

# MONITORING MEDIA PLURALISM IN THE DIGITAL ERA

## APPLICATION OF THE MEDIA PLURALISM MONITOR IN THE EUROPEAN UNION, ALBANIA, MONTENEGRO, THE REPUBLIC OF NORTH MACEDONIA, SERBIA & TURKEY IN THE YEAR 2021

Country report: Estonia

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**Research Project Report**

Issue -  
June 2022



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Published by  
European University Institute (EUI)  
Via dei Roccettini 9, I-50014  
San Domenico di Fiesole (FI)  
Italy  
ISBN:978-92-9466-276-7  
doi:10.2870/11532



With the support of the Erasmus+ Programme of the European Union. The European Commission supports the EUI through the EU budget. This publication reflects the views only of the author(s) and the Commission cannot be held responsible for any use which may be made of the information contained therein.

# 1. About the project

## 1.1. Overview of the Project

The Media Pluralism Monitor (MPM) is a research tool designed to identify potential risks to media pluralism in the Member States of the European Union and in candidate countries. This narrative report has been produced on the basis of the implementation of the MPM carried out in 2021. The implementation was conducted in 27 EU Member States, as well as in Albania, Montenegro, The Republic of North Macedonia, Serbia and Turkey. This project, under a preparatory action of the European Parliament, was supported by a grant awarded by the European Commission to the Centre for Media Pluralism and Media Freedom (CMPF) at the European University Institute.

## 1.2. Methodological notes

### Authorship and review

The CMPF partners with experienced, independent national researchers to carry out the data collection and to author the narrative reports, except in the case of Italy where data collection is carried out centrally by the CMPF team. The research is based on a standardised questionnaire that was developed by the CMPF.

In Estonia the CMPF partnered with Andres Kõnno (University of Tallinn), who conducted the data collection, scored and commented on the variables in the questionnaire and interviewed experts. The report was reviewed by the 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 Annexe II for the list of experts). For a list of selected countries, the final country report was peer-reviewed by an independent country expert.

Risks to media pluralism are examined in four main thematic areas: Fundamental 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 Table 1).

<b>Fundamental Protection</b>	<b>Market Plurality</b>	<b>Political Independence</b>	<b>Social Inclusiveness</b>
Protection of freedom of expression	Transparency of media ownership	Political independence of media	Access to media for minorities
Protection of right to information	News media concentration	Editorial autonomy	Access to media for local/regional communities and for community media
Journalistic profession, standards and protection	Online platforms concentration and competition enforcement	Audiovisual media, online platforms and elections	Access to media for women
Independence and effectiveness of the media authority	Media viability	State regulation of resources and support to media sector	Media Literacy
Universal reach of traditional media and access to the Internet	Commercial & owner influence over editorial content	Independence of PSM governance and funding	Protection against illegal and harmful speech

Table 1: Areas and Indicators of the Media Pluralism Monitor

## The digital dimension

*The Monitor does not consider the digital dimension to be an isolated area but, rather, as being intertwined with the traditional media and the existing principles of media pluralism and freedom of expression. Nevertheless, the Monitor also extracts digital-specific risk scores, and the report contains a specific analysis of risks related to the digital news environment.*

## The calculation of risk

*The results for each thematic area and indicator are presented on a scale from 0 to 100%.*

*Scores between 0 and 33%: low risk*

*Scores between 34 and 66%: medium risk*

*Scores between 67 and 100%: high risk*

With regard to indicators, scores of 0 are rated 3% while scores of 100 are rated 97% by default, in order to avoid an assessment of total absence, or certainty, of risk.

**Disclaimer:** The content of the report does not necessarily reflect the views of the CMPF, nor the position of the members composing the Group of Experts. It represents the views of the national country team that carried out the data collection and authored the report. Due to updates and refinements in the questionnaire, MPM2022 scores may not be fully comparable with those in the previous editions of the MPM. For more details regarding the project, see the CMPF report on MPM2022, available on: <http://cmpf.eui.eu/media-pluralism-monitor/>.

## 2. Introduction

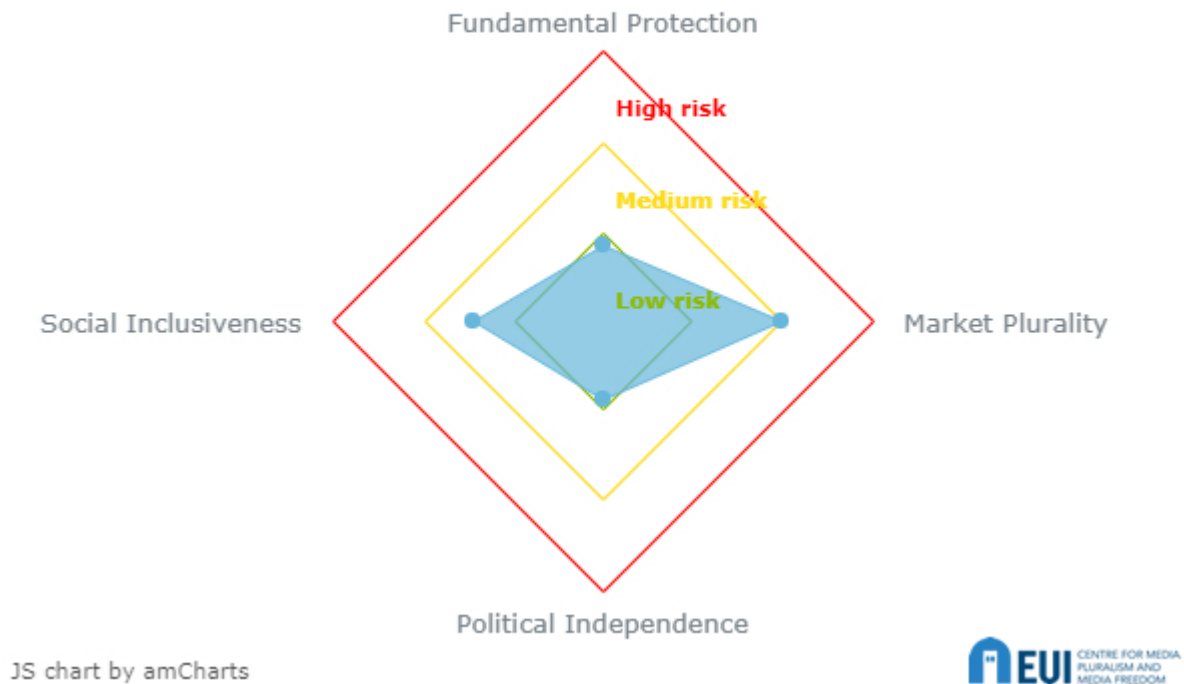
- **Population:** According to Statistics Estonia, on 1 January 2022, the population of Estonia was 1,328,439, which is 1,629 persons less than a year ago. In 2021, there were 13,138 births, and 18,445 deaths in Estonia. Based on the data on registered migration, 12,280 persons immigrated to Estonia and 8,602 persons emigrated from Estonia<sup>[NOTA\_1707]</sup>.
- **Minorities:** According to 2021 census data, compared to 2011, Estonia's population is much more diverse and the number of people of Estonian ethnic nationality has also risen. Over the past 10 years, the number of ethnic nationalities, countries of citizenship, and mother tongues has increased, but the share of Estonians has remained almost unchanged. The number of native speakers of Estonian has been stable as well. The number of Estonian citizens has increased, while the number of citizens of Russia and Belarus has decreased. There are people of 211 ethnic nationalities residing in Estonia, which is 31 more than 10 years ago. A total of 151 different citizenships are represented in Estonia – 33 more than 10 years earlier. 69.4% of people living in Estonia are of Estonian ethnic nationality – up from 68,3% 20 years ago<sup>[2]</sup>.
- **Economic situation:** According to Statistics Estonia, in 2021, Estonia's exports of goods increased by 28% and imports by 32% compared to 2020. In 2021, Estonia's exports of goods amounted to 18 billion EUR and imports to nearly 20 billion EUR at current prices. The trade deficit was 1.8 billion EUR, which is 880 million EUR higher than in 2020. The highest surplus was recorded in the wood trade and miscellaneous manufactured articles<sup>[NOTA\_1708]</sup>. It appears that the impacts of the pandemic were much less severe than expected. In 2021, the Estonian general government deficit was 2.4%, and the debt level was 18% of the gross domestic product (GDP). At the end of the year, the total expenditures of the general government exceeded revenues by 721 million EUR. According to the economic forecast of the Bank of Estonia, the economic growth in 2021 is 8%, but is likely to slow down in 2022. Economic growth is being reduced by extraordinarily high inflation (5% in 2021), which ought to start to come down in the second half of 2022<sup>[NOTA\_1709]</sup>.
- **Political situation:** The polarisation of the political landscape in Estonia has been notable. The conservative coalition consisting of Keskerakond (moderates), Isamaa (known as the Christian- Democrats in the rest of Europe) and Estonian Conservative Nationalist Party (EKRE) ended on 14 January 2021<sup>[NOTA\_1710]</sup>. Although the new coalition has much larger support, the new government has mostly been focusing on the implementation effectiveness of pandemic-related measures and the well-being of the citizens in general. Local government elections took place in October 2021, and the parliamentary elections will be held in the early spring of 2023.
- **Media market:** Notably, the reduction of VAT down to 9% on the publishing industry at 2020 (including e-publishing) is taking effect. The biggest goal of the Estonian Association of Media Companies today is to promote digital journalism. Five years ago, the members of the union had about 7,000 digital subscribers. By the end of 2021, this number had reached almost 200 000 digital subscribers<sup>[6]</sup>. In the coming years, the Estonian Association of Media Enterprises expects this number to double. In the future, the role of the press based on the advertising model is projected to decrease, the share of revenues from paper publications will decrease further, and the share of digital subscribers will increase. For editorial offices to be able to sustain themselves only from digital subscription revenues, about three times as many digital subscribers would be needed. The basic concerns in relation to today's Estonian media market are: 1) increasing the audience in the era of the new

business model that is oriented towards the sales of digital subscriptions, 2) gaining the audience's trust and fighting disinformation and 3) maintaining the quality of local media that sometimes tends to be biased due to the indirect subsidies of local governments.

- **Regulatory environment:** In 2020-2021, the Estonian public has witnessed a vivid discussion over the different functionalities of the hate speech bill, that was proposed by the Reform Party in 2020. There is a general distrust against this regulation, as there are not enough guarantees that it will not serve as a way to control freedom of speech in general. Also, by the end of 2021 Estonia should have transposed the EU's Directive on the Protection of Whistleblowers into national law. However, the act that would regulate whistleblowing is still pending in Parliament and is unlikely to be adopted in 2022. At the moment, whistleblowing is regulated by the Anti-Corruption Act, which covers the reporting of corruption by public officials and other types of wrongdoings. The discussion over the fate of the hate speech bill and the measures to protect whistleblowers is likely to recur after the parliamentary elections in March 2023.
- In March 2022 Estonia transposed the revised AVMSD that imposes media-specific obligations concerning information about beneficial ownership<sup>[10]</sup>. The scope of application of the Media Services Act includes videosharing platforms and social media channels (e.g. YouTube, Vimeo, etc.).
- **Media authority:** In Estonia, there is no media authority nor an information ombudsman responsible for the surveillance of the information environment. This area of responsibility is covered by the Consumer Protection and Technical Regulatory Authority (TTJA). On 19 March 2021, the Estonian Parliament accepted the amendment to the statute of the TTJA that makes it responsible also for the surveillance of the cybersecurity, platform-based services and social-media related copyright issues (§ 3, section 2)<sup>[11]</sup>. It has improved only during the recent years in relation to the intensification of the Russian state-orchestrated disinformation campaigns. Also the Estonian Public Service Media (ERR) has its own counsellor of media ethics, but this institution is limited solely to the PSM's own content.
- **COVID-19:** The media consumption during the pandemic has grown rapidly, especially among the younger audience. Also, the trust in Estonian media is growing. The pandemic is not the only reason. The political situation in the neighbouring countries in relation to the migration crisis (Russia, Ukraine, Poland, Lithuania and Latvia, which also have a common border with Belorussia) has evoked the need for reliable sources of information that is even more amplified by the war in Ukraine<sup>[12]</sup>.
- **War in Ukraine** has given an entirely new perspective on the Russian propaganda in Estonia. On 25 February 2022, TTJA ordered Estonian telecommunications providers to stop broadcasting one Belarusian and four Russian channels<sup>[13]</sup>. On 16 March 2022, TTJA has ordered communications companies to block access to Russian websites that disseminate propaganda and incite hate<sup>[14]</sup>. According to the Estonian Internal Security Service, the Russian state actors are trying to influence different areas, such as the economic sector, culture, politics, and also those Russian citizens who live in Estonia. A lot of Russian influence comes to Estonia via the English-speaking world. This "indirect" propaganda coming in via the West is less obvious and more nuanced than the home-spun eastern/Russian-language approach. It works via influencing extreme right in the U.S. and Europe, citing the example of Russia as being seen somehow as an ally and guarantor of Conservative Christian values<sup>[15]</sup>.

### 3. Results of the data collection: Assessment of the risks to media pluralism

#### Estonia: Media Pluralism Risk Areas



As we look at the media pluralism risk areas, the picture of 2021 hasn't changed much compared to 2020. As we take back a comparative glance to our previous reports, one has to point that the risks to media pluralism have been growing year by year. Amongst the four areas, there is a major concern with the area of **Market Plurality**, which represents a medium risk on average, and an increase in risk regarding **Social Inclusiveness**, even if at the same medium risk range as in the previous year.

The **Market Plurality** area scores medium risk, 66%. In this area the indicators at highest risk are Transparency of Media Ownership (69%) and News Media Concentration (86%). Also scores for Online Platforms Concentration and Competition Enforcement, Media Viability and Commercial and Owner Influence over Editorial Content are above 50%. Most of all, these risks are related to the fact that the Estonian media market is self-regulatory to a great extent. Also platform economy and datafication of society seem to add new risks to the self-regulated market.

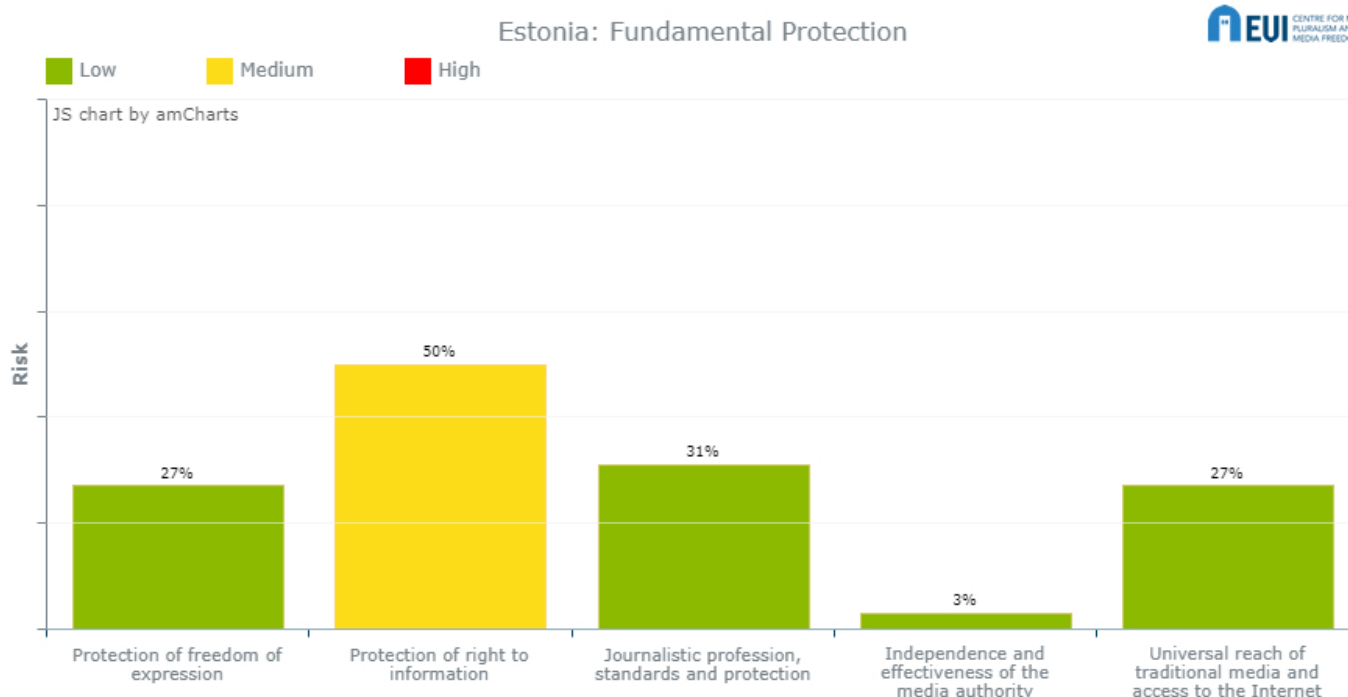
The risk associated with the **Social Inclusiveness** area is at 48%, in the medium risk range, increasing in 3 percentage points when compared to the previous edition of the MPM (45%). Four indicators score medium risk, while the indicator Access to Media for Minorities is associated with a low risk (33%). The highest risk level (63% - medium risk) stands for the Access to Media for Local/Regional Communities and for Community Media. The medium risk is linked to the fact that the independent regional newspapers are struggling as their traditional audience is shrinking. In Estonia, the state doesn't provide subsidies for private media channels. However, there is a strong tradition of local media (i.e. public media that provides information about the activities of the local governments), especially in small cities. It is quite often that local media also sells advertising, which tends to create market distortions. Regarding the indicator Protection Against Illegal and Harmful Speech, it should also be noted that the extent of hate speech in social media, especially against journalists, is rather widespread.



The areas of **Fundamental Protection** and **Political Independence** are associated with a low risk (respectively 28% and 29%). However, the political attempts to gain control over the council of PSM (ERR) have increased, especially during the coalition that ended on 14 January 2021 (moderates + conservatives). As we look at the PSMs executives genderwise, there is a clear lack of female leadership. The new head of the board of ERR is going to be elected by the end of May 2022. There is no "general" media ombudsman, responsible for all media. All the complaints related to the media content are managed either by the Press Council at the Estonian Association of Media Enterprises (that includes both printed press and online media) or by the media ombudsman working for the Estonian Public Broadcasting. However, the aforementioned ombudsman operates solely in the framework of public broadcasting. The decisions it makes do not apply to private media.

### 3.1. Fundamental Protection (28% - low risk)

*The Fundamental 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 the competence to regulate the media sector, and the reach of traditional media and access to the Internet.*



**The overall risk level of the Fundamental Protection area is 28% (low risk).**

**Protection of the right to information** (risk level 50% that is higher than 34% at 2020). The right to information is explicitly recognised in the Constitution, in the Public Information Act<sup>[16]</sup> and in the Personal Data Protection Act<sup>[17]</sup>. Access to information practice is based on the norms and values that are established inside media organisations and, of course, in the utmost cases, courts decisions (including the European Court of Human Rights, that is the ultimate instance in those matters). In some cases, public institutions tend to misuse the procedures in order to deny the stakeholders access to public information. This tendency was pointed especially during the previous coalition between EKRE (conservative nationalists), Isamaa (nationalists) and Keskerakond (moderates). Paradoxically, the implementation of the Data Protection Law

has in many cases led to violations of the right to information, and this tendency seems to be growing. Often, government agencies and other public institutions classify their documents as “for internal use only” to deny access to them even when they do not contain any sensitive or secret information<sup>[21]</sup>. The regulatory framework for the protection of whistleblowers is a work in progress. By the end of 2021, Estonia should have transposed the EU's Directive on the Protection of Whistleblowers into national law. However, the act that would regulate whistleblowing is still pending in Parliament and is unlikely to be adopted in 2022<sup>[18]</sup>. At the moment, whistleblowing is regulated by the Anti-Corruption Act<sup>[20]</sup>, which covers the reporting of corruption by public officials and other types of wrongdoings). Also, the Hate Speech Act is pending and not likely to be retrieved during 2022<sup>[19]</sup>. This is because the national conservative part of the Estonian parliament has managed to block the reading of this regulation. The main reason for this is that the decision on the limits of freedom of expression would be left to the authorities although it should be the competence of the courts<sup>[22]</sup>. In fact, hate speech is already criminalised in Estonia. Existing laws cover the cases of hostile propaganda, violation of the integrity of another person, violation of privacy etc. Adding a separate hate speech law will potentially restrict the freedom of speech and will make it easier to start SLAPP cases.

**Protection of freedom of expression** (risk level 27% compared to 29% in 2020). Since the early 1990s, freedom of expression has been considered a constitutional right. Also, the state ratified the International Covenant on Civil and Political Rights and the European Convention on Human Rights with no significant exemptions for freedom of expression. Defamation as such is not criminalised. The Penal Code has some stipulations related only to specific persons: defaming or insulting a person carries a fine or prison term of a maximum of two years (Penal Code, § 247, 275)<sup>[23]</sup>.

**Journalistic profession, standards and protection** (risk level 31% compared to 27% in 2020). The indicator on the Journalistic Profession, Standards and Protection (27%) offers another perspective on the area of freedom of expression, and this analysis presents a low risk. There have been no attacks and no public smear campaigns against journalists, however it is rather often that journalists claim they have been insulted on social media platforms. Despite the fact that the profession is vulnerable to economic changes and to the will of employers, the journalists' professional associations in Estonia are not popular among journalists in comparison to the rest of Europe. In 2021, the average net pay for a journalist job was 1586 EUR per month<sup>[24]</sup>. This is close to the average Estonian salary. In general, there are very few freelance journalists in Estonia. As a rule of thumb, journalists work for a particular employer. Although there are few strategic lawsuits against public participation (SLAPPs), there is no legal framework to prevent them. SLAPP cases are often controversial, sometimes directed against critical opinion that does not contain insult at all. However, so far, there is very little information publicly available about SLAPP cases, although journalists claim that it is an increasing problem. SLAPP cases are especially harmful for freelance journalists who do not have corporate lawyers to represent them in the court. There are some Supreme Court decisions that can be used as examples to protect journalists and people in general. The problem is that the decisions of the Supreme Court are not always followed by lower courts<sup>[26]</sup>.

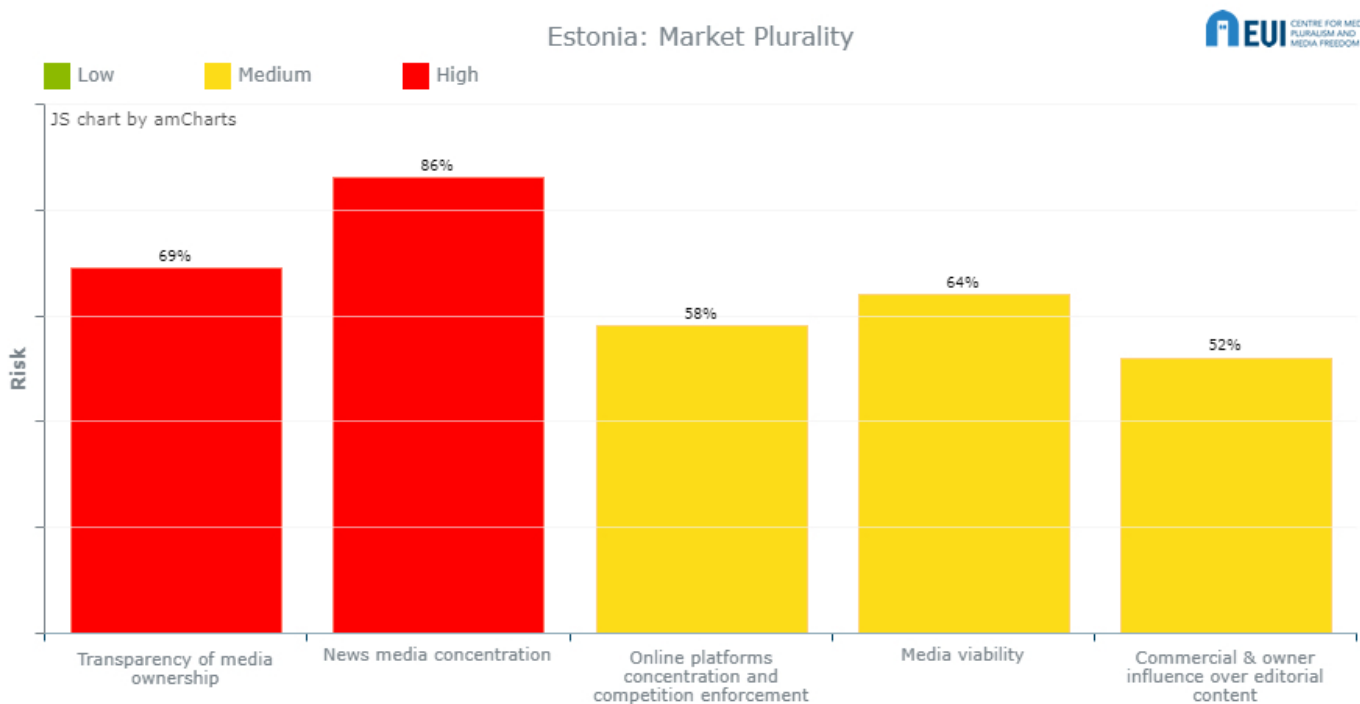
**Independence and effectiveness of the media authority** (risk level 3%, no change compared to 2020). In Estonia, there is no media authority as such. In order to comply with the MPM methodology, we took into account the body that is dealing with media and is part of the European Platform of Regulatory Authorities (EPRA). Quite clearly the traditional, self-regulated model that is based on the initiative of private stakeholders (Estonian Association of Media Enterprises, Estonian Press Council)<sup>[25]</sup> doesn't serve either the interests of media industry or the interests of citizens/audience in a proper way. The major risk lies in the legislation that clearly lacks attention to the platformization of media economy, that poses new threats to media neutrality in general, especially in relation to the spread of disinformation (e.g. the hate speech bill

that didn't pass the reading in Estonian Parliament and discussion over establishing legal framework for the whistleblowing). It simply treats the media system in an equal manner to all the other social stakeholders. However, the Consumer Protection and Technical Regulatory Authority (TTJA) is responsible for media regulation among many other duties and has some competencies to supervise media content. On 19 March 2021, the Estonian Parliament accepted the amendment to the statute of the TTJA that makes it responsible also for the surveillance of the cybersecurity, platform-based services and social-media related copyright issues (§ 3, section 2)<sup>[25]</sup>. Besides the surveillance of information society (including electronic communications, spectrum management and media services) its statute also determines the responsibility for the surveillance of all consumer rights, the safety of specific work, equipment and products, also buildings, infrastructure and energy efficiency. In relation to the surveillance of media content, it has improved only during the recent year due to the intensification of the Russian state-orchestrated disinformation campaigns<sup>[26]</sup>. As it stands today, the TTJA actively monitors the content of the tv-channels and web-platforms in order to avoid the spread of misinformation and, if necessary, it can also initiate the closing of channels that mediate hostile content<sup>[30]</sup>.

**The Universal reach of traditional media and access to the internet** (risk level 27%, no change compared to 2020). These results relate to the relatively small media market that is limited by the size of Estonia's population, which is 1,3 million. There are only three major Internet service providers (ISPs) in the Estonian market; the broadband coverage (and speed in some cases) is not that good (especially in the countryside)<sup>[27]</sup>. Also, the safeguards regarding net neutrality are only a recent development in Estonian Internet culture.

### 3.2. Market Plurality (66% - medium risk)

The Market Plurality area focuses on the economic risks to media pluralism which derive from a lack of transparency and the concentration of ownership, the sustainability of the media industry, the exposure of journalism to commercial interests. The first indicator examines the existence and effectiveness of provisions on the transparency of media ownership. Lack of competition and external pluralism are assessed separately for the news media (production of the news) and for the online platforms (gateways to the news), and we consider separately horizontal and cross-media concentration; the concentration of the online advertising market; and the role of competition enforcement. The indicator on media viability measures the trends in revenues and employment, in relation to GDP trends. The last indicator aims to assess the risks to market plurality that are posed by business interests, in relation to the production of editorial content, both from the influence of commerce and owners.



**Market Plurality** scores 66% (medium risk, compared to 64% in 2021). In Estonia there is no tradition of media regulation comparable to other European countries. This indicator is designed to reflect the effectiveness of media regulators. In the Estonian case its values often reflect the fact that the related law/authority is either missing or hasn't been updated recently. The problem is that general market regulations and the self-regulation system in Estonia combined with the minimum state interference have resulted in an oligopolistic market situation.

**The indicator on Transparency of media ownership** scores high risk (69%, compared to 63% in 2021). In March 2022 Estonia transposed the revised AVMSD that imposes media-specific obligations concerning information about beneficial ownership<sup>[33]</sup>. However, the transposition of the AVMSD into national law was not considered for the purpose of risk assessment, since it occurred in 2022. The scope of application of the Media Services Act includes video-sharing platforms and social media channels (e.g. YouTube, Vimeo, etc.). In order to provide a service, it is necessary to submit a notice of economic activities to the register of economic activities and to set out the procedure for blocking illegal content in the terms and

conditions. Also, the Act adjusts the regulation of the activity licence system, to correspond to the new audiovisual media services (for example the web television of larger news portals). In addition, the Act harmonises the rules applicable to the television service and the on-demand audiovisual media service (VOD) in order to ensure the protection of minors, morality and legality. The market is also regulated by the general law on entrepreneurship<sup>[31]</sup>.

The issue of transparency of media ownership has become relevant in Estonia only during recent decade. Although the media-specific provisions requiring the disclosure of ownership details are new for the general public, the owners of all major channels are well known. It is also important to stress that all information that relates to entrepreneurship in Estonia is electronically available. Access to company registers is free (including the information about fiscal behavior, profits and annual reports of the companies and NGOs). Nonetheless, information on the ultimate owners is not always publicly available.

**News media concentration** scores high risk (86%, compared to 75% in 2021). The legislation in Estonia does not specify the concept of 'horizontal concentration'. It is important to stress that Estonian legal framework has no media-specific regulation for horizontal and cross-media concentration, neither does it employ specific rules and thresholds for different media. When it comes to competition and concentration issues, media is subject to the competition law and authority, but this authority has not a department to focus on media issues. The risks of media concentration have been discussed in the last few years especially in relation to a) acknowledging the dangers related to the growth of disinformation (as the information monopoly may easily lead to the unsustainability of the fact-checking process) and b) the growth of the market share of Postimees Group. The Media Services Act<sup>[34]</sup> has a narrow regulation in relation to the radio and TV services, also it lacks references to newspaper publishing. Also there is a risk that the three largest media enterprises –Ekspress Grupp, Postimees Grupp and ERR – employ the best journalists as they can pay higher salaries than smaller media organisations. Consequently, the best expertise and knowledge in a limited journalistic job market concentrates in the largest companies. The law does not oblige the Competition Authority to deal with media-related complaints when they are related to the horizontal concentration of ownership, neither to the cross-media concentration. The market shares of Top4 owners are particularly high for radio (74%) and newspapers (68%). The Top4 index for cross-media concentration is 92%.

**The indicator on Online platforms concentration and competition enforcement** scores medium risk (58%, compared to 63% in 2021). In Estonia, competition enforcement has not been reformed nor updated to take into account the role of the digital platforms in the new media environment. This tendency is somewhat counterbalanced by the fact that the business model of on-line news media has changed for earning from the digital subscriptions. The risks in relation to this indicator come from the dominance of few operators in the online advertising market. For the past years, the market share of Google and Facebook has grown approximately 10% a year, being around 50% by 2021<sup>[36]</sup>. Also in this case, the market concentration is related to the lack of media specific regulation and to the limits of the Competition Authority's competencies.

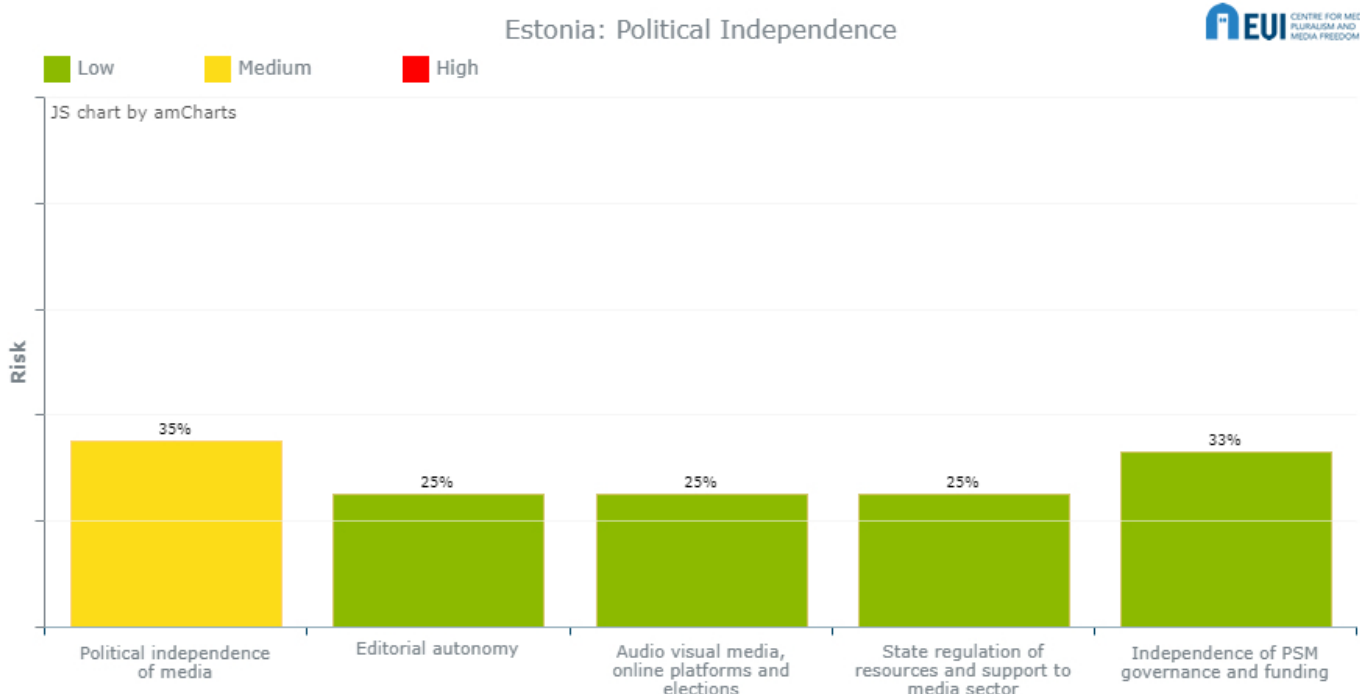
**The indicator on Media viability** is at medium risk (64%, compared to 67% in 2021). In the lack of detailed data on the other revenues trends, the risk is mostly assessed based on the trends in advertising revenues of different media sectors. Although the advertising market in 2021 was recovering from the decline in 2020 (that was mostly due to the COVID-19 pandemic), the situation has worsened mostly because of the lack of regulation in the sector of digital advertising. Platforms gather the majority of online advertising due to lack of regulation. And this, in turn, has a negative impact especially on the local media, as their dependence on advertising is relatively greater than for the big news organizations. Notably, there has been no

state subsidies for media in relation to COVID-19 emergency. The average net pay per month of a journalist in 2021 was around 1585€<sup>[37]</sup>. However, in local media this may be even less than 1000€ net per month. Working as a journalist is safe in terms of physical violence and threats, the working conditions may vary from one enterprise to another.

**Commercial and owner influence over editorial content** scores medium risk (52%, same as it was in 2021). There is no specific law to guarantee safeguards for journalists regarding appointments and dismissals in the case of change of ownership and/or editorial line. The general labour law applies<sup>[38]</sup>. However, the Code of Ethics of the Estonian Association of Journalists (EAJ)<sup>[39]</sup> and the Statute of the Estonian Press Council of the Estonian Newspapers Association<sup>[40]</sup> is of help when journalists' autonomy is at stake. But mechanisms that grant the social protection of journalists in the case of changes in the ownership or in the editorial line are not implemented in practice. The Estonian Association of Journalists should play a role in supporting journalists' autonomy. However, the membership of EAJ is not widespread, because the protective measures it could possibly take are believed to be not effective.

### 3.3. Political Independence (29% - low risk)

*The Political Independence indicators assess the existence and effectiveness of regulatory and self-regulatory safeguards against political bias and political influences over news production, distribution and access. More specifically, the area seeks to evaluate the influence of the State and, more generally, of political power over the functioning of the media market and the independence of the public service media. Furthermore, the area is concerned with the existence and effectiveness of (self)regulation in ensuring editorial independence and the availability of plural political information and viewpoints, in particular during electoral periods.*



The area of Political Independence scores low risk (29%, compared to 26% in MPM 2021). Although there are no big changes in this picture, the lack of regulation, the spread of disinformation and the polarisation of the political landscape sometimes may lead some audiences to question the neutrality of media. However, there is no proof that media has been politically biased or serving the interests of interest groups. There is



no specific law to prevent conflict of interest in the media sector.

The indicator **Political independence of media** scores medium risk (35%, compared to 60% in MPM 2021). The lower risk level compared to the MPM 2021 comes from the reassessment of the potential of the conflict of interests between ruling parties and media owners (from high to medium risk as the discussion over the political control over media outlets has been vivid). Also, the majority of Estonian experts who participated in the MPM panel advised for the lower risk for the potential of political control over the newspapers. However, there is a clear lack of laws that would regulate the conflict of interests between owners of media and the ruling parties/politicians. The area is covered by the Public Broadcasting Act and Media Services Act in general, there is no separate law that would regulate this. The lack of such rules is evident especially on the regional, local, and municipal levels.

The low risk score of the **Editorial autonomy** indicator (25%, compared to 17% in the MPM 2021) reflects the fact that there are no known cases of political interference in editorial work. Also, the Estonian Press Council has a code of conduct for media ethics, that includes the necessity of editorial independence of the media. Nevertheless, there is no common understanding on the regulations that would grant the autonomy when appointing and dismissing editors-in-chief. As the editorial independence and freedom of the press have been taken for granted quite a long time, it is not articulated in the clearest possible manner.

The indicator on **Audio visual media, online platforms and elections scores low risk** (25% compared to 13% in MPM 2021). The risk is considered slightly higher than last year, as there is a perception that the representation of different political parties on private channels is not always fair. The Media Services Act prescribes political balance for PSM channels, especially during election campaigns. In what relates to online platforms and also other types of private channels, the Media Services Act does not guarantee access for all political actors to all channels. Online political advertising is subject to the Advertising Act<sup>[41]</sup>, however, it does not pay special attention to political parties, i.e., there is no regulation that would ensure equal opportunities and transparency for political advertising in online media during electoral campaigns.

**The State regulation of resources and support to media sector** indicator scores a 25% risk (same in MPM 2021). It is still low risk, but on the higher end of the spectrum. The state does not provide direct or indirect subsidies to media outlets. The problem is related to state advertising, especially at local level, together with the fact that advertising income is crucial for the privately owned newspapers in smaller markets. While the Public Procurement Act<sup>[42]</sup> has made the control over the spending of public money more effective, there is no register that would reflect specifically on the allocation of state advertising resources. A common practice is that a public relations company wins the bids for communication campaigns and advertising, but how they decide on buying advertising in media is not fully clear<sup>[43]</sup>.

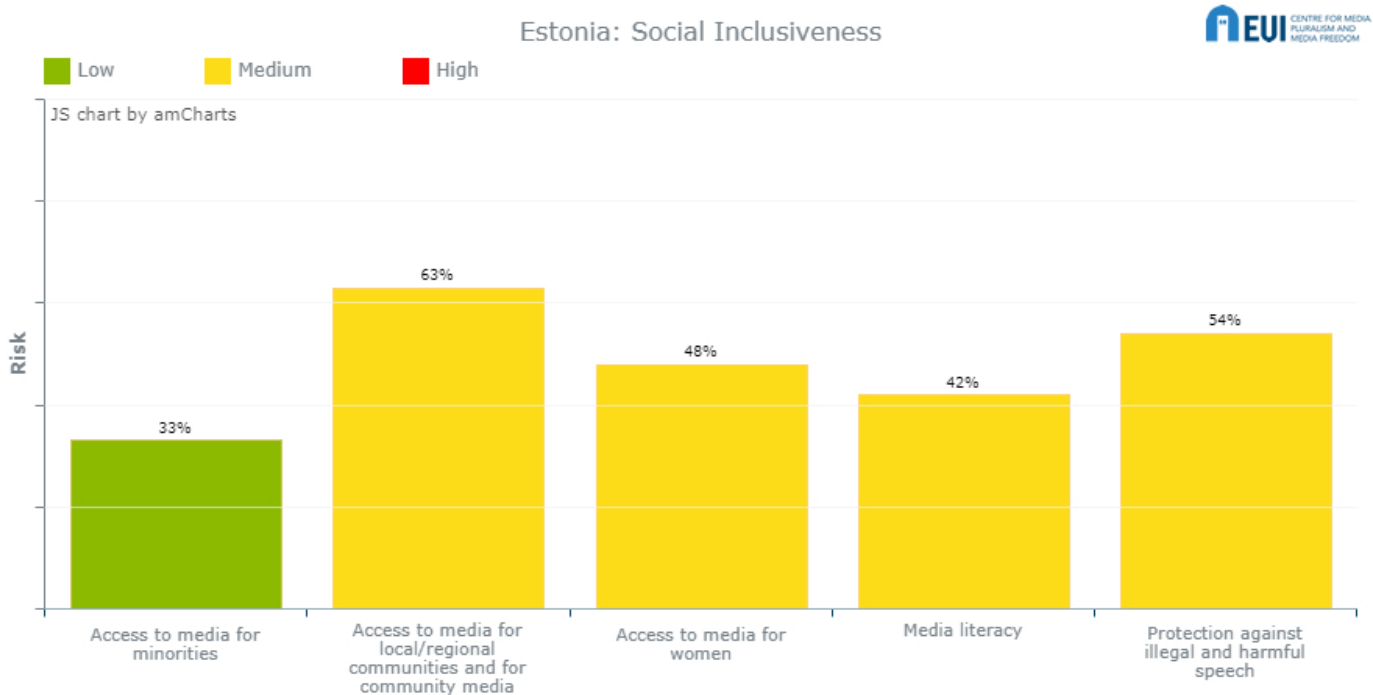
**The Independence of PSM governance and funding** (scores low risk 33%, compared to 17% in MPM 2021) is regulated by the Estonian Public Broadcasting Act<sup>[44]</sup>. The process of the appointments of the board and the council of the Estonian Public Broadcasting agency has attracted public attention during the past decades. The slightly higher risk level indicates the fact that there has been a lot of coverage over the appointments and dismissals of PSM management and board members, also the risks of political inference have been acknowledged and discussed<sup>[45]</sup>. However, according to the law, the council consists of the representatives of all political parties represented in the parliament, plus four well-known experts. The council, in turn, names the board of the PSM. The appointment procedure for the Director General of the PSM consists of two separate procedures. First, there is a public competition that is announced in all major newspapers. Secondly, the top candidates are introduced publicly and have to present also their vision of

the PSM strategies for the coming years. Then, after the interviews by the council of the PSM, the top two candidates remain. A few weeks later, the choice is made via secret vote. The new head of the board is about to be appointed by the end of May 2022<sup>[46]</sup>. The only legal safeguard at this point is the Public Broadcasting Act that guarantees the political diversity of the Council of Estonian Public Broadcasting. The political content and the neutrality of PSM has been closely monitored by all political counterparts and its neutrality in most cases is beyond question. In this respect, the Public Broadcasting Act has served its purpose well. Theoretically, the law prescribes transparent and fair procedures in order to ensure that the funding of PSM is adequate. The PSM, however, signals that it is in a constant lack of resources<sup>[47]</sup>.



### 3.4. Social Inclusiveness (48% - medium risk)

The Social Inclusiveness area focuses on the access to media by specific groups in society: minorities, local and regional communities, women and people with disabilities. It also examines the country's media literacy environment, including the digital skills of the overall population. Finally, it also includes new challenges arising from the uses of digital technologies, which are linked to the Protection against illegal and harmful speech.



In 2021, Estonia maintains a medium risk in the **Social Inclusiveness** area with 48%, compared to 45% in the previous edition of the MPM (and respectively 41% in the year before). Importantly, the calculated risk to media pluralism is a little higher in almost all the indicators of the area, except for Access to media for local/regional communities and for community media. It also has to be pointed, that the recent developments in the planning of media literacy policies are not reflected in the current Media literacy risk rating.

**Access to media for minorities** scores low risk (33%, compared to 29% in 2021). Although the law does not guarantee the access to airtime on PSM to legally recognised minorities, the Public Broadcasting Act states that PSM has to meet the information needs of all sections of the population, including minorities<sup>[48]</sup>. Basically, all minorities, either recognised by law or not, have access to the airtime as the inhabitants or citizens of Estonia. The issue has not really been on the public agenda, as there is no record of violations in this respect. The policy under which PSM (ERR) decides to give air to different minorities does not always follow the legal recognition, but is much larger and more diverse. Estonians speaking dialects are not actually a minority as such, but part of cultural variety, hence they do not apply for cultural autonomy. However, they have a representation in PSM. Besides, the Russian minority<sup>[49]</sup> has representation in Estonian PSM as well as in commercial media despite the absence of legal obligation. In large scale, it can be divided into Estonian speaking and Russian speaking, of which the latter often lives more in Russia's media circle, hence the need to have Russian language channels in Estonian PSM.

**The access for media for people with disabilities** has its regulation in Estonian Public Broadcasting Act<sup>[50]</sup> and also in Media Services Act<sup>[51]</sup>. In order to improve access to audiovisual media services for persons with disabilities, service providers are obliged to draw up accessibility action plans<sup>[32]</sup>. Although the regulation is rather old by now, it's only lately that the technological development has made the providing of most required services accessible. However, the accessibility has rather improved due to the availability of on-line applications, than by the efforts of media channels. For example, since March 2022, one can select automatically generated subtitles to any Estonian programme that is produced by PSM<sup>[52]</sup>.

A medium risk is associated to the **Access to media for local/regional communities and for community media** (63%, compared to 75% in 2021). The improvement of the risk level comes from the addition of a new variable for the sub-indicator on Access to local/regional media regarding PSM local correspondents. Despite the absence of legal obligation for the PSM to keep its local/regional correspondents, they do so. The PSM daily coverage of regional life is accurate and up to date. However, the risk remains high regarding to Access to local and regional media as there is no legal provision to guarantee access to Radio and TV frequencies for local and regional media. These are available on the free market. If there is a vacancy, any interested counterpart may apply. As far as community media are concerned, despite the absence of legal status, the number of community channels has grown over the last few years and some political forces have also found a way to promote their viewpoints via such channels. There are such channels, as Objektiiv, with it's vodcasts on Youtube (affiliated to EKRE party). But there are also several other communities that are finding their voice (like trade unions' federation) via vodcasts and, while having specific cause to fight for, are not politically influenced. The state support to community (and regional) media is often given through a) economic support from local governments; b) EU funded projects (the list of supportive measures that the communities may apply is rather long); and c) the state measures that promote social integration – something that also can be interpreted as the community related communication (i.e. several supportive measures by the Enterprise Estonia). The state does not support either local media or community media (or any media) with subsidies.

**Access to media for women** scores medium risk (48%, compared to 43% in 2021). Media industry related gender policies have not been under the radar of policy makers since the 1990s. Although a Gender Equality Act<sup>[55]</sup> was voted by the parliament in 2004, the PSM's strategy paper for the coming 2021-2024 does not contain any reference to gender equality<sup>[53]</sup>, nor does the collective agreement between the management of ERR and journalists. However, women are well-represented among the executives and the boards of PSM and private media. The share of women is approximately 60%, both for PSM and private media. Besides, women are proportionately represented in news and current affairs broadcasting. According to Statistics Estonia, 58,6% of journalists are women.

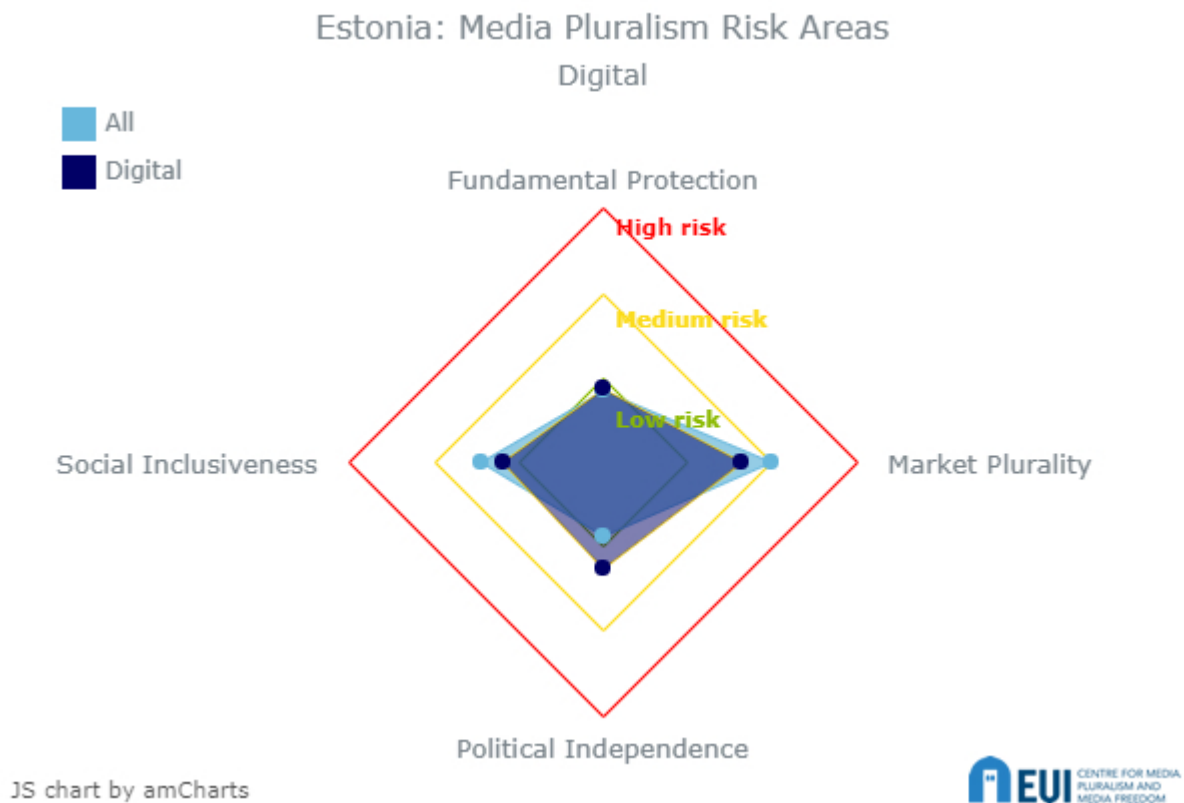
**Media literacy** scores medium risk (42%, compared to 29% in 2021). This shift occurred due to the revised estimation to the existing media literacy policies. Within the European context, Estonia does well in terms of media literacy. According to the Media Literacy Index 2021, Estonia ranks 3rd, together with Finland (1<sup>st</sup>), Denmark (2<sup>nd</sup>), Sweden (4<sup>th</sup>) and Ireland (5<sup>th</sup>)<sup>[56]</sup>. Estonia has always conducted some public initiative and policy towards improving the quality of media education. However, the process of political polarisation hasn't really been in favour of the further developing of media literacy policies. This is because the nationalist-conservative party (EKRE) has several times blocked the discussion of the issue in parliament with an argument that there is no societal need to develop media literacy. Among existing policies, the Estonian Lifelong Learning Strategy 2020<sup>[56]</sup> proposes concrete targets and measures that are coherent and up-to-date with the latest societal changes, such as the digitalisation and the spread of touch-screen mobile

technology (i.e. promoting digital literacy among elderly people). Among other initiatives, it introduces programmes that target children under 7 years old. Nevertheless, a look at the real situation in schools shows that there is still room for improvement. For example, teachers to work in this field are lacking as there is no specific training in media literacy and digital skills for teachers at different levels of education. In addition, the problems of media literacy in Estonia have mainly been addressed as the issue of digital skills. Talking about digital skills in Estonia means promoting the understanding of how society works in a post-print period and explaining the nature and role of communication in society of the digital age <sup>[57]</sup>.

The indicator **Protection against illegal and harmful speech** scores medium risk (54%, compared 50% in 2021). In 2020-2021, the Estonian public has witnessed a vivid discussion over the different functionalities of the Hate Speech Bill that was proposed by the Reform Party in 2020 <sup>[59]</sup>. However, there is a general distrust against this regulation, as there are not enough guarantees that it will not serve as a way to control freedom of speech in general. In practice, all major online portals in Estonia have editors that constantly keep monitoring and editing online commentaries. Also there is a position of web-constables, who keep monitoring the sites for young people. Should there be a complaint about harassment and/or insults and threats, the responsible person is tracked and sent to the court. Normally, the guilty pay a sum of money or volunteer to do some public work with no pay.

Incidentally, the topic of Hate Speech Bill entered the agenda simultaneously with the COVID-19 pandemic. In this sense, the situation in Estonia is similar to other European countries that face the need to fight the COVID-19-related disinformation campaigns. In relation to the COVID-19 pandemic, it has to be stressed that the public trust towards PSM channels has been growing across all platforms. This is especially important with regard to the Russian-speaking minority, as it turns out that in most critical times they tend to rely on local sources of information that provide up to date information that the Russian state-funded channels (Sputnik, RT) are not able to compete with. <sup>[60] [61]</sup>

## 4. Pluralism in the online environment: assessment of the risks



### Fundamental Protection

The calculated risk for media pluralism in the online area scores 28.6% (respectively 25% for 2020). Protection of freedom of expression online was widely acknowledged on 16 June 2015, when the Grand Chamber of the European Court of Human Rights delivered the final judgment in the case of *Delfi AS vs Estonia*, deciding on the liability of an online news portal for the offensive comments posted by its readers below one of its online news articles<sup>[62]</sup>. The provisions on rights and freedoms set out in the European Convention on Human Rights apply equally online and offline in the case of Estonia. Basically, this is the only regulatory safeguard: the content provider makes the decisions.

In Estonia, the State does not interfere with the content of online media. The State neither filters nor removes any of the content published online unless the audience gives an indication of inappropriate use of the platform or the court makes the decision based on some of the accusations that originate from the audience. All complaints are solved on a case by case basis according to the decisions of the Estonian Press Council or in a mutual agreement between the content provider and related stakeholders. To a large extent, the practice of journalism is regulated by "self-regulatory" instruments.

There was a discussion at the end of 2021 about hate speech and Estonian law's compliance with European Union criteria, but that has not made a difference in the legal field yet. It can even be said that the non-intervention of the state and the lack of regulations have a weakening effect on the quality of the information field<sup>[65]</sup>. This is relevant especially in connection to the self-regulatory understanding of political correctness that tends to lead up to self-censorship, as there is no clearcut definition of what is hate-speech and what are its possible outcomes (except it can be solved by the European Court of Human Rights). In relation to COVID-19, The Health Board of Estonia has ordered a particular website owner to delete their misinformation about the COVID-19 vaccines on their website (<http://koroonavabaesti.ee/>). After sending a note to the registry handling the particular domain, the domain access was closed to the public. So, in some

cases, actions are taken.

There is no licensing or registration of journalists. The work of journalists is protected by various acts. Just to name the most important: 1) since 31 December 2010, there is a separate section on the protection of journalistic sources in the law that applies to the Public Broadcasting <sup>[63]</sup>, 2) in the Code of Criminal Procedure there is a section (§ 72) that regulates the refusal to give testimony due to professional or other activities <sup>[64]</sup>, 3) since mid-2015 the Estonian Forensic Science Institute has established the rules for the protection of journalistic sources to be applied in the process of criminal investigation (until 2015 the source protection was regulated only by the law of public broadcasting) <sup>[65]</sup>, 4) the Public Information Act (passed 15 November 2000) gives a very clear definition to all imaginable cases, including electronic data storage and related obligations to ETO's and ISP's <sup>[67]</sup>, 5) the Personal Data Protection Act is in force since 15 January 2019, that is also meant to prevent the illegal monitoring of journalists <sup>[68]</sup>.

The internet service providers (ISPs) in Estonia are not engaged in monitoring and editing the content they provide. Also, there is no tradition of reporting the filterings and removals by online platforms. Until now (2021), every removal of online content in Estonian practice has happened due to private claims against online providers. There is no evidence that any of these contents have been removed without the court's or ombudsman's decision. In some cases, online providers correct their content for the single notice that the audience makes.

The broadband connection reaches 90% of the population (Statistics Estonia, 2021) <sup>[69]</sup>. The ISPs' ownership concentration is rather high; there are three major providers with 93% of the market share. In spring 2019, Elisa (the second largest telecom company) bought Starman (20% of the ISP market). The rest of the ISP market belongs to STV (19,6%) and Telia (54%) <sup>[70]</sup>.

## Market Plurality

The Market Plurality area in the online environment scores medium risk (54%, compared to 49% in 2020). Risks in relation to this indicator come from the dominance of few operators in the online advertising market, especially Google and Facebook. However, the predominance of direct access to the news on line in some way counterbalances the higher scores coming from the concentration of market and audience in the field of advertising. In what concerns the ownership of digital news media, there is no specific law that would require the disclosure of ownership details. Basically, all information related to entrepreneurship in Estonia is electronically available. The use of the registers is free. Nonetheless, in the case of digital media one can point to the cross-border activities with the news outlets such as Russia Today, Sputnik, PBK and alike; and this rises the risk for media pluralism. Although the above mentioned channels are forbidden since March 2022, anybody can overcome the restrictions simply via using some VPN service.

As of 1 April 2020, the tasks of the Consumer Protection and Technical Regulatory Authority joined the institution of Consumer Protection and Technical Regulatory Authority. It may intervene when it concerns the vertical concentration of ownership. In most cases, risk to the freedom of the press in Estonia relates to the horizontal concentration of media groups. The market share of the Top4 online news media outlets is approximately 70%. This is likely to be overlapping with the market share of Top4 major newspapers, as the majority of their work reflects on the online sites. The concentration of Top4 players in the online advertising market is even bigger, around 90% (i.e. Postimees Group, Ekspress Meedia, Google and Facebook). The audience concentration of the Top4 online competitors is approximately 80% <sup>[71]</sup>.

There is no separate statistics on the digital native news media, but the fact is that it is gaining popularity and is also partially state supported (by Eesti Kultuurkapital / Cultural Endowment of Estonia<sup>[33]</sup> - a state financed foundation, that gives money for culture). These channels also sell advertising and it seems that this part of the mediascape is doing rather well. For mainstream politics digital native media in general is out of radar. In Estonia, it exists purely as a cultural phenomena. Also, there is no generally recognised self-regulation of journalists with regard to social media use for work purposes.

The biggest goal of the Estonian Association of Media Companies today is to promote digital journalism. The amount of digital subscriptions has been growing since the start of the pandemic in May 2020. In 2017 the members of the Estonian Association of Media Enterprises had about 7,000 digital subscribers, today this number is about 28 times higher - approximately 200 000 digital subscribers. Estonian Association of Media Enterprises expects that in coming years there will be 300K digital subscribers to various press publications in Estonia. Notably, there is a tendency that the share of revenues from paper publications is decreasing further and the share of digital subscribers is increasing. In order for editorial offices to be able to manage only from digital subscription revenues, about three times as many digital subscribers would be needed.

## Political Independence

Political independence in the digital area ranks 42% (risk for 2020 was 50%). The primary concern in this area relates to the independence and funding of PSM (ERR). There has been no major concern with the private media in this area. The PSM funding with regard to the online public services is not specified in the Public Broadcasting Act. The PSM does not have any revenues from advertising, therefore it doesn't compete financially with private media. Importantly, the Act does not prescribe the online mission of PSM as any different of its radio and tv functions for society. ERR has been active in the field of online services for about a decade. The development of new services has been fast (adding a new VOD channel just in 2020 slightly before the pandemic) and this is the main reason the private stakeholders (Estonian Association of Media Enterprises) have been questioning the purposeful usage of public money<sup>[74]</sup>. So far there has been no suspicions of political bias.

Online political advertising is a subject to the Advertising Act, it applies also to online content. The monitoring of this law is subject to the Consumer Protection and Technical Regulatory Authority. In relation to social media, the Advertising Act pays special attention to children, alcohol, online gambling and gambling but not political parties. The Ad Library (publicly accessible libraries of political advertising provided by online platforms) works in Estonia well and there have been no complaints about it. Also, online political advertising can be regarded as subject to the Media Services Act that presumes the political balance during active election campaigning. In practice, the law in its current form does not guarantee access for all political actors to all channels.

From the point of view of the Estonian Association of Media Companies, the media regulation in force in Estonia is outdated and needs to be modernised, because private media is living mainly from the sale of digital subscriptions, and no longer from advertising money, and cannot compete with ERR's free content on digital platforms. Although the Estonian Association of Media Enterprises posted a complaint on the possible market distortion in the digital sphere to the European Commission back in the autumn of 2020, the case is still pending<sup>[72]</sup>. As we look at the recent social landscape in Estonia, it seems that the reliability of PSM, especially among ethnic Russians, has been boosted by the Covid-19 pandemic, the migration crisis from Belarus and the escalation of the war in Ukraine<sup>[73]</sup>. This is because in the case of emergency, people



tend to look for the sources that are more likely to be up to date, rather than being a part of some global brand (i.e. Russkii Mir).

There exists also a Political Party Funding Supervision Committee at the Parliament, which is subject to the Political Parties Act<sup>[75]</sup>. It has proved itself to be rather effective in finding and investigating hidden expenses<sup>[76]</sup> (including online expenses). The GDPR has been a hot topic during recent years and the Data Protection Inspectorate has taken precautions to prevent the misuse of individuals' data and violations of the GDPR<sup>[77]</sup>.

## Social Inclusiveness

The risk for media pluralism in the Social Inclusiveness area is 39% (medium risk; risk for this area in 2020 was 45%). According to Eurostat data (2019), approximately 62% of the population has the basic or above basic overall digital skills. Around 29% of the population has a ranking of 'low digital skill'<sup>[78]</sup>.

The main regulation and reference against hate speech originates from the Estonian Constitution, Chapter II: Fundamental Rights, Freedoms and Duties<sup>[80]</sup>. In practice, all major online portals have editors that constantly keep monitoring and editing online commentaries. The general audience is aware that misbehavior (especially threats to life, racism and fraud) online may result in real punishment that in some cases may be criminal (such as threatening someone's life). The Hate Speech Bill was proposed by the Reform Party already in 2020. There has been a vivid discussion in this respect, but there still is a general distrust against this regulation, especially regarding the lack of guarantees that it will not serve as a way to control freedom of speech in general. As a culminating result of these attitudes, the discussion over the Hate Speech Bill in parliament is paused.

The awareness of disinformation-related risks is rather high, especially in relation to 1) the situation at the Polish-Belorussian border, 2) threats of the war in Ukraine, and 3) the situation with Covid-19 related conspiracy theories. The first two are rather well managed, as the influence of Russian-led media channels is constantly decreasing. Besides, the state-funded Russian PSM channel ETV+ is increasingly popular amongst the Russian-speaking audience. The need for authentic information and trustworthy content led the Russian audience towards PSM channels in the extent that would have been unthinkable back in 2018 and 2019<sup>[81]</sup>.

There are various initiatives that aim countering disinformation in Estonia. Just to name few: The Tallinn based NATO Cooperative Cyber Defence Centre of Excellence is a NATO-accredited knowledge hub, thinktank and training facility, also the Estonian Defence League has its volunteers mapping the Russian propaganda on a daily basis, its affiliate is a monitoring robot Propamon that looks for news related to Estonia in the Russian media. Also Ekspress Meedia has its fact-checking team, that works on a daily basis at news portal Delfi.ee. In addition, there is a position of webconstables who keep monitoring the sites used by younger people. Web-constables are police officers working on the internet, they respond to notifications and letters submitted by people via the internet and train children as well as adults on issues of internet security<sup>[82]</sup>. If there is a complaint about harassment and/or insults and threats, then the responsible persons are tracked and sent to the court. It seems to have little effect on the audience's understanding that online texting is as real as any other face-to-face situation.

## 5. Conclusions

As we look at the results of MPM 2021 Estonia, compared to previous years, the risky areas remain the same: 1) Market Plurality and 2) Social Inclusiveness. The area of **Market Plurality** represents high risk in the transparency of media ownership and news media concentration. Also, the rest of the variables (media viability, online platforms concentration and enforcement, commercial and owner influence over editorial content) in this field is with a relatively high risk rating. This is because the functioning of the media market is mostly based on self-regulation, except very broad regulation that is prescribed by the Media Services Act, Estonian Public Broadcasting Act, Advertising Act and some others. Besides, it needs to be stressed that a) the horizontal and vertical concentration of media ownership has been growing, b) the tradition of local media all over the country, offers the ruling parties the opportunity to spread their messages by using public money and c) the Covid-pandemic, and the migration crisis on the Polish and Lithuanian border with Belarus have created an urgent need to address the disinformation that tends to spread especially on social media platforms (but not exclusively).

The positive tendency that is pointed out by various experts (including the representatives of the Estonian Media Alliance), is the rapid growth of digital sales. This basically illustrates the reality of the changing business model, where the incomes from the sales of subscriptions are gaining weight over advertising sales.

Recommendations:

- Media policy makers should pay attention to Estonian media regulation, especially towards the implementation of measures that would sustain market plurality - in particular, the development of regional media.
- The job security of Estonian journalists is not sufficiently acknowledged, especially on the regional level.
- The growing amount of SLAPP cases needs to be addressed. In most cases they tend to remain under the radar and the wider public has no interest in discussing it.
- The prohibition of advertising sales for all sorts of local media.
- There is an urgent need for a regulation that would grant the taxation of large international social media platforms such as Google and Facebook. As it stands, they gather more than half of the advertising money without paying any taxes in Estonia. That in turn leads to unfair competition in the national advertising market.

In the area of **Social Inclusiveness**, the highest (but still medium) risk stands for the Access to media for local and regional communities (63%). The State does not support community media with subsidies in general, also community media has no separate legal status in Estonia. This, in turn, leaves it either open for buyouts from the larger national enterprises (i.e. Postimees Grupp) or they simply face closing. In this area, it is also important to point to the 54% risk that stands for the protection against illegal and harmful speech. Noticeably, the Hate Speech Bill is still pending in the Estonian parliament and the corresponding regulation is not going to be accepted before elections that are going to take place in March 2023.

Recommendation:



- In addition to the development of regional media, the policymakers should also pay attention to the prospects of community media. It should have a proper place in a renewed media policy.
- Although developing the proper curricula for teaching media literacy in all levels (from kindergarten and primary school to the elderly people) is one of the priorities of the current education system, the process has slowed down due to political reasons. It is important that a new and improved State level programme for teaching media literacy is approved as soon as possible.

In what relates to **Digital Media Pluralism**, the risk is somewhat higher in the area of **Political Independence** and **Market Plurality**. Correspondingly, there are two major aspects that need to be pointed out: 1) The taxation of large multinational digital companies remains problematic in the coming years because the pan-European cooperation that will create the juridical framework is still in the making, 2) The fight against disinformation and fact-checking have become one of the most important functions of both private and public media. This applies equally to the known dangers (i.e. conspiracies related to the Covid-19 pandemic and the migration crisis) and also to the emerging dangers related to the war in Ukraine.

Recommendations:

- The rapid growth of digital subscription has led to the emergence of subscriptions over the sales of an advertising-based business model of journalism. This puts high pressure on the Estonian PSM on-line news portal (and also its VOD platform Jupiter), that for many years has provided high quality journalism for free. The next elected PSM's chairman should consider this as one of the most important challenges for PSM.
- The hate speech regulation seems to be one of the inevitable needs of the platform-society. Although the process seems to be frozen in the current state of affairs in 2022, it is important to keep an eye on the fate of this regulation and if possible to find a proper solution.

## 6. Notes

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- [5] ERR, 15 January 2021, "Kallas: coalition agreement will be general", <https://news.err.ee/1608073864/kallas-coalition-agreement-will-be-general>, see also ERR, 14 January 2021, "Ratas' government officially resigns", <https://news.err.ee/1608073327/ratasgovernment-officially-resigns>
- [6] Bank of Estonia, 21.12 2021 "The high rate of inflation should abate in the second half of next year", <https://www.eestipank.ee/en/press/high-rate-inflation-should-abate-second-half-next-year-21122021>
- [7] Statistics Estonia, "Discover statistics", <https://www.stat.ee/en/avasta-statistikat/valdkonnad/rahvastik/population-figure>
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- [9] ERR 22.03 22 "Survey: Trust in Estonian media growing", <https://news.err.ee/1608540526/survey-trust-in-estonian-media-growing>
- [10] Media Services Act, Riigi Teataja, Passed 16.12.2010. Available at: <https://www.riigiteataja.ee/en/eli/ee/511012019003/consolide/current> § 2. Application of Act, (6) The provisions of this Act concerning video-sharing platforms apply to the video-sharing platform operator. § 3-1. Application of the Information Society Services Act. § 4. Media service, /.../ A video-sharing platform means an information society service within the meaning of the Information Society Services Act or a dissociable section thereof, where the main purpose of or an essential functionality of te service is to provide, to the general public through electronic communications networks, informative, educational or entertaining programmes, user-generated videos or both, for which the video-sharing platform operator does not have editorial responsibility and the organisation of which is determined by the video-sharing platform operator, including by automatic means or algorithms, in particular by displaying, tagging and sequencing of content. § 5-1. Video-sharing platform operator: A video-sharing platform operator may be a legal or natural person.; Also: Chapter 2, Principles of Action of Media Service Provider and Video-sharing Platform.
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## ANNEXE I. COUNTRY TEAM

First name	Last name	Position	Institution	MPM2022 CT Leader
<i>Andres</i>	<i>Kõnno</i>	<i>Visiting Lecturer</i>	<i>University of Tallinn</i>	X

## ANNEXE II. GROUP OF EXPERTS

The Group of Experts is composed of specialists with a substantial knowledge and recognized experience in the field of media. The role of the Group of Experts was to review the answers of the country team to 16 variables out of the 200 that make up the MPM2022. Consulting the point of view of recognized experts was aimed at maximizing the objectivity of the replies given to variables whose evaluation could be considered as being subjective, and, therefore, to ensure the accuracy of the final results of the MPM. However, it is important to highlight that the final country report does not necessarily reflect the individual views of the experts who participated. It only represents the views of the national country team that carried out the data collection and authored the report.

First name	Last name	Position	Institution
<i>Helle</i>	<i>Tiikmaa</i>	<i>member of the board</i>	<i>Estonian Journalist Association</i>
<i>Tarmu</i>	<i>Tammerk</i>	<i>ethical advisor</i>	<i>Estonian Public Broadcasting</i>
<i>Ragne</i>	<i>Kõuts</i>	<i>associate professor</i>	<i>University of Tartu</i>
<i>Peeter</i>	<i>Sookruus</i>	<i>adviser at the department of communication and media</i>	<i>Consumer Protection and Technical Regulatory Authority</i>
<i>Andres</i>	<i>Jõesaar</i>	<i>associate professor</i>	<i>University of Tallinn</i>
<i>Andres</i>	<i>Tarto</i>	<i>Estonian Internet Foundation, media services expert</i>	<a href="https://www.internet.ee/en">https://www.internet.ee/en</a>



**Research Project Report**

Issue -

June 2022

doi:10.2870/11532

ISBN:978-92-9466-276-7

QM-08-22-236-EN-N



Publications Office  
of the European Union

