Monitoring Media Pluralism in Europe: Application of the Media Pluralism Monitor 2017 in the European Union, FYROM, Serbia & Turkey

Country Report: Greece

Authors: Evangelia Psychogiopoulou and Anna Kandyla
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1. ABOUT THE PROJECT

1.1 OVERVIEW OF THE PROJECT

The Media Pluralism Monitor (MPM) is a research tool that was designed to identify potential risks to media pluralism in the Member States of the European Union. This narrative report has been produced within the framework of the second EU-wide implementation of the MPM, carried out in 2017. The implementation was conducted in 28 EU Member States, Serbia, Former Yugoslav Republic of Macedonia (FYRoM) and Turkey with the support of a grant awarded by the European Union to the Centre for Media Pluralism and Media Freedom (CMPF) at the European University Institute.

1.2 METHODOLOGICAL NOTE

The CMPF cooperated with experienced, independent national researchers to carry out the data collection and to author the narrative reports, except in the cases of Malta and Italy where data collection was carried out centrally by the CMPF team. The research is based on a standardised questionnaire and apposite guidelines that were developed by the CMPF. The data collection was carried out between June and October 2017.

In Greece, the CMPF partnered with Evangelia Psychogiopoulou and Anna Kandyla, who conducted the data collection and annotated the variables in the questionnaire and interviewed relevant experts. The scores assessing the risks for media pluralism were provided by the CMPF and calculated according to the algorithm developed by the Centre itself. The national report was reviewed by CMPF staff. Moreover, to ensure accurate and reliable findings, a group of national experts in each country reviewed the answers to particularly evaluative questions (see Annex II for the list of experts).

To gather the voices of multiple stakeholders, the Greek team organized a stakeholder meeting, on 14 November 2017 in Athens, Greece. Summary of this meeting and more detailed explanations are given in the Annexe III.

Risks to media pluralism are examined in four main thematic areas, which are considered to capture the main areas of risk for media pluralism and media freedom: Basic Protection, Market Plurality, Political Independence and Social Inclusiveness. The results are based on the assessment of a number of indicators for each thematic area (see Figure 1 below).

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The results for each domain and indicator are presented on a scale from 0 to 100%. Scores between 0 and 33% are considered low risk, 34 to 66% are medium risk, while those between 67 and 100% are high risk. On the level of indicators, scores of 0 were rated 3% and scores of 100 were rated 97% by default, to avoid an assessment of total absence or certainty of risk. For more information on MPM methodology, see the CMPF report “Monitoring Media Pluralism in Europe: Application of the Media Pluralism Monitor 2016 in EU-28, Montenegro and Turkey”, [http://cadmus.eui.eu//handle/1814/46786](http://cadmus.eui.eu//handle/1814/46786)
2. INTRODUCTION

Greece has a population of 10.82 million inhabitants. Greek is the official language, spoken by the overwhelming majority of the population. The Muslim minority of Western Thrace, with an estimated population of 100,000 persons, is the only minority that enjoys official recognition (UN, 2009). It consists of three ethnic groups, each with its own language: Turkish, Pomakish and Roma. There are some smaller, non-recognised minority communities, such as the non-Muslim Roma, but their exact population is unknown due to the lack of official ethno-linguistically disaggregated census data. The number of foreign nationals residing in Greece is 822,000 (7.6% of the population) of which 623,200 are citizens of non-EU member countries (Eurostat, 2017).

Since 2008 Greece has been experiencing a severe sovereign debt and financial crisis. The crisis, which has affected both the public and private sectors of the economy, has also transformed political competition. The two parties which had been governing alternately since the 1980s (the Socialist Party, PASOK and the Centre Right party, New Democracy) have suffered electoral losses to the left leaning party Syriza twice since 2012. The current governing coalition between Syriza and the national-conservative party Independent Greeks faces a number of challenges including the preparation of the exit from the bailout programme in the summer, the refugee crisis and tensions with Turkey over the Aegean sea.

The media has been profoundly affected by the economic recession. Layoffs, output reduction and media closures have engendered concern about the state of journalism and media independence (Iosifidis & Boucas, 2015). It is indicative that according to the recent special Eurobarometer survey on media pluralism and democracy, the majority of respondents (52%) consider that the national media do not offer a diversity of views and opinions (European Commission, 2016). An overwhelming majority (87%) responds that the national media do not provide information free from political or commercial pressure.

The government has pledged to promote transparency and legality in the operation of the media. Some of the actions taken in this respect include the establishment of “e-media”, an online registry that aims to map the online media market with regard to ownership, the creation of a regional and local press registry and the setting up of an electronic system for the disposal of television advertising time. As regards private audiovisual media, the process of awarding licences to content providers has recently started. In January 2018 the media regulatory authority (the National Council for Radio and Television, Ethniko Symboulio Radiotileorasis, ESR) published an Expression of Interest inviting potential bidders. Six media groups have expressed interest to get a 10-year licence each. The applications are reviewed by the ESR which is expected to short-list potential licensees by the summer of 2018. It should be noted that television stations operate to this day with ‘temporary’ licences under legislative provisions that have been declared unconstitutional by the supreme administrative court.
3. RESULTS FROM THE DATA COLLECTION: ASSESSMENT OF THE RISKS TO MEDIA PLURALISM

The implementation of the MPM in Greece shows that the lowest risk for media pluralism is identified in the area of “Basic Protection”. A higher risk is associated with the areas of “Market Plurality” and “Political Independence”. A medium risk score is given for all these three domains. A high risk score is attributed to the area of “Social Inclusiveness”.

Some indicators in the areas of Market Plurality, Political Independence and Social Inclusiveness are given a high risk score. More specifically, in the domain of market plurality, the indicators on “transparency of media ownership” and “media availability” are flagged as high risk. The score of the former is primarily due to the lack of legislation mandating the media to make their ownership information accessible to the public. The score of the latter stems from the lack of initiatives that test new business models for the media sector and of state support schemes.

Two indicators within the area of Political Independence are identified as high risk: “editorial autonomy” and “independence of PSM governance and funding”. The risk score for “editorial autonomy” can be primarily ascribed to the lack of media industry self-regulatory schemes addressing the matter. The risk for the “independence of PSM governance and funding” comes from the lack of safeguards to insulate the governing board of the Hellenic Broadcasting Corporation (ERT) from governmental interference.

The results make clear that Greece suffers in the area of Social Inclusiveness. Four out of the five indicators within this area are flagged as high risk: “access to media for minorities”, “access to media for local/regional communities and for community media”, “access to media for people with disabilities” and “access to media for women”. The risk score is particularly high (97%) when it comes to “access to media for minorities” due to the state’s general resistance to grant rights to minority groups residing in Greece. The risk in terms of “access to media for local/regional communities and for community media (i.e. media that is non-profit and accountable to the community)” is equally high, as a result of a lack of policies to support these types of media. Underdeveloped schemes supporting access and equal participation create risks in terms of “access to media for people with disabilities” and “access to media for women.”

In the sections that follow we elaborate on the scores obtained.
3.1 BASIC PROTECTION (45% - MEDIUM RISK)

The Basic Protection indicators represent the regulatory backbone of the media sector in every contemporary democracy. They measure a number of potential areas of risk, including the existence and effectiveness of the implementation of regulatory safeguards for freedom of expression and the right to information; the status of journalists in each country, including their protection and ability to work; the independence and effectiveness of the national regulatory bodies that have competence to regulate the media sector, and the reach of traditional media and access to the Internet.

A medium risk score is identified for the area of basic protection.

The indicator on “protection of freedom of expression” scores medium risk (41%). This indicator takes into account the existence of regulatory safeguards for freedom of expression in the Greek Constitution and key international and European treaties on human rights. Restrictions upon free speech tend to be clearly defined in law but the state has not decriminalised defamation. Moreover, there are rules on the offence of blasphemy. ECtHR case law also shows that the principle of proportionality is not always respected. There is a good number of cases originating in complaints over defamation and insult convictions where the ECtHR held that Greece violated Article 10 ECHR.

The indicator on the “protection of the right to information” is given a medium risk score (50%). The Constitution explicitly recognises the right to information. It also provides for a right of access to documents held by public bodies and there are appeal mechanisms in case of denials. However, according to the Greek Ombudsman (2017: 104), the administration seeks at times to evade its obligations. In addition, although since 2014 there is a regulatory framework in place for whistleblowers, the law lacks key provisions that could bolster the protection offered.

A medium risk score is assigned to the indicator on “journalistic profession, standards and protection” (47%). The score reflects the absence of barriers to access the journalistic profession and domestic courts’ understanding that the protection of journalistic sources is an intrinsic part of free speech, despite the absence of comprehensive regulatory standards in this regard. However, respect for professional standards is not effectively guaranteed. Journalists’ professional associations are entrusted with the task to promote responsible journalism but their advocacy activity has been weak. Concurrently, professional standards established through self-regulation do not enjoy the commitment of media houses. This is because the existing enforcement mechanisms do not include media proprietors and managers within their purview. In addition, journalists’ working conditions are far from decent, and incidents of violence and attacks against journalists sometimes occur (Council of Europe Platform to promote the protection of journalism and safety of journalists; Mapping Media Freedom, 2017).

The indicator on the “independence and effectiveness of the media authority” has a medium risk score (35%). This is due to the fact that the duties and powers of the media regulatory authority, ESR, which include the imposition of sanctions, are defined and specified in law. The authority is transparent about its activities and its acts are subject to judicial scrutiny. Its practice indicates that its powers are used in an independent manner. However, there are no specific safeguards set in law to avoid arbitrary decision-making on behalf of the state as regards the procedures followed for the allocation of budgetary resources for the media authority. Moreover, whilst rules on incompatibility exist, the appointment procedures are not sufficiently objective or transparent and they do not preclude the risk of political interference.
The indicator on “universal reach of traditional media and access to the Internet” also receives a medium risk score (50%). Domestic legislation guarantees universal coverage of the PSM and net neutrality. Moreover, broadband coverage is almost ubiquitous. However, broadband penetration remains low. The average connection speed is also low (7 mbps) and concentration in the ISPs market is high (amounting to a minimum market share of 75% for the top 4 ISPs).

3.2 MARKET PLURALITY (58% - MEDIUM RISK)

The Market Plurality indicators examine the existence and effectiveness of the implementation of transparency and disclosure provisions with regard to media ownership. In addition, they assess the existence and effectiveness of regulatory safeguards to prevent horizontal and cross-media concentration of ownership and the role of competition enforcement and State aid control in protecting media pluralism. Moreover, they seek to evaluate the viability of the media market under examination as well as whether and if so, to what extent commercial forces, including media owners and advertisers, influence editorial decision-making.

The area of market plurality has a medium risk score.

The indicator on “transparency of media ownership” has a high risk score (75%). Broadcast media (TV and radio) are not required by law to make their ownership information accessible to the public. However, they are mandated to report ownership structures to the ESR. Sanctions apply in case of violations. The absence of agreements with foreign authorities, ESR’s limited ability to cross-check ownership information with the information held by other domestic bodies, and restrained capacity to scrutinize the information available due to insufficient resources undermine the ability of the ESR to hold and publish reliable information on media ownership. Disclosure obligations for the print media are limited to indicating their director and publisher on their copies.

The indicator on “media ownership concentration (horizontal)” scores a medium risk (35%). Media legislation provides specific ownership limitations to prevent a high degree of horizontal concentration in the broadcast media and newspaper markets. Concerning broadcast media, compliance is checked by the ESR at the time of licensing and when changes in ownership structures occur. The authority enjoys the necessary powers to impose proportionate remedies in case of violations but encounters difficulties in engaging in substantive control of compliance with the rules. With a view to preventing a high degree of horizontal concentration of media ownership, media legislation also lays down specific thresholds for the news media market (including TV, radio and newspaper markets) that complement general competition rules. These rules are enforced by the Hellenic Competition Commission (HCC). What increases the risk is the limited availability of data on the market and audience shares of the media operators.

The indicator on “cross-media concentration of ownership and competition enforcement” is the only one in the area of market plurality with a low risk (25%). This is due to various factors. First, media legislation lays down specific thresholds to prevent a high degree of cross-media concentration of ownership. Relevant provisions focus on “concentration of control” in the news media market and define the concept of dominant position. Secondly, compliance with these provisions (and with general competition rules as a supplement in the case of news media) is overseen by the HCC, which has sanctioning powers and can impose proportionate remedies if necessary. However,
due to the lack of data on the market shares of media owners that operate across different media markets and of Internet content providers the actual degree of cross-media concentration cannot be fully assessed.

The indicator on “commercial and owner influence over editorial content” receives a medium risk score (63%). This indicator takes into account that the journalists’ self-regulatory code of conduct obliges journalists to resist influence by commercial interests. It also reflects the fact that journalists cannot be involved in advertising, save for charitable purposes and that advertorials are prohibited by law. An important risk-increasing factor is the absence of regulatory and self-regulatory mechanisms for the protection of journalists in case of changes of ownership or editorial line. In addition, there are no safeguards to ensure that decisions regarding appointments and dismissals of editors-in-chief are not influenced by commercial interests. Crucially, an important number of cases disclosing interference of commercial enterprises with news and current affairs programmes have been treated by the ESR.

A high risk score is given to the indicator on “media viability” (90%). Although the economic crisis has substantially affected the Greek media, mainstream operators have not sought to develop sources of revenue other than traditional revenue streams. There is also an extremely limited number of initiatives oriented towards “independent journalism” or seeking to finance news content from sources such as readers’ donations and crowdfunding. Moreover, there are no support schemes to encourage market entry or help media organizations to overcome financial difficulties. The absence of data on media revenues and on online advertising expenditure also contribute to the high risk.

3.3 POLITICAL INDEPENDENCE (54% - MEDIUM RISK)

The Political Independence indicators assess the existence and effectiveness of regulatory safeguards against political bias and control over the media outlets, news agencies and distribution networks. They are also concerned with the existence and effectiveness of self-regulation in ensuring editorial independence. Moreover, they seek to evaluate the influence of the State (and, more generally, of political power) over the functioning of the media market and the independence of public service media.

The area of political independence receives a medium risk score (54%).

The indicator on “political independence of the media” scores medium risk (47%). This indicator takes into consideration the Constitutional provisions which render the duties of Member of Parliament (MP) incompatible with direct media ownership and the fact that the leading print and audiovisual media is not directly owned by political parties or MPs. At the same time, there are no safeguards against excessive control of news agencies by politicians. The country’s only news agency, ANA-MPA, is public. However, its political independence is not fully safeguarded, as the President of the board is selected by the Minister responsible for the media. It is worth noting in this context that the risk for this indicator could have been higher if the lack of safeguards against indirect control (i.e. through intermediaries) of media enterprises by political parties and MPs had also been taken into account.

A high risk is identified in the indicator on “editorial autonomy” (88%). First, legislation does not foresee safeguards guaranteeing autonomy when appointing/dismissing editors-in-chief. Secondly, media industry self-regulatory schemes, which in other countries address issues of editorial independence, are non-existent in Greece. In the context
of interconnections between the political elites and media owners (which the term “diaploki” has been coined to describe), this lack of self-regulation creates space for potential direct and indirect political influence on editorial activity. The dearth of concrete instances or research on the subject is therefore, not taken as evidence that no such influence exists.

The lowest risk score within the area of “political independence” concerns the indicator on the “media and the democratic political process” (21%). This is due to the indicator’s exclusive focus on access to airtime during election campaigns. First, paid political advertising during election campaigns and referendums is prohibited. Secondly, legislation contains a specific rule on the fair distribution of airtime to political parties during electoral campaigns both on PSM and private TV. The allocation of airtime is determined prior to the start of each campaign on the basis of the principle of proportional equality.

The indicator on “state regulation of resources and support to the media sector” scores medium risk (38%). The broadcasting sector is in a phase of transition. Since the deregulation of the market in the late 1980s, broadcasters operated without proper licences, a situation which persists in the context of the digital terrestrial television market to date. The score reflects the existence of licensing rules, which have recently been adopted to provide objective and transparent criteria for the allocation of licences to audiovisual content providers on the basis of an auction that will be carried out by the ESR. In terms of support for the media sector, direct public subsidies do not exist. There are indirect subsidies for the print media and the rules for their allocation are rather fair. The transparency of the process of allocation is, nonetheless, unsatisfactory.

A high risk score is assigned to the indicator on the “independence of PSM governance and funding” (75%). This has to do with the fact that legislation does not guarantee the objective and transparent selection of the members of ERT’s management board. In principle, the provision for a call for applications and the involvement of the Parliamentary Committee on Institutions and Transparency seeks to ensure democratic control and transparency. Since the Minister responsible for the media selects the nominees, politically-motivated appointments cannot be precluded. The financial autonomy that ERT enjoys (through the licence fee) and the existence of safeguards protecting the adequacy of its funding vis-à-vis the fulfilment of its remit reduce the overall score of this indicator.

3.4 SOCIAL INCLUSIVENESS (78% - HIGH RISK)

The Social Inclusiveness indicators are concerned with access to media by various groups in society. The indicators assess regulatory and policy safeguards for community media, and for access to media by minorities, local and regional communities, women and people with disabilities. In addition to access to media by specific groups, the media literacy context is important for the state of media pluralism. The Social Inclusiveness area therefore also examines the country’s media literacy environment, as well as the digital skills of the overall population. MPM Results show a high risk in the area of Social Inclusiveness.

A very high risk score is assigned to the indicator on “access to media for minorities” (96%). Legislation does not guarantee access to airtime on PSM to minorities. Neither PSM nor private TV and radio broadcasters are obliged to include in their programme content for minorities or content that has been created by minorities. An impediment
to programming dedicated to minorities is the obligation of TV and radio broadcasters to broadcast mainly in the Greek language. However, in the region of Thrace there are some radio channels that broadcast in Turkish for the local Turkish-speaking minority.

The indicator on “access to media for local/regional communities and for community media” scores an equally high risk (97%). First, media legislation does not impose on network providers the obligation to grant access to local TV or radio channels via must-carry rules. Secondly, there are no subsidy schemes for regional/local print media. Until recently, the rules governing the allocation of the postal distribution subsidy did favour local and regional media outlets as recipients. The relevant legal provisions were, however, abolished. Thirdly, there is no legal recognition of community media which, naturally, translates into lack of support schemes. Finally, PSM is not obliged by law to keep its own local/regional correspondents or branches. However, the indicator does not take into account that ERT operates 19 regional radio stations which offer locally relevant and locally produced content.

The score regarding “access to media for people with disabilities” is also high (70%). No coherent policy exists on the subject. The measures addressing accessibility issues are limited to legislative provisions imposing on PSM and private TV content providers the requirement to provide daily sign language bulletins subtitled in Greek and subtitled television content for people with hearing disabilities. Not only is the provision for subtitling inadequate - as it concerns a limited part of the daily programme; it is also not implemented in practice. Requirements for audio description for the blind and partially sighted people do not exist.

Another indicator that demonstrates high risk is that on “access to media for women” (75%). ERT is required to safeguard equality in employment and non-discrimination in content. Gender equality is gaining in salience in the agenda of the PSM and some steps have been taken in this direction. However, the PSM lacks a comprehensive gender equality policy. At the moment, there are no women in ERT’s management board. The share of women on the management boards of the two private TV companies with the largest audience share nationwide is also very low. The lack of data on the presentation of women in news or the ratio of women among news reporters contributes to the high risk score.

The indicator on “media literacy” is the only within this area that scores a medium risk (50%). Although there is no formal media literacy policy at state level, public authorities do pursue various media literacy-related initiatives. Media literacy is present in the school curriculum but only to a limited extent, as a cross-curricular subject in primary and secondary education. Teacher training in media literacy is rather limited, focused on digital media skills from a technical and protectionist point of view. Several media literacy projects and activities take place in non-formal educational settings. However, these are fragmented.
4. CONCLUSIONS

The research performed in the framework of the implementation of the MPM reveals that Greece is not immune from threats to media pluralism. In fact, no MPM area shows low risk. Whereas the area of Social Inclusiveness has a high risk score, all other areas receive a score of medium risk. There is accordingly plenty of room for improvement.

In the area of basic protection, consideration should be given to measures that promote respect for professional standards and responsible journalism. Self-regulation that involves the media industry and structured advocacy activity on behalf of journalists’ representative associations could play an important role in this regard. It is also advisable to address the precarious state of journalism, work towards strengthening the legal framework on the protection of whistleblowers, introduce mechanisms to insulate ESR appointment procedures from undue political influence and improve the execution of ECtHR case law concerning a free press, especially through measures that target domestic judicial authorities, so as to align their reasoning to that of the ECtHR.

In the area of market plurality, steps should be taken to facilitate and strengthen media ownership scrutiny and transparency. The collection of reliable, policy-relevant data on the media market should, for instance, be considered. Attention should also be given to the design of self-regulatory instruments that safeguard the autonomy of journalists and editors-in-chief. Efforts should also be directed towards supporting legacy and new media in the development of alternative business models and sources of revenue.

In the area of political independence, mechanisms that protect and encourage editorial independence are needed. The set-up of collective or individualised self-regulatory schemes by media enterprises could be encouraged. To promote the independence of the PSM from potential political interference, which the results point out as problematic, policymakers should introduce open, transparent and de-politicized appointment procedures for the members of ERT’s board.

Within the area of social inclusiveness, a number of issues deserve attention. First, the issue of access of minority populations to the media and the promotion of cultural diversity through the media should be put on the agenda. Secondly, it is advisable that Greece recognize and support community media as a third sector whose mission lies in their independent and participatory character. Thirdly, it is important to ensure that the legislative provisions on the accessibility of the media to the disabled get more ambitious and updated with technological developments. Finally, in terms of gender equality, measures to encourage women’s equal participation and representation in news enterprises and news content should be given consideration.
REFERENCES


ANNEXE 1. COUNTRY TEAM

The Country team is composed of one or more national researchers that carried out the data collection and authored the country report.

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<th>MPM2017 CT Leader (please indicate with X)</th>
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<tr>
<td>Evangelia</td>
<td>Psycho-giopoulou</td>
<td>Research fellow</td>
<td>Hellenic Foundation for European and Foreign Policy</td>
<td>X</td>
</tr>
<tr>
<td>Anna</td>
<td>Kandyla</td>
<td>Research assistant</td>
<td>Hellenic Foundation for European and Foreign Policy</td>
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ANNEXE 2. GROUP OF EXPERTS

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<tr>
<td>Kostis</td>
<td>Filippopoulos</td>
<td>Legal Officer</td>
<td>Union of Private Broadcasters of National Range (ETISEE)</td>
</tr>
<tr>
<td>Giannis</td>
<td>Kotsifos</td>
<td>Director</td>
<td>Journalists’ Union of Macedonia and Thrace Daily Newspapers (ESIEMTH)</td>
</tr>
<tr>
<td>Alexandra</td>
<td>Mpriasouli</td>
<td>Member</td>
<td>Social Control Council of the Hellenic Broadcasting Corporation (ERT)</td>
</tr>
<tr>
<td>Alexandros</td>
<td>Oikonomou</td>
<td>Legal Officer</td>
<td>National Council for Radio and Television (ESR)</td>
</tr>
<tr>
<td>Athanasios</td>
<td>Tsevas</td>
<td>Assistant Professor</td>
<td>National and Kapodistrian University of Athens</td>
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ELIAMEP organised on 14 November 2017 a public workshop entitled "Media Pluralism in Greece: Assessment, challenges and prospects". The aim of the workshop was to present the preliminary results of the implementation of the 2017 Media Pluralism Monitor (MPM2017) and consider the main threats to media pluralism and media freedom in the country. The workshop also sought to offer a platform for debate for the challenges facing the Greek media policy in the context of the crisis and online media.

The first part of the event was devoted to the MPM2017 project. Dr Evangelia Psychogiopoulou, research fellow at ELIAMEP, and Anna Kandyla research assistant at ELIAMEP, presented the scope of the monitoring tool and its methodology as well as the preliminary results of the implementation of the MPM2017 in Greece. They elaborated on the areas identified as deficient in each of the domains evaluated by the tool and drew attention to the problems facing data collection.

The workshop continued with a roundtable on the challenges and prospects for media pluralism in Greece. The presentations by invited speakers and stakeholders focused on different areas touching upon media pluralism. George Pleios, Professor at the National and Kapodistrian University of Athens, talked about the changing media landscape and the challenges facing the measurement of political pluralism in the audiovisual media. Dr Alexandros Oikonomou, Legal Officer at the National Council for Radio and Television (ESR), discussed the role of the authority in the era of convergence. Mr Yiannis Vougiouklakis, New Media Director at the Hellenic Broadcasting Corporation (ERT), presented ERT’s online platform. Elsa Deligianni, Associate Professor at the Aristotle University, discussed the system of journalists’ self-regulation in Greece and the challenges it faces in promoting responsible journalism. Dr Katerina Loukidou, Officer at the General Secretariat for Gender Equality, presented the initiatives focused on gender equality in the media which are included in the National Action Plan on Gender Equality 2016-2020. Ms Irene Andriopoulou, Media Expert at the Ministry of Digital Policy, Telecommunications and Information examined the state of media literacy in Greece. The last presentation was that of Mr Kostas Gargalis, Treasurer at the National Confederation of Disabled People, who put forward policy recommendations on improving the accessibility of the media to people with disabilities and combating discrimination.

The workshop brought together academics, policy makers and journalists. The participants showed great interest in the results of the implementation of the MPM and emphasized the importance of raising awareness about the different aspects which touch upon and affect media pluralism, media freedom and democracy.

The agenda of the event is available here.

The event received funding by the Centre for Media Pluralism and Media Freedom, European University Institute in Florence under the programme «Actions to enhance information on Freedom of the Media and Media Pluralism in Europe», co-funded by the European Commission. It took place at the European Commission Representation in Athens.