-tuned for further applications, as it is too strict.

risk).

The Greek media law does not contain any specific provisions on minority or community media. In fact, there appears to be no particular policy strategy for minority media or community media (indicator **8**-high risk).

Media legislation does not ensure access by regional and/or local media to platforms of electronic communication network providers. It also does not prohibit networking or affiliation arrangements between regional/local media and national media (indicator **9**-high risk).

NERIT is not obliged a) to have a minimum proportion of regional and/or local communities involved in the production and distribution of its programme; b) to have its own regional correspondents; or c) to have the balance of journalists coming from various geographical groups (indicator **10**-high risk).

With respect to universal coverage, NERIT's coverage is the entire geographical area of Greece.

Greek regions participate in the operational programme "Digital Convergence", which seeks to promote the use of ICTs. The Rural Broadband infrastructure project aims to reduce the digital gap in rural and remote areas. The Greek print media is supported by considerable indirect state subsidies in the form of distribution subsidies (indicator **11**-medium risk).

Different ownership rules apply to electronic (TV and radio) 'information' media and electronic 'non-information' media (indicator **12**-medium (for the most part)). There are also some restrictions on the ownership of the printed media, depending on type and geographical reach. The media legislation does not contain specific thresholds or limits to prevent a high level of horizontal concentration of ownership and/or control as regards ISPs (*12.3*-high risk). However, it has introduced media-specific competition rules to curb a high degree of cross-media ownership (indicator **13**-medium).

As far as transparency of media ownership/control is concerned, newspapers and magazines must indicate their owner, publisher and director. They must also indicate the director of the undertaking responsible for printing. The capacity of owner, partner, main shareholder or management executive of an information media enterprise is incompatible with the capacity of owner, partner, main shareholder or management executive of an enterprise that undertakes works towards the public sector. In order to be licensed, TV and radio undertakings must submit to the NCRT a statement on their shareholders. Any transfer of ownership (above 1% of the capital of a licensed TV or radio undertaking) has to be notified to, and approved by, the National Council for Radio and Television (indicator **14**-medium risk).

Concerning political reporting, according to Art. 15(2) of the Constitution, state control over public and private radio and television 'shall aim at the objective and on equal terms transmission of information and news reports'. As regards PSM in particular, NERIT shall serve the democratic, social and cultural needs of the society and contribute to pluralism. Art. 15(2) of the Constitution also provides for the mandatory and free-of-charge transmission of the electoral campaign messages of the political parties. In pre-election periods, the PSM and the free-to-air commercial channels, as well as the providers of radio and television subscription services of any kind are required to make time available for the transmission of messages from political parties free of charge. "Access to airtime on PSM (and commercial channels and services during election campaigns) for political parties is determined on the basis of their performance at the previous elections. The extent to which these rules promote political pluralism is questioned as they are, each time, determined by means of the agreement reached by a cross-party committee"¹³ (high risk). The

¹³ Source: MPM implementation Greece.

interpretation of the data for this indicator shows that indicator **15**'s formula needs to be fine-tuned for future implementations and that the risk should be assessed as lower.

On the issue of excessive political control of the mainstream media, the Constitution renders incompatible the duties of member of Parliament and those of owner/manager partner or shareholder or governor or administrator or member of the board of directors or a deputy thereof, of an enterprise that either publishes a newspaper of country-wide circulation or engages in radio or television broadcasting services. The aforementioned duties are also incompatible with the duties of a Member of the European Parliament. As regards PSM in particular, the duties of a member of the Supervisory Board and the Management Board of NERIT are incompatible with those of member of the Ministerial Council, Deputy Minister, Secretary (General and Particular) of a Ministry or Secretariat, Member of Parliament, Mayor and Deputy Mayor, Head and Deputy Head of a region and civil servant (*16*-high risk). It must be stressed that the interpretation of the data provided for this indicator show that the score coming from the application of the MPM is too high. The text of the indicator should be fine-tuned to include the assessment of the constitutional level of regulation. Moreover, when the report was finished (June, 2014), it was not possible to assess how the PSB's incompatibility rule was going to be implemented¹⁴.

With respect to PSM appointment procedures, these are for the most part transparent (indicator **17**-medium risk).

There are currently no specific must carry rules in media legislation guaranteeing distribution of public interest channels on cable, DSL and/or satellite platforms (indicator **18**-high risk)

Concerning PSM financial resources, NERIT enjoys financial autonomy and derives income through a mandatory licence fee, advertising and other sources. The level of the licence fee is determined by the Minister of Finance and the Minister responsible for NERIT upon proposal of its management board. NERIT's yearly budget is subject to approval by an inter-ministerial committee (indicator **19**-high risk).

There is no regulation on net neutrality in Greece. Nevertheless, the National Communications and Post Commission, the regulator on electronic communications networks and services, monitors developments on net neutrality at the European level and has declared a commitment on coming up with a five-year action plan (indicator **20**-medium risk).

Economic Type of Indicator Assessing Risks to Media Pluralism

There is a high ownership concentration in television, radio and ISPs and a medium ownership concentration in newspapers (indicator **21**-high risk). It should be noted, however, that in Greece there is no data on the total revenue of media outlets. Market shares are calculated on the basis of imputed advertising expenditure (i.e., sales of advertising space/time by media outlets to advertisers).

A medium level risk to media pluralism stems from audience/readership concentration. In particular, there is a high audience concentration in television and subscriber concentration in internet service provision, and a medium readership concentration in newspapers. There is currently no available data on the audience shares of radio outlets (indicator **22**).

The concentration of media ownership across the different media sectors cannot be scored due to the

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non-disclosure of data as regards ISPs (indicator **23**).

Both fixed and mobile broadband penetration is lower than the respective EU average penetration (this is a high risk to media pluralism). Concerning the two variables that assess the national average fixed internet speed measured in Mbps in download/upload compared with the respective EU average (indicator **24**), Greece scores low risk in *upload* and high risk in *download*.¹⁵

None of the questions concerning minority and community media (indicator **25**) can be answered. This indicator provides for the scoring of the ratio of television channels/newspapers/radio channels, which are dedicated to ethnic/linguistic/national minorities to the total number of domestic television channels/newspapers/radio channels. First, the only recognised minority in Greece is a religious minority (the Muslim population of Thrace). Second, there are no television/radio channels/newspapers of national range formally recognised as minority media.

Similarly, the indicator concerning the centralisation of the national media system (indicator **26**) cannot be scored due to the non-availability of data.

Socio-political Type of Indicators Assessing Risks to Media Pluralism

With respect to indicator **27** *Guarantees for universal access to media regarding special needs groups*, policy-making bodies are aware of the issue and have started taking measures, but the existing policies are only nascent and the measures taken are fragmented. The risk is therefore evaluated as a medium one.

On the issue of universal coverage, addressed by indicator **28** *Guarantees for universal coverage of PSM and broadband networks regarding geographical coverage*, NERIT, which only started operating in May 2014, is bound by its law to have a 100% geographical coverage. However, this aim has not yet been achieved. As a result, currently there is no effective coverage with PSM transmissions. The rural coverage of DSL is higher than 95%, but availability of cable internet is rather low. Based on all this, the risk for indicator **28** is evaluated as high¹⁶.

Another indicator with a score of high risk is indicator **29** *Representation of political views in the media*. The content analysis exercise has shown that Greek media are deeply politically biased. However, it needs to be noted that this indicator has been applied within a rather constrained methodological frame and the issue needs further exploration.

On indicator **30** *Political control over media and distribution networks ownership*, the connections of media owners with political elites in the country have formed the object of substantive investigation by journalists and media activists. Rather than disclosing media owners' allegiance to specific political parties, reports have focused on the interplay of the media with politicians, and the development and evolution of interconnecting interests between the media, the government and the business sector. The lack of sufficient transparency and data however, prevents addressing and reflecting on these concerns in the scoring of the indicator.

¹⁵ This variable has been assessed by the CMPF according to the guidebook, suggesting the use of the centralised available database offered by "Ookla".

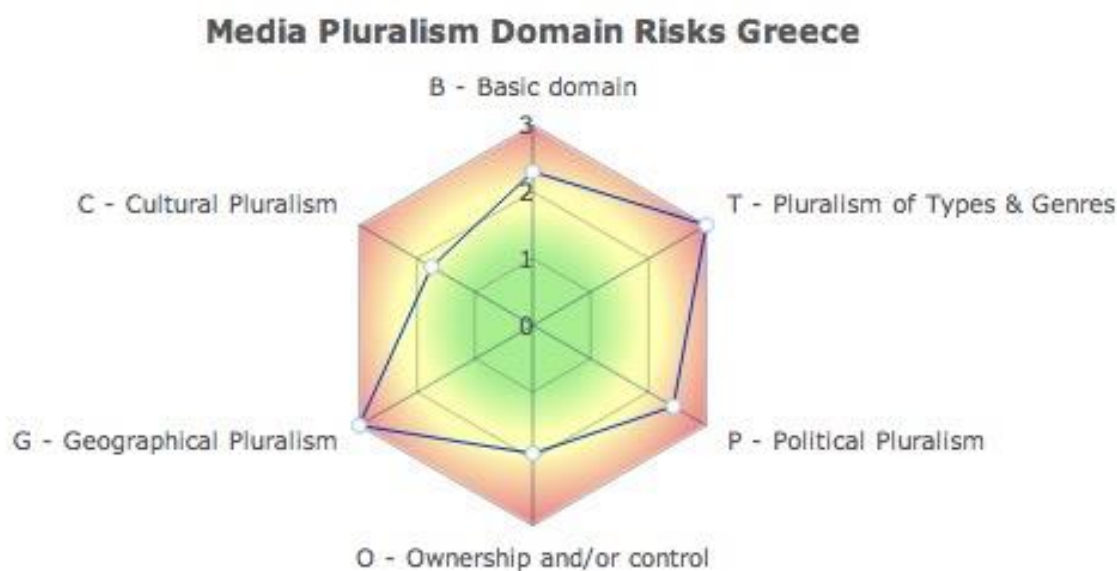
¹⁶ The country correspondents provided the elaborated data, but the CMPF team assigned the indicator score.

With respect to indicator **31 Political control over media funding by advertising**, despite the fact that there are clear and transparent rules regarding the distribution of public advertising, their actual implementation does not portray an equally transparent environment. The lack of readily available and reliable statistical data across the different media sectors prevents the proper evaluation of this indicator.

Concerning indicator **32 Presence of professional associations providing advocacy for editorial independence and respect of professional standards**, vying for editorial standards and editorial independence, the unions of journalists have been quite active in campaigning on matters related to journalists' employment conditions. At the same time, however, they have proved ineffective in enforcing the Code of Conduct of Journalists, which is the reason for the less than perfect evaluation of the risk here. However, the indicator itself needs further specifications and fine-tuning of the descriptions of the different ways and degrees of professional associations' involvement, in order to better reflect cases like Greece.

On indicator **33**, measuring the **Level of independence of PSM** considering the mechanisms of its financing, Greece scores a high risk. The reason for this is that the government decides on the licence fee of the PSM without any public discussion.

High risk to media pluralism is also demonstrated by indicator **34 Independence and ownership of news agencies**, as there is only one Greek-based national news agency. In addition, ANAMPA (the only news agency) is owned by the government, and the government is involved in the personnel appointment and/or editorial policy.



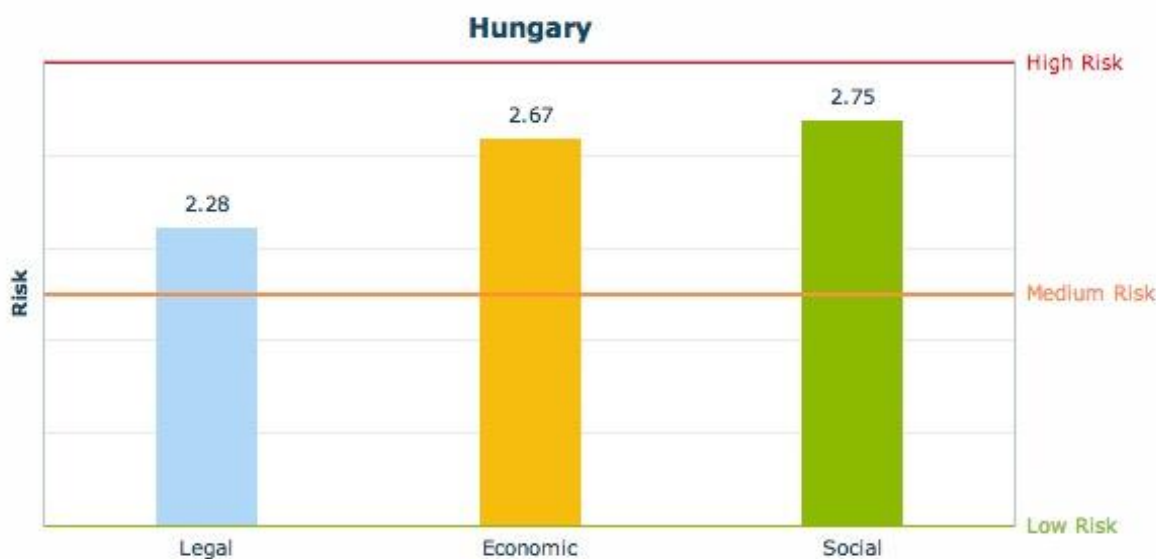
Graph 12: Level of risk for each risk domain - Greece

COUNTRY REPORT: HUNGARY

(December 2014)

Introduction

The implementation of the MPM2014 for Hungary shows a situation of high risk for media pluralism in the country. The results collected by implementing the MPM in Hungary, show risks in the country as follows: 50% (17) of the indicators assess a high risk; 47% (16) of indicators indicate medium risk, and 3% (1) refer to low risk.



Graph 13: Average level of risk for each type of indicator - Hungary

Legal Type of Indicators Assessing Risks to Media Pluralism

Low risk was assessed for one of the 20 legal indicators: 18 Regulatory safeguards for the distribution of public interest channels on cable, DSL and/or satellite platforms.

Medium risk was assessed for 14 of the 20 legal indicators: *1 Regulatory safeguards for freedom of expression; 2 Regulatory safeguards on freedom to information, 3 Recognition of media pluralism as intrinsic part of media freedoms and/or as policy objective of media legislation and/or regulation, 4 Regulatory safeguards for journalistic profession, 6 Policies and support measures for media literacy (or digital literacy, in particular) among different groups of population, 7 Safeguards for access to airtime on PSM by the various cultural and social groups; 8 Regulatory safeguards for minority and community media, 9 Regulatory safeguards and policies for regional and local media; 13 Regulatory safeguards against high degree of cross-ownership between*

television and other media; 14 Regulatory safeguards for transparency of ownership and/or control, 16 Regulatory safeguards against excessive ownership and/or control of mainstream media by politicians; 20 Policy measures for the impartial circulation of internet data, without regard to content, destination or source.

Freedom of expression and media freedom-related indicators (1-4) scored as a medium risk. These fundamental rights are guaranteed in the Constitution and in the media legislation, respectively, however additional statutes limit the full exercise of these rights, both formally and in practice.

Freedom of expression is guaranteed in Hungary's Constitution. However, lawmakers passed an amendment to the Constitution that restricts political advertising in media outlets during elections. This amendment has been found by election observers to add undue restrictions to freedom of expression and information rights (indicator 1).

Media pluralism and freedom (indicator 3) is formally guaranteed in the 2010 media legislation.¹⁷ However, the legislation contains a number of provisions that weaken regulatory safeguards that ensure a diverse media marketplace and fair competition among market participants. These include a high risk for the politicization of the media regulatory authority (see 'high risk' section below); the centralization of public media under the management of the media regulator, National Media and Telecommunications Authority (NMHH); and insufficient anti-concentration safeguards; lack of transparency of media ownership structures, among other factors. In addition, journalists in Hungary are bound by criminal and civil defamation and libel laws. Under the criminal code, media are subject to increased punishments and liability for offenses.¹⁸

Regulatory safeguards for right to information also scored as a medium risk (indicator 2): Access to information is provided for the Act CXII of 2011 about information self-determination and freedom of information, which also created a new authority, the National Data Protection and Freedom of Information Authority (Naihan), responsible for overseeing compliance with the legislation. A recent amendment to the legislation introduced new restrictions to access to information and FOIA requests in Hungary has curtailed the former scope of the law and restricts the public's and media's ability to request information. In practice, the Hungarian courts tend to decide in favour freedom of information requests, although systematic and comprehensive data on court rulings in Hungary is difficult to obtain, other than rulings by the Constitutional Court.

Access to the journalistic profession is open (indicator 4). Self-regulatory codes emphasize the independence of editorial content and other professional standards such as objectivity, although such standards are often not implemented in practice. Protection of journalistic sources is recognized by law and by the Constitutional Court. Following a Constitutional Court ruling, the media law is now in line with Recommendation (2000) 7 CoE, and only courts may oblige a journalist to reveal his or her sources and the case must be specifically justified. Access to events for news reporting is not explicitly recognised by the law. The media legislation obliges the state, public authorities and institutions, state-owned enterprises

¹⁷ Act CIV of 2010 on the Freedom of the Press and the Fundamental Rules of Media Content, (Smtv.), http://hunmedialaw.org/dokumentum/152/Smtv_110803_EN_final.pdf
Act CLXXXV of 2010 on Media Services and Mass Media, (Mttv), http://hunmedialaw.org/dokumentum/153/Mttv_110803_EN_final.pdf.

¹⁸ §226 and §227 of the Act C of 2012 on the Criminal Code, (as amended 2013) in Hungarian at: http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=A1200100.TV. See English-language translation of the 1978 Criminal Code (§179 with almost identical language to 2012 Criminal Code) at: <http://www.wipo.int/edocs/lexdocs/laws/en/hu/hu019en.pdf>

and their leaders as well as public servants to help the work of journalists by providing them with timely information.¹⁹ In practice, there have been several recent cases in which journalists and/or media outlets have been denied necessary press credentials for accessing Parliament and/or election events. In addition, access to the plenary sessions of Parliament has been a reason for concern for more than a decade now. Private television channels may not take footage of these sessions but can only purchase footage that is produced and distributed by a company specially commissioned by Parliament.

The 2010 Media Act obliges the Media Council to promote media literacy (indicator 6).²⁰ The legislation also specifies that it is the obligation of the PSM to “promote acquisition and development of knowledge and skills needed for media literacy through its programmes and through other activities outside the scope of media services.”²¹ Basic media skills are taught as part of the curriculum in general education. Other forms of education are provided sporadically by civil organisations. Media and communication BA and MA studies are provided by 21 higher educational institutions and at least 16 non accredited schools. Because of budget restrictions and under government pressure, the number of such institutions has been steadily declining in recent years..

Indicator **7 Safeguards for access to airtime on PSM by the various cultural and social groups** scored as a medium risk. The 2010 Media Act specifies a range of ‘objectives’ for the PSM, which include: to “provide media services which are comprehensive in both the social and the cultural sense, aiming to address as many social classes and culturally distinct groups and individuals as possible, b) to support, sustain and enrich national, community and European identity, culture and the Hungarian language, c) to promote and strengthen national cohesion and social integration, and to respect the institution of marriage and the value of family.”²² In practice, the PSM in Hungary -- as in many countries in Europe -- struggles with political independence, and often reflects the ideas and opinions of the governing party in power. This is especially evident since PSM’s restructuring under the 2010 media laws.

Indicator **8 Regulatory safeguards for minority and community media** scored as medium risk. The 2010 Media Act specifies a range of programming provisions and obligations for linear community media.²³ According to these provisions, community media are “a) intended to serve or satisfy the special needs for information of and to provide access to cultural programmes for a certain social, national, cultural or religious community or group, or b) are intended to serve or satisfy the special needs for information of and to provide access to cultural programmes for residents of a given settlement, region or reception area, or c) in the majority of their transmission time such programmes are broadcasted which are aimed at achieving the objectives of public media services.”²⁴ In practice, community radio licensing has been highly politicized since 2010, due to the National Media and telecommunication Authority’s (NMHH) tendering practices generally favour outlets that provide government-friendly, conservative and/or religious programming.²⁵ In addition, “community media” should be considered as a distinct category from “minority media,” which is a non-existent category in the Hungarian context.

¹⁹ § 9, Smtv, http://hunmedialaw.org/dokumentum/152/Smtv_110803_EN_final.pdf

²⁰ §132(k) Mttv., http://hunmedialaw.org/dokumentum/153/Mttv_110803_EN_final.pdf

²¹ §82(2)(c), Mttv., http://hunmedialaw.org/dokumentum/153/Mttv_110803_EN_final.pdf

²² §83(1), Mttv., http://hunmedialaw.org/dokumentum/153/Mttv_110803_EN_final.pdf

²³ §66, Mttv., http://hunmedialaw.org/dokumentum/153/Mttv_110803_EN_final.pdf

²⁴ §66, Mttv., http://hunmedialaw.org/dokumentum/153/Mttv_110803_EN_final.pdf

²⁵ See MerteK analysis of local radio tendering practices, “Media Council Redraws Radio Market,” <http://mertek.eu/en/reports/media-council-redraws-the-radio-market-report-on-the-frequency-tendering-by-the-media>, November 2013, and “The Transformation of the Radio Market in Budapest,” September 2012, <http://mertek.eu/en/article/the-transformation-of-the-radio-market-in-budapest>

Local and regional media are existing categories in the media legislation but with no specific mission or obligation defined in the law. Frequency allocation is managed by the National Media and Communications Authority. Networking is permitted for local linear media within the terms of an operators' licensing agreement with the NMHH. In Hungary, the local and regional markets lack transparency, due to a significant absence of market data and monitoring of these sectors. A consequence of the 2010 Media Act is the observable trend toward greater concentration in local media markets and the establishment of media enterprises owned by the local government that are engaged in multiple market segment activities. This is a very risky process from the point of view of local news' diversity. Several municipalities have established their own cross-media undertakings that provide all types of local media services (television, radio, newspaper).

Indicator **13 Regulatory safeguards against high degree of cross ownership** scored as medium risk. The 2010 Media Act removed prior restrictions on cross-ownership; in Hungary, a company may now operate numerous brands (channels or titles) in the same market within the anti-concentration restrictions specified by the 2010 Media Act.

There are no criteria that sets limits on the number of licenses. The NMHH establishes criteria for tendering and licensing. The 2010 Media Act gives the Media Council wide discretion to allocate of licenses and to conduct procurement decisions. The process of licence allocations has been highly controversial and politicized since the Hungarian broadcast market was initially privatized under the 1996 media law. On a number of occasions these tendering and licensing decisions have run counter to principles of media pluralism and diversity. The 2009 tender of two national commercial radios conducted by the former regulator ORTT has since been found illegal by national and international arbitration courts. Controversial and politicized tendering practices have continued since the new media system and regulatory body were introduced in 2010.²⁶ In addition, the practice of non-disclosure of contractual agreements signed between the regulator and commercial operators obstructs the transparency of market operations and agreements in relation to allocations of public resources (frequencies).²⁷

The Hungarian Competition Authority (*Gazdasági Versenybivatal*, GVH) is responsible for ensuring the proper functioning of the markets without improper competition practices or concentration occurring. However the 2010 Media Act entitles the Media Council to intervene in a merger/acquisition approval procedure conducted by the Competition Authority in the cases where the provisions of the 2010 Media Act related to concentration in the media market possibly apply. The 2010 Media Act requires the Hungarian Competition Authority to obtain a position statement of the Media Council for the approval of concentration of enterprises that bear editorial responsibility and the primary objective of that enterprise is to distribute media content to the general public via an electronic communications network or a printed press product. The position statement of the Media Council binds the Hungarian Competition Authority (GVH) and the Competition Authority must consider and apply that position statement in determining the approval or rejection of the merger/acquisition. The Competition Authority cannot legally decide against or without the consent of the Media Council; however the Media Act permits the Competition Authority to still disapprove of transactions approved by the Media Council or to add additional conditions to the transaction that the Media Council did not propose.

²⁶ See "Klubradio Wins Frequency Fight," Hungarian Media Monitor, March 2013, <http://mediamonitor.ccu.hu/2013/03/klubradio-wins-frequency-fight/>

²⁷ "Court: Media Council must reveal contracts with top TV stations," The Hungarian Media Monitor, CMCS, 5 February 2013, <http://mediamonitor.ccu.hu/2013/02/court-media-council-must-reveal-contracts-with-top-tv-stations/>

Indicator **14 Regulatory safeguards for transparency of ownership and/or control** is scored as medium risk. The rules regarding transparency of media ownership do not provide sufficient safeguards to ensure public accountability for compliance with anti-concentration rules. The former *1996 Act on TV and Radio* required private national and regional TV, and national radio channels to operate in the form of a company in which members were publicly available, or in the case of a share company, it was required to issue only registered shares.²⁸ The 2010 Media Act contains no requirements for what “type” of entity can operate media services, which reduces prior formal safeguards regarding market-ownership transparency.²⁹ These new rules therefore limit the availability of public data on shareholders, as well as to assess whether ownership structures are in breach of the “controlling interest” provisions in the 2010 Media Act.

High risk has been identified in 7 of the 20 legal indicators, namely the following ones: **5 Regulatory safeguards for the independence and efficiency of the relevant national authorities, 10 Regulatory safeguards for locally oriented and locally produced news on PSM channels and services; 11 Regulatory safeguards for universal coverage of the media, 12 Regulatory safeguards against high concentration of ownership and/or control in media, 15 Regulatory safeguards for fair, balanced and impartial political reporting in media, 17 Fair, objective and transparent appointment procedures for PSM professionals and management boards, and 19 Regulatory safeguards for the objective and independent allocation of (adequate, consistent and sufficient) financial resources to PSM.**

The independence of the Media Authority/Media Council is formally specified in the media law (Act CLXXXV of 2010 on Media Services and Mass Communication). However, the appointment procedures do not provide adequate legal safeguards for independence in cases in which the government has a majority in Parliament (as is currently the case), despite amendments to these procedures based on Council of Europe recommendations.³⁰ The modifications, which now require the President of Hungary to approve the Prime Minister’s nomination for the head of the Media Authority, fail to provide sufficient formal safeguards ensuring the political independence of *all appointees*. Rules of incompatibility and eligibility of members are specified in the media law, however these regulations have not ensured objective and transparent appointment procedures in practice.

The score of indicator **10 Regulatory safeguards for locally oriented and locally produced news on PSM channels and services** is high because as a result of the 2010 media laws, the PSM in Hungary has been highly centralised in terms of both management and programme production. The PSM is now managed by the MTVA, a body supervised by the Media Council. Hungary has six national public service radio broadcasters. There are no regional or local PSM channels. As specified in the Media Act, Hungary's national news agency MTI has been granted the "exclusive right" to produce news programmes for the country's public broadcasters. The law also placed MTI in charge of the online news portals and products of the public media and their on-demand media services. In addition, MTI provides news content free of charge to other media in Hungary, as a result of which many commercial radio stations rely solely on its news services.

Indicator **12 Regulatory safeguards against high concentration of ownership and/or control in media** scores medium/high risk. The 2010 Media Act introduced a new audience-share model for regulating media concentration, the aim of which is prevent market participants from increasing their

²⁸ See § 85 of the 1996 Act on Radio and Television, http://english.nmhh.hu/dokumentum/150103/1_1996_torv_media_en_lekt_20070514.pdf

²⁹ §41(3) Mttv, http://hunmedialaw.org/dokumentum/153/Mttv_110803_EN_final.pdf.

³⁰ ‘Council of Europe and Hungarian Government agree on changes to media laws’, The Hungarian Media Monitor, 6 March 2013, <http://mediamonitor.ceu.hu/2013/03/1108/>

positions once they reach a certain audience-reach threshold. While analysts prefer the audience-share model to anti-concentration rules of the former media law (*1996 Act on TV and Radio*), a key deficiency of the 2010 legislation is the lack of adequate or clear legal remedies once these audience-share thresholds are reached. In addition, the presence of thresholds, while important, may not alone be enough to signal positive regulatory controls for ensuring media diversity. For instance, the 35 percent threshold on market share in the Hungarian context (for broadcasting) is fairly high given Hungary's small market size. Likewise, in practice there are no formal, transparent, public mechanisms to ensure that compliance with concentration regulations are being met.

Appointment procedures for PSM professionals and management boards (indicator **17**) scores as high risk. The 2010 media legislation brought each of Hungary's public service media outlets—three national TV, three radio stations and one national news service—under a new body, the MTVA, which manages funding for the PSM. The MTVA is managed by the Media Council. The chairperson of the Media Council appoints, sets the salary for and exercises full employers' rights over the Fund's director general. The chairperson of the Media Council also appoints the Fund's deputy directors, as well as the chairperson and the four members of its Supervisory Board. The Media Council is responsible for approving the Fund's annual plan and subsidy policy and for determining the rules governing how MTVA's assets can be used, managed, and accessed by the public media. The Fund's annual budget is approved by Parliament.

Regulatory safeguards for the objective and independent allocation of (adequate consistent and sufficient) financial resources to PSM (indicator **17**) scores as high risk. The allocation of financial resources to the MTVA of PSM is defined by law. However, there is no formal procedure for setting the amount of the MTVA budget. Although there are consulting and supervising organs linked with the individual public service media companies, in reality all public service activities are carried out by the MTVA, which is not supervised publicly and its operation is lacking in transparency. In addition, how the MTVA distributes funding to PSM channels for programming lacks oversight and transparency.

The Media Act specifies that PSM channels and services should provide fair, balanced and impartial representation of political viewpoints in news and informative programmes.³¹ In practice, the content of PSM since the system was restructured in 2010 has been marked by a demonstrable pro-Government bias. Content analyses provided by the Media Council shows that between 2011 and 2013 government and Fidesz MPs were given roughly 75 percent of airtime on public media news programmes.³²

While net neutrality has not been raised as an issue so far in Hungary (indicator **20**), other questions relating to internet freedom have become salient. For example, the Constitutional Court (CC) has recently ruled that internet content providers are legal liable for any comment that readers add to their posts, even if they immediately remove sensitive comments. In addition, the Government introduced a proposal in Oct 2014 to tax Internet usage based on traffic. The proposal was withdrawn after mass demonstrations.

Economic Type of Indicators Assessing Risks to Media Pluralism

Overall, Hungary scored as high risk for a majority of the economic indicators (4 out of 6 indicators). **Medium risk** is scored by indicators: **23 Number of sectors in which Top 8 firms/owners are active, and 26 Centralisation of the national media system**. **High risk** is scored for indicators: **21 Media ownership concentration, 22 Media audience and readership concentration, 24 Availability and**

³¹ 83 (1), Mttv. http://hunmedialaw.org/dokumentum/153/Mttv_110803_EN_final.pdf.

³² See NMHH content analysis of top TV channels, <http://nmhh.hu/tart/polstat?lang=en&year=2014>

quality of broadband, and 25 Minority and community media.

In Hungary, as in other post-communist countries with limited audiences and advertising markets,³³ the media are frequently exposed to economic pressures. In recent years, the growing number of media outlets, triggered by the rise of the internet and of digital broadcasting, has generated more intense competition for audiences, while advertising revenues have been shrinking since the global economic and financial crisis hit the country in late 2008.³⁴

Indicator **23** *Number of sectors in which top 8 firms/owners are active* and indicator **26** *Centralisation of the national media system* score as medium risk. A precise evaluation of cross-ownership concentration is difficult to track due to deficiencies of data for all market sectors. As far as data are available, the major 8 media firms have aggregate market shares of more than 50% of the market.

Indicator **21** *Media ownership concentration* and indicator **22** *Media audience and readership concentration* score as high risk. The major Top 4 owners have an aggregate market and audience shares above 50 per cent in the TV, radio, newspaper and online media sectors.

In Hungary, the public service broadcaster has a legal obligation to provide minority programming. Apart from the PSM's Romani programme, there is neither other programme or television channel for Hungary's largest ethnic minority, nor for the linguistic or national minorities. The minority programmes on the PSM are not aired during prime time hours, but generally, early in the morning or early in the afternoon. Print Roma magazines established after the political transformation of 1989/1990 do not exist any more according to the registry of the Media Authority.

Socio-political Type of Indicators Assessing Risks to Media Pluralism

Hungary scored high risk for a majority (6 out of 8) of the socio-political indicators.

Indicator **27** *Guarantees for universal access to media regarding special needs groups* scored as medium risk. The media law stipulates that audiovisual media service providers need to provide programmes accessible for the hearing impaired, stipulating that more programmes need to be provided with subtitles or in sign language every year. In 2014, the PSM and the two leading national commercial television channels need to provide at least ten hours of programming per day with subtitles or sign language between 6-24 hours. Some programmes of the PSM and the leading commercial national television channels are subtitled. The media authority found that in 2013 1Q 53% of the programming of the PSM and RTL Klub and TV2 were providing subtitles/sign language, but there were troubles with the quality: the subtitles were not providing the full meaning and they were sometimes late compared to the visuals. The most popular programmes and the news bulletins do have subtitles but of not satisfactory quality.

Indicator **28** *Universal coverage of PSM and broadband networks regarding geographic coverage* is assessed at medium risk. All public service television channels are distributed via digital satellite and

³³ Sparks, Colin: (2012) "The Interplay of Politics and Economics in Transitional Societies," in Central and Eastern European Media in Comparative Perspective. Politics, Economy and Culture, pp. 41–61, ed. by John Downey & Sabina Mihelj, Farnham, Surrey, England..

³⁴ 'A Magyar Reklámszövetség bemutatja: 2012-es Reklámtorta' (The Hungarian Advertisers Association presents the advertising pie of 2012), <http://www.adverticum.com/hirek/osszes/171/> (accessed 19th June, 2014).

terrestrial broadcasting and can be accessed by more 99 percent of population via DVB-T. The public service radio station MR1 Kossuth Radio has a 100 percent coverage over the country (also reaching some of the neighbouring countries), while the coverage of other public service radio stations is below that level (MR2 Petofi Radio: 86%, MR3 Bartók Radio 68%, MR4 National broadcasting - for nationalities - 92%). Universal access for broadband (fixed line and mobile) has not been achieved in Hungary. Both fixed line and mobile broadband subscriptions are below the EU average. The NMHH is pursuing strategies and tenders aimed at the expanding frequencies for and improvement of the current broadband coverage, including with a 4G mobile network.

High risk is scored by indicators *29 Representation of political views in the media*, *30 Political control over media and distribution networks ownership*, *31 Political control over media funding by advertising*, *32 Presence of professional associations providing advocacy for editorial independence and respect of professional standards*, *33 Level of independence of PSM considering mechanisms of its financing*, and *34 Independence and ownership of news agencies*.

The Hungarian media landscape is, in general, highly partisan and politicized along ‘pro-Government’ and ‘opposition’ lines. The broadcast sector in particular lacks independent watchdog media outlets from which citizens can obtain objective information regarding government policies or public issues with the notable exception of the evening news bulletins of RTL Klub, the most popular nationwide commercial television channel.

The PSM in particular is dominated by Government views. Commercial broadcasters also display clear partisan biases on both sides of the political spectrum. Unlike the legacy media, new media are more independent and many actively perform their watchdog roles. Many online news outlets offer investigative and public-interest stories and accounts of both the incumbent government and the opposition. However, online media are mainly consumed by younger Hungarians and coverage delivered by these outlets is not often re-circulated by broadcasters and therefore tends to remain in within the online media silo.

The MPM content evaluation of political bias in the broadcast media during the election campaign of European Parliament in May 2014 indicates that the government was more frequently portrayed in a positive light, while the opposition, including both the centre-left parties and the far-right party, were more often put into a negative context. The majority of the news items covering the governing parties and the government on national commercial TV2 were of a neutral tone. The opposition had no coverage at all in the studied period. On the major public service television channel M1, many of the reports covering the government and the governing parties were of a positive tone, yet the vast majority of the news coverage was neutral. However, one third of the news items covering the opposition were critical or highly critical.

In Hungary, where political parallelism is on a high level, i.e., most news outlets are informally associated with political parties (indicator **30**); favouritism is the rule with regard to the distribution of state-controlled advertising resources (indicator **31**). Outlets loyal to the government in power are granted state advertising and other funding, while media critical of government policies are denied these key revenue streams. Moreover PSM funding allocation is not transparent (indicator **33**). As the fragmentation of the audiences has accelerated, commercial revenues have been on the decline, thereby increasing the role and market power of state advertising (by ministries, municipalities and state-owned companies).³⁵ The

³⁵ See Czibik, Ágnes et al., ‘Print media expenditure of government institutions and state-owned companies in Hungary, 2003–2012,’ May 2013, Corvinus University of Budapest, http://www.crc.uni-corvinus.hu/download/media_ah_2012_report1_130518.pdf; see also Urbán, Ágnes: ‘Állami reklámköltség, 2008 –

Hungarian state has therefore become an important player in the advertising market; private advertisers have also followed suit by placing their ads in government-friendly outlets. Such trends have created market distortions, wherein pro-Government outlets with lower market shares are generating larger advertising revenues than ‘opposition’ media outlets with bigger audiences.

A new law imposing a special advertising tax on media companies, passed in mid-June, 2014, further undermines the position of independent broadcasters. The tax is widely believed to target RTL Klub, a subsidiary of the German multinational Bertelsmann Group, which is the most popular commercial television channel in Hungary, whose evening news bulletins had been lightly critical of the incumbent government.³⁶

Indicator 32 Presence of professional associations providing advocacy for editorial independence and respect of professional standards scores as high risk. There are several professional journalist associations in Hungary, although their enforcement capacities remain weak. The major organization is the Hungarian Journalists Association (Magyar Újságírók Országos Szövetsége, MÚOSZ) with some 5,000 members. The organisation has a code of ethics and practice based on the Anglo-Saxon standards of journalism (such as objectivity, neutrality, the separation of news from views etc.). In practice, however, partisan journalism is the rule in most of the print and broadcast media. The organisation also has an Ethics Commission, which, however, does not have the means to enforce standards. MÚOSZ was not involved in any meaningful way in the drafting of the 2010 Media Laws. While MÚOSZ is commonly associated with left-wing journalists, there also are some minor journalists' associations of right-wing journalists such as the Hungarian Journalists Community (Magyar Újságírók Közössége, MÚK) and the Hungarian Catholic Journalists Association (Magyar Katolikus Újságírók Szövetsége, MAKÚSZ). While the three organisations also have a joint code of ethics and of practice, co-operation between the three is lacking. There also is a Press Union (Sajtószakszervezet), whose ability to enforce journalists' interests is, however, limited. Currently there is no collective contract protecting journalists' rights vis-a-vis employers.

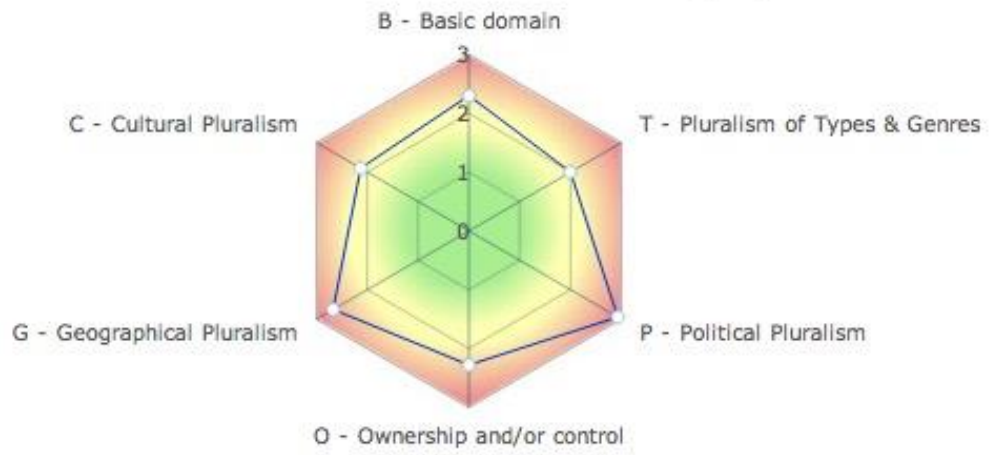
Indicator **34 Independence and ownership of news agencies** scores as high risk. The Hungarian Wireless Agency (Magyar Távíráti Iroda, MTI), which is part of the PSM structure, has a de facto monopoly in the country. Since 2010, the MTI news agency has provided most of its media content free of charge. At the same time, its only private domestic competitor, the Independent News Agency, lost many of its subscribers and ceased to exist.³⁷ Various commercial broadcasters and print media outlets across the country now rely on the news provided by MTI.

2012’ (State advertising 2008–2012), 17th March, 2014, Measure Media Monitoring, http://mertek.eu/sites/default/files/reports/allami_reklamkoltes.pdf (both accessed 19th June, 2014).

³⁶ Fehér, Margit: ‘Hungary Adopts Tax on Advertising Revenue,’ The Wall Street Journal, 11th June, 2014, <http://online.wsj.com/articles/hungary-adopts-tax-on-advertising-revenue-1402511876> (accessed 19th June, 2014).

³⁷ ‘Bezár a Független Hírügynökség’ (The Independent News Agency is closing down), 25th May, 2014, emasa (MÚOSZ), <http://www.emasa.hu/cikk.php?id=8473> (accessed 19th June, 2014).

Media Pluralism Domain Risks Hungary



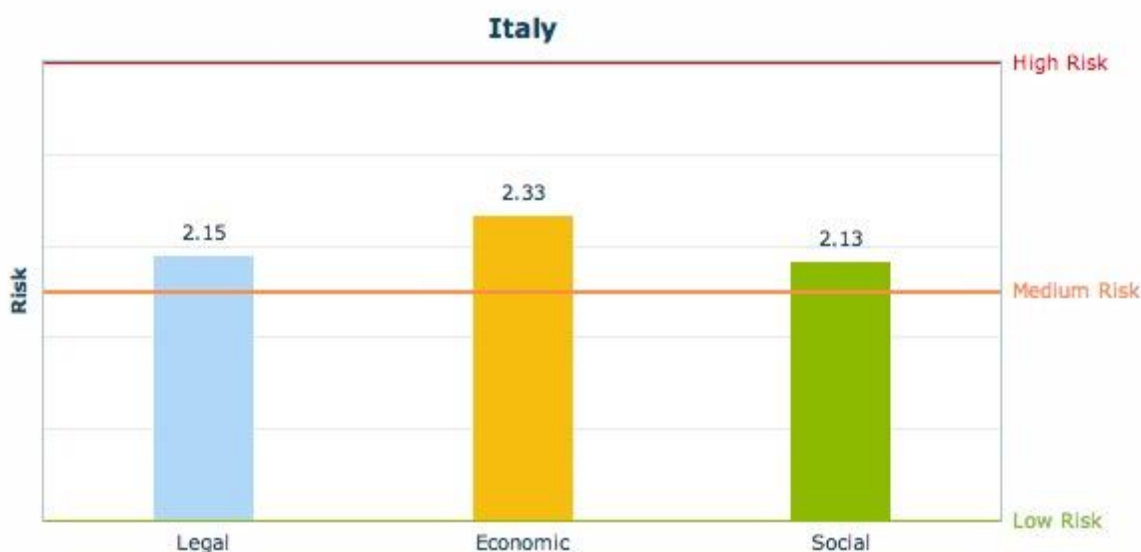
Graph 14: Level of risk for each risk domain - Hungary

COUNTRY REPORT: ITALY

(September 2014)

Introduction

The implementation of the MPM2014 for Italy shows a medium/high risk for media pluralism in the country. Of 34 indicators, 30% (10) show high, 61% (20) medium and 9% (3) low risk. One indicator was not scored, due to lack of data.



Graph 15: Average level of risk for each type of indicator - Italy

Legal Type of Indicators Assessing Risks to Media Pluralism

The legal indicators for Italy show a medium/high risk for media pluralism in the country. Low risk was identified only in the basic first legal indicator on regulatory safeguards for freedom of expression, which recaps the fundamentals on this right. Medium risk was identified for the indicators: **Regulatory safeguards on freedom to information (2)**, **Recognition of media pluralism as intrinsic part of media freedoms and/or as policy objective of media legislation and/or regulation (3)**, **Regulatory safeguards for journalistic profession (4)**, **Regulatory safeguards for the independence and efficiency of the relevant national authorities' (5)**, **Policies and support measures for media literacy (or digital literacy, in particular) among different groups of population (6)**, **Safeguards for access to airtime on PSM by the various cultural and social groups (7)**, **Regulatory safeguards for minority and community media (8)**, **Regulatory safeguards and policies for regional and local media (9)**, **Regulatory safeguards for locally oriented and locally produced news on PSM channels and services (10)**, **Regulatory safeguards for universal coverage of the media (11)**, **Regulatory safeguards against high concentration of ownership and/or control in media (12)**, **Regulatory safeguards against high degree of cross-ownership between television and other media (13)**,

Regulatory safeguards for transparency of ownership and/or control (14), Regulatory safeguards for fair, balanced and impartial political reporting in media(15), Policy measures for the impartial circulation of internet data, without regard to content, destination or source (20). High risk was identified for indicators on *Regulatory safeguards against excessive ownership and/or control of mainstream media by politicians (16), on Fair, objective and transparent appointment procedures for PSM professionals and management boards (17), on Regulatory safeguards for the distribution of public interest channels on cable, DSL and/or satellite platforms (18) and Regulatory safeguards for the objective and independent allocation of (adequate, consistent and sufficient) financial resources to PSM(19).*

With regard to indicator **1**, freedom of expression is protected by article 21 of the Constitution, and Italy is committed to fostering it, having signed and ratified the relevant international treaties that defend human rights and freedom of expression as, for example, the European Convention on Human Rights. The ECHR, in particular, according to the case law of the Constitutional Court, works as a sub-parameter for assessing the constitutionality of a law. When it comes to assessing the limits of freedom of expression, privacy laws still enable, to a great extent, public debate on issues of public concern, and freedom of speech is generally respected for online expressions. The case law of the Superior Courts has slowly developed during the last fifteen years towards more consistent interpretations of the scope and limits of freedom of expression online.

This indicator scores **low risk**, notwithstanding that defamation is a criminal offence, and notwithstanding the chilling effect that this may provoke. The impact of this law is partially balanced by case law as, under specific circumstances, the application of the constitutional principle of freedom of expression prevails in the public interest over the claim of defamation.

Medium risk: indicator **2** was assessed as showing a medium risk. Article 21 of the Constitution is interpreted as covering freedom to access information and the laws in force guarantee access to acts, documents and information held by the public administrations by those who have a qualified interest. Recently, Legislative Decree 33 of 2013 made a step further in the direction of freedom of information, acknowledging that “everybody” has the right of access to documents and information of the public administrations. Nonetheless, the Italian law stresses more transparency obligations by the administration than the right to access to information. In this regard, the right to access is strictly linked to what the public administration is asked to disclose. It must be stressed therefore, that Italy still lacks of a proper freedom of information act (FOIA) according to international standards.

As regards indicator **3**, media pluralism is a principle that was interpreted by the Constitutional Court as stemming from Article 21 Const., on freedom of speech. Moreover, the principle is recalled in general media regulation. Notwithstanding that media pluralism is a principle that is enshrined in laws and that is often recalled in case law, the indicator scores a medium risk, due to variable on the effectiveness in its implementation.

Indicator **4** presents medium risk, due to potentially restrictive regulation: in Italy, the journalistic profession is ‘closed’ by law (a professional journalist must be enrolled in the *Albo dei Giornalisti* (Register of Journalists), kept by the *Ordine dei Giornalisti*) (Order of Journalists).

Regulatory safeguards for the independence and efficiency of the relevant national authorities (indicator **5**) exist, but they are not well implemented in practice. The score is medium, as, while the law formally foresees for the media authority appointment procedures that should guarantee transparency, should be democratic and objective and designed to minimize the risk of political or commercial interference, in practice, according to commentators and scholars, the appointment of the commissioners follows political and economic criteria.

Media and digital literacy (indicator 6) is a very broad and important topic. It was assessed that the existing policies are not tackling the problem in a systematic way.

Indicator **7 *Safeguards for access to airtime on PSM by the various cultural and social groups*** shows a fragmentation of competencies among the bodies that regulate access to PSM.

Regulatory safeguards for minority and community media (8) are variously present in the legislation. Nonetheless, it is difficult to assess if the independence of the minority or community media is safeguarded in practice.

Indicator **9** shows that the legislation provides ***regulatory safeguards for local and regional media***, in the light of geographical pluralism. Regional and local television and radio, for instance, are a very important part of the market in Italy, in terms of the number of operators, and the administrative and socio-political structure of the country itself, which calls for regional-level media. Policies on the development of local and regional media have become less clear in recent years. ***Regulatory safeguards for locally oriented and locally produced news on PSM channels and services (10)***, ***Regulatory safeguards for universal coverage of the media (11)*** exist, but policies and remedies to safeguard them could be improved.

Indicator **12** shows the existence of ***regulatory safeguards on media ownership concentration***; nonetheless, the sanctioning/enforcement powers by the media authorities to impose proportionate remedies, has not been very effective. ***Regulatory safeguards against a high degree of cross-ownership between television and other media (13)*** are in place, but there are some cases where their poor implementation has been politically sensitive. In particular, the law that bans cross ownership with newspapers for those that run a national television business and get more than the 8% of the revenue of the “integrated system of communications” has been raising many criticisms in public opinion, as it is a temporary rule that every year is renewed by a governmental law-decree and because its elusion in the case of the ownership of the newspaper “Il Giornale” has been highly relevant in political terms. When it comes to ***Regulatory safeguards for transparency of ownership and/or control (14)***, it must be stressed that the Constitution itself calls for laws that can disclose the financing methods of the press. A corpus of laws that aim to disclose the structure of a media firm is in force. Nonetheless, this is not enough in terms of the disclosure of effective influence on the media. The law could provide obligations to ensure better accessibility to the data by the general public. For instance, the data available in the Register of Communication Operators, kept by AGCOM, are only partially available to the public.

Indicator **15** deals with the rules for political communication and electoral campaign. This indicator assesses the existence of regulatory safeguards for fair and objective coverage of political viewpoints, taking into consideration also electoral campaigns. Regulatory measures exist but the risk is that, when violated, the sanctions are not very effective.

Policy measures on indicator **20 *Regulatory safeguards for the impartial transmission of information*** are nascent, and not very well defined and developed.

High risk. The ***regulatory safeguards against excessive ownership and/or control of mainstream media by politicians (indicator 16)*** scores high risk due to a lack of regulation on this area. The law on the conflict of interest can be taken into consideration to some extent, but this is a general law and it does not contain specific limitations to direct and indirect ownership/control of media by politicians, sanctioning only ‘privileged support’ of the politician by the media outlets.

As regards indicator **17**, it must be noted that the composition of the Council of Administration of RAI usually reflects the political situation in the Parliament. Moreover, a representative of the government is part of it. These can be considered to be limits to the independence of PSM.

Indicator **18** scores high risk on must carry rules. This indicator aims to assess the existence and effective implementation of regulatory safeguards (in accordance with Article 31 Universal Service Directive) for access of public interest channels to cable, DSL and/or satellite platforms. There are no specific rules stemming directly from the EU Directive. Regarding the transition period from analogue to digital broadcasting, there was an obligation for the national digital operators to reserve 40% of capacity on a multiplex for independent channels. There are also rules in place for reserves of network capacity for local operators. RAI has must offer obligations.

A specific mention should be devoted to indicator **19**, which was measured again after the Law Decree 66 of 2014 regarding urgent measures on competitiveness and social justice came into force. This legislative decree, in fact reduced the fee-revenue to the PSM for 2014 by 150 million euros. This indicator shows how a government's unilateral decision, taken after no specific public debate, can break an established method of financing. This, in the logic of the MPM, can be seen as a potential threat to the independence of PSM.

Economic Type of Indicators Assessing Risks to Media Pluralism

Economic indicators show a risk concerning ownership concentrations, including ***Ownership Concentration (21)***, ***Readership/Audience Concentration (22)*** and ***Cross-Ownership Concentration Number of Sectors in which Top 8/owners are active (23)***. High risk is also assessed concerning the ***Availability and Quality of the broadband (24)***, which showed that broadband infrastructure, is still less accessed and slower than the EU average. The indicator assessing the ***Centralisation of the National Media System*** shows a low risk, while the lack of data on this matter has not made the implementation of the indicator assessing Minority and Community Media possible.

High risk. The high risk assessed by indicator **21** on ***Ownership Concentration*** is generated by combining the high risk that is highlighted by measuring the Ownership Concentration in the Television, Radio and Internet Service Providers (ISPs). In contrast, the large numbers of newspapers have resulted in low risk in the press.

Similarly to the Ownership Concentration, indicator **22** on ***Readership/Audience Concentration*** also shows high risk in the television, radio and ISPs sectors, while a medium risk is assessed in newspapers.

Taking into consideration the revenues of the TOP 8 media outlets of the entire media sector in Italy, the market's revenues are split as follows: TV 3,257.26m Euros, radio 461.26m Euros, newspapers 983.02m Euros, internet 1,465.78m Euros. Internet here refers to search engines (such as: Google and Yahoo), and social media (such as Facebook). These data lead to the highlighting of a high risk in cross-ownership concentration.

Indicator **24** shows a high risk due to the limited access to Broadband infrastructure, including landlines and mobile connectivity, which is below the EU average. Indicators assessing the quality of the broadband, namely, the landline broadband speed, also show high risk, given that this is lower than the EU average.

Low risk: indicator **26** is the only low risk assessed among the economic indicators. This shows a high decentralisation of media system, due to the high distribution of local media outlets. This outcome is justified by the rich presence of local newspapers, regional television and radio. Although national media outlets play a dominant role in the Italian media system, local media outlets are widely distributed.

As already mentioned, it was not possible to assess indicator **25** on *Minority and Community Media*, due to the lack of data.

Socio-political Type of Indicators Assessing Risks to Media Pluralism

The socio-political indicators generally show a medium risk for media pluralism in Italy (five of eight indicators score as medium). The exceptions are the indicator on *Independence and ownership of news agencies*, showing a low risk, and the indicators *Presence of professional associations providing advocacy for editorial independence and respect of professional standards* and *'Political bias in the media,'* showing a high risk.

The **low-risk** indicator **34** *Independence and ownership of news agencies* is mainly based on the assessment of the market share of the leading news agency and its political affiliation. The leading news agency in Italy is Agenzia Nazionale Stampa Associata (ANSA), although no recent data about its market share could be found to confirm this. Given that ANSA is a cooperative company consisting of 34 shareholders, it does not seem connectable to any specific political affiliation.

Medium-risk indicators focus on *guarantees for universal access and coverage of media, political control in the media*, and the *level of independence of PSM*. Indicator **27** *Guarantees for universal access to media regarding special needs groups* scores as medium because public service TV channels provide quite extensive measures to promote access to media content and services by special needs groups, but no relevant data could be found on the two leading private terrestrial TV channels (also part of the sample). Indicator **28** *Guarantees for universal coverage of PSM and broadband networks regarding geographic coverage* shows a medium risk given that one of the sub-indicators scores as medium (*DSL coverage in rural areas*), one sub-indicator is lacking data (*public radio signal coverage*), while the other two sub-indicators score as high-risk (*public TV signal coverage* and *rural population passed by cable*) as, in Italy, cable has not traditionally been developed.

Indicator **30** *Political control over media and distribution networks ownership* has too many sub-indicators to go into the detail of each one in this report. The sub-indicators all show low to medium risk. Generally, the data on ownership and audience shares in Italy are publicly available, even if it is not easy to find them online. However, when it comes to the political affiliation of media owners, there seem to be no official sources of data and, apart from a few very well known cases, the political affiliation of media owners is disclosed only as result of journalist investigation or press articles.

In terms of indicator **31** *Political control over media funding by advertising*, in Italy, there is no regulation, nor are there parameters, that establish the relationship between state advertising and audience shares. Moreover, there seem to be no relevant statistics. The Department of Information and Publishing (Dipartimento per l'informazione e l'editoria pubblica) collects quantitative information on different communication campaigns, but the data are provided only to the public entity in charge of the campaign in order to do quantitative analysis of the campaign's impact. Hence, Variable **1** cannot be scored. Moreover, there are no rules regarding the distribution of state advertising (high risk). Given the absence of data on the first variable and the high risk of the second, this indicator could potentially score as high-risk.

The level of independence of PSM (indicator **33**) shows a high risk with regard to the PSM finance mechanism. Although the relevant Ministerial Decree suggests economic considerations, in practice the level of public financing is subject to political discretion. This is evident from the fact that, in 2014, the government decided that the revenues from the license fee to RAI should be cut by EUR 150 million, suddenly and without any public discussion. The other two sub-indicators are low-risk, given that there is no direct government financing for the PSM and that the government does not decide on the wages for PSM employees.

High risk indicators: The first high-risk indicator is **32 Presence of professional associations providing advocacy for editorial independence and respect of professional standards**, which shows a **medium risk** with regard to the sub-indicator on **presence and activity of professional associations** providing advocacy for editorial independence and the respect of professional standards. The reach of the *Ordine dei giornalisti* and the National Federation of the Italian Press (FNSI) is limited. The other variable, which evaluates the mechanisms that allow professional associations to conduct advocacy for editorial independence, shows a high risk. However, given that the key term ‘mechanisms’ is not defined (as pointed out by the respondent and three of the panel experts), the assessment leaves space for subjective interpretation. This indicator relies on expert opinion. The second high-risk indicator **29 Political bias in the media** shows a high risk that is related to unbalanced representation of the different groups of political actors in the selected media sample; and a medium risk related to the one-sided portrayal of political actors in the media. However, the data here is based on a rather small sample and cannot be used to derive conclusions.



Graph 16: Level of risk for each risk domain - Italy

COUNTRY REPORT: UNITED KINGDOM

(July 2014)

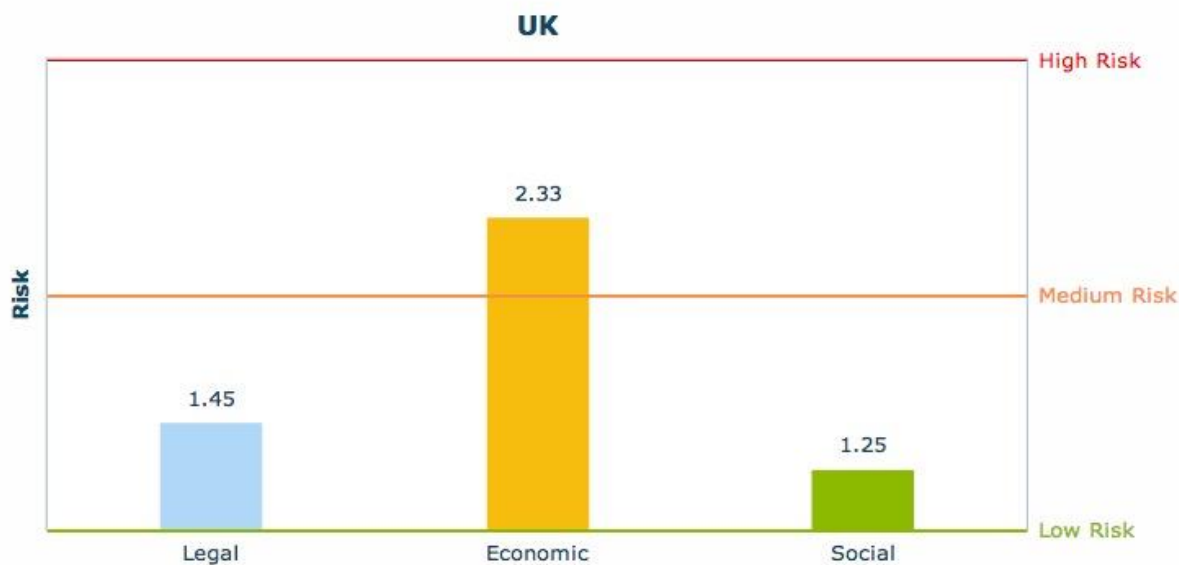
Introduction

The implementation of the MPM2014 for the United Kingdom shows a low/medium risk for media pluralism in the country. The results collected by implementing the MPM in UK, show risks in the country as follows: 18% (6) of the indicators assess a high risk; 20% (7) of indicators indicate medium risk, and 62% (21) refer to low risk.

Risks to media pluralism in the United Kingdom are relatively small overall, but some deficiencies and challenges create risks, and potential risks, due to media concentration, limited attention to issues of cultural and geographical pluralism, and influence over the financing of publicly supported media. There are also insufficiencies resulting from intervals in updating existing policy to include newer digital media activities.

The highest risks to media pluralism in the United Kingdom are economic, with some risks identified in the legal/regulatory regimes, followed by socio-economic risks.

Although generally suitable and effective, the pilot UK implementation revealed some issues with the Media Pluralism Monitor's instrument and the methods that should be considered. These involve the measurement of sectorial and cross-sectorial ownership and revenues, limitations in audience measurement systems that are particularly related to regional and digital media, and some absolutism in the measurement categories.



Graph 17: Average level of risk for each type of indicator - UK

Legal Type of Indicators Assessing Risks to Media Pluralism

The United Kingdom has well-developed legal and regulatory systems that are related to media that are governed by the rule of law and that generally exhibits effective implementation and processes (indicator **1** - low risk). The United Kingdom protects freedom of expression, affords information access (indicator **2** - low risk), provides for independent media and competition regulatory authorities (indicator **5**, low risk), maintains specific media pluralism and competition policies (indicator **3, 12** - low risk), regulates cross-ownership involving operators of broadcast channels (indicator **13** - low risk), and requires political impartiality in broadcasting (indicator **15** - low risk).

The assessment of risks to media plurality involving the legal/regulatory frameworks in the United Kingdom did not reveal substantial issues. The majority of indicators were measured to exhibit low risk, however, some indicators revealed certain problematic issues. These do not appear to be immediate significant threats to media pluralism, but they should receive attention from policymakers.

The regulatory framework related to recognition of media pluralism as an intrinsic part of media freedoms and/or as the policy objective of media legislation and or/regulation (indicator **3**) was evaluated as not posing a threat overall to media plurality in the UK. However, media pluralism is not explicitly linked to media freedom in the relevant legislation, and the policy might, in general, be improved to deal with pluralism as a specific factor. Nevertheless, the issue of media pluralism is salient and recognised. There have been a number of recent developments in the United Kingdom that are relevant to this issue, such as the Leveson judicial enquiry into the culture, practice and ethics of the press (2012), and the House of Lords Select Communications Committee Enquiry into media plurality (2013-2014). It remains to be seen whether these result in a more robust regulatory framework for media plurality.

The issue most often rising in pluralism debates in the United Kingdom is assessed by indicators **12** and **13**, involving regulatory safeguards against a high concentration of ownership and/or control in the media (both in terms of horizontal and cross-media ownership).

Although certain legislative provisions exist, the regulation was largely relaxed by the Communications Act 2003 that removed the upper limit of 15% of the audience share that one company could control. The Media Ownership (Radio and Cross-media) Order, 2011, removed the restrictions on radio ownership, including the provision that one person cannot hold more than one national radio multiplex. There are no specific provisions when it comes to newspapers and ISPs. Nevertheless, a high level of concentration of ownership can be prevented via merger control rules under competition regulation. The Enterprise Act, 2002, section 58, applies a public interest test to mergers. There is a consensus emerging among media policy specialists, however, that this provision is not adequate, especially since 'sufficient plurality' is not defined.

Three media merger cases since the implementation of the act have illustrated the complexity of existing arrangements that arise from the number of regulatory bodies being involved (competition, media, consumer affairs) and the vagueness of the wording of the public interest test. None of the cases specifically raised significant concern in regulatory bodies about plurality, although media critics and media policy analysts were particularly concerned about plurality in relation to News Corporation's takeover bid for BSkyB. The way these cases have been handled, combined with Ofcom's continuous suggestions that ownership rules should be further liberalised, cast a negative assessment on the sub-question I. 3. in indicator **12**, regarding pro-active policy making and implementation.

Another concern that is relative to ownership arises in indicator **16**, which assesses the *existence and implementation of regulatory safeguards against excessive ownership and/or control of mainstream media by politicians* (high risk). Although provisions exist to prohibit media ownership by politicians in the Broadcasting Act 1996, they have neither been amended to include video on demand (VoD), nor do they apply to newspaper ownership. Further, there are no self-regulatory measures that stipulate editorial independence in audiovisual and print media (sub-question E.3). Despite these weaknesses, political ownership of media is generally not an issue in the UK:1) none of the major media (broadcasting or press) are owned by politicians; 2) broadcasting regulations require impartiality in news and public affairs, and compliance is high, 3) there is an active print press that represents the range of political opinion represented in Parliament. Consequently, ownership by politicians has not presented issues that have been deemed to require additional legislative or regulatory action. There have been occasional critiques about the political behaviour of certain owners, evidenced by the Leveson Enquiry, for example, but those have not involved politicians as owners.

The Monitor identified no major legal/regulatory threats to media plurality, although a number of indicators contain issues that have been identified as being minor risks. The assessment of regulatory safeguards for the journalistic profession (indicator **4** - medium risk) revealed that although certain journalistic rights are both enshrined in law and respected in practice, no laws/regulations or self-regulatory codes prevent commercial influence on the editorial content (indicator **4**, E.2). This has been an issue in the United Kingdom and has most recently been revealed in journalistic practices that were exposed during the Leveson Enquiry. In addition, there are no mechanisms for granting social protection to journalists in cases of changes of ownership (indicator **4**, I.2). Although the right of journalists to access events for news reporting is not explicitly recognised in law or regulation (indicator **4**, E.5), there are no reports indicating that this is not respected in practice (indicator **4**, I.5).

No legal or regulatory provisions safeguard access to airtime on public service media for various cultural and social groups (indicator **7** - high risk). There is no official evidence that this has been an issue in practice in the UK, although various cultural and social groups are becoming more vocal about their degree of representation among public service media personnel. Assessment of the impartiality of political reporting on television (indicator **15** - low risk) revealed that, although there are provisions regarding fair, balanced and impartial political reporting on television, the rules have not been updated and expanded to cover non-linear broadcasting (indicator **15**, I.6). This might not present a significant threat currently, because the video on demand market involving news and public affairs has not developed in the United Kingdom to the extent that a significant number of services are carrying political content that has not originated on linear broadcast channels.

Weaknesses were found in policy regarding local public service broadcasting, and they indicate attention is required, especially given the centralisation of media in London and the devolution of governance to Scotland, Wales, Northern Ireland, and other parts of the country. Although regulatory provisions for locally oriented and locally produced content on public service channels and services exist in the United Kingdom (indicator **10**), they lack regulatory safeguards involving the obligation to maintain regional news correspondents, the installation and maintenance of local production and transmission facilities, and the obligation to have a balance of journalists coming from various geographical groups (indicator **10**, E.2., E.3., E.4). Indicator **10**, then, scores high risk.

The United Kingdom has significant regulatory safeguards for universal coverage of audiovisual media (indicator **11**), but does not require measures to promote the distribution of newspapers in rural areas (indicator **11**, E.4., I.5). Nevertheless, the overall risk to plurality from insufficient geographical coverage of the media is assessed as low.

A risk related to the level of independence of public service media in the United Kingdom, stemming from appointment procedure and the composition of their governing bodies (indicator **17**), was identified. Although there is no direct evidence that the general principle of independence from government is not being respected, the risk was assessed as medium because neither the regulators, nor the government actively monitor the implementation of appointment procedures (indicator *17, I.2*).

The issue of net neutrality (indicator **20**) was deemed to create a medium threat to media pluralism. Net neutrality policy in the United Kingdom is considered underdeveloped because little political debate on the topic has occurred, Ofcom has issued few discussion documents, and a number of ISPs have adopted a voluntary code that is related to information about traffic management. The United Kingdom has yet to implement the net neutrality policies and neither the Government nor Ofcom have developed specific measures.

Economic Type of Indicator Assessing Risks to Media Pluralism

Some significant economic risks to media pluralism are evident in the data. High concentration is manifest in television, newspapers and internet services' provision, as measured by revenue and public consumption. Media institutions and content providers are strongly centralised at the national level and operate primarily from London, which creates some geographic pluralism risks. Those risks are increased because regional broadcasting services are relatively weak.

The highest economic risk to media plurality results from high ownership concentration and high audience and readership concentration (indicators **21 and 22**). There is high concentration of ownership in television, newspapers, and Internet Service Provision (indicator **21**) that presents both pluralism and consumer risks. Combined revenue of the Top 4 players in the television market (BSkyB, BBC, ITV, and Channel 4) represents 73.85% of the £12.3bn television market (indicator 21, question 1). The Top 4 companies in the newspaper market have revenues worth 70.78% of the total £3,714m annual revenue (News UK, Associated Newspapers, Trinity Mirror, and FT Group) (indicator 21, question 2). 4 players dominate the ISP market (BT, Virgin, BSKyB, and TalkTalk) and jointly command 92.14% of the total market revenues of £3.7bn (indicator 21, question 3).

This financial dominance is related to audience and readership figures (indicator **22**). The Top 4 players in each category remain the same. Together the Top 4 television operators have a joint audience share of 75.4%. The Top 4 newspaper firms command 67.8% of newspaper circulation, and the Top 4 Internet Service Providers account for 86.8% of internet subscribers. There is a relationship between indicators **21** and **22** because greater financial resources tend to result in content and system investments that attract large audiences/user groups, and larger audiences/user groups create increased revenue.

High risk to media plurality also stems from the market share of the Top 8 players across media sectors (indicator **23**). The number of sectors in which the Top 8 firms/owners are active produces a combined market share of 92.77%.

Some risks are evident in the development of broadband services (indicator **24**, medium risk). Although the penetration rate for both fixed and mobile broadband is significantly higher than the EU average (indicator 24, questions 1 and 2), both download and upload speeds are considerably lower than the EU average (UK download 12Mbps - EU average 20.12Mbps; UK upload 1.4Mbps – EU average 5.19Mbps) (indicator 24, questions 3 and 4).

Centralisation of the national media system poses some threats to media plurality (indicator 26, overall

score: low risk), despite the presence of regional media. The risk mostly stems from the newspaper market, since there is high concentration of ownership when it comes to specific regions in the UK (indicator **26**, variable 2). Trinity Mirror is dominant in three of the five cities that were analysed. In Birmingham and Cardiff, Trinity Mirror owns the three largest regional dailies. These are the only dailies published in these cities, which means Trinity Mirror essentially controls 100% of the local market. It also has a dominant stake in Glasgow, where it controls 67.6% of the local market. The circulation of national dailies published by Trinity Mirror represents 13.35% of the total circulation of national newspapers, so its local strength is not equally matched at the national level.

There is a disparity between the circulation of national dailies published in the capital and the circulation of regional/local dailies that presents a geographically based threat to pluralism involving the presentation of regional news and views (indicator *26*, questions 1 and 5). The circulation of national dailies represents 84.64% of the total newspaper circulation in the United Kingdom. This dominance is to some extent offset by the relative strength of regional/local radio and internet services.

Socio-political Type of Indicators Assessing Risks to Media Pluralism

The study revealed few significant risks to media pluralism related to socio-economic factors in the UK. It provides relatively good service to audiences with special needs (indicator **27**, low risk), pursues universality of the broadcast and broadband services (indicator **28**, low risk), and the politicisation of media tends to be present only in the national press (indicator **29**, medium risk). It does exhibit low risk in the financing mechanisms for PSBs.

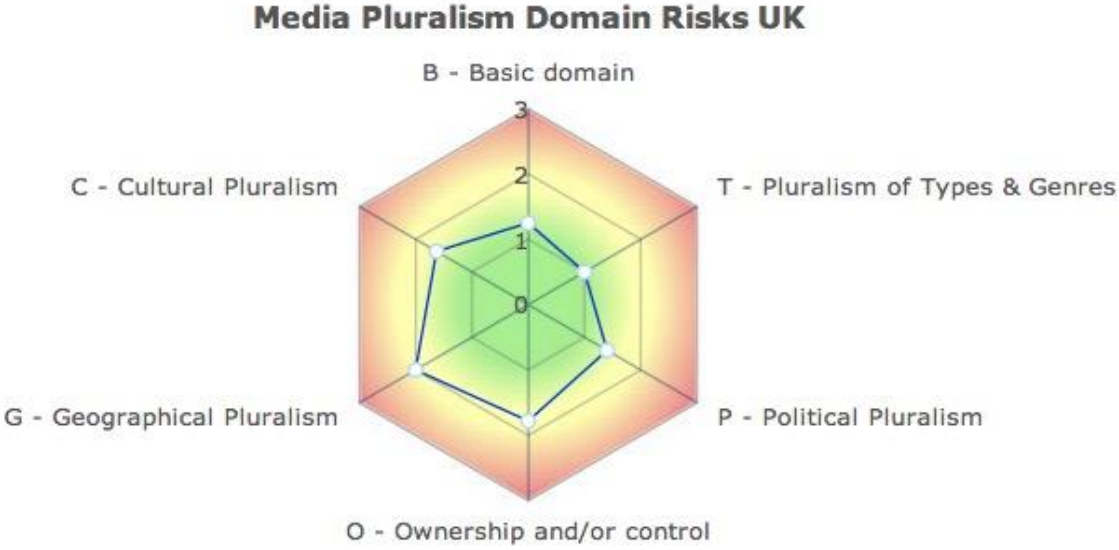
A few minor issues have been identified when it comes to assessing the guarantees for universal coverage of public service media and broadband networks regarding geographical coverage (indicator **28**, low risk). The percentage of the population covered by sufficient quality of signal for all public TV channels is 98.7% (question 1), and the percentage of the rural population effectively passed for cable is 5% (question 4). This risk is somewhat offset by the availability of multichannel free and paid digital broadcast television services and growing broadband distribution capabilities.

Some political bias in the media is seen in over-representation of the government and leading parties and in the highly limited media representation of other political actors (indicator **29**, medium risk). The results of the content analysis conducted as a part of the assessment indicate that this representational bias poses a high risk to media pluralism in the UK, but this requires more extensive follow-up investigation because of the limited nature of the analysis used in the Media Pluralism Monitor's method. Furthermore, the second element of the indicator (question 2) needs to be clarified because it is somewhat ambiguous in its assessment of a 'one-sided portrayal'.

A risk of political control over media funding by state advertising was revealed, because there are no rules regarding the distribution of state advertising (indicator **31**, medium risk). However, the analysis of the distribution of state advertising did not reveal any significant current disproportional distribution.

There is a medium risk to media plurality coming from the mechanism of providing financing to the PSM by the government (indicator **33**, variable 1). The licence fee in the UK is used for BBC services and, as of 2011, for S4C, the Welsh language broadcaster. The level of the licence fee is determined by the BBC's Royal Charter, which sets its role and remit. The BBC Charter is renewed every 10 years following lengthy negotiations, research and consultations. In addition, the conclusions and recommendations of Ofcom's review of the PSB are taken into account, which are also informed by both in-house and independent research and comprehensive consultations. Despite two of seven panel members claiming that these

public discussions are of no influence, the indicator has been assessed as medium risk with the opinion that the robust debate regarding the BBC and the licence fee in the UK does carry some weight, and that the role and influence of public opinion and the way it feeds into the regulatory process is a much wider and theoretical question. In addition, the 2010 interventionist incident, when the BBC’s licence fee was frozen after a few days’ negotiations behind closed doors with the newly elected coalition government, and as a part of the post-recession cuts, has not had a decisive influence on the assessment of this indicator, since it does not represent common practice in the 68-year-long tradition of the licence fee.



Graph 18: Level of risk for each risk domain - UK

APPENDIX 2: USER GUIDE TO MEDIA PLURALISM MONITOR 2014

LEGAL INDICATORS

1. Regulatory safeguards for freedom of expression

Description: This indicator aims to assess the existence and effective implementation of regulatory safeguards for freedom of expression. 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, state secrecy or criminal defamation.

Method of measurement: Analysis of laws and regulations and their implementation by the user on the basis of the following questionnaire.

How to check the existence (E) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
E.1. Is freedom of expression explicitly recognized in the Constitution and/or national laws?	+	-
E.2. Has the Member State signed and ratified relevant Treaty obligations with no significant exemptions (<i>e.g.</i> ECHR, ICCPR, and Children's Rights Treaty)?	+	-
Total number of +		
Total number of -		

How to check the effective implementation (I) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
I.1. Do citizens have legal remedies in cases of infringement of their freedom of expression? Are barriers to appealing the decisions reasonable?	+	-
I.2. Do defamation laws still enable public debate about the conduct of officials or official entities? <i>Before giving an answer to this question, answer the questions below.</i>	+	-
<ul style="list-style-type: none"> • I.2.1. Do defamation laws provide for sufficient legal defences, <i>e.g.</i> 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? YES/NO • I.2.2. Do defamation laws provide for a regime of remedies that allow for proportionate responses to the publication or broadcasting of defamatory statements? YES/NO • I.2.3. Is the scope of defamation laws defined as narrowly as possible, including as to whom may sue? YES/NO • I.2.4. Can defamation suits only be brought by natural persons (and not by public bodies whether legislative, executive or judicial)? YES/NO 		

<i>If you answered 'NO' to the above questions two times or more, mark the NO/- column on the right.</i>		
I.3. Do privacy laws still enable public debate about issues of public concern, <i>i.e.</i> restrictions are narrowly defined in law, rather than being subject to executive discretion?	+	-
I.4. Do national security laws still enable public debate about issues of public concern, <i>i.e.</i> restrictions are narrowly defined in law, rather than being subject to executive discretion?	+	-
I.5. Are other restrictions upon freedom of expression (<i>e.g.</i> rules on blasphemy) clear and narrowly defined in law and justifiable as necessary in a democratic society, in accordance with Article 10 ECHR?	+	-
I.6. Is free speech generally respected in the Member State? (If so, tick 'YES'. If, on the contrary, there is evidence of systematic infringements of free speech in the domain of the media, tick 'NO'). Sources of reference: national case law, case law of the European Court on Human Rights on the basis of Article 10 ECHR.	+	-
I.7 Is freedom of expression generally respected on the internet? (If so, tick 'YES'). If, on the contrary, there is evidence of any law/case law that unreasonably restricts freedom of expression on the internet (<i>e.g.</i> filtering of information, blocking of websites, control on social networks), tick 'NO'.	+	-
Total number of +		
Total number of -		

Data sources:

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

Overviews of national media legislation can be found on:

- EPRA website: 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/> and
- Nordicom (for Scandinavian countries): <http://www.nordicmedia.info/>

Policy documents:

For instance:

Council of Europe (1982). Declaration on freedom of expression and information, 29 April 1982;
 Council of Europe (2001). Recommendation 1506 (2001) on freedom of expression and information in the media in Europe, 24 April 2001;
 Council of Europe (2003). Recommendation 1589 (2003) on freedom of expression in the media in Europe, 28 January 2003;
 Council of Europe (2007). Guidelines of the Committee of Ministers of the Council of Europe on protecting freedom of expression and information in times of crisis, 26 September 2007: <https://wcd.coe.int/ViewDoc.jsp?id=1188493>

Studies/reports providing overviews of and/or evaluating safeguards for freedom of expression:

For instance:

Council of Europe (2013). Online Freedom of Expression, Assembly, Association and the Media in Europe MCM (2013) 007, available at:

[http://www.coe.int/t/dghl/standardsetting/media/belgrade2013/Online%20freedom%20of%20expression,%20assembly,%20association_MCM\(2013\)007_en_Report_IanBrown.pdf](http://www.coe.int/t/dghl/standardsetting/media/belgrade2013/Online%20freedom%20of%20expression,%20assembly,%20association_MCM(2013)007_en_Report_IanBrown.pdf)

Council of Europe (2013). Report on Freedom of Expression in Europe, available at: <http://academicrightswatch.se/wp-content/uploads/2013/07/Freedom-of-Expression-in-Europe.pdf>

Index on Censorship (2013). Time to step up: The EU and freedom of expression, available at: <http://www.indexoncensorship.org/wp-content/uploads/2014/01/Time-to-Step-Up-The-EU-and-freedom-of-expression.pdf>

European Broadcasting Union (2013). Public Service Media and Article 10 of the European Convention on Human Rights, available at: <http://www3.ebu.ch/sites/ebu/contents/policies/eu---policy/public-affairs-and-legal-issues/public-service-media-and-article.html>

EUMAP (2005). *Television across Europe: Regulation, Policy and Independence (2005)*, available at: <http://www.opensocietyfoundations.org/reports/television-across-europe-regulation-policy-and-independence>

European Institute for the Media on behalf of the European Parliament (2004). *Information of the citizen in the EU: obligation for the media and the Institutions concerning the citizens right to be fully and objectively informed*, available at: <http://edz.bib.uni-mannheim.de/daten/edz-ma/ep/04/pe358896-en.pdf>

Council of Europe (2002). *Media Diversity in Europe*, Report prepared by the AP-MD, H/APMD (2003) 001, available at: [http://www.coe.int/t/dghl/standardsetting/media/doc/H-APMD\(2003\)001_en.pdf](http://www.coe.int/t/dghl/standardsetting/media/doc/H-APMD(2003)001_en.pdf)

European Parliament (2004). Report on the risks of violation, in the EU and especially in Italy, of freedom of expression and information (Article 11(2) of the Charter of Fundamental Rights), 5 April 2004, A5-0230/2004 (Report Boogerd-Quaak).

European Parliament (2004). Report on the EU Charter: Standard settings for media freedom across the EU, 21 May 2013, A7-0117/2013 (Weber Report).

Transparency International, *Anti-corruption handbook*.

Open Society Foundation, *Mapping digital media*
<http://www.opensocietyfoundations.org/projects/mapping-digital-media>

Websites providing more information:

For instance:

www.ifj.org, www.hrw.org, www.freedomhouse.org, www.indexoncensorship.org, www.rsf.org, www.epra.com and <http://en.unesco.org/>

2. Regulatory safeguards for right to information

Description: 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.

Method of measurement: Analysis of laws and regulations and their implementation by the user on the basis of the following questionnaire.

How to check the existence (E) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
E.1. Is the right to information explicitly recognised in the Constitution and/or national laws?	+	-
E.2. Has the Member State signed and ratified relevant Treaty obligation with no significant exemptions (<i>e.g.</i> ECHR, ICCPR, Directive 2003/04/EC of 28 January 2003 on Public Access to Environmental Information, Directive 2003/98/EC of 17 November 2003 on the re-use of public sector information)?	+	-

Total number of +		
Total number of -		

How to check the effective implementation (I) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
I.1. Are there effective appeal mechanisms in place: <ul style="list-style-type: none"> • 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?; • the procedures of which are not systematically misused to delay the enforcement of remedies? <i>(mark “+” if both are “+” and “-” if just one is “-”)</i>	+	-
I.2. Are restrictions on the grounds of protection of personal privacy narrowly defined so as to exclude information in which there is no legitimate public interest?	+	-
I.3. Is the right to information generally respected in the Member State? (If so, tick ‘YES’. If, on the contrary, there is evidence of systematic non-compliance with the relevant rules, tick ‘NO’). Sources of reference: Case law, decision practice, press reports, reports of independent bodies or NGOs, etc.	+	-
Total number of +		
Total number of -		

Data sources:

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

Idem as indicator 1

Policy documents:

Idem as indicator 1 ;

Council of Europe (2002). Recommendation Rec (2002)2 on access to official documents by the Committee of Ministers;

Council of Europe (1994). Recommendation No. R (94) 13 on measures to promote media transparency, 22 November 1994;

Studies/reports providing overviews of and/or evaluating safeguards for the right to information:

Idem as indicator 1 ;

World Bank Institute (2011). The Right to Information and Privacy: Balancing Rights and Managing Conflicts. Working Paper Series, available at:

<http://wbi.worldbank.org/wbi/Data/wbi/wbicms/files/drupal-acquia/wbi/Right%20to%20Information%20and%20Privacy.pdf>

OSCE (2008). *Access to information by the media in the OSCE region: Country Reports,*

<http://www.osce.org/fom/24893>

Websites providing more information:

Idem as indicator 1 , www.freedominfo.org and <http://www.statewatch.org/foi/foi.htm>

3. Recognition of media pluralism as an intrinsic part of media freedoms and/or as policy objective of media legislation and/or

regulation

Description: This indicator aims to assess the existence of the recognition of media pluralism as an intrinsic part of media freedoms and/or as a policy objective of media legislation and/or regulation. In most national legal systems, the concept of pluralism is not explicitly recognised in constitutional statutes, but can be found in the rulings of constitutional courts that treat this as a constitutional principle.

Method of measurement: Analysis of laws and regulations and their implementation by the user on the basis of the following questionnaire.

How to check the existence (E) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
E.1. Is media pluralism explicitly recognised in the Constitution and/or national laws as an intrinsic part of media freedoms?	+	-
E.2. Is media pluralism explicitly recognised as policy objective of media legislation and/or regulation?	+	-
E.3. Does the Constitutional Court recognise in its case law media pluralism as an intrinsic part of media freedoms and/or as policy objective of media legislation and/or regulation?	+	-
Total number of +		
Total number of -		

How to check the effective implementation (I) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
I.1. Is media pluralism generally respected as policy goal in the Member State? (If so, tick 'YES'. If, on the contrary, there is evidence of non-respect of media pluralism by the legislator/regulator when adopting legislation or issuing regulatory decisions, tick 'NO'). <i>Sources of reference: Case law, decision practice, press reports, reports of independent bodies or NGOs.</i>	+	-
Total number of +		
Total number of -		

Data sources:

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

Idem as indicator 1

Policy documents:

For instance:

Activity Report of the Committee of Experts on Media Concentration and Pluralism (MM-CM 1994).

Studies/reports providing overviews of and/or evaluating the recognition of media pluralism as intrinsic part of media freedoms and/or as policy objective of media legislation and/or regulation:

Idem as indicator 1. ;

ELIAMEP. 2010. MEDIADEM background information report “Media policies and regulatory practices in a selected set of European countries, the European Union and the Council of Europe;

ELIAMEP. 2011. MEDIADEM Case study report “Does media policy promote media freedom and independence?”;

European Commission. 2009. Media for Diversity. Taking the Pulse of Diversity in the Media. A Study on Media and Diversity in EU Member States and 3 EEA countries;

European Commission Staff Working Document on Media Pluralism in the Member States of the EU, SEC (2007) 32 and

Council of Europe. 2003. Media Diversity in Europe, H/APMD (2003)001.

Websites providing more information:

For instance: www.media-accountability.org

4. Regulatory safeguards for journalistic profession

Description: This indicator aims to assess the existence and effective implementation of regulatory safeguards for journalistic practice. This indicator focuses on four pillars: (i) criteria to become a journalist, (ii) editorial independence, (iii) protection of journalistic sources and (iv) safeguards for access to events for news reporting. Firstly, it looks at legal restrictions on who can become a journalist, since these may have a deterring effect and hence a negative influence on media pluralism (*e.g.* burdensome accreditation, registration or licensing schemes). Secondly, it assesses whether the editorial independence of journalists is protected in case of change of ownership. It then looks at legal provisions guaranteeing the protection of sources and finally it focuses on the right for journalists to access to events for news reporting.

Method of measurement: analysis of laws and regulations and their implementation by the user on the basis of the following questionnaire.

How to check the existence (E) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
E.1. Is access to the journalistic profession open according to the regulatory framework in place? Do 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; <i>e.g.</i> diploma is a proportionate condition) and non discriminatory requirements?	+	-
E.2. Are there any laws or self-regulatory codes prohibiting commercial parties to influence, or seek to influence editorial content?	+	-
E.3. Is the protection of journalistic sources explicitly recognised by the law and is it in accordance with Recommendation (2000) 7 on the right of journalists not to disclose their sources of information of the Council of Europe?	+	-
E.4. If not, do the highest courts in your country recognise the principle of the protection of journalistic sources as an intrinsic part of free speech?	+	-
E.5. Is journalists' access to events for news reporting explicitly recognised by the law and/or by the Courts?	+	-
Total number of +		
Total number of -		

How to check the implementation (I) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
I.1. Is access to the journalistic profession open in practice? (If the related regulatory framework (if available, see E.1. above) is implemented and enforced	+	-

in practice, tick 'YES'. If, on the contrary, there is evidence that the conditions to become a journalist impose barriers to exercise the profession of journalist, tick 'NO'). <i>Sources of reference: Reports, studies, surveys.</i>		
I.2. Are there any mechanisms granting social protection to journalists in case of changes of ownership (change of editorial line)?	+	-
I.3. Do commercial entities or the owners of media companies generally abstain from influencing editorial content? (If so, tick 'YES'. If, on the contrary, there is evidence that these actors systematically influence, or seek to influence the editorial content, tick 'NO').	+	-
I.4. Is the protection of journalistic sources generally enforced in practice? (If so, tick 'YES'. If, on the contrary, there is evidence of systematic infringement of the protection of journalistic sources, tick 'NO'). Evidence of systematic infringement is <i>e.g.</i> there are several cases where journalists were obliged to disclose their sources and where journalists were condemned for not disclosing their sources; 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.	+	-
I.5. Are journalists generally granted access to events for news reporting without any type of discrimination? (If so, tick 'YES'. If, on the contrary, there is evidence of systematic illegitimate refusal of journalists' access to events for news reporting, tick 'NO').	+	-
Total number of +		
Total number of -		

Data sources:

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

Idem as indicator 1

Policy documents:

For instance:

Idem as indicator 1

Council of Europe (2000). Recommendation REC (2000) 7 on the right of journalists not to disclose their sources of information, 8 March 2000

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>

Banisar, D. (2007). *Silencing Sources: An International Survey of Protections and Threats to Journalists' Sources*, available at SSRN: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1706688

Websites providing more information:

For instance: www.enpa.org, www.ifj.org, www.ijnnet.org

5. Regulatory safeguards for the independence and efficiency of the relevant national authorities

Description: This indicator aims to assess the existence and effective implementation of regulatory safeguards for the independence and efficiency of the relevant authority(-ies) in the media field. In particular, it looks at the independence and efficiency of the media, competition and telecommunications authorities. Independence, transparency and effectiveness are crucial elements that should be guaranteed in order for the three authorities to act as watchmen of media pluralism and freedom.

Method of measurement: Analysis of laws and regulations and their implementation by the user on the basis of the following questionnaire.

How to check the existence (E) of such safeguards: Answer the questions below and fill in the scoring grid

	YES	NO
E.1. Are there any explicit constitutional or legal guarantees of independence of the media authority from political or commercial interference?	+	-
E.2. Are appointment procedures for the media authority transparent, democratic and objective and designed to minimize the risk of political or commercial interference, for instance by including rules on incompatibility and eligibility?	+	-
E.3. Are the procedures for allocation of budgetary resources for the media authority transparent and objective, <i>i.e.</i> leaving no scope for arbitrary decisions by the governing powers?	+	-
E.4. Are the tasks, duties and responsibilities of the media authority defined in detail in the law (<i>e.g.</i> grant licences, compliance monitoring, sanctioning, other)?	+	-
E.5. Does regulation attribute sanctioning powers to the media authority (<i>e.g.</i> warning, fine, suspension or revocation of licence, other)?	+	-
E.6. With regard to the media authority decisions, are there effective appeal mechanisms in place: <ul style="list-style-type: none"> • 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, the procedures of which are not systematically misused to delay the enforcement of remedies? 	+	-
E.7. Are there any explicit constitutional or legal guarantees of independence of the competition authority from political or commercial interference?	+	-
E.8. Are the appointment procedures for the competition authority transparent, democratic and objective and designed to minimize the risk of political or commercial interference, for instance by including rules on incompatibility and eligibility?	+	-
E.9. Are the procedures for allocation of budgetary resources for the competition authority transparent and objective, <i>i.e.</i> leaving no scope for arbitrary decisions by the governing powers?	+	-
E.10. Are the tasks, duties and responsibilities of the competition authority defined in detail in the law?	+	-
E.11. Does the law attribute powers to the competition authority?	+	-
E.12. With regard to the competition authority decisions, are there effective appeal mechanisms in place: <ul style="list-style-type: none"> • 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, the procedures of which are not systematically misused to delay the enforcement of remedies? 	+	-
E.13. Are there any explicit constitutional or legal guarantees of	+	-

independence of the telecommunications authority from political or commercial interference?		
E.14. Are the appointment procedures for the telecommunications authority transparent, democratic and objective and designed to minimize the risk of political or commercial interference, for instance by including rules on incompatibility and eligibility?	+	-
E.15. Are the procedures for allocation of budgetary resources to the telecommunications authority transparent and objective, i.e. leaving no scope for arbitrary decisions by the governing powers?	+	-
E.16. Are the tasks, duties and responsibilities of the telecommunications authority defined in detail in the law?	+	-
E.17. Does the law attribute powers to the telecommunications authority?	+	-
E.18. With regard to the telecommunications authority decisions, are there effective appeal mechanisms in place: • 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, the procedures of which are not systematically misused to delay the enforcement of remedies?	+	-
Total number of +		
Total number of -		

How to check the effective implementation (I) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
I.1. Are the appointment procedures for the media authority respected in practice?	+	-
I.2. Does decisional practice of the media authority indicate that the authority uses its powers in practice in the interest of the public (the media authority has never been condemned after an investigation by anti-corruption bodies)?	+	-
I.3. Is the budget adequate and consistent for the media authority to safeguard its independence and/or protect it from coercive budgetary pressures and to perform its functions (<i>e.g.</i> check annual reports of the media authority, eumap.org, transparencyinternational.org, etc.)?	+	-
I.4. The Government cannot arbitrarily overrule the decision of the media authority.	+	-
I.5. Is the media authority accountable to the public for its activities, (<i>e.g.</i> is it required to publish regular or ad hoc reports relevant to their work or the exercise of their missions)?	+	-
I.6. Are the appointment procedures for the competition authority respected in practice?	+	-
I.7. Does decisional practice of the competition authority indicate that the authority effectively uses its powers in consumers' interest?	+	-

I.8. Is the budget adequate and consistent for the competition authority to safeguard its independence and/or protect it from coercive budgetary pressures and to perform its functions?	+	-
I.9. The Government cannot arbitrarily overrule the decisions of the competition authority.	+	-
I.10. Are the appointment procedures for the telecommunication authority respected in practice?	+	-
I.11. Does decisional practice of the telecommunications authority indicate that the authority effectively uses its powers?	+	-
I.12. Is the budget adequate and consistent for the telecommunications authority to safeguard its independence and/or protect it from coercive budgetary pressures and to perform its functions?	+	-
I.13. The Government cannot arbitrarily overrule the decisions of the telecommunications authority.	+	-
Total number of +		
Total number of -		

Data sources:

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

Policy documents:

For instance:

Idem as indicator 1

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). Recommendation REC (2000) 23 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-europe-regulation-policy-and-independence>

Websites providing more information:

For instance: www.eumap.org, www.itu.int, www.transparencyinternational.org and www.mediapolicy.org, websites of national competition authorities and

Idem as indicators 1. , 2. and 3.

6. Policies and support measures for media literacy (or digital literacy in particular) among different groups of population

Description: This indicator aims to assess the active measures taken by the state to promote media literacy among different groups of population. The aim of media literacy is to increase awareness of the many forms of media messages encountered in their everyday lives. It should help citizens to recognise how the media filters their perceptions and beliefs, shape popular culture and influence personal choices. It should empower them with the critical thinking and creative problem-solving skills to make them judicious consumers and producers of information.

Method of measurement: Analysis of policies and support measures and their implementation by the user on the basis of the following questionnaire.

Does the state take active measures to promote media literacy among different groups of population?

For example:

Is media literacy taught in the context of the formal educational system in your Member State?

Are there media literacy initiatives in environments outside the formal educational systems, such as cultural centres, film schools, life-long learning programmes, on-line discussion groups concerned with ethics in the media, advertising, media industry and the press, etc.?

Does your Member State organize computer classes for children, elderly, minority groups? Either free of charge or at affordable prices?

Does your Member State take measures to help children and young people to acquire the necessary skills to decipher, evaluate and develop a critical approach to advertising and other forms of commercial communication enabling them to make informed choices?

Does your Member State take measures aiming at implementing and encouraging a critical approach to content, especially informational material, available online?

Does your Member State take measures either through education or via the media itself to inform citizens about the political leanings of news providers, and the method by which news is made?

Does your Member State take measures aiming at increasing citizens' active participation in virtual information communities such as news-related discussion forums, user's generated databases/encyclopaedias?

Does your Member State take measures to raise awareness about how search engines work (prioritisation of answers, etc.) and learning to better use search engines?

Does your Member State take measures to indicate the importance of copyright, from the perspective of both consumers and creators of content?

Does your Member State take measures to educate the public on laws and rights relating to media?

Does your Member State take measures to empower users with tools to critically assess online content; extending digital creativity and production skills and encouraging awareness of copyright issues?

Does your Member State take measures to ensure that the benefits of the information society can be enjoyed by everyone, including people who are disadvantaged due to limited resources or education, age, gender, ethnicity, people with disabilities (e-accessibility) as well as those living in less favoured areas (all these are encompassed under e-inclusion)?

Did organisations in your Member State sign the European Charter for Media Literacy?

Does your Member State take measures to educate the public on the protection of minors within media?

Does your Member State's literacy and training strategy take into account the recommendations of the Recommendation of the Committee of Ministers to Member States on empowering children in the new information and communications environment (Adopted on 27 September 2006)?

Are coordinated measures taken in your Member State to enhance media literacy within the general populace, in education, legislation and co- and self-regulation by the media industry itself?

Does your Member State evaluate and assess in a reliable manner the effectiveness of policies and media literacy activities?

Does your Member State take measures to educate the public on media funding (of television, internet, radio, etc)?

Data sources:

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

Idem as indicator 1

Policy documents:

Several policy documents containing information on media literacy may be found through the Commission's website at:

http://ec.europa.eu/culture/media/media-literacy/index_en.htm and through Eurostat's website at: <http://epp.eurostat.ec.europa.eu/portal/page/portal/eurostat/home/>

European Commission (2007). Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, A European approach to media literacy in the digital environment, 20 December 2007, COM(2007) 833 final

European Parliament (2008). Report on media literacy in a digital world, 2008/2129(INI), Rapporteur: Christa Prets, A6-0461/2008, 24 November 2008, available at:

<http://www.europarl.europa.eu/sides/getDoc.do?language=EN&reference=A6-0461/2008>

Studies/reports:

Several studies/reports on media literacy may be found through the Commission's website at:

http://ec.europa.eu/culture/media/media-literacy/index_en.htm

Milioni, D. et al. 2012. "Their two cents worth?: Exploring user agency in readers" comments in online news media. In *Observatorio (OBS) Journal*, Vol. 6 – No. 3: 21-47.

Universidad Autonoma de Barcelona (2007). *Current trends and approaches to media literacy in Europe*, Study for the European Commission, available at:

http://ec.europa.eu/culture/media/media-literacy/studies_en.htm

European Association for Viewers Interests (EAVI) Consortium. *Assessment Criteria for Media Literacy Levels*, Study for the European Commission (2009), available at: http://ec.europa.eu/culture/media/media-content/media-literacy/studies/eavi_study_assess_crit_media_lit_levels_europe_finrep.pdf

Studies and articles on citizens' online activism. Also see: CIVICWEB "Young people, the internet and civic participation" database and reports (FP6 project):

<http://www.civicweb.eu/>

Websites providing more information:

For instance:

http://ec.europa.eu/avpolicy/index_en.htm and <http://www.euromedialiteracy.eu>

7 Safeguards for access to airtime on PSM by the various cultural and social groups

Description: This indicator aims to assess the existence and effective implementation of regulatory safeguards for access to airtime on PSM by the various cultural and social groups. Cultural and social groups (or communities) are broadly understood as groups in society with specific characteristics, which distinguish them from the majority. These characteristics can relate to national, racial or ethnical origin,

language, religion or belief, disability, sexual orientation, gender identity, and age. Such safeguards may be found in statutory or co/self-regulatory measures. The indicator therefore assesses both the scenario of legislative intervention (E.1 and E.2) and the scenario of co/self-regulation (E.3). They are put at the same level, without expressing any preference for one over the other.

Method of measurement: Analysis of laws and regulations and their implementation by the user on the basis of the following questionnaire.

How to check the existence (E) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
E.1. Does media law (including conventions between PSM and the government) guarantee access to airtime on PSM channels and services by the various cultural (cultural community) and social groups?	+	-
E.2. Does other formal law (e.g. administrative law) guarantee access to airtime on PSM channels and services for cultural and social groups?	+	-
E.3. Is there a functional equivalent to a formal law (e.g. internal charters of PSM)?	+	-
Total number of +		
Total number of -		

How to check the effective implementation (I) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
I.1. Are the conditions and procedures in order to gain access to airtime transparent and based on objective criteria?	+	-
I.2. Is there an administrative or judicial body actively monitoring compliance with these rules and/or hearing complaints? If not (in particular in the case of self-regulation), is there a voluntary control institution and/or complaints mechanism to check compliance with these (self-regulatory) rules?	+	-
I.3. Does the law grant body effective sanctioning/enforcement powers in order to impose proportionate remedies in case of noncompliance with the rules? Or, in case of self-regulatory measures, is the voluntary control or complaints mechanism based on transparent and objective procedures which may ultimately lead to the imposition of effective and proportionate remedies to stop non-compliance with the rules?	+	-
I.4. Are there effective appeal mechanisms in place: <ul style="list-style-type: none"> • 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, • the procedures of which are not systematically misused to delay the enforcement of remedies? 	+	-
I.5. Is access to airtime for cultural and social groups guaranteed in practice? (If so, tick 'YES'. If, on the contrary, there is evidence of systematic denial of airtime for certain cultural or social groups, tick 'NO'). <i>Sources of reference: Case law, decision practice, press reports, reports of independent bodies</i>	+	-

or NGOs.		
Total number of +		
Total number of -		

Data sources:

National laws and regulations, including co- and self-regulation (acts, decrees, branch agreements, codes of conduct...), case law and regulatory decisions:

Idem as indicator 1.

Policy documents:

Idem as at indicator 1.

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).

Studies/reports:

European Audiovisual Observatory (2007). The Public Service Broadcasting Culture. *Iris Special 2007 edition*. http://www.obs.coe.int/about/oea/pr/irisspecial2007_1.html

Open Society Institute (2005) and follow-up reports. *Television Across Europe: Regulation, Policy and Independence*, available at: <http://www.opensocietyfoundations.org/reports/television-across-europe-regulation-policy-and-independence>

OFCOM (2002). *Multicultural Broadcasting: concept and reality*, available at: <http://www.ofcom.org.uk/static/archive/bsc/pdfs/research/multicultural.pdf>

EBU – European Broadcasting Union: <http://www.ebu.ch/en/>

European Audiovisual Observatory: <http://www.obs.coe.int/>

National media regulation data bases (available on web sites of relevant state bodies).

Baldi, P. & Hasebrink, U. (Eds.) (2007). *Broadcasters and Citizens in Europe. Trends in Media Accountability and Viewer Participation*, Bristol & Chicago: Intellect.

Cammaerts, B. & Carpentier, N. (Eds.) (2007). *Reclaiming the Media*, Communication Rights and Democratic Media Roles. Bristol & Chicago: Intellect.

European Union Agency for Fundamental Rights (2008) *Pilot Media Project: Experts and research groups for the analysis of media content*.

Global Media Monitoring Project (2005). *A study of women and men in the news by Margaret Gallagher*. London: WACC

ter Val, J. (Ed) (2002). *Racism and cultural diversity in the mass media: An overview of research and examples of good practice in the EU Member States. 1995-2000*, available at:

<http://fra.europa.eu/en/publication/2002/racism-and-cultural-diversity-mass-media>

Media Diversity Institute, International Federation of Journalists & Internews Europe (2009). Study on Media & Diversity, Study for the European Commission, <http://www.media4diversity.eu/>

UNESCO (1977). *Ethnicity and The Media: An Analysis of Media Reporting in the United Kingdom, Canada and Ireland*, New York: UNESCO.

Annual reports by national (media, communications or broadcasting) regulatory agencies:

Christensen, Ch. (2001). Minorities, Multiculturalism and Theories of Public Service. In U. Kivikuru (Ed.), *Contesting the Frontiers: Media and Dimensions of Identity* (pp. 81 – 103), Nordicom: Goeteborg.

Council of Europe (2008). *Framework Convention for the Protection of National Minorities: State Reports – focus on Article 9*, available at: http://www.coe.int/t/dghl/monitoring/minorities/1_atglance/fcnm_texts_EN.asp

ECRI (2000). *Examples of ‘Good Practices’ to fight against racism and intolerance in the European Media*. CRI (2000) 19, available at: http://www.coe.int/t/dghl/monitoring/ecri/good_practices/2-media/ecri00-19%20Good%20practice%20Media.pdf

Scannell, P. (1997). Britain: Public Service Broadcasting, from National Culture to Multiculturalism. In M. Raboy (Ed.) *Public Service Broadcasting in the 21st Century*, John Libbey Media: London

8. Regulatory safeguards for minority & community media

Description: This indicator aims to assess the existence and effective implementation of specific regulatory safeguards for minority and community media.

Community media that serve the interests of other communities (like women, elderly, religious or sexual minorities) are called 'other community media'.

Method of measurement: Analysis of laws and regulations and their implementation by the user on the basis of the following questionnaire.

How to check the existence (E) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
E.1. Does the media law contain specific provisions on minority and community media (granting legal recognition to such media as a distinct group alongside commercial and public media)?	+	-
E.2. Are there frequencies reserved for minority and community media?	+	-
E.3. Does the media legislation ensure access by regional and/or local media to platforms of electronic communication network providers (in particular, via must-carry rules)?	+	-
E.4. Does the State, regional and/or local authority actively support minority and community media through direct or indirect subsidies or other policy measures?	+	-
Total number of +		
Total number of -		

How to check the effective implementation (I) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
I.1 Does this regulatory framework guarantee independence of the minority or community media, meaning that they are <i>de facto</i> owned by or accountable to the community or the minority that they seek to serve (<i>e.g.</i> they can elect their own board/management bodies)?	+	-
I.2. Are these media <i>de facto</i> open to participation (both in programme making and management)?	+	-
I.3. Is there an administrative or judicial body actively monitoring compliance with these rules and/or hearing complaints and is this supervision over these media done in an objective way?	+	-
I.4. Does the law grant that body effective sanctioning/enforcement powers in order to impose proportionate remedies in case of noncompliance with the rules?	+	-
I.5. Are there effective appeal mechanisms in place: • 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,	+	-

• the procedures of which are not systematically misused to delay the enforcement of remedies?		
I.6. Is minority and community media safeguarded in practice? (If so, tick 'YES'. If, on the contrary, there is evidence of systematic political censorship, interference or manipulation of these media, tick 'NO'). <i>Sources of reference: Case law, decision practice, press reports, reports of independent bodies or NGOs.</i>	+	-
Total number of +		
Total number of -		

Data sources:

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

Overviews of national media legislation can be found on:

- EPRA website: 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/> and
- Nordicom (for Scandinavian countries): <http://www.nordicmedia.info/>

Studies/reports:

European Parliament (2007). *The State of Community Media in the European Union*, available at: <http://www.communitymedia.se/europe/stateofcommedia.pdf>

Bi-annual Commission reports and Staff Working Document of the European Commission: http://ec.europa.eu/avpolicy/reg/tvwf/implementation/promotion/index_en.htm

Collins, R. (2002). *Media and identity in contemporary Europe: consequences of global convergence*. Bristol: Intellect.

Graham, D. (2005). *Impact Study of Measures (Community and National) Concerning the Promotion of Distribution and Production of TV Programs Provided for Under Article 25(a) of the TV Without Frontiers Directive*, 24 May 2005, available at: http://ec.europa.eu/avpolicy/docs/library/studies/finalised/4-5/27_03_finalrep.pdf

OFCOM (2002). *Multicultural Broadcasting: concept and reality*, available at:

<http://www.ofcom.org.uk/static/archive/bsc/pdfs/research/multicultural.pdf>

Attentional et al. (2009). *Study on the application of measures concerning the promotion of the distribution and production of European works in audiovisual services (i.e. including television programs and non-linear services) – Final Report for the European Commission*, available at:

http://ec.europa.eu/avpolicy/docs/library/studies/art4_5/final_report.pdf

Suggested guidelines for the monitoring of the implementation of Articles 4 and 5 of the TWFD, June 1999: http://ec.europa.eu/avpolicy/docs/reg/tvwf/eu_works/controle45_en.pdf

Open Society Institute (2005) and follow-up reports. *Television Across Europe: Regulation, Policy and Independence*, available at: <http://www.opensocietyfoundations.org/reports/television-across-europe-regulation-policy-and-independence>

9. Regulatory safeguards and policies for regional and local media

Description: This indicator aims to assess the existence and effective implementation of regulatory safeguards for the existence and preservation of regional and local media.

Method of measurement: Analysis of laws and regulations and their implementation by the user on the basis of the following questionnaire.

How to check the existence (E) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
E.1. Does the media legislation recognise regional and/or local media as specific categories of media (with special mission and obligations)?	+	-
E.2. Does the law reserve frequencies for regional/local radio and/or TV?	+	-
E.3. Does media regulation prohibit networking or affiliation arrangements (which can jeopardize local/regional character) between regional and/or local media and national media?	+	-
E.4. Does the media legislation ensure access by regional and/or local media to platforms of electronic communication network providers (in particular, via must-carry rules)?	+	-
Total number of +		
Total number of -		

How to check the effective implementation (I) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
I.1. Is there an administrative or judicial body actively monitoring compliance with these rules and/or hearing complaints?	+	-
I.2. Does the law grant that body effective sanctioning/enforcement powers in order to impose proportionate remedies in case of noncompliance with the rules?	+	-
I.3. Are there effective appeal mechanisms in place: <ul style="list-style-type: none"> • 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, • the procedures of which are not systematically misused to delay the enforcement of remedies? 	+	-
I.4. Is existence and preservation of regional/local media safeguarded in practice? (If so, tick 'YES'. If, on the contrary, there is evidence of systematic noncompliance with the rules, tick 'NO'). <i>Sources of reference: Case law, decision practice, press reports, reports of independent bodies or NGOs.</i>	+	-
I.5. Is the state supporting regional and local media through any support mechanism (for example subsidies)?	+	-
Total number of +		
Total number of -		

Data sources:

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

Idem as indicator 1.

Studies/reports:

Annual reports by national (media, communications or broadcasting) regulatory agencies several of which available through EPRA's website at: http://www.epra.org/news_items/updated-epra-list-on-media-legislation-in-europe

Ader, T. (2006). Cultural and Regional Remits in Broadcasting. *IRIS plus: Legal observations of the European Audiovisual Observatory*, Strasbourg.

- Bakker, P. (2008). The Simultaneous Rise and Fall of Free and Paid Newspapers in Europe. *Journalism Practice*, Vol 2 (3), 427 – 443.
- European Audiovisual Observatory (2008) *Yearbook 2008: Film, television and video in Europe*.
- MAVISE. Database of TV companies and TV channels in the European Union and Candidate Countries.
- Open Society Institute (2005) and follow-up reports (2008). *Television Across Europe: Regulation, Policy and Independence*, available at: <http://www.opensocietyfoundations.org/reports/television-across-europe-regulation-policy-and-independence>
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- Collins, R. (2002). *Media and identity in contemporary Europe: consequences of global convergence*. Bristol: Intellect.
- Picard, R.G. (2007). Subsidies for Newspapers: Can the Nordic Model Remain Viable?. In H. Bohrmann; E. Klaus & M. Machill (Eds.) *Media Industry, Journalism Culture and Communication Policies in Europe*, Koln: Halem.
- World Association of Newspapers (1996 – 2007) *World Press Trends*, Paris.
- Idem* as indicator 8.

10. Regulatory safeguards for locally oriented and locally produced content on PSM channels and services

Description: This indicator aims to assess the existence and effective implementation of regulatory safeguards guaranteeing local orientation and local production of content delivered by PSM channels and services.

Method of measurement: Analysis of laws and regulations and their implementation by the user on the basis of the following questionnaire.

How to check the existence (E) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
E.1. Is the PSM obliged (either via legislation or management charter) to have a minimum proportion of regional and/or local communities involved in the production and distribution of content?	+	-
E.2. Is the PSM obliged (either via legislation or management charter) to have its own regional correspondents or do they use material acquired from news agencies?	+	-
E.3. Is the PSM obliged to install and maintain local presence with regard to production and transmission facilities in its area of coverage?	+	-
E.4. Is the PSM obliged (either via legislation, management charter, employment rules or code) to have a balance of journalists coming from various geographic groups?	+	-
E.5. Is the PSM obliged (either via legislation or management charter) to have national news available in regional languages?	+	-
Total number of +		
Total number of -		

How to check the effective implementation (I) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
I.1. Is there an administrative or judicial body actively monitoring compliance with these rules and/or hearing complaints?	+	-
I.2. Does the law grant body effective sanctioning/enforcement powers in order to impose proportionate remedies in case of noncompliance with the rules?	+	-
I.3. Are there effective appeal mechanisms in place: <ul style="list-style-type: none"> • 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, • the procedures of which are not systematically misused to delay the enforcement of remedies? 	+	-
I.4. Is the existence and effective implementation of regulatory safeguards for local orientation and production of content assured in practice? (If so, tick 'YES'. If, on the contrary, there is evidence of systematic noncompliance with the rules, tick 'NO'). <i>Sources of reference: Case law, decision practice, press reports, reports of independent bodies or NGOs.</i>	+	-
I.5. Does PSM effectively cover local events?	+	-
Total number of +		
Total number of -		

Data sources:

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

Idem as indicator 9.

Studies/reports:

Idem as indicator 9.

11. Regulatory safeguards for universal coverage of the media

Description: This indicator aims to assess the existence and effective implementation of regulatory safeguards for universal coverage of the media.

Method of measurement: Analysis of laws and regulations and their implementation by the user on the basis of the following questionnaire.

How to check the existence (E) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
E.1. Is the PSM under a legal obligation to ensure universal coverage of its (at least major) channels and services?	+	-
E.2. Is universal coverage of the (at least major) PSM channels and services enshrined in the charter/agreement/convention between the PSM and public authorities?	+	-

E.3. Does the State take active measures to promote roll-out and access to broadband networks in remote and/or rural areas?	+	-
E.4. Does the State take active measures to promote sufficient distribution of newspapers in remote and/or rural areas?	+	-
Total number of +		
Total number of -		

How to check the *effective implementation (I)* of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
I.1. Is there an administrative or judicial body actively monitoring compliance with these rules and/or hearing complaints?	+	-
I.2. Does the law grant body effective sanctioning/enforcement powers in order to impose proportionate remedies in case of noncompliance with the rules?	+	-
I.3. Are there effective appeal mechanisms in place? <ul style="list-style-type: none"> • 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, • the procedures of which are not systematically misused to delay the enforcement of remedies? 	+	-
I.4. Do remote and/or rural areas generally have access to online news? (If so, tick 'YES'. If, on the contrary, there is evidence of these areas not having access to online news, tick 'NO').	+	-
I.5. Is there evidence of remote and/or rural areas not receiving sufficient variety of newspapers? Do remote and/or rural areas generally receive sufficient variety of newspapers? (If so, tick 'YES'. If, on the contrary, there is evidence of these areas not receiving a variety of newspapers, tick 'NO').	+	-

Data sources:

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

Idem as indicator 9.

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-europe-regulation-policy-and-independence>

European Commission (2012). *Broadband Coverage in Europe. Final Report, 2012 Survey*, available at: <http://ec.europa.eu/digital-agenda/en/news/broadband-coverage-europe-2012-final-report>

European Commission (2006) *Bridging the Broadband Gap. Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions*, COM (2006) 129 final.

Harcourt, A. (2008). *Report for the group of specialists on media diversity (MC-SMD) on methodology for the monitoring of media concentration, pluralism and diversity*, February 2008.

Alonsa, I. F., de Moragas, M., Blasco, J.J., & Nuria Almiron, G. (Eds.) (2006). *Press Subsidies in Europe*. Barcelona: Institute de la Comunicacio, Universitat Autònoma de Barcelona.

- Murschetz, P. (1997). *State support of the press: Theory and practice: A survey of Austria, France, Norway and Sweden*. Düsseldorf: European Institute for the Media.
- Picard, R.G. (2007). Subsidies for Newspapers: Can the Nordic Model Remain Viable? In H. Bohrmann; E. Klaus & M. Machill (Eds.) *Media Industry, Journalism Culture and Communication Policies in Europe*, Köln: Halem
- Picard, R. G. (2006). Issues and Challenges in the Provision of Press Subsidies. In Alonsa, I. F., de Moragas, M., Blasco, J.J., & Nuria Almiron, G. (Eds.) (2006). *Press Subsidies in Europe* (pp. 211-220), Barcelona: Institute de la Comunicacio, Universitat Autonoma de Barcelona.
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- Picard, R. G. (1985). *The press and the decline of democracy: The democratic socialist response in public policy*. Westport, CT: Greenwood.
- Santini, A. (1990). *L'État et la press*. Paris: LITEC.
- Smith, A. (1977). *Subsidies and the press in Europe*. London: PEP.

Websites:

Relevant information may also be found on Eurostat's website: <http://cpp.eurostat.ec.europa.eu/portal/page/portal/eurostat/home/>

12. Regulatory safeguards against high concentration of ownership and/or control in media (horizontal)

Description: This indicator aims to assess the existence and effective implementation of regulatory safeguards (sector-specific and/or competition law) against a high horizontal concentration of ownership and/or control in the different media.

Method of measurement: Analysis of laws and regulations and their implementation by the user on the basis of the following questionnaire (for the relevant media).

OWNERSHIP CONCENTRATION AND/OR CONTROL IN TELEVISION (linear and non-linear audio-visual media services) (HORIZONTAL) :

How to check the existence (E) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
E.1. Does the media legislation contain specific thresholds or limits, based on objective criteria, such as number of licences, audience share, circulation, distribution of share capital or voting rights, turnover/revenue, to prevent a high level of horizontal concentration of ownership and/or control in the television sector?	+	-
E.2. Can a high level of horizontal concentration of ownership and/or control in the television sector be prevented via merger control/competition rules that take into account the specificities of the media sector, for instance: By containing media-specific provisions that impose stricter thresholds than in other sectors; The mandatory intervention of a media authority in M&A cases (for instance, the obligation for the competition authority to ask the advice of the media authority); The possibility to overrule the approval of a concentration by the competition authority for reasons of media pluralism (or public interest in general);	+	-

-that - even though they do not contain media-specific provisions - do not exclude the media sector from their scope of application?		
Total number of +		
Total number of -		

How to check the effective implementation (I) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
I.1. Is there an administrative authority or judicial body actively monitoring compliance with these thresholds and/or hearing complaints? (<i>e.g.</i> media and/or competition authority)	+	-
I.2. Does the law grant body effective sanctioning/enforcement powers in order to impose proportionate remedies (behavioural and/or structural) in case of non-respect of the thresholds, such as: - 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 divestiture?	+	-
I.3. Is there evidence (for instance in case law or positive evaluations in independent reports) of these powers being effectively and appropriately exercised? Is there pro-active and effective policy making and implementation?	+	-
I.4. Are there any procedures for regular review of established thresholds in the light of on-going technological, economic and social developments in order not to hinder innovations in the media field?	+	-
I.5. Are the conditions imposed at the moment of mergers effectively monitored?	+	-
I.6. Are competition authorities taking into account (implicitly or explicitly) considerations about media pluralism when applying competition rules to the media sector? Do they assess the impact of a proposed concentration on media pluralism? If merger procedures provide for the intervention of the media authority at some stage (like rendering its advice), is the competition authority taking the utmost account of that opinion (either because it is bound by the advice or because it does so in practice)?	+	-
Total number of +		
Total number of -		

OWNERSHIP CONCENTRATION AND/OR CONTROL IN RADIO (HORIZONTAL):

Please follow *mutatis mutandis* the guidelines given for television.

OWNERSHIP CONCENTRATION AND/OR CONTROL IN NEWSPAPERS (HORIZONTAL):

Please follow *mutatis mutandis* the guidelines given for television.

OWNERSHIP CONCENTRATION AND/OR CONTROL IN INTERNET SERVICE PROVIDERS (HORIZONTAL):

Please follow *mutatis mutandis* the guidelines given for television and avoid doing the analysis for media that

are not relevant in your country.

Data sources:

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

Idem as indicator 1.).

Official statements and websites of national communications regulatory authorities setting out media ownership regulations and detailing their activities and responsibilities.

Reports by credible agencies (national and international bodies, NGOs/CSOs, trade unions) on the enforcement of measures to prevent undue concentration of ownership.

Studies/reports providing overviews of and/or evaluating national anti-concentration rules:

For instance:

ELIAMEP. 2010. MEDIADEM background information report “Media policies and regulatory practices in a selected set of European countries, the European Union and the Council of Europe”.

ELIAMEP. 2011. MEDIADEM Case study report “Does media policy promote media freedom and independence?”

European Audiovisual Observatory. 2006. Media Regulation in the Interest of the Audience.

European Audiovisual Observatory. 2011. Yearbook: Film, television, video and multimedia in Europe.

European Commission. 2009. Media for Diversity. Taking the Pulse of Diversity in the Media. A Study on Media and Diversity in EU Member States and 3 EEA countries.

European Commission Staff Working Document on Media Pluralism in the Member States of the EU, SEC (2007) 32.

Noam, E.M., 2009. Media ownership and concentration in America, Oxford: Oxford University Press.

OECD (2003). Policy Roundtable Report on Media Mergers.

Ofcom (2012). Communications Market Report.

Ofcom. (2012). Measuring media plurality.

Ofcom. (2010). Report on public interest test on the proposed acquisition of British Sky Broadcasting Group plc by News Corporation.

Ofcom (2006). *Review of Media Ownership Rules*. London. http://www.ofcom.org.uk/research/media_owners/rulesreview/

Ward, D. (2004). *A mapping study of media concentration and ownership in ten European countries*, <http://77.87.161.246/wp-content/uploads/2013/08/A-Mapping-Study-of-Media-Concentration-and-Ownership-in-Ten-European-Countries.pdf>

European Commission (2007). Commission Staff Working Document - Media pluralism in the Member States of the European Union, 16 January 2007, SEC(2007) 32, http://ec.europa.eu/information_society/media_taskforce/doc/pluralism/media_pluralism_swp_en.pdf

Harcourt, A. (2008). *Report for the group of specialists on media diversity (MC-SMD) on methodology for the monitoring of media concentration, pluralism and diversity*, February 2008.

Favre, J., Peruško, Z. & Vartanova, E. (2008). *Methodology for the monitoring media concentration and media content diversity Report prepared for the Group of specialists on media diversity (MC-SMD)*.

13. Regulatory safeguards against high degree of cross-ownership between television and other media

Description: This indicator aims to assess the existence and effective implementation of regulatory safeguards (sector-specific and/or competition law) against a high degree of cross-ownership between television and other relevant media (press, radio, internet).

Method of measurement: Analysis of laws and regulations and their implementation by the user on the

basis of the following questionnaire. Given the diversity of thresholds or limits that exist 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.

How to check the existence (E) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
E.1 Does the media legislation contain specific thresholds, based on objective criteria, such as number of licences, audience share, circulation, distribution of share capital or voting rights, turnover/revenue, to prevent a high degree of cross-ownership between television and other media?	+	-
E.2 Can a high degree of cross-ownership between television and other media be prevented via merger control/competition rules that take into account the specificities of the media sector, for instance: By containing media-specific provisions that impose stricter thresholds than in other sectors; The mandatory intervention of a media authority in M&A cases (for instance, the obligation for the competition authority to ask the advice of the media authority); The possibility to overrule the approval of a concentration by the competition authority for reasons of media pluralism (or Public interest in general); -that - even though they do not contain media-specific provisions - do not exclude the media sector from their scope of application?	+	-
Total number of +		
Total number of -		

How to check the effective implementation (I) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
I.1. Is there an administrative authority or judicial body actively monitoring compliance with these thresholds and/or hearing complaints? (<i>e.g.</i> media and/or competition authority)	+	-
I.2. Does the law grant body effective sanctioning/enforcement powers in order to impose proportionate remedies (behavioural and/or structural) in case of non-respect of the thresholds, such as: - 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 divestiture.	+	-
I.3. Is there evidence (for instance in case law or positive evaluations in independent reports) of these powers being effectively and appropriately exercised? Is there pro-active and effective policy making and implementation?	+	-
1.5. Are conditions imposed at the moment of mergers effectively monitored?	+	-

I.5. Are competition authorities taking into account (implicitly or explicitly) considerations about media pluralism when applying competition rules to the media sector? Do they assess the impact of a proposed concentration on media pluralism? If merger procedures provide for the intervention of the media authority at some stage (like rendering its advice), is the competition authority taking the utmost account of that opinion (either because it is bound by the advice or because it does so in practice)?	+	-
Total number of +		
Total number of -		

Data sources:

Idem as indicator 12.

14. Regulatory safeguards for transparency of ownership and/or control

Description: This indicator aims to assess the existence and effective implementation of transparency and disclosure provisions with regard to media ownership and/or control.

Method of measurement: Analysis of laws and regulations and their implementation by the user on the basis of the following questionnaire.

How to check the existence (E) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
E.1. Does national (media, company, tax...) law contain transparency and disclosure provisions obliging media companies to publish their ownership structures on their website or in records/documents that are accessible to the public?	+	-
E.2. Does national (media, company, tax...) law contain transparency and disclosure provisions obliging media companies to report (changes in) ownership structures to public authorities (such as the media authority)?	+	-
Total number of +		
Total number of -		

How to check the effective implementation (I) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO

I.1. Is there an obligation by national law to disclose relevant information after every change in ownership structure?	+	-
I.2. Are there any sanctions in case of non-respect of disclosure obligations?	+	-
I.3. Do transparency and reporting provisions provide the public authorities/ the public with reliable and accurate information about media ownership?	+	-
I.4. Do these obligations ensure that the public knows which legal or natural person effectively owns or controls the media company?	+	-
I.5. Are the records or documents in which the information is made available easily accessible to the public?	+	-
I.6. Are journalists or activists using that information to react against undue forms of concentration?	+	-
Total number of +		
Total number of -		

Data sources:

Idem as indicator 12.

15. Regulatory safeguards for fair, balanced and impartial political reporting in television.

Description: This indicator aims to assess the existence and effective implementation 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 (qualitative), balanced (quantitative) and impartial (without taking sides) way. It also aims to assess the existence and effective implementation of regulatory safeguards that guarantee that in news and informative programmes on private television, political viewpoints are represented in a fair and accurate way.

Moreover, the indicator aims to assess the existence and implementation of regulatory safeguards for fair access to airtime on PSM channels during electoral campaigns.

Method of measurement: Analysis of laws and regulations and their implementation by the user on the basis of the following questionnaire.

How to check the *existence (E)* of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
E.1. Does media law (including conventions between PSM and the government) guarantee fair, balanced and impartial representation of political viewpoints in news and informative programmes on PSM channels and	+	-

services?		
E.2. Does media law guarantee fair, balanced and impartial representation of political viewpoints in news and informative programmes on commercial channels and services?	+	-
E.3. Does media law (including conventions between PSM and the government) guarantee access to airtime on PSM channels and services for political actors during electoral campaigns?	+	-
E.4 Is there an internal charter of PSM or another self regulatory instrument that guarantees the access to PSM channels for political actors in general and during electoral campaigns?	+	-
E.5 Does media law or any other statutory measure (e.g. conventions between PSM and the government and legislation on the financing of political parties or on elections) prohibit or impose restrictions on political advertising during electoral campaigns to allow equal opportunities to all political parties?	+	-
E.6 Is there a functional equivalent to statutory measures? (e.g. codes of conduct, internal charters of private television and radio channels)? Only mark + if the majority of the mainstream broadcasters have a code or a charter in place which contains such safeguards.	+	-
Total number of +		
Total number of -		

How to check the effective implementation (I) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
I.1. Is there an administrative or judicial body actively monitoring compliance with these rules and/or hearing complaints?	+	-
I.2. Does the law grant the administrative/judicial body effective sanctioning/enforcement powers in order to impose proportionate remedies in case of noncompliance with the rules?	+	-
I.3. Are there effective appeal mechanisms in place: <ul style="list-style-type: none"> • 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, • the procedures of which are not systematically misused to delay the enforcement of remedies? 	+	-
I.4. Are regulatory safeguards for fair, balanced and impartial political reporting on television implemented in practice? (If so, tick 'YES'. If, on the contrary, there is evidence of systematic one-sided coverage, tick 'NO'). <i>Sources of reference: Case law, decision practice, press reports, reports of independent bodies or NGOs.</i>	+	-
I.5. Do the measures apply to all types of political elections, including presidential, legislative, regional and local elections and referenda?	+	-
I.6. Do the regulatory safeguards in place apply at least to linear and non-linear broadcasters without significant exceptions?	+	-
I.7 In case political advertising is allowed (to a certain extent), is the possibility of buying advertising space available to all contending parties, on equal conditions and rates of payment?	+	-

I.8 In case political advertising is allowed (to a certain extent), does the regulatory framework ensure that the public is aware that the message is a paid political advertisement?	+	-
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Total number of +		
Total number of -		

Data sources:

National laws and regulations, including co- and self-regulation (acts, decrees, branch agreements, codes of conduct...), case law, regulatory decisions:

Idem as indicator 1.

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-europe-regulation-policy-and-independence>

Media Diversity Institute, International Federation of Journalists & Internews Europe (2009). Study on Media & Diversity, Study for the European Commission, <http://www.media4diversity.eu/>

Graber, D., McQuail, D. & Norris, P. (Eds.) (2008). *The Politics of News. The News of Politics, 2nd edition*, CQ Press: Washington.

Reports of ethics councils, press councils, press complaints commissions, media ombudsman, readers' editors etc.

Election monitoring reports by OSCE Election Monitoring Mission, available through: <http://www.osce.org/>

The Guardian Social, Ethical and Environmental Audit, <http://www.theguardian.com/values/socialaudit>
International Press Center (IPC) databases and reports:

<http://www.ipcng.org/>

European Commission (2007). Current trends and approaches to media literacy in Europe, http://ec.europa.eu/avpolicy/media_literacy/studies/index_en.htm

OFCOM (2005). *Media Literacy Audit – Report on adult media literacy*.

Ward, D., & Lange, B.-P. (Eds.) (2004). *The Media and Elections: A Handbook and Comparative Study* (pp. 264). LEA Publishing.

National Regulatory Agencies monitoring and various monitoring reports by NGOs and/or scholars:

EURALVA. European Alliance of Listeners and Viewers Associations databases and reports <http://www.euralva.org>

European Audiovisual Observatory (2007). *The Public Service Broadcasting Culture*. Iris Special 2007 edition.

National and International unions:

International Federation of Journalists (IFJ) alerts and reports: <http://www.ifj.org/>

Media Wise: <http://www.mediawise.org.uk/>

16. Regulatory safeguards against excessive ownership and/or control of mainstream media by politicians

Description: This indicator aims to assess the existence and effective implementation of regulatory safeguards against excessive ownership and/or control of media (radio, television and newspapers) by politicians.

Method of measurement: Analysis of laws and regulations and their implementation by the user on the basis of the following questionnaire.

How to check the existence (E) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
E.1. Does media law (including conventions between PSM and the government) contain limitations to direct and indirect ownership/control of mainstream media by politicians?	+	-
E.2. Do other statutory measures (e.g. competition law, company law) contain limitations to direct and indirect ownership/control of media by politicians?	+	-
E.3. Are there any self-regulatory measures that stipulate editorial independence in audio-visual and print media? (e.g. journalistic codes, codes of ethics, etc.)? Only mark + if the majority of the publishers have a code or a charter in place.	+	-
Total number of +		
Total number of -		

How to check the effective implementation (I) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
I.1. Does the regulation apply to all media (print, audiovisual and online) with no significant exemptions?	+	-
I.2. Is there an administrative or judicial body actively monitoring compliance with these rules and/or hearing complaints?	+	-
I.3. Does the law grant body effective sanctioning/enforcement powers in order to impose proportionate remedies in case of noncompliance with the rules?	+	-
I.4. Are there effective appeal mechanisms in place: <ul style="list-style-type: none"> • 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, • the procedures of which are not systematically misused to delay the enforcement of remedies? 	+	-
I.5. Are regulatory safeguards against excessive ownership and/or control of mainstream media by politicians implemented in practice? (If so, tick 'YES'. If, on the contrary, there is evidence of systematic noncompliance with or by-passing of these rules, tick 'NO'). <i>Sources of reference: Case law, decision practice, press reports, reports of independent bodies or NGOs.</i>	+	-
I.6. Is there a voluntary control institution and/or complaints mechanism to check compliance with these rules?	+	-
I.7. Does this control or complaints mechanism lead to the imposition of effective and proportionate remedies in case of non-compliance with the rules?	+	-
Total number of +		

Total number of -		
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Data sources:

National laws and regulations, including co- and self-regulation (acts, decrees, branch agreements, codes of conduct...), case law and regulatory decisions:

Idem as indicators 1. and 15.

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).

17. Level of independence of PSM considering appointment procedure and composition of its governing bodies/level of equal/proportionate representation of all political groups (represented in the Parliament) in the governing bodies

Description: This indicator aims to assess the existence and effective implementation of fair, objective and transparent appointment procedures for professional, management and board functions in PSM, which guarantee independence from government/a single political group. These requirements could be met for example by applying merits-based appointment procedures or by appointment procedures, which assure the presence of the various political groups within the PSM.

Method of measurement: Analysis of laws and regulations and their implementation by the user on the basis of the following questionnaire.

How to check the existence (E) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
E.1. Does media law (including conventions between PSM and the government) foresee fair, objective and transparent appointment procedures for professional, management and board functions in PSM, which guarantee independence from government/a single political group?	+	-
E.2. Do other statutory measures (e.g. administrative law, company law, labour law) provide fair, objective and transparent appointment procedures for professional, management and board functions in PSM, which guarantee independence from government/a single political group?	+	-
Total number of +		
Total number of -		

How to check the effective implementation (I) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
I.1. Is there an administrative or judicial body actively monitoring compliance with these rules and/or hearing complaints?	+	-
I.2. Does the law grant body effective sanctioning/enforcement powers in order to	+	-

impose proportionate remedies in case of non-compliance with the rules?		
I.3. Are there effective appeal mechanisms in place: • 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, • the procedures of which are not systematically misused to delay the enforcement of remedies?	+	-
I.4. Are the legal safeguards for appointment and dismissal procedures for professional, management and board functions in PSM (if such safeguards are available, see E.1. above) implemented in practice? (If so, tick 'YES'. If, on the contrary, there is evidence of systematic conflicts concerning appointments and dismissals of managers and board members of PSM, tick 'NO'). <i>Sources of reference: Case law, decision practice, press reports, reports of independent bodies or NGOs.</i>	+	-
Total number of +		
Total number of -		

Data sources:

Council of Europe (2012). Recommendation CM/Rec(2012)1 of the Committee of Ministers to member States on 15 February 2012, available at: <http://www3.ebu.ch/sites/ebu/contents/policies/eu---policy/public-affairs-and-legal-issues/public-service-media-governance.html>

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-europe-regulation-policy-and-independence>

18. Regulatory safeguards for the distribution of public interest channels on cable, DSL and/or satellite platforms

Description: This indicator aims to assess the existence and effective implementation of regulatory safeguards (in accordance with Article 31 Universal Service Directive) for access of public interest channels to cable, DSL and/or satellite platforms.

Method of measurement: Analysis of laws and regulations and their implementation by the user on the basis of the following questionnaire.

How to check the existence (E) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
E.1. Are there specific must-carry rules in media legislation guaranteeing distribution of public interest channels on cable, DSL and/or satellite platforms?	+	-
Total number of +		
Total number of -		

How to check the effective implementation (I) of such safeguards: Answer the questions below and

fill in the scoring grid.

	YES	NO
I.1. Are these safeguards in compliance with the substantive conditions of Article 31 Universal Service Directive, in the sense that they are reasonable, necessary to meet clearly defined general interest objectives, as well as proportionate and transparent (clearly indicating in advance the radio and television broadcast channels that benefit of a must-carry status)?	+	-
I.2. Are these safeguards in compliance with the prescription of Article 31 Universal Service Directive meaning that they can only be imposed on electronic communications networks used for the distribution of radio or television broadcasts to the public where a significant number of end-users of such networks use them as their principal means to receive radio and television broadcasts?	+	-
I.3. Are these safeguards subject to periodical review?	+	-
I.4. Are these safeguards coupled with a must-offer obligation?	+	-
I.5. Is there an administrative or judicial body actively monitoring compliance with these rules and/or hearing complaints?	+	-
I.6. Does the law grant body effective sanctioning/enforcement powers in order to impose proportionate remedies in case of noncompliance with the rules?	+	-
I.7. Are there effective appeal mechanisms in place: <ul style="list-style-type: none"> • 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, • the procedures of which are not systematically misused to delay the enforcement of remedies? 	+	-
I.8. Are t “must-carry” rules generally implemented in practice? (If so, tick ‘YES’. If, on the contrary, there is evidence of systematic non-compliance with the rules, tick ‘NO’). <i>Sources of reference: Case law, decision practice, press reports, reports of independent bodies or NGOs.</i>	+	-
Total number of +		
Total number of -		

Data sources:

National laws and regulations, including co- and self-regulation (acts, decrees, branch agreements, codes of conduct...), case law and regulatory decisions:

Idem as indicator 1.

Studies/ reports providing overviews of rules on media types and genres:

EBU (2013). EBU reply to the European Commission Green Paper – Preparing for a Fully Converged Audiovisual World: Growth, Creation and Values, available at:

http://www3.ebu.ch/files/live/sites/ebu/files/Knowledge/Initiatives%20-%20Policy/Topical%20Issues/Hybrid/EBU_reply_to_Green_Paper_convergence_final.pdf

Open Society Institute (2005) and follow-up reports. *Television Across Europe: Regulation, Policy and Independence*, available at: <http://www.opensocietyfoundations.org/reports/television-across-europe-regulation-policy-and-independence>

Ward, D. (2004). *A mapping study of media concentration and ownership in ten European countries*, http://www.cmpd.eu.com/reports/media_concentration.pdf.

19. Regulatory safeguards for the objective and independent allocation of (adequate, consistent and sufficient) financial resources to PSM

Description: This indicator aims to assess the existence and effective implementation of regulatory safeguards against the under-funding of PSM.

Method of measurement: Analysis of laws and regulations and their implementation by the user on the basis of the following questionnaire.

How to check the existence (E) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
E.1. Does media law prescribe transparent and objective procedures on determining the amount of money to be granted to PSM?	+	-
Total number of +		
Total number of -		

How to check the effective implementation (I) of such safeguards: Answer the questions below and fill in the scoring grid.

	YES	NO
I.1. Are the financial statements controlled?	+	-
I.2. Is the sufficiency of resources controlled independently?	+	-
I.3. Is PSM financially accountable through its governing body?	+	-
Total number of +		
Total number of -		

Data sources:

Idem as indicators 1. and 18.

EBU Viewpoint on PSM Funding, available at: http://www3.ebu.ch/files/live/sites/ebu/files/Knowledge/Initiatives%20-%20Policy/Topical%20Issues/Funding/Viewpoint_Funding_EN.pdf

European Parliament (2010). Report on public service broadcasting in the digital era: the future of the dual system (2010/2028(INI))

Communication from the Commission on the application of State aid rules to public service broadcasting (2009/C 257/01) (Broadcasting Communication)

20. Policy measures for the impartial circulation of internet data, without regard to content, destination or source.

Description: This indicator aims to assess the existence and effective implementation of regulatory or policy safeguards for net neutrality, without regard to content, destination or source.

Method of measurement: Analysis of policies and support measures and their implementation by the

user on the basis of the following questionnaire:

Are there regulatory safeguards regarding Net Neutrality in your country?

Are there any policy measures to avoid blocking of certain internet content and/ or application providers?

Are there any policies to avoid quality discrimination between content and service providers?

Is the consumer informed of the quality of the services offered by the ISPs?

Do ISPs have any obligation of transparency concerning discriminatory practices in their service?

Data sources:

Idem as indicators 1.

EBU (2013). EBU reply to the European Commission Green Paper – Preparing for a Fully Converged Audiovisual World: Growth, Creation and Values, available at:

http://www3.ebu.ch/files/live/sites/ebu/files/Knowledge/Initiatives%20-%20Policy/Topical%20Issues/Hybrid/EBU_reply_to_Green_Paper_convergence_final.pdf

For related reports/studies prepared for the European Commission see: <http://ec.europa.eu/digital-agenda/en/eu-actions>

EU ordinary legislative procedure: European Single market for electronic communications

[http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=en&reference=2013/0309\(COD\)](http://www.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=en&reference=2013/0309(COD))

See also: <http://savetheinternet.eu/it/> (initiative of the European Commission)

ECONOMIC INDICATORS

21. Ownership media concentration

Description: This indicator aims to assess the concentration of ownership within the media sector.

Method of Measurement: Concentration is measured by using the Top4 concentration measure.

Data: The market share, namely the share of the total revenue in a market, per each owner of the total market of each media platform.

Measurement: The Top4 are obtained by summing the market shares of the major 4 owners within the market.

Data sources:

See annual reports by national (media, communications or broadcasting) regulatory authorities through the EPRA website: http://www.epra.org/news_items/updated-epra-list-on-media-legislation-in-europe

Score:

LOW	MEDIUM	HIGH
<i>Ownership concentration in television (horizontal)</i>		
If within one country the major 4 owners (Top4) have a market share below 25%.	If within one country the major 4 owners (Top4) have a market share between 25% and 49%.	If within one country the major 4 owners (Top4) have a market share above 50%.
<i>Ownership concentration in radio (horizontal)</i>		
If within one country the major 4 owners (Top4) have an audience share below 25%.	If within one country the major 4 owners (Top4) have an audience share between 25% and 49%.	If within one country the major 4 owners (Top4) have an audience share above 50%.
<i>Ownership concentration in newspapers (horizontal)</i>		
If within one country the major 4 owners (Top4) have a market share below 25%.	If within one country the major 4 owners (Top4) have a market share between 25% and 49%.	If within one country the major 4 owners (Top4) have a market share above 50%.
<i>Ownership concentration in ISPs</i>		
If within one country the major 4 owners (Top4) have a market share below 25%.	If within one country the major 4 owners (Top4) have a market share between 25% and 49%.	If within one country the major 4 owners (Top4) have a market share above 50%.

22. Audience and readership media concentration

Description: This indicator aims to assess the concentration of audience and readership across media platforms.

Method of Measurement: Concentration is measured by using the Top4 concentration measure.

Data: The audience share per Top4 owners competing in the media market. Share is based on the standard or most accepted audience/readership/subscription measurement system available in the country.

Measurement: The Top4 are obtained by summing the audience/readership/subscription shares of the major 4 owners within the market.

Data sources:

See annual reports by national (media, communications or broadcasting) regulatory authorities through the EPRA website: http://www.epra.org/news_items/updated-epra-list-on-media-legislation-in-europe

Score:

LOW	MEDIUM	HIGH
<i>Audience concentration in television (horizontal)</i>		
If within one country the major 4 owners (Top4) have an audience share below 25%.	If within one country the major 4 owners (Top4) have an audience share between 25% and 49%.	If within one country the major 4 owners (Top4) have an audience share above 50%.
<i>Audience concentration in Radio (horizontal)</i>		
If within one country the major 4 owners (Top4) have an audience share below 25%.	If within one country the major 4 owners (Top4) have an audience share between 25% and 49%.	If within one country the major 4 owners (Top4) have an audience share above 50%.
<i>Readership concentration in newspapers (horizontal)</i>		
If within one country the major 4 owners (Top4) have a readership share below 25%.	If within one country the major 4 owners (Top4) have a readership share between 25% and 49%.	If within one country the major 4 owners (Top4) have a readership share above 50%.
<i>Subscriber concentration in internet service provision</i>		
If within one country the major 4 owners (Top4) have a subscription share below 25%.	If within one country the major 4 owners (Top4) have a subscription share between 25% and 49%.	If within one country the major 4 owners (Top4) have a subscription share above 50%.

23. Number of sectors in which top 8 firms/owners are active

Description: This indicator aims to assess the concentration of ownership in the different sectors – television, newspapers, and any other relevant media – of the media industry. Concentration is measured by using the Top8 concentration measure.

Method of measurement:

Data: The market share – that is the share of the total revenues within a market – per Top8 owners competing in the media market.

Measurement: The Top8 measure is obtained by summing the market shares of the major 8 owners within the different sectors of the media market.

Data sources:

Such data can be obtained from the European Audiovisual Observatory, or Eurostat.

Score:

LOW	MEDIUM	HIGH
If within one country the major 8 owners (Top8) have a market share below 50% across the different media sectors.	If within one country the major 8 owners (Top8) have a market share between 50% and 69% across the different media sectors.	If within one country the major 8 owners (Top8) have a market share above 70% across the different media sectors.

24. Availability and Quality of Broadband

Description: This indicator aims to denote the probability of a threat arising to external media pluralism because of a limited or an insufficient quality of broadband networks, preventing people from using the internet services through DSL. The indicator shows the quality and usability of both fixed and mobile broadband in each country.

Method of measurement: This indicator is calculated by aggregating data describing the following 4 dimensions of broadband in the EU.

Data sources:

Broadband Subscription - EuroStat

<http://ec.europa.eu/digital-agenda/en/digital-agenda-scoreboard>

http://epp.eurostat.ec.europa.eu/portal/page/portal/information_society/data/database

Average Speed of Broadband - NetIndex/Ookai

Download: <http://www.netindex.com/download/1,7/EU>

Upload: <http://www.netindex.com/upload/1,7/EU/>

Score:

LOW	HIGH
<i>Fixed broadband penetration - number of fixed broadband subscriptions (lines) per 100 inhabitants</i>	
Fixed Broadband x capita \geq EU Average	Fixed Broadband x capita $<$ EU Average
<i>Mobile broadband penetration, dedicated for data - mobile broadband penetration is defined as number of active dedicated data service cards/modems/keys per 100 inhabitants</i>	
Fixed Broadband x capita \geq EU Average	Fixed Broadband x capita $<$ EU Average
<i>National average fixed internet speed measured in Mbps in download, compared with EU average</i>	
Average Speed \geq EU Average	Average Speed $<$ EU Average
<i>National average fixed internet speed measured in Mbps in upload, compared with EU average</i>	
Average Speed \geq EU Average	Average speed $<$ EU Average

25. Minority and Community Media

Description: This indicator assesses the number of media channels dedicated to ethnic, linguistic or

national minorities in the country, and their ratio compared to the total amount domestic media channels. In particular, it measures whether within one country there are channels per media platform dedicated to ethnic, linguistic or national minorities, and if yes how many they are compared to the total domestic channels.

Method of measurement:

Data: Ratio of channels dedicated to ethnic/linguistic/national minorities per media main national platform compared to the total number of domestic media channels.

Measurement: The number of channels dedicated to ethnic, linguistic or national minorities is divided by the number of total domestic channels. The result has to be compared with the percentage of the ethnic or language minorities in the country.

Data sources:

Such data can be found, for instance, in the European Audiovisual Observatory (EAO), and/or required by the National Regulatory Authorities, the National Broadcasting Union, the World Press Trends (WPT), National Industry Associations and Public Bodies.

Score:

LOW	MEDIUM	HIGH
<i>Ratio of television channels dedicated to ethnic/linguistic/national minorities to total number of domestic televisions</i>		
If within one country the number of television channels dedicated to ethnic, linguistic or national minorities is more than proportional or equal to the size of the minority population, then the risk of an insufficient system of minority and community media is considered as non-existent.	If within one country the number of television channels dedicated to ethnic, linguistic or national minorities is less than proportional to the size of the minority population, then there is a risk of an insufficient system of minority and community media.	If within one country there is no television channel dedicated to ethnic, linguistic or national minorities, then the risk of an insufficient system of minority and community media is high.
<i>Ratio of newspapers dedicated to ethnic/linguistic/national minorities to total number of domestic newspapers</i>		
If within one country the number of newspapers dedicated to ethnic, linguistic or national minorities is more than proportional to the size of the minority population, then the risk of an insufficient system	If within one country the number of newspapers dedicated to ethnic, linguistic or national minorities is less than proportional to the size of the minority population, then there is a risk of an insufficient system of minority and community	If within one country there is no newspaper dedicated to ethnic, linguistic or national minorities, then the risk of an insufficient system of minority and community media is high.

of minority and community media is considered as non-existent.	media.	
<i>Ratio of radio channels dedicated to ethnic/ linguistic/ national minorities to total number of domestic radio channels</i>		
If within one country the number of radio dedicated to ethnic, linguistic or national minorities is more than proportional to the size of the minority population, then the risk of an insufficient system of minority and community media is considered as non-existent.	If within one country the number of radio dedicated to ethnic, linguistic or national minorities is less than proportional to the size of the minority population, then there is a risk of an insufficient system of minority and community media.	If within one country there is no radio dedicated to ethnic, linguistic or national minorities, then the risk of an insufficient system of minority and community media is high.

26. Centralisation of the national media system

Description: This indicator aims to denote the probability of a threat arising to external diversity of a media system perceived as high and growing centralisation of a media system on a national scale.

Method of measurement: The score for this indicator is assigned by aggregating results generated from the following five tests:

1) A relative strength of local/regional media (daily newspapers, TV channels, radio stations, news websites) in a particular media system.

Description: The probability of a threat arising to external diversity of a media system perceived as high and growing centralisation of a media system on a national scale.

A relative strength of regional daily newspapers in a particular media system shows the level of its decentralisation and potential to offer information from diverse sources for local and regional communities. Rich and well-developed regional media may compensate a lack of external diversity on highly concentrated national markets. The decentralisation test proposes measurement of the relative strength of regional daily newspapers, local and regional TV, radio stations and news websites/ internet portals in a particular media system over a longer period of time (in different time points, e.g. 2006, 2001, 1996, 1991, 1986 – more recent for websites/web portals: 2006, 2001).

It is important in this context to underline the difference between the indicator G.1.1. (a relative strength of local/regional media in a particular media system) aiming at measuring the strength of a regional media system as a whole and the indicator G.1.2. (proportion of regional capital cities with competing regional or local media) focusing on an eventual diversity within different parts of that system.

Calculated borderlines are estimated for a medium-sized media system with a relatively balanced strength of local and regional media. Media system indicators require country specific evaluation and interpretation, and should be correlated with factors such as: population size, density of settlement, proportion of urban population, population size of a capital city, Gross National Product per inhabitant, administrative

arrangements. Growing or high centralisation of a particular media system might result from significant concentration of the population in a capital agglomeration. In other cases, a position in the capital, especially as a location of media outlets with national coverage, might be weaker. In other words, in some media systems (e.g. Germany) media outlets with a national reach may be located outside the capital. Such specific characteristics should be taken into account when applying the measurement.

Method of measurement: Decentralisation test – the relation between sold Circulation of National Dailies (CND) published in the Capital and Circulation of Regional Dailies (CRD) published outside the capital; Audience Share of Local and Regional TV (ALTV) and Radio (ALR) stations; readership /user access rate of news & features websites/web portals with regional/local focus (ALWeb)

Media sample:

The measurement should include following media outlets:

- National daily newspapers published in the capital;
- Regional daily newspapers published outside the capital (e.g. in regional metropolises);
- Local and regional TV stations;
- Local and regional radio stations;
- News & features websites/web portals with regional/local focus.

Data sources:

See annual reports by national (media, communications or broadcasting) regulatory authorities, link through the EPRA website (http://www.epra.org/news_items/updated-epra-list-on-media-legislation-in-europe). Such data can also be obtained by the National Newspapers Associations.

Score:

LOW	MEDIUM	HIGH
CND - up to 60% ALTV - more than 15% ALR - more than 30% ALWeb - more than 15%	CND - 60%–80% ALTV - 5 – 15% ALR - 30 – 10% ALWeb - 15 – 5%	CND - more than 80% ALTV - less than 5% ALR - less than 10% ALWeb - less than 5%

2) Combined ownership of regional/local media and national media outlets by the same company

Description: As there are also national papers being published alongside regional ones, and national TV and radio stations being broadcast, it is relevant to indicate which of the regional newspapers, TV and radio stations are owned by the same entities that produce a national paper, TV or radio channel with a leading position in a given city/region.

Method of measurement: Combined ownership test* (concerns only media owners operating both on national and regional markets). Measurement of combined ownership can be carried out for five largest regional capital cities in a given country:

- Market share of the largest regional daily publisher and national daily publisher;
- Market share of the largest regional TV broadcaster and national TV broadcaster;
- Market share of the largest regional radio broadcaster and national radio broadcaster;
- Market share of the largest regional internet portal provider and national internet portal provider.

It is proposed that the market share of different types of media ownership is to be measured through

market shares relevant for each media sector: audience shares (for TV and radio), sold circulation (in the case of paid newspapers) and distributed copies (in the case of free newspapers).

Media sample:

The measurement should include the following media outlets:

- 3 largest regional or local daily newspapers in the 5 largest regional capital cities;
- 10 largest national daily newspapers;
- 3 largest local and regional radio stations in the 5 largest regional capital cities;
- 10 largest national radio stations;
- 3 local and regional TV stations in the 5 largest regional capital cities;
- 10 largest national TV stations;
- 3 local or regional news internet portals in the 5 largest regional capital cities;
- 10 largest national news internet portals.

Score:

LOW	MEDIUM	HIGH
Less than 20% of regional market share AND less than 10% of national market share.	More than 40% of regional market share AND 10%-30% of national market share OR 20% – 40% of regional market share AND more than 30% of national market share.	More than 40% of regional market share AND more than 30% of national market share.

Calculated borderlines in the table above are estimated for a middle size media system with relatively balanced strength of local and regional media. Media system indicators require country specific evaluation and interpretation, and should be correlated with such factors as: population size, density of settlement, proportion of urban population, population size of a capital city, Gross National Product per inhabitant, administrative arrangements. The table below offers a framework for the analysis used in the combined ownership test.

*** COMBINED OWNERSHIP TEST: A FRAMEWORK FOR THE ANALYSIS**

* Combined ownership test:				
	Largest regional daily publisher	Regional market share	Largest national daily publisher	National market share in a given region
Regions/cities				
	Largest regional TV channel	Regional market share	Largest national TV channel	National market share in a given region
Regions/cities				
	Largest regional radio channel	Regional market share	Largest national radio	National market share in a given region

			channel	
Regions/cities				
	Largest regional internet portal	Regional market share	Largest national internet portal	National market share in a given region
Regions/cities				

3) Proportion of regional and local television and radio broadcast channels to national broadcast channels

Description: To assess whether the ratio of regional and local TV and Radio channels compared to the total national channels is proportionate to the ratio of regional population to the national population.

Method of measurement: The indicator is assessed by dividing the number of regional and local TV and Radio channels by the total number of national channels, as well as the population of the different regions by the total national population, and then comparing the two ratios. This assessment has to be made for each region in a country.

Score:

LOW	MEDIUM	HIGH
If within one country the proportion of regional and local TV and radio channels to national channels is above or equal to 80% of the proportion of regional to national population.	If within one country the proportion of regional and local TV and radio channels to national channels is under 80% of the proportion of regional to national population.	If within one country there are no regional and local TV and radio channels (0%)”.

4) Proportion of regional and local newspapers to national newspapers

Description: To assess whether the ratio of regional and local newspapers compared to the total national newspapers is proportionate to the ratio of regional population to the national population.

Method of measurement: The indicator is obtained by dividing the number of regional and local newspapers by the total number of national newspapers, as well as the population of the different regions by the total national population, and then comparing the two ratios. This assessment has to be made for each region in a country.

Score:

LOW	MEDIUM	HIGH

If within one country the proportion of regional and local newspapers to the national newspapers is above or equal to 80% of the proportion of regional to national population.	If within one country the proportion of regional and local newspapers to the national newspapers is under 80% of the proportion of regional to national population.	If within one country there are no regional and local newspapers (0%).
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5) Estimated reach and audience share of regional and local media

Description: The probability of a threat arising to the external diversity of a media system perceived as either an absence of or insufficient system of local and regional media, including in particular: the lack of independent media outlets serving local and regional communities; the lack of investment in local and regional media; entry barriers for local and regional media created by cable operators and other platform providers; marginal reach; lack of support measures.

This indicator shows an audience share of local and regional media in the overall media system, and therefore should be measured media sector-by-sector (TV, radio, print, internet). As print press is, compared to other types of media, mainly financed to a greater extent by sales, rather than using readership data for the measurement, sales circulation shall be used in case of paid newspapers, while distributed copies shall be taken into account when it comes to free newspapers.

The score table proposes different scores for different media sectors. When calculating scores corresponding with a particular level of risk (high, medium, low) for all sectors together, these should be weighted as an average. For example, if the TV sector reaches a score of less than 5% and thus also a high risk level, the radio sector reaches the score between 10% and 30% and thus a medium risk level and the press attains more than 40% and thus also a low level of risk, the average for all three sectors together will be medium risk level.

Method of measurement: Quantitative method: Estimated audience share of local and regional media outlets in a given media sector. For the print sector, circulation rather than readership data should be used.

Media sample:

The measurement should include following media outlets:

- National, regional and local newspapers (for the print sector);
- National, regional and local radio stations (for the radio sector);
- National, regional and local TV stations (for the TV sector);
- National, regional and local news internet portals (for the internet sector).

Score:

LOW	MEDIUM	HIGH
TV sector > than 15%	TV sector 15-5%	TV sector < than 5%
Radio sector > than 30%	Radio sector 30-10%	Radio sector < than 10%
Print sector > than 40%	Print sector 40-20%	Print sector < than 20%
Internet sector > than 30%	Internet sector 30-00%	Internet sector < than 10%

SOCIO-POLITICAL INDICATORS

27. Availability of content and service applications for physically challenged persons

Description: This indicator aims to assess the existence and effective implementation of policies for the promotion of access to media content and services by special needs groups in society, especially the elderly and physically challenged persons. This indicator aims to denote the probability of a threat arising to universal access of media content.

Method of measurement:

Analysis of policies and support measures and their implementation media content.

- 1) **By the user;**
- 2) **Number and reach of applications** offered by public service TV and largest private TV.

Media sample: Two leading private TV channels (TV channels with largest audience share in a given country) and all public service television channels.

Instructions: Policymaking bodies are considered to be political, state and public institutions in a country, those who have the power and institutional obligation to introduce and implement the relevant policies.

Data sources:

Reports from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the application of Directive 2010/13/EU "Audiovisual Media Service Directive", available through: http://europa.eu/legislation_summaries/audiovisual_and_media/124101_en.htm

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

Score:

LOW	MEDIUM	HIGH
<i>Does the state take active measures to promote access to media content and services by special needs groups in society, in particular the elderly and physically challenged?</i>		
Well-developed policy: There is already a strong tradition of policymaking in this area. The existing measures are diverse, but coherent and up-to-date with the latest societal changes.	Underdeveloped policy: Policymaking bodies are aware of the issue and started taking measures, but the existing policies are only nascent and the measures taken are fragmented.	No policy: Policymaking bodies have not even started to discuss the matter. No steps whatsoever have been taken in the development of any policy measures.
How would you describe the available subtitles and sound descriptions available for people with hearing impairments watching TV (<i>Media sample: two leading TV channels (TV channels with largest audience share in a given country) and all public service television channels</i>)?		

Subtitles and sound descriptions are available on a regular basis in different scheduling windows, especially for the most popular and key current affairs programs and channels. They are of sufficient quality.	Subtitles and sound descriptions are available only on irregular basis and in the least popular scheduling windows (e.g. before 14.00), not available for the most popular current affairs programs and/or the provided subtitles are not with sufficient quality.	No subtitles and sound descriptions are available.
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28. Guarantees for universal coverage of PSM and broadband networks regarding geographic coverage

Description: This indicator aims to denote the probability of a threat arising to accessibility of PSM content and services and broadband. The indicator shows the population coverage of public service television and radio broadcasters. Additionally, this indicator aims to denote the absence of or insufficient system of broadband networks in rural areas, preventing people from accessing the internet through DSL or cable modem. The indicator shows the rural coverage of DSL and cable modem. With these two aspects of measurement, the indicator covers the areas of direct state responsibility to provide coverage of media transmission.

Method of measurement:

- Coverage of population of public service broadcasters, including television and radio;
- Assessment of DSL and cable modem coverage (Cov) in rural areas. DSL coverage figures refer to the percentage of the population depending on a Local Exchange equipped with a DSLAM, including those people (households or businesses units) that reside too far from these switches to be able to purchase a DSL connection even if they wanted to do so. On the other hand, cable modem coverage figures refer to the percentage of the population living in households effectively passed for cable.

Data sources:

Reports from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the application of Directive 2010/13/EU "Audiovisual Media Service Directive", available through: http://europa.eu/legislation_summaries/audiovisual_and_media/124101_en.htm

Score

LOW	MEDIUM	HIGH
<i>What percentage of the population of the country is covered by sufficient quality of signal of all public TV channels?</i>		
>99%	>98% and <99%	<98%
<i>What percentage of the population of the country is covered by sufficient quality of signal of all public radio channels?</i>		
>99%	>98% and <99%	<98%

<i>What percentage of the rural population depend on a Local Exchange equipped with a DSLAM, including those people (households or businesses units) that reside too far from these switches to be able to purchase a DSL connection, even if they wanted to do so?</i>		
Rural Cov of DSL >95%	Rural Cov of DSL >75%<95%	Rural Cov of DSL <75%
<i>What percentage of the rural population lives in households effectively passed for cable?</i>		
Rural Cov of cable modem >15%	Rural Cov of cable modem >5%<15%	Rural Cov of cable modem <5%

29. Political bias in the media

Description: This indicator aims to assess the proportions of representation of various political and ideological viewpoints and interests in the media, as well as the existence of dominant one-sided (negative or positive) media portrayal of specific political actors during and beyond the election campaigns.

Method of measurement: Quantitative content analysis for measuring the proportion and prevailing (positive or negative) pattern of portrayal of actors representing different political viewpoints and interests by dividing them into 4 groups: government, governing parties, opposition parties, and other actors representing political and ideological views (such as non-parliamentary parties, trade unions, nongovernmental organisations, churches etc.). Content analysis is done on a sample of selected media outlets in the selected period of time, including election campaigning and non-campaigning periods.

It is suggested that particular categories are coded manually but aggregated with the use of computed or statistical methods (e.g. using Excel). If there are existing analysis/databases with content analysis raw or aggregate data that covers the research sample and categories, they could be used instead after consultation with the CMPF research team.

It is recommended to use a level of reference to demographic statistics and patterns against which media coverage can be assessed, i.e. a question of the type "does media coverage over- or under-represent X?" should be assessed against the political presence of X, i.e. representation in the Parliament, public opinion support.

Content analysis objective and research question: To identify and count the occurrence and portrayal of actors representing different political and ideological viewpoints and interests. Do the news contents of selected national TV channels provide balanced representation of various political and ideological viewpoints and interests by giving voice to various political actors?

Media sample: For the purposes of the pilot testing of the MPM, the media sample is limited to TV as the key media platform that citizens use for acquiring information about political and current affairs (see Eurobarometer data, e.g. http://ec.europa.eu/public_opinion/archives/eb/eb80/eb80_media_en.pdf). The sample will include one public TV channel (in countries with more than one public TV channel, select the one with largest viewership) and the one leading private TV channel (private generalist TV channel with the largest audience share in a given country).

Type of the content (per TV channel):

- The main (1) and secondary (2) news programmes at a day (the choice should be based on the audience figures and usually will include evening/afternoon/lunch time news programmes), including current affairs news, reports, comments and analysis;
- The main political talk show (3) and/or political analysis (4) program;
- The main morning show (5) (all types of content related to current affairs; therefore with an exception of: advertising, weather forecasts, stock exchange and related financial listings and analyses, real estate and

housing, car and motor supplements, announcements, TV schedules and more specialist sections such as books, theatre, music, arts and cinema reviews, travelling and lifestyle supplements);

- The main devoted election programme, block or debates (6).

Period sample: For the purposes of the pilot testing, the sample period will include only a sample of the election campaign period (12-18 May 2014): 1 working week day and 1 weekend day. The choice of the precise 2 days should be based on the scheduling of political programs in the respective country. *E.g.* if there are no political programs in the TV scheduling for Sunday, than the sampling choice for a weekend day will be Saturday for the weekend quota. Same principle applies for the working week day quota.

Sample of political actors: To assess the media portrayal, a list of relevant political actors has to be prepared. The list should include and will be coded into the following 4 groups:

- Government;
- Governing parties;
- Opposition parties (represented in the Parliament);
- Other actors representing political and ideological views (other relevant political and ideological groupings and organisations with significant influence on the state of the political and social affairs in the country, *e.g.* non-parliamentary parties and independent candidates, especially those registered for the electoral race, trade unions, non-governmental organisations, interest groups, religious organisations, NGOs).

For the purposes of the pilot testing of the MPM, "political actor" is understood both as a person and as an organisation/group of people.

The political actor(s) will be coded as mentioned in all of the following cases: directly or indirectly quoted speakers, or when actors are directly or indirectly referred to (*i.e.* the name is not mentioned explicitly, but the contextual information makes it clear that the particular political actor is portrayed) when they act as agents of an action in selected news items.

How to measure and score the indicator:

Step 1 - Decide the exact dates for monitoring and analysis and the exact programs/time slots according to the outlined criteria.

Step 2 - Identify the political actors in the country and classify them according to the four actor categories (see the sample description).

Step 3 - Assess and code (the CMPF will provide an Excel table with all coding categories) of how these actors are portrayed in each content item, according to the following dimensions (variables):

- Length of the content item (in seconds);
- Portrayed political actor (name, organisation/group to which he/she is affiliated, category of political actor);
- By whom (name, journalist/political actor/non-politically affiliated actor; category of political actor);
- Format (direct/indirect presence of the portrayed political actor; anchored news/ report/ interview/ debate, etc.);
- Evaluation of the political actor (Positive/ Negative/ Both/ Neutral/ Ambivalent);
- Topic type and scope of media portrayal of relevant political actors (public affairs/non-public affairs; European/ international/ national/ local/ group-personal level).

Data sources:

National and International Media Monitoring reports often compiled by Media Monitoring Agencies such as:

Global Media Monitoring Project: <http://www.whomakesthenews.org/>

Portraying Politics project: <http://www.portrayingpolitics.net/what.php>

Score:

HIGH	MEDIUM	LOW
<i>What is the proportion of representation of the different groups of political actors in the selected media sample?</i>		
One group out of four - government, governing parties, opposition parties, and other actors representing political and ideological views - is given more than 20% above or below the balanced representation (25% of time to each).	One group out of four - government, governing parties, opposition parties, and other actors representing political and ideological views - is given more than 10% and less than 20% above or below the balanced representation (25% of time to each).	Four groups - government, governing parties, opposition parties, and other actors representing political and ideological views - are given about equal time (25% to each) or one group is given up to 10% above or below the balanced representation.
<i>What is the proportion of media (within the sample) that presents one-sided portrayal of political actors?</i>		
<25% of selected media items provide one-side portrayal of one or more of the selected political actors.	<50% and >25% of selected media items provide one-side portrayal of one or more of the selected political actors.	>50% of selected media items provide one-side portrayal of one or more of the selected political actors.

30. Political control over media and distribution networks ownership

Description: This indicator aims to assess the risk of political affiliations and control over media and distribution networks. It examines the transparency of data about the political affiliations of media owners, the proportion of specific political affiliation of media owners across the media market in terms of audience share. It also assesses the level of discrimination by politically affiliated media distribution networks.

Method of measurement:

Step 1: Main collaborator: conducts the evaluation of evidence and level of discrimination by politically affiliated print media, television and radio distribution systems/networks, based on analysis of available data on ownership, provided from such sources as (not exclusive): company registers, media registers, existing media ownership studies/reports conducted at national and international (comparative) level.

- Transparency test using a score list exploring the availability of data on political affiliation of media owners (see the score list below);
- Evaluation of political affiliation of owners of the print media distribution networks and of the television and radio distribution networks, taking discriminatory actions. Data should cover a one-year period, preferably data covering 2013;
- Examination of the major/largest 4 media owners, in terms of audience share (television sector, radio, newspapers, internet).

Sample table regarding distribution networks:

Print media distribution networks	Two (where available) largest print media distribution networks
Radio distribution networks	Two (where available) largest radio distribution networks

TV distribution networks	Two (where available) largest TV distribution networks
Satellite/Cable/Digital distribution networks	Two (where available) largest distribution networks in the country.

Sample regarding media:

The analysis needs to follow the same procedure as the indicator on ownership concentration.

Data sources:

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/>

Score:

LOW	MEDIUM	HIGH
<i>How would you assess the transparency and accessibility of data about the media ownership</i>		
Data on political affiliation of media owners is publicly available/transparent/not hidden and not subject of request for access.	Data on political affiliation of media owners are disclosed based on investigations of journalists and media activists.	Data on political affiliation of media owners are hidden (not easily accessible by the public); no efforts are made by investigative journalists or activists to disclose hidden data.
<i>What is the share of media owned by politically affiliated entities?</i>		
The media having <30% audience share is owned (controlled) by a specific political party, politician or political grouping, or by an owner with specific political affiliation.	The media having <50%>30% audience share is owned (controlled) by a specific political party, politician or political grouping, or by an owner with specific political affiliation.	The media having >50% audience share is owned (controlled) by a specific political party, politician or political grouping, or by an owner with specific political affiliation.
<i>How would you assess the conduct of the leading distribution networks for print media?</i>		
Leading distribution networks are not politically affiliated or do not take discriminatory actions.	Any of the leading distribution networks politically affiliated takes occasional discriminatory action.	Any of the leading distribution networks politically affiliated takes sustained discriminatory actions.
<i>How would you assess the conduct of the leading radio distribution networks?</i>		
Leading distribution networks are not politically affiliated or do not take discriminatory actions.	Any of the leading distribution networks politically affiliated takes occasional discriminatory action.	Any of the leading distribution networks politically affiliated takes sustained discriminatory actions.
<i>How would you assess the conduct of the leading television distribution networks?</i>		
Leading distribution networks are not politically affiliated or	Any of the leading distribution networks politically affiliated	Any of the leading distribution networks

do not take discriminatory actions.	takes occasional discriminatory action.	politically affiliated takes sustained discriminatory actions.
<i>How would you assess the conduct of the leading Satellite/Cable/Digital distribution networks?</i>		
Leading distribution networks are not politically affiliated or do not take discriminatory actions.	Any of the leading distribution networks politically affiliated takes occasional discriminatory action.	Any of the leading distribution networks politically affiliated takes sustained discriminatory actions.

Step 2: Panel of experts: The panel of experts conduct the review/verification of the evaluation of the collaborator.

31. Political control over media funding by advertising

Description: This indicator aims to assess the state influence on the functioning of the media market focusing on the risk of discrimination present in the distribution of state advertisements. It can be reflected in favouritism towards the political parties or affiliates of political parties in the government, or of penalisation of media criticising the government (and political parties in the government).

Method of measurement:

Test of the distribution of state advertisements across the sample of selected media types and outlets. The study focuses on proportions between amount of state advertisements and audience share.

Media sample:

National print	Two leading quality dailies (quality daily newspapers with largest circulation in a given country), Two leading quality weeklies (quality weekly newspapers with largest circulation in a given country), Two leading tabloids (tabloid daily newspapers with largest circulation in a given country).
National radio	Two leading private radio stations with national coverage (radio stations with largest audience share in a given country), one leading public service channel.
TV	Two leading TV channels with national coverage (TV channels with largest audience share in a given country), one leading public service channel with national coverage.
Satellite/Cable/Digital	A leading, nationally based news channel.
Internet	Two leading internet portals (internet portals with a largest share of users in a given country).

Period sample: One year - data should be relevant to/cover the calendar year of 2013.

Score:

HIGH			MEDIUM			LOW			
<i>Is the state advertising distributed to media proportionately to their audience share?</i>									
State	advertising	is	State	advertising	is	distributed	State	advertising	is

distributed to the media relatively proportionately to the audience shares of media.	disproportionately (in terms of audience share) to the media.	distributed exclusively to few media outlets, which do not cover all major media outlets in the country.
<i>How would you describe the rules of distribution of state advertising?</i>		
State advertising is distributed to the media based on transparent rules, with consideration of professional criteria, regardless political profile of the media.	Rules on transparency in state advertising distribution are being drafted.	No rules on transparency of state advertisement distribution.

32. Presence of professional associations providing advocacy for editorial independence and respect of professional standards

Description: This indicator aims to assess if there are professional associations providing advocacy for editorial independence and the respect of professional standards.

Method of measurement:

(1) Main Collaborator: evaluation of the presence and the active role of professional associations (including trade unions, associations, self-regulatory bodies, etc.) providing advocacy for editorial independence and respect of professional standards.

In the measurement, please take into account both the existence/presence and the functioning of regulatory or self-regulatory mechanisms of advocacy.

(2) Panel of experts: The panel of experts conduct the evaluation/verification of the evaluation of the collaborator.

Data sources:

Databases of Press Complaints Commissions e.g. the UK Press Complaint Commissions, <http://www.pcc.org.uk/cop/practice.html>

National Unions reports

IFJ alerts and reports: <http://www.ifj.org/>

Media Wise reports: <http://www.mediawise.org.uk/>

Score

LOW	MEDIUM	HIGH
Professional associations providing advocacy for editorial independence and the respect of professional standards are present and active.	Professional associations providing advocacy for editorial independence and the respect of professional standards are present, but not active.	Professional associations providing advocacy for editorial independence and the respect of professional standards are not present.
There are mechanisms that allow and/or facilitate the work of professional associations in their advocacy	There are mechanisms that allow and/or facilitate the work of professional associations in their advocacy	There are no mechanisms that allow and/or facilitate the work of professional associations in their advocacy

for editorial independence and the respect of professional standards, and they are implemented properly.	for editorial independence and the respect of professional standards, but they are not implemented.	for editorial independence and the respect of professional standards.
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33. Level of independence of PSM considering mechanisms of its financing

Description: This indicator aims to assess the level of independence of PSM, by considering the mechanisms of its financing.

Method of measurement:

(1) Main Collaborator: Evaluation of the financial mechanisms enabling the government (political groupings in the government) to exercise pressure on the PSM, such as decision-making on the level of licence fee, proportion of direct government financing, and decision-making on wages of PSM employees. The study includes quantitative evaluation of the indicators of PSM financial independence.

(2) Panel of experts: The panel of experts conduct the evaluation/verification of the evaluation of the collaborator.

Data sources:

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-europe-regulation-policy-and-independence>

Score

LOW	MEDIUM	HIGH
<i>How would you describe the mechanism of providing financing to the PSM by the government?</i>		
Level of licence fee depends on the economic indicator set in the law.	Government decides on licence fee based on thorough analysis with public discussion.	Government decides on licence fee without public discussion.
<i>What is the percentage of direct government financing for the PSM?</i>		
Direct government financing is <10%.	Direct government financing is <25% ≥10%.	Direct government financing is ≥25%.
<i>Does the government decide about the wages of the PSM employees?</i>		
N	N	Y

34. Independence and ownership of news agencies

Description: This indicator aims to assess the range and independence of competing news agencies, including the assessment of the level of state ownership and level of independence of state owned news agencies.

Method of measurement:

(1) Main local collaborator: Evaluation of a range of competing news agencies, level of state ownership and level of independence of state owned news agencies. The study applies analysis of evidence of presence of competing news agencies. In the case of state ownership in news agencies, it also applies analysis of legal documents, economic indicators such as the level of state financing of news agencies and procedures of appointment of key personnel. The evaluation is performed based on a score list or checkpoint list. The evaluation should be based on analysis of available data provided from such sources as (not exclusive): media registers (in some countries established by media regulator such as ministry of culture or other), statutes and annual financial breakdowns of news agencies, state budget breakdown.

(2) Panel of experts: The panel of experts conduct the evaluation/verification of the evaluation of the collaborator.

Sample: All news agencies officially registered and running at national and/or local level, privately and publicly (including jointly) owned, managed and financed.

Data sources:

Media registers (in some countries established by media regulators, Ministry of culture or other); Statutes and annual financial breakdowns of news agencies and State budget breakdown.

Score:

LOW	MEDIUM	HIGH
<i>What is the market share of the leading news agency?</i>		
No news agency dominates the market (occupy >30% of the market of news agencies).	One news agency has <50% ≥30% share of the market of news agencies.	The leading news agency has ≥50% market share.
<i>How would you evaluate the political affiliation and/or dependence of the largest news agency?</i>		
The largest news agency (having the biggest market share) is independent from political groupings and from the government in terms of ownership and affiliation of key personnel.	The largest news agency (having the biggest market share) is affiliated to one political grouping but its key personnel is appointed based on professional criteria and its editorial policy is independent from the political grouping.	The largest news agency (having the biggest market share) is affiliated to one political grouping and its key personnel are appointed based on political affiliation.
<i>How would you describe the relation between the leading news agency and the government?</i>		
The largest news agency (having the biggest market share) is independent from the government in terms of ownership, affiliation of key personnel and editorial policy.	The largest news agency (having the biggest market share) is owned by the government, but its key personnel is appointed based on professional criteria and its editorial policy is independent from the government.	The largest news agency (having the biggest market share) is owned by the government and the government is involved in the personnel appointment and/or editorial policy.

APPENDIX 3: CONTENT ANALYSIS

Content analysis is performed in each examined country, in order to measure: **Proportion of representation and dominant (positive or negative) media portrayal of the various political and ideological viewpoints and interests represented (given voice) in the media**, as part of the indicator 29 Representation of political views in the media. It is applied in a very small sample, in order to examine the overall feasibility of applying this method as part of the MPM.

Media sample: For the purposes of the pilot testing of the MPM, the media sample is **limited to TV** as the key media platform that citizens use for acquiring information about political and current affairs (see Eurobarometer data, e.g. http://ec.europa.eu/public_opinion/archives/eb/eb80/eb80_media_en.pdf). The sample will include **one public TV channel** (in countries with more than one public TV channels, select the one with larger viewership) and the **one leading terrestrial TV channel** (generalist TV channel with the largest audience share in a given country).

Type of the content:

- The main and secondary news programmes at a day (the choice should be based on the audience figures and usually will include evening/afternoon/lunch time news programmes), including current affairs news, reports, comments and analysis;
- The main political talk show and/or political analysis program;
- The main morning show (all types of content with an exception of: advertising, weather forecasts, stock exchange and related financial listings and analyses, real estate and housing, car and motor supplements, announcements, TV schedules and more specialist sections such as books, theatre, music, arts and cinema reviews, travelling and lifestyle supplements)
- Devoted election programme, block or debates.

Period sample: 12-18 May 2014: 1 working week day and 1 weekend day. The choice of the precise 2 days should be based on the scheduling of political programs in the respective country. E.g. if there are no political programs in the TV scheduling for Sunday, than the sampling choice for a weekend day will be in both cases Saturday for the weekend quota. Same principle applies for the working week day quota.

Sample of political actors: List of relevant political actors within one country whose media portrayal will be assessed has to be established to include political and ideological groupings represented in the parliament, but also other relevant political and ideological groupings and organisations with significant influence on state of political and social affairs in the country (for instance the church, unions, etc.), and non-parliamentary parties and independent candidates, especially those registered for the electoral race. Therefore, the political actors should be divided into 4 groups: government, governing parties, opposition parties, and other actors representing political and ideological views (non-parliamentary parties, unions, non-governmental organisations, interest groups, churches etc.). For the purposes of the pilot testing of the MPM, "political actor" is understood both as a person and as an organisation/group of people. The political actor(s) will be considered as mentioned in all of the following cases: directly or indirectly quoted speakers, or when actors are directly or indirectly referred to when they act as agents of an action in selected news items.

Content item: Each program in the media sample needs to be split into content items for the purposes of coding. The duration of the whole program needs to be split into consecutive content items. The end of each content item (the cutting point between content items) is the moment in which the portrayed political actor is changed. Therefore, the content items will have different duration, which will depend on the content.

How to measure and score the indicator:

Step 1 - deciding the exact dates to be monitored and analysed and the exact programs/time slots according to the outlined criteria

Step 2 - identification of dominant actors in the country on group level (e.g. parties, unions, pressure groups, social movements, etc.) and classifying them according to the four actor categories

Step 3 - assessment and coding of how these actors are portrayed in each content item, according to the following variables (using the provided Excel file):

1	
VARIABLE /CODE	INSTRUCTION
DATE	Please, insert the date of the program transmission from the drop-down menu
12/05/14	In your sample, there should be one weekday.
13/05/14	
14/05/14	
15/05/14	
16/05/14	
17/05/14	In your sample, there should be one weekend day.
18/05/14	
2	
TIME SLOT OF THE PROGRAM	Insert the time slot of the whole program in the following format, e.g. 20:00-21:00
	Please, insert the time slot as text (not from a drop-down menu), following the proposed formatting and covering the time of the whole program that is coded.
3	
TV CHANNEL NAME	Insert the name of the TV channel transmitting the program
	Please, insert the name of the TV channel as text (not from a drop-down menu), in the original language in which the TV channel is popular in the country. In case the name uses alphabet or symbols different from the standard Latin alphabet (English), please, include a transliteration if the name in standard Latin alphabet in brackets.
4	
TV CHANNEL TYPE	Insert the type of the channel from the drop-down menu
Public	Public service TV channel is considered to be an organisations fulfilling the public service remit in broadcasting and an offer of various services, resulting in the emergence of public service media (PSM). The channel is normally characterised by state/public ownership and predominant public funding.
Private	Private channel is considered a channel that is owned by private entities/persons and does not fulfil the requirements for PSM
5	
VARIABLE /CODE	INSTRUCTIONS
PROGRAM NAME	Insert the name of the TV program
	Please, insert the name of the TV program as text (not from a drop-down menu), in the original language in which the TV program is popular in the country. In case the name uses alphabet or symbols different from the

	standard Latin alphabet (English), please, include a transliteration if the name in standard Latin alphabet in brackets.
6	
PROGRAM TYPE	Insert the type of the TV program from the drop-down menu
Main news program	The main news programme at a day - a daily new emission with the largest audience; normally it would be the evening/afternoon/lunch time news programme, and it will include current affairs news, reports, comments and analysis;
Secondary news program	The secondary news programme at a day - a daily new emission with the second largest audience; normally it would be the evening/afternoon/lunch time news programme, and it will include current affairs news, reports, comments and analysis;
Political talk show	The main political talk show should be coded only if it has larger audience that the main political analysis programme
Political analysis program	The main political analysis programme should be coded only if it has larger audience that the main political talk show
Morning show	The main morning show, which also covers news and public affairs information. If there is not a morning show that covers these areas, do not code. Please, code only content items that cover news and current affairs. E.g. do not code advertising, weather forecasts, stock exchange and related financial listings and analyses, real estate and housing, car and motor supplements, announcements, TV schedules and more specialist sections such as books, theatre, music, arts and cinema reviews, travelling and lifestyle supplements
Electoral program	The main devoted election programme, block or debates. This would be different type of programmes in different countries, depending on the arrangement of the media coverage of the electoral campaigns. If there are several types of TV electoral programmes, please, choose the one with the largest audience.
7	
NUMBER OF CONTENT ITEM	Insert the consecutive number of the content item, restarting the numbering for each program
	Please, insert the number without using any additional symbols (i.e. insert 4 and NOT 4. or IV)
8	
LENGTH OF THE CONTENT ITEM (IN SECONDS)	Insert the length/duration of the content item in seconds
	Please, insert the duration as numbers and stick to the following formatting: e.g. ten seconds is coded 0:10; hundred seconds is coded 1:40
9	
VARIABLE /CODE	INSTRUCTIONS
NAME OF PORTRAYED POLITICAL ACTOR	Insert the full name of the portrayed political actor (person or organisation)
	By "political actor" (PA) we understand both a person and an organisation/group of people. Therefore, please code here whichever is portrayed. The PA should be coded as mentioned in all of the following

	cases: PA is directly or indirectly quoted (i.e. the name is not mentioned explicitly, but the contextual information makes it clear that the particular PA is portrayed); PA is directly or indirectly referred to; PA acts as an agent of an action in selected news items (i.e. the PA acts/talks in the transmitted TV content). In the cases when a PA X is talking about PA Y, then the PA Y is coded as the portrayed one. In case the name uses alphabet or symbols different from the standard Latin alphabet (English), please, include a transliteration if the name in standard Latin alphabet in brackets.
10	
NAME OF THE ORGANISATION/GROUP TO WHICH THE PORTRAYED POLITICAL ACTOR IS AFFILIATED	Insert the full name of the organisation to which the portrayed political actor belongs
	As organisation/group is considered the most politically relevant affiliation of the PA. E.g. if the PA is MP and also publicly known as a Head of the Association of Hunters, he/she is coded as affiliated to the political party that he/she represents in the Parliament. However, if instead of the Association of Hunters, the PA is a key figure in the trade unions (or other politically relevant entities), please code the affiliation to both organisations. In the cases of the portrayed PA is the organisation itself, then the name here will be the same as the name in the previous variable (V9). In case the name uses alphabet or symbols different from the standard Latin alphabet (English), please, include a transliteration if the name in standard Latin alphabet in brackets.
11	
CATEGORY OF THE PORTRAYED POLITICAL ACTOR	Insert the category of the portrayed political actor from the drop-down menu
Government	PA that has a position in the executive power
Governing parties	PA that has a position in a party that is part of the government, e.g. member of the party, member of the parliamentary group of the party
Opposition parties	PA is affiliated to a political party that is represented in the Parliament, but is not in the government
Other actors	The actor belongs to another relevant political and ideological grouping/ organisations with significant influence on the state of the political and social affairs in the country, e.g. non-parliamentary parties and independent candidates, especially those registered for the electoral race, trade unions, non-governmental organisations, interest groups, religious organisations, NGOs
12	
VARIABLE /CODE	INSTRUCTIONS
PORTRAYED BY WHOM (NAME)	Insert the full name of the person portraying the political actor (person or organisation)
	In case the name uses alphabet or symbols different from the standard Latin alphabet (English), please, include a transliteration if the name in standard Latin alphabet in brackets.
13	

PORTRAYED BY WHOM (TYPE)	Insert the relevant professional category of the actor who portrays the political actor (from the drop-down menu)
Journalist	A person working as a journalist and/or popularly known as a citizen journalist/blogger
Political actor	A person or organisation as defined previously in this document
Publicist	A person who is professionally involved in representing/providing information about PA, e.g. spokes persons, PR, etc.
Non-politically affiliated actor	Other actors that cannot be classified under the categories journalist or political actor (i.e. not relevant for the purposes of this coding; do not have professional role in portraying PAs)

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PORTRAYED BY WHICH CATEGORY OF POLITICAL ACTOR	Insert the category of the person portraying the political actor from the drop-down menu
Government	The portrayal is done by a person who has a position in the executive power
Governing parties	The portrayal is done by a person who has a position in a party that is part of the government, e.g. member of the party, member of the parliamentary group of the party
Opposition parties	The portrayal is done by a person who is affiliated to a political party that is represented in the Parliament, but is not in the government
Other actors	The portrayal is done by a person who belongs to another relevant political and ideological grouping/ organisations with significant influence on the state of the political and social affairs in the country, e.g. non-parliamentary parties and independent candidates, especially those registered for the electoral race, trade unions, non-governmental organisations, interest groups, religious organisations, NGOs

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DIRECT OR INDIRECT PORTRAYAL	Insert the type of presence of the portrayed political actor from the drop-down menu
Direct presence of the portrayed political actor	The portrayed PA is mentioned directly and/or his/her image is explicitly shown
Indirect presence of the portrayed political actor	The portrayed PA is not mentioned directly, neither his/her image is explicitly shown, but the contextual information makes it clear that the particular PA is portrayed.

16

VARIABLE /CODE	INSTRUCTIONS
PROGRAMME TYPE	Insert the media program type from the drop-down menu
Anchored news	The content consists of news announcement delivered in the TV studio
Report	The content consists of news/information reported from outside the TV studio (this includes hidden camera and similar reports).
Interview	The content is constructed as a dialogue between a journalist and a PA
Debate	The content is structured as a dialogue (direct, structured, indirect, etc.)

	between different Pas
PR material	The content is constructed and/or presented by the communication experts/publicists of a political actor (regardless if it is the portrayed PA or not)
Data	The content presents data, e.g. polling data, economic statistics, ratings, etc.
Commentary/ Review	The content includes the journalist presenting his/her commentary and/or reviews
Interactive content	The content is constructed by interaction with the audience, e.g. reading viewers' comments from the online platforms of the media, viewers calls, etc.

17

EVALUATION OF THE POLITICAL ACTOR	Insert the evaluation of the portrayed political actor from the drop-down menu
Positive	The portrayal shows clear positive connotations and presents the PA in positive light
Negative	The portrayal shows clear negative connotations and presents the PA in negative light
Both	The portrayal shows some clear positive and some clear negative connotations. It presents the PA both in positive and in negative light. There is no clear predominance of either the positive or the negative connotations
Neutral	The portrayal does not include any evaluative connotations of the PA.
Ambivalent	The portrayal is not perfectly neutral, but the evaluative connotations are not clear (neither clearly positive, nor clearly negative).

18

SCOPE OF MEDIA MATERIAL	Insert the scope of the content item from the drop-down menu, following a priority order from International having the highest priority and group having the lowest priority. I.e. the item is coded according to the highest aspect that is present.
International/ global	The content item refers to international and/or global (beyond EU) events/issues/organisations. This code is with the highest ranking. Therefore, code the item here, even if there are other levels mentioned, e.g. national, local, etc.
European	The content item refers to EU events/issues/organisations.
National	The content item refers to national events/issues/organisations.
Local	The content item refers to local/regional events/issues/organisations.
Group-personal level	The content item refers to events/issues/organisations that involve and/or concern only limited groups of people.

APPENDIX 4: SIMPLIFICATION OF THE MPM2009 INDICATORS

ID	RISK	KEY INDICATOR	TYPE	NOTES	JUSTIFICATION
B1.1	B1 Freedom of speech and related rights and freedoms are not sufficiently protected	Regulatory safeguards for freedom of expression	L	To be tested	
B1.2		Regulatory safeguards for right to information	L	To be tested	
B1.3		Recognition of media pluralism as intrinsic part of media freedoms and/or as policy objective of media legislation and/or regulation	L	To be tested	
B1.4		Regulatory safeguards for journalistic practice	L	To be tested jointly	
B1.5		Regulatory safeguards for the protection of journalistic sources	L	To be tested jointly	
B1.6		Regulatory safeguards for journalists' access to events for news reporting	L	To be tested jointly	
B2.1	B2 Insufficiently independent supervision in media sector	Regulatory safeguards for the independence and efficiency of the media authority (authorities)	L	To be tested jointly	
B2.2		Regulatory safeguards for the independence and efficiency of a self-regulatory body in the press sector	L	Not to be tested	The existence of self-regulatory bodies in the press sector is highly recommendable to safeguard freedom of expression and of information and the responsibility and accountability of the media, but not "mandatory" according to different country legal orders and traditions.
B2.3		Regulatory safeguards for the independence and efficiency of the competition authority	L	To be tested jointly	
B2.4		Regulatory safeguards for the independence and efficiency of the telecommunications authority	L	To be tested jointly	
B3.1	B3 Insufficient media (including digital) literacy	Policies and support measures for media literacy (or digital literacy in particular) among different groups of population	L	To be tested	
C1.1	C1 Insufficient media representation of European cultures	Proportion of European works in television broadcasting (linear AVMS)	S	Not to be tested	The indicator relates to issues beyond the scope of MPM 2014, namely cultural pluralism not directly related to informing the public on current affairs
C1.2		Regulatory safeguards for European works in television broadcasting (linear AVMS)	L	Not to be tested	
C1.3		Proportion of European works in non-linear AVMS	S	Not to be tested	
C1.4		Regulatory safeguards for European works in non-linear AVMS	L	Not to be tested	
C1.5		Proportion of non-domestic European works in television broadcasting (linear AVMS)	S	Not to be tested	

C1.6		Proportion of non-domestic European works in top TV programmes in linear AVMS	S	Not to be tested	
C1.7		Proportion of TV coverage focusing on non-domestic European issues in TV news on linear AVMS	S	Not to be tested	
C1.8		Proportion of coverage focusing on non-domestic European issues in quality daily newspapers	S	Not to be tested	
C2.1	C2 Insufficient media representation of national culture	Proportion of national works in television broadcasting (linear AVMS)	S	Not to be tested	The indicator relates to issues beyond the scope of MPM 2014, namely cultural pluralism not directly related to informing the public on current affairs
C2.2		Proportion of national works in top TV programmes in linear AVMS	S	Not to be tested	
C2.3		Regulatory safeguards for national works in television broadcasting	L	Not to be tested	
C2.4		Regulatory safeguards for national music in radio broadcasting	L	Not to be tested	
C2.5		Policies and support measures for the promotion of national works apart from general PSM funding)	L	Not to be tested	
C3.1	C3 Insufficient proportion of independent production	Proportion of European works by independent producers in television broadcasting (linear AVMS)	S	Not to be tested	The indicator relates to issues beyond the scope of MPM 2014, namely cultural pluralism not directly related to informing the public on current affairs
C3.2		Proportion of European works by independent producers among top TV programmes in linear AVMS	S	Not to be tested	
C3.3		Regulatory safeguards for European works by independent producers in television broadcasting (linear AVMS)	L	Not to be tested	
C4.1	C4 Insufficient proportion of in-house production	Proportion of in-house production in television broadcasting (linear AVMS)	S	Not to be tested	The indicator relates to issues beyond the scope of MPM 2014, namely cultural pluralism not directly related to informing the public on current affairs
C4.2		Proportion of in-house production in top 10 TV programmes in linear AVMS	S	Not to be tested	
C5.1	C5 Insufficient representation of world cultures	Proportion of non-European and non-US production in television broadcasting (linear AVMS)	S	Not to be tested	The indicator relates to issues beyond the scope of MPM 2014, namely cultural pluralism not directly related to informing the public on current affairs
C5.2		Proportion of TV coverage focusing on non-European and non-US regions in TV news on linear AVMS	S	Not to be tested	
C5.3		Proportion of coverage focusing on non-European and non-US regions in quality daily newspapers	S	Not to be tested	
C6.1	C6 Insufficient representation of the various cultural and social groups in mainstream media content and services	Proportion of actors representing different cultural and social groups in selected national newspapers, TV, radio programmes and internet services (news contents).	S	Not to be tested	Due to the lack of unified and commonly accepted operational definition of minority throughout the EU, the indicators measuring minority relevant issues are not included in the pilot testing of the social-political indicators. Nevertheless, their inclusion in a potential follow-up development of the MPM is considered.
C6.2		Representation of minorities on the TV screen and in news rooms	S	Not to be tested	
C6.3		Policies and support measures for the promotion of cultural diversity in media (apart from general PSM funding)	L	Not to be tested	This indicator is structured as an assessment on country policies and was not considered enough specific to give an effective and measurable point of reference to assess the risk for pluralism.
C7.1	C7 Insufficient	Availability and proportion of programming	S	Not to be	Due to the lack of unified and commonly accepted operational

	representation of the various cultural and social groups in PSM	provided for cultural and social minority groups on PSM channels and services		tested	definition of minority throughout the EU, the indicators measuring minority relevant issues are not included in the pilot testing of the social-political indicators. Nevertheless, their inclusion in a potential follow-up development of the MPM is considered.
C7.2		Availability of media contents in minority languages on PSM channels and services	S	Not to be tested	
C7.3		Regulatory safeguards for access to airtime on PSM by the various cultural and social groups	L	To be tested	
C8.1	C8 Insufficient system of minority and community media	Ratio of terrestrial TV channels dedicated to ethnic/linguistic/national minorities to total number of domestic terrestrial TV channels	E	To be tested jointly	
C8.2	C8 Insufficient system of minority and community media	Ratio of TV/Cable/Sat/ADSL television channels dedicated to ethnic/linguistic/national minorities to total number of domestic TV/Cable/Sat/ADSL television channels	E	To be tested jointly	
C8.3		Ratio of radio channels dedicated to ethnic/linguistic/national minorities to total number of domestic radio channels	E	To be tested jointly	
C8.4		Ratio of newspapers dedicated to ethnic/linguistic/national minorities to total number of domestic newspapers	E	To be tested jointly	Due to the lack of unified and commonly accepted operational definition of minority throughout the EU, the indicators measuring minority relevant issues are not included in the pilot testing of the social-political indicators. Nevertheless, their inclusion in a potential follow-up development of the MPM is considered.
C8.5		Ratio of number of magazines dedicated to ethnic/linguistic/national minorities compared to total number of domestic magazines	E	Not to be tested	In the logic of MPM2014, magazines are excluded from the analysis, while newspapers are considered key source for people to access information on current affairs
C8.6		Parity of financing of secondary linguistic media compared to population size	E	Not to be tested	Due to the lack of unified and commonly accepted operational definition of minority throughout the EU, the indicators measuring minority relevant issues are not included in the pilot testing of the MPM2014. Nevertheless, their inclusion in a potential follow-up development of the MPM is considered.
C8.7		Number, estimated reach and existence of (other) community media outlets serving different communities and minority groups	S	Transferred to Economic indicator	
C8.8		Sustainability of investment and proportion of subsidies in minority and community media	S	Not to be tested	
C8.9		Access of minority and community media to networks and platforms	S	Transferred to Economic indicator	Due to the lack of unified and commonly accepted operational definition of minority throughout the EU, the indicators measuring minority relevant issues are not included in the pilot testing of the social-political indicators. Nevertheless, their inclusion in a potential follow-up development of the MPM is considered.
C8.10		Regulatory safeguards for minority and community media	L	To be tested	
C9.1		C9 Insufficient representation of different cultural and social groups in HR in the media sector	Proportion of journalists and media executives from different cultural and social groups (including ethnic/linguistic/national minorities, women and disabled people) in PSM	S	Not to be tested
C9.2	Availability of diversity measures within media companies (such as a diversity officer, targeted		S	Not to be tested	

		training etc)			
C9.3		Regulatory safeguards for the representation of the various cultural and social groups in professional, management and board functions in private (commercial and/or non-profit) media	L	Not to be tested	This indicator refers to the private sector. The representation of the various cultural & social groups in professional management & board functions of private media was not considered directly relevant for the assessment of media pluralism risks.
C9.4		Regulatory safeguards for the representation of the various cultural and social groups in professional, management and board functions in PSM	L	Not to be tested	The indicator relates to issues beyond the scope of MPM 2014, namely cultural pluralism not directly related to informing the public on current affairs
C9.5		Regulatory safeguards for the representation of the various cultural and social groups in media councils and/or other advisory bodies in the media sector	L	Not to be tested	
C10.1	C10 Limited accessibility by disabled people	Availability of content and service applications for disabled people	S	To be tested	
C10.2		Policies and support measures for enhanced access to media contents and services by groups with special needs in society, like the elderly, disabled,...	L	Not to be tested	This indicator is structured as an assessment on country policies and was not considered enough specific to give an effective and measurable point of reference to assess the risk for pluralism. See, instead, S10.1.
G1.1	G1 High centralisation of the national media system	A relative strength of local/regional media (daily newspapers, TV channels, radio stations, news websites) in a particular media system	S	Transferred to Economic indicator to be tested jointly	This indicator measures concentration and ownership and as such, it is considered to be better suited for the economic set of indicators.
G1.2		Proportion of regional metropolises (main city in a given region, province, land) with competing regional or local media (daily newspapers, TV channels, radio stations, news websites)	S	Not to be tested	For the purposes of the pilot testing of MPM 2014, indicators focus on national level media. Including local media level will be considered on a potential follow up application of the MPM
G1.3		Combined ownership of regional/local media and national media outlets by the same company	S	Not to be tested	For the purposes of the pilot testing of MPM 2014, indicators focus on national level media. Including local media level will be considered on a potential follow up application of the MPM
G1.4		Ratio of number of cities with TV and radio stations to total number of cities	E	To be tested jointly	
G1.5		Ratio of number of cities with newspapers to total number of cities	E	To be tested jointly	
G2.1	G2 Insufficient system of regional and local media	Proportion of regional and local television and radio broadcast channels to national broadcast channels	E	To be tested jointly	
G2.2		Proportion of regional and local newspapers to national newspapers	E	To be tested jointly	
G2.3		Herfindahl Herschman Index (HHI) based on regional channels/newspapers available in the region, divided by total number of channels/newspapers	E	Not to be tested	For the purposes of the pilot testing of MPM 2014, indicators focus on national level media. Including local media level will be considered on a potential follow up application of the MPM

G2.4		Parity of financing of regional and /local TV, radio and newspapers relative to population size	E	Not to be tested	For the purposes of the pilot testing of MPM 2014, the social/political indicators focus on national level media as indicators and as sampling. Including local media level will be considered on a potential follow up application of the MPM		
G2.5		Estimated reach and audience share of regional and local media	S	Not to be tested			
G2.6		Access of regional and local media to networks and platforms	S	Not to be tested			
G2.7		Proportion of different types of media ownership of regional and local media	S	Not to be tested			
G2.8		Level of investment in production of regional/local news in regional and local media	S	Not to be tested			
G2.9		Regulatory safeguards for regional and local media	L	To be tested jointly			
G2.10		Policies and support measures for regional and local media	L	To be tested jointly			
G3.1		G3 Insufficient representation of regional and local communities in media content and services	Proportion of locally oriented and locally produced content	S		Not to be tested	For the purposes of the pilot testing of MPM 2014, the social/political indicators focus on national level media as indicators and as sampling. Including local media level will be considered on a potential follow up application of the MPM
G3.2			Regulatory safeguards for locally oriented and locally produced content on PSM channels and services	L		To be tested	
G4.1		G4 Insufficient representation of regional and local communities in HR in the media sector	Proportion of journalists and media executives based in local communities	S		Not to be tested	For the purposes of the pilot testing of MPM 2014, the social/political indicators focus on national level media as indicators and as sampling. Including local media level will be considered on a potential follow up application of the MPM
G4.2	Regulatory safeguards for the representation of regional and local communities in media councils and/or other advisory bodies in the media sector		L	Not to be tested			
G5.1	G5 Dominance of a limited number of information sources for local issues	News source preferences of audiences for local issues (what is the primary source of information?)	S	Not to be tested	For the purposes of the pilot testing of MPM 2014, the social/political indicators focus on national level media as indicators and as sampling. Including local media level will be considered on a potential follow up application of the MPM		
G6.1	G6 Insufficient access to media and distribution systems due to geographic factors	Number of people without access to PSM because of geographic obstacles	S	To be tested jointly			
G6.2		Regulatory safeguards for universal coverage of PSM channels and services	L	To be tested jointly			
G6.3		Availability of broadband networks in rural areas	S	To be tested jointly			
G6.4		Policy measures to promote roll out of and access to broadband networks in remote and/or rural areas	L	To be tested jointly			
G6.5		Policies and support measures for the distribution of newspapers in remote areas	L	To be tested			

				jointly	
O1.1	O1 High ownership concentration in terrestrial television	Ownership concentration in terrestrial television (horizontal)	E	To be tested jointly	
O1.2		Audience concentration in terrestrial television	E	To be tested jointly	
O1.3		Regulatory safeguards against high concentration of ownership and/or control in television (horizontal)	L	To be tested jointly	
O2.1	O2 High ownership concentration in radio	Ownership concentration in radio (horizontal)	E	To be tested jointly	
O2.2		Audience concentration in radio	E	To be tested jointly	
O2.3		Regulatory safeguards against high concentration of ownership and/or control in radio (horizontal)	L	To be tested jointly	
O3.1	O3 High ownership concentration in newspapers	Ownership concentration in newspapers (horizontal)	E	To be tested jointly	
O3.2		Readership concentration in newspapers	E	To be tested jointly	
O3.3		Regulatory safeguards against high concentration of ownership and/or control in newspapers (horizontal)	L	To be tested jointly	
O4.1	O4 High ownership concentration in Cable/Sat/ADSL-TV	Ownership concentration in Cable/Sat/ADSL-TV (horizontal)	E	To be tested jointly	
O4.2		Audience concentration in Cable/Sat/ADSL-TV	E	To be tested jointly	
O4.3		Regulatory safeguards against high concentration of ownership and/or control in Cable/Sat/ADSL-TV (horizontal)	L	To be tested jointly	
O5.1	O5 High ownership concentration in magazines	Ownership concentration in magazines (horizontal)	E	Not to be tested	In the logic of MPM2014, magazines are excluded from the analysis, while newspapers are considered key source for people to access information on current affairs
O5.2		Readership concentration in magazines	E	Not to be tested	
O5.3		Regulatory safeguards against high concentration of ownership and/or control in magazines (horizontal)	L	Not to be tested	
O6.1	O6 High ownership concentration in internet content	Ownership concentration in internet content provision (horizontal)	E	Not to be tested	The MPM2014 takes in consideration measurable indicators. This one was substituted by "Ownership concentration of ISPs" and merged with the other economic indicators on ownership.

O6.2	provision	Readership concentration in internet content provision	E	Not to be tested	The MPM2014 takes in consideration measurable indicators. This one was substituted by "Subscriber concentration in internet service provision" and merged with the other economic indicators on ownership.
O6.3		Regulatory safeguards against high concentration of ownership and/or control in internet content provision (horizontal)	L	Not to be tested	The MPM2014 takes in consideration measurable indicators. This one was substituted by "ownership concentration and/or control in internet service providers" and merged with the other legal indicators on ownership.
O7.1	O7 High ownership concentration in book publishing	Ownership concentration in book publishing (horizontal)	E	Not to be tested	The indicator relates to issues beyond the scope of MPM 2014, namely cultural pluralism not directly related to informing the public on current affairs
O7.2		Readership concentration in book publishing	E	Not to be tested	
O7.3		Regulatory safeguards against high concentration of ownership and/or control in book publishing (horizontal)	L	Not to be tested	
O8.1	O8 High concentration of cross-media ownership	Number of sectors in which top 8 firms/owners are active	E	To be tested	
O8.2		Regulatory safeguards against high degree of cross-ownership between radio and television	L	To be tested jointly	
O8.3		Regulatory safeguards against high degree of cross-ownership between print (or text-based) and audiovisual media	L	To be tested jointly	
O9.1	O9 High vertical concentration	Regulatory safeguards against bottlenecks in distribution/networks resulting from vertical integration	L	Not to be tested	In the logic of MPM2014, this indicator was considered as one of those to be assessed on a potential follow up application of the MPM.
O9.2		Regulatory safeguards against high degree of integration between advertising and media activities	L	Not to be tested	
O10.1	O10 Lack of transparency in ownership structures	Regulatory safeguards for transparency of ownership and/or control towards the public	L	To be tested jointly	
O10.2		Regulatory safeguards for transparency of ownership and/or control towards the relevant authorities	L	To be tested jointly	
P1.1	P1 Political bias in the media	Proportion of the various political and ideological viewpoints and interests represented (given voice) in the media	S	To be tested jointly	
P1.2		Indication of dominant (positive or negative) media portrayal of specific political actors	S	To be tested jointly	
P1.3	P1 Political bias in the media	Indication of range of investigative reporting disclosing hidden actions of various political actors or groups	S	Not to be tested	Investigative reporting is an important element of pluralistic journalism, but this indicator covers it in a very limited and thus potentially misleading way. Therefore, its measurement is omitted at this stage
P1.4		Regulatory remedies against political bias in the media (right to reply, complaints mechanisms...)	L	Not to be tested	This indicator was considered too specific for political bias and absorbed in the basic indicator on freedom of expression.
P1.5		Regulatory safeguards for fair, balanced and	L	To be	

		impartial political reporting in PSM		tested jointly	
P1.6		Regulatory safeguards for fair and accurate political reporting in private radio and television broadcasting	L	To be tested jointly	
P1.7		Regulatory safeguards for fair and accurate political reporting in print media	L	Not to be tested	This indicator evaluates the existence of regulatory measures to guarantee fair representation of political viewpoints in private press. As related to the private sector internal pluralism, it falls, at least for this simplified version, outside the scope of application of the MPM2014.
P1.8		Regulatory safeguards for the fair representation of the various political groups in management or board functions of private audiovisual media (if these include political representatives)	L	Not to be tested	This indicator evaluates the existence of regulatory measures to guarantee political representation in the board functions of private companies. As related to the private sector, it falls, at least for this simplified version, outside the scope of application of the MPM2014. Moreover, the validity of this indicator is questionable and up to the different country political structure.
P1.9		Regulatory safeguards for the representation of the various political groups in media councils and/or other advisory bodies in the media sector (if these include political representatives)	L	Not to be tested	This indicator evaluates the existence of regulatory measures to guarantee political representation in media councils or other advisory bodies. The validity of this indicator is questionable and up to the different country political structure.
P2.1	P2 Political bias in the media during election periods campaigns	Level of successful complaints to the media and self-regulatory bodies by citizens or political groups with regard to misconduct in political reporting during election campaigns	S	Not to be tested	This indicator is not tested at the MPM 2014 as it shows only partial illustration of the risk of misconduct in political reporting, e.g. the level of successful complaints could be misleading if there are reasons for under or over-reporting (writing complaints) such misconduct
P2.2		Indication of the level of partisanship and political bias in the media during election campaigns	S	To be tested jointly	
P2.3		Regulatory safeguards for fair, balanced and impartial coverage of election campaigns in radio and television broadcasting	L	To be tested jointly	
P2.4		Regulatory safeguards for fair access to airtime on PSM channels and services by political actors during election campaigns	L	To be tested jointly	
P2.5		Regulatory safeguards relating to political advertising in election campaigns	L	To be tested jointly	
P3.1	P3 Excessive politicisation of media ownership/control	Public access to data about political affiliation of media owners	S	To be tested jointly	
P3.2		Proportion of specific political affiliations of the media owners across the media market in terms of audience share, including proportion of the media owned by political parties, politicians or political groupings	S	To be tested jointly	
P3.3	P3 Excessive politicisation of media	Proportion of the state ownership in the media across the media markets in terms of audience share	S	Not to be tested	This indicator is not going to be tested in MPM 2014 as aspects of state control and ownership are tested by other indicators

P3.4	ownership/control	Level of discrimination in distribution of state advertisements reflected in favouritism of the media owned by political parties or affiliates of political parties in the government or penalisation of the media critics	S	To be tested	
P3.5		Regulatory safeguards against excessive ownership and/or control of media by politicians	L	To be tested jointly	
P3.6		Regulatory safeguards for structural, financial,...independence of mainstream radio and TV channels from political parties / politicians (in addition to editorial independence)	L	To be tested jointly	
P4.1	P4 Insufficient editorial independence	Representation of the interests of media professionals and media employers in labour relations is established through professional associations, providing high level of participation of media professionals and media publishers in their membership.	S	Not to be tested	Other indicators cover aspects of the presence and activities of professional associations (indicator 34 from MPM 2014)
P4.2		Evidences of conflicts between editorial staff and media owners due to attempts of political instrumentalisation of the media	S	Not to be tested	This indicator is considered as highly problematic as measurement due to the near impossibility to access relevant and exhaustive data on the indicator.
P4.3		Presence of professional associations providing advocacy for editorial independence and respect of professional standards	S	To be tested	
P4.4		Regulatory safeguards for editorial independence of in print media from political actors	L	To be tested jointly	
P4.5		Regulatory safeguards for editorial independence of mainstream radio and television broadcast channels (linear AVMS) from political actors	L	To be tested jointly	
P4.6		Regulatory safeguards for editorial independence of mainstream non-linear AVMS from political actors	L	To be tested jointly	
P5.1	P5 Insufficient independence of PSM	Level of independence of PSM considering appointment procedures and composition of its governing bodies / Level of equal/proportionate representation of all political groups (represented in the parliament) in the governing bodies	S	Not to be tested	The independence of PSM will be pilot tested mainly with the mechanisms of PSM financing as a stronger functional risk of control over PSM. The rationale behind it is that different countries employ various forms and levels of political involvement in the media management and sometimes the same form of political involvement can lead to different outcomes for media pluralism.
P5.2		Level of independence of PSM considering mechanisms of its financing	S	To be tested	
P5.3		Level of independence of PSM considering mechanisms of appointments and dismissal of key personnel / Indication of whether key editorial personnel and management of PSM change with the change of the government	S	Not to be tested	The independence of PSM will be pilot tested mainly with the mechanisms of PSM financing as a stronger functional risk of control over PSM. The rationale behind it is that different countries employ various forms and levels of political involvement in the media management and sometimes the same form of political involvement can lead to different outcomes for media pluralism.

P5.4		Regulatory safeguards for editorial independence of PSM channels and services from government / political powers	L	Not to be tested	In the logic of MPM2014, this indicator was considered as one of those to be assessed on a potential follow up application of the MPM. The MPM2014 will assess the level of independence of PSM according to appointment procedures and composition of its governing body and according to its financing.
P5.5	P5 Insufficient independence of PSM	Fair, objective and transparent appointment procedures for professional, management and board functions within PSM ensuring independence from government / a single political group	L	To be tested	
P6.1	P6 Insufficient pluralism of news agencies	Range and independence of competing news agencies	S	To be tested jointly	
P6.2		Level of state ownership in news agencies and level of independence of state owned news agencies	S	To be tested jointly	
P7.1	P7 Insufficient pluralism of distribution systems	Discrimination by politically affiliated television and radio distribution networks	S	To be tested jointly	
P7.2		Discrimination by politically affiliated distribution networks for print media	S	To be tested jointly	
P8.1	P8 Insufficient citizen activity and political impact in online media	Range of citizens and citizens' groups using online media for posting their content relevant for political debate	S	Not to be tested	Other indicators measuring pluralism aspects of the internet were considered more relevant.
P8.2		Level of influence on political and public debate by bloggers	S	Not to be tested	
T1.1	T1 Lack of/under-representation of/dominance of media types	Audience parity between the TV channels of commercial broadcasters and of PSM	E	Not to be tested	Controlling ownership concentration is considered sufficiently exhaustive for the scope of MPM2014, due also the lack of empirical evidence of the risk to media pluralism assessed with unbalanced between commercial and PSM channels
T1.2		Financial parity between the TV channels of commercial broadcasters and of PSM	E	Not to be tested	
T1.3		Audience parity between the radio channels of commercial broadcasters and of PSM	E	Not to be tested	
T1.4		Financial parity between the radio channels of commercial broadcasters and of PSM	E	Not to be tested	
T1.5		Percent of GDP per capita required for an individual to obtain TV and radio reception, newspaper subscription, magazine subscription, or internet Service	E	Not to be tested	This indicator is considered not sufficiently relevant for the scope of MPM2014
T1.6		Regulatory safeguards for the distribution of public interest channels on cable, DSL and/or satellite platforms	L	To be tested	
T2.1	T2 Lack of/under-representation of/dominance of media genres	Ratio of news/public affairs, education and entertainment programmes on terrestrial TV to total programmes on terrestrial TV	E	Not to be tested	This indicator is not considered methodological feasible due to time constraints
T2.2		Ratio of news/public affairs, education and entertainment programmes on radio to total programmes radio	E	Not to be tested	

T2.3		Ratio of news/public affairs, education and entertainment magazines to total number of magazines	E	Not to be tested	In the logic of MPM2014, magazines are excluded from the analysis, while newspapers are considered key source for people to access information on current affairs
T2.4		Ratio of Cab/Sat/ADSL-TV channels dedicated to news/public affairs, education and entertainment to total number of Cab/Sat/ADSL-TV channels	E	Not to be tested	This indicator is not considered methodological feasible due to time constraints
T2.5		Regulatory safeguards for the presence of a diversity of media genres on the channels and services of private (commercial and non-profit) audiovisual media	L	Not to be tested	The indicator relates to issues beyond the scope of MPM 2014, as it is not focussing on news and current affairs.
T2.6		Regulatory safeguards for the public's access to major events on free television	L	Not to be tested	The indicator relates to issues beyond the scope of MPM 2014, as it is not focussing on news and current affairs (according to the most common lists of major events).
T2.7	T2 Lack of/under-representation of/dominance of media genres	Regulatory safeguards for short news reporting on events of high interest in case of exclusive broadcast rights	L	Not to be tested	The indicator relates to issues beyond the scope of MPM 2014, as it is not focussing on news and current affairs.
T2.8		Regulatory safeguards for a varied and pluralistic offer on PSM channels and services	L	Not to be tested	
T3.1	T3 Lack of sufficient market resources to support range of media	Ratio of consumer spending on different media per capita to GDP per capita	E	Not to be tested	This indicator is considered not sufficiently relevant for the scope of MPM2014
T3.2		Ratio of advertising expenditures per capita to GDP per capita	E	Not to be tested	
T4.1	T4 Lack of sufficient resources to support public service media	Regulatory safeguards for the objective and independent allocation of (adequate, consistent and sufficient) resources to PSM	L	To be tested	
T5.1	T5 Insufficient engagement of PSM in new media	Regulatory safeguards for the engagement/presence of PSM in/on new media	L	Not to be tested	Other indicators measuring pluralism aspects of the internet were considered more relevant.
T5.2		Proportion of employees dedicated to new media services	S	Not to be tested	
T5.3		Amount of financing invested in new media by the PSM	E	Not to be tested	
T6.1	T6 Insufficient attention paid to public participation	Proportion of online media offering space for publicly available comments and complaints	S	Not to be tested	Other indicators measuring pluralism aspects of the internet were considered more relevant.

APPENDIX 5: TABLE OF RISK DOMAINS AND INDICATORS INCLUDED IN MPM2014 AND THEIR CORRESPONDENCE WITH MPM2009

	Risk Code MPM2014	RISK NAME MPM2014	RISK NAME MPM2009	Indicator ID MPM2014	Indicator ID MPM2009	KEY INDICATOR
Basic Risk Domain	B1	Freedom of speech and related rights and freedoms are not sufficiently protected	B1 Freedom of speech and related rights and freedoms are not sufficiently protected	1L	B1.1	Regulatory safeguards for freedom of expression
	B1	Freedom of speech and related rights and freedoms are not sufficiently protected	B1 Freedom of speech and related rights and freedoms are not sufficiently protected	2L	B1.2	Regulatory safeguards for right to information
	B1	Freedom of speech and related rights and freedoms are not sufficiently protected	B1 Freedom of speech and related rights and freedoms are not sufficiently protected	3L	B1.3	Recognition of media pluralism as intrinsic part of media freedoms and/or as policy objective of media legislation and/or regulation
	B1	Freedom of speech and related rights and freedoms are not sufficiently protected		4L	B1.4+B1.5+ B1.6	Regulatory safeguards for the journalistic profession
			B1 Freedom of speech and related rights and freedoms are not sufficiently protected		B1.4	Regulatory safeguards for journalistic practice
			B1 Freedom of speech and related rights and freedoms are not sufficiently protected		B1.5	Regulatory safeguards for the protection of journalistic sources
			B1 Freedom of speech and related rights and freedoms are not sufficiently protected		B1.6	Regulatory safeguards for journalists' access to events for news reporting
	B2	Insufficiently independent supervision in media sector		5L	B2.1+B2.3+ B2.4	Regulatory safeguards for the independence and the efficiency of the relevant national authorities
			B2 Insufficiently independent supervision in media sector		B2.1	Regulatory safeguards for the independence and efficiency of the media authority (authorities)
			B2 Insufficiently independent supervision in media sector		B2.3	Regulatory safeguards for the independence and efficiency of the competition authority
			B2 Insufficiently independent supervision in media sector		B2.4	Regulatory safeguards for the independence and efficiency of the telecommunications authority
	B3	Insufficient media (including digital) literacy	B3 Insufficient media (including digital) literacy	6L	B3.1	Policies and support measures for media literacy (and digital literacy in particular) among different groups of population
	B4	Barriers to the free flow of digital information	B4 Barriers to the free flow of digital information	20L	B4.1	Policy measures for the impartial circulation of internet data, without regard to content, destination or source

Cultural Pluralism in the Media	C1	Insufficient representation of the various cultural and social groups in PSM	C7 Insufficient representation of the various cultural and social groups in PSM	7L	C7.3	Regulatory safeguards for access to airtime on PSM by the various cultural and social groups
	C2	Insufficient system of minority and community media	C8 Insufficient system of minority and community media	8L	C8.10	Regulatory safeguards for minority and community media
	C2	Insufficient system of minority and community media		25E	C8.1+C8.3+ C8.4+C8.9	Minority and community media
			C8 Insufficient system of minority and community media		C8.1	Ratio of TV channels dedicated to ethnic/linguistic/national minorities to total number of domestic TV channels
			C8 Insufficient system of minority and community media		C8.3	Ratio of radio channels dedicated to ethnic/linguistic/national minorities to total number of domestic radio channels
			C8 Insufficient system of minority and community media		C8.4	Ratio of newspapers dedicated to ethnic/linguistic/national minorities to total number of domestic newspapers
	C3	Limited accessibility by special needs people	C10 Limited accessibility by special needs people	27S	C10.1	Guarantees for universal access to media regarding special needs groups
Geographical Pluralism in the Media	G1	Insufficient system of regional and local media		9L	G2.9+ G2.10	Regulatory safeguards and policies for regional and local media
			G2 Insufficient system of regional and local media		G2.9	Regulatory safeguards for regional and local media
			G2 Insufficient system of regional and local media		G2.10	Policies and support measures for regional and local media
	G2	Insufficient representation of regional and local communities in news	G3 Insufficient representation of regional and local communities in news	10L	G3.2	Regulatory safeguards for locally oriented and locally produced news delivered by PSM channels and services
	G3	Insufficient access to media and distribution systems due to geographic factors		11L	G6.2+G6.4+ G6.5	Regulatory safeguards for the universal coverage of the media
			G6 Insufficient access to media and distribution systems due to geographic factors		G6.2	Regulatory safeguards for universal coverage of PSM channels and services
			G6 Insufficient access to media and distribution systems due to geographic factors		G6.4	Policy measures to promote roll out of and access to broadband networks in remote and/or rural areas
			G6 Insufficient access to media and distribution systems due to geographic factors		G6.5	Policies and support measures for the distribution of newspapers in remote areas
	G3	Insufficient access to media and distribution systems due to geographic factors		28S	G6.1+G6.3	Guarantees for universal coverage of PSM and broadband networks regarding geographic coverage
			G6 Insufficient access to media and distribution systems due to geographic factors		G6.1	Number of people without access to PSM because of geographic obstacles
			G6 Insufficient access to media and distribution systems due to geographic factors		G6.3	Availability of broadband networks in rural areas
	G4	High centralisation of the national media system		26E	G1.1+G1.3+ G2.1+G2.2+ G2.5	Centralisation of the national media system

			G1 High centralisation of the national media system		G1.1	A relative strength of local/regional media (daily newspapers, TV channels, radio stations, news websites) in a particular media system
			G1 High centralisation of the national media system		G1.3	Combined ownership of regional/local media and national media outlets by the same company
			G2 Insufficient system of regional and local media		G2.1	Proportion of regional and local television and radio broadcast channels to national broadcast channels
			G2 Insufficient system of regional and local media		G2.2	Proportion of regional and local newspapers to national newspapers
			G2 Insufficient system of regional and local media		G2.5	Estimated reach and audience share of regional and local media
	G5	Insufficient quality of the digital infrastructure		24E		Availability and quality of broadband
Pluralism and Media Ownership Control	O1	High ownership concentration in media		12L	O1.3+O2.3+O3.3+O4.3+O6.3	Regulatory safeguards against high concentration of ownership and/or control in media
			O1 High ownership concentration in television		O1.3	Regulatory safeguards against high concentration of ownership and/or control in television (horizontal)
			O2 High ownership concentration in radio		O2.3	Regulatory safeguards against high concentration of ownership and/or control in radio (horizontal)
			O3 High ownership concentration in newspapers		O3.3	Regulatory safeguards against high concentration of ownership and/or control in newspapers (horizontal)
			O4 High ownership concentration in Cable/Sat/ADSL/TV		O4.3	Regulatory safeguards against high concentration of ownership and/or control in Cable/Sat/ADSL-TV (horizontal)
			O6 High ownership concentration in internet service providers (changed)		O6.3	Regulatory safeguards against high concentration of ownership and/or control in internet service providers (horizontal)
	O1	High ownership concentration in media		21E	O1.1+O2.1+O3.1+O6.1	Media ownership concentration
			O1 High ownership concentration in television		O1.1	Ownership concentration in television (horizontal)
			O2 High ownership concentration in radio		O2.1	Ownership concentration in radio (horizontal)
			O3 High ownership concentration in newspapers		O3.1	Ownership concentration in newspapers (horizontal)
			O6 High ownership concentration in internet content provision			Ownership concentration of ISPs
	O1	High ownership concentration in media		22E	O1.2+O2.2+O3.2+O6.2	Media audience and readership concentration
			O1 High ownership concentration in television		O1.2	Audience concentration in television
			O2 High ownership concentration in radio		O2.2	Audience concentration in radio
			O3 High ownership concentration in newspapers		O3.2	Readership concentration in newspapers
		O6 High ownership concentration in internet content provision			Subscription Concentration in internet services provision	
O2	High concentration of cross-media ownership		13L	O8.2+O8.3	Regulatory safeguards against high degree of cross ownership between television and other media	

			O8 High concentration of cross-media ownership		O8.2	Regulatory safeguards against high degree of cross-ownership between radio and television
			O8 High concentration of cross-media ownership		O8.3	Regulatory safeguards against high degree of cross-ownership between print (or text-based) and audio-visual media
O2	High concentration of cross-media ownership	O8 High concentration of cross-media ownership		23E	O8.1	Number of sectors in which top 8 firms/owners are active
O3	Lack of transparency in media ownership			14L	O10.1+O10.2	Regulatory safeguards for transparency of ownership and/or control
			O10 Lack of transparency in ownership structures		O10.1	Regulatory safeguards for transparency of ownership and/or control towards the public
			O10 Lack of transparency in ownership structures		O10.2	Regulatory safeguards for transparency of ownership and/or control towards the relevant authorities
	P1	Political bias in the media		15L	P1.5+P1.6+P2.3+P2.4+P2.5	Regulatory safeguards for fair, balanced and impartial political reporting in media
			P1 Political bias in the media		P1.5	Regulatory safeguards for fair, balanced and impartial political reporting in PSM
			P1 Political bias in the media		P2.4	Regulatory safeguards for fair access to airtime on PSM channels and services by political actors during election campaigns
			P1 Political bias in the media		P2.5	Regulatory safeguards relating to political advertising in election campaigns
			P1 Political bias in the media		P1.6	Regulatory safeguards for fair and accurate political reporting in private radio and television broadcasting
			P2 Political bias in the media during election periods campaigns		P2.3	Regulatory safeguards for fair, balanced and impartial coverage of election campaigns in radio and television broadcasting
	P1	Political bias in the media		29S	P1.1+P1.2+P2.2	Representation of political views in the media
			P1 Political bias in the media		P1.1	Proportion of the various political and ideological viewpoints and interests represented (given voice) in the media
			P1 Political bias in the media		P1.2	Indication of dominant (positive or negative) media portrayal of specific political actors
			P2 Political bias in the media during election periods campaigns		P2.2	Indication of the level of partisanship and political bias in the media during election campaigns
	P2	Excessive politicisation of media ownership/control		16L	P3.5+P3.6+P4.4+P4.5+P4.6	Regulatory safeguards against excessive ownership and/or control of mainstream media by politicians
			P3 Excessive politicisation of media ownership/control		P3.5	Regulatory safeguards against excessive ownership and/or control of media by politicians
			P3 Excessive politicisation of media ownership/control		P3.6	Regulatory safeguards for structural, financial, independence of mainstream radio and TV channels from political parties / politicians (in addition to editorial independence)
			P4 Insufficient editorial independence		P4.4	Regulatory safeguards for editorial independence of in print media from political actors

			P4 Insufficient editorial independence		P4.5	Regulatory safeguards for editorial independence of mainstream radio and television broadcast channels (linear AVMS) from political actors
			P4 Insufficient editorial independence		P4.6	Regulatory safeguards for editorial independence of mainstream non-linear AVMS from political actors
	P2	Excessive politicisation of media ownership/control		30S	P3.1+P3.2+P7.1+P7.2	Political control over media and distribution networks ownership
			P3 Excessive politicisation of media ownership/control		P3.1	Public access to data about political affiliation of media owners
			P3 Excessive politicisation of media ownership/control		P3.2	Proportion of specific political affiliations of the media owners across the media market in terms of audience share, including proportion of the media owned by political parties, politicians or political groupings
			P7 Insufficient pluralism of distribution systems		P7.1	Discrimination by politically affiliated television and radio distribution networks
			P7 Insufficient pluralism of distribution systems		P7.2	Discrimination by politically affiliated distribution networks for print media
	P2	Excessive politicisation of media ownership/control	P3 Excessive politicisation of media ownership/control	31S	P3.4	Political control over media funding by advertising
	P3	Insufficient editorial independence	P4 Insufficient editorial independence	32S	P4.3	Presence of professional associations providing advocacy for editorial independence and respect of professional standards
	P4	Insufficient independence of PSM	P5 Insufficient independence of PSM	17L	P5.5	Fair, objective and transparent appointment procedures for PSM professionals and management boards
	P4	Insufficient independence of PSM	P5 Insufficient independence of PSM	33S	P5.2	Level of independence of PSM considering mechanisms of its financing
	P5	Insufficient pluralism of news agencies		34S	P6.1+P6.2	Independence and ownership of news agencies
			P6 Insufficient pluralism of news agencies		P6.1	Range and independence of competing news agencies
			P6 Insufficient pluralism of news agencies		P6.2	Level of state ownership in news agencies and level of independence of state owned news agencies
Pluralism of Media Types and Genres	T1	Lack of/under-representation of/dominance of media types	T1 Lack of/under-representation of/dominance of media types	18L	T1.6	Regulatory safeguards for the distribution of public interest channels on cable, DSL and/or satellite platforms
	T2	Lack of sufficient resources to support public service media	T4 Lack of sufficient resources to support public service media	19L	T4.1	Regulatory safeguards for the objective and independent allocation of adequate, consistent and sufficient financial resources to PSM

<http://monitor.cmpf.eui.eu>

doi:10.2870/236539

ISBN 978-92-9084-362-7