

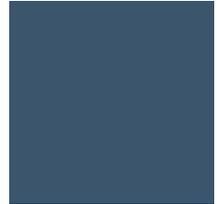
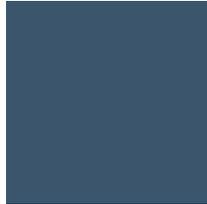
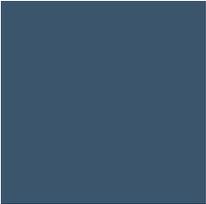


European
University
Institute



CMPF
Centre for Media Pluralism and Media Freedom

ROBERT
SCHUMAN
CENTRE FOR
ADVANCED
STUDIES



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

Country Report: Malta

Author: Iva Nenadic

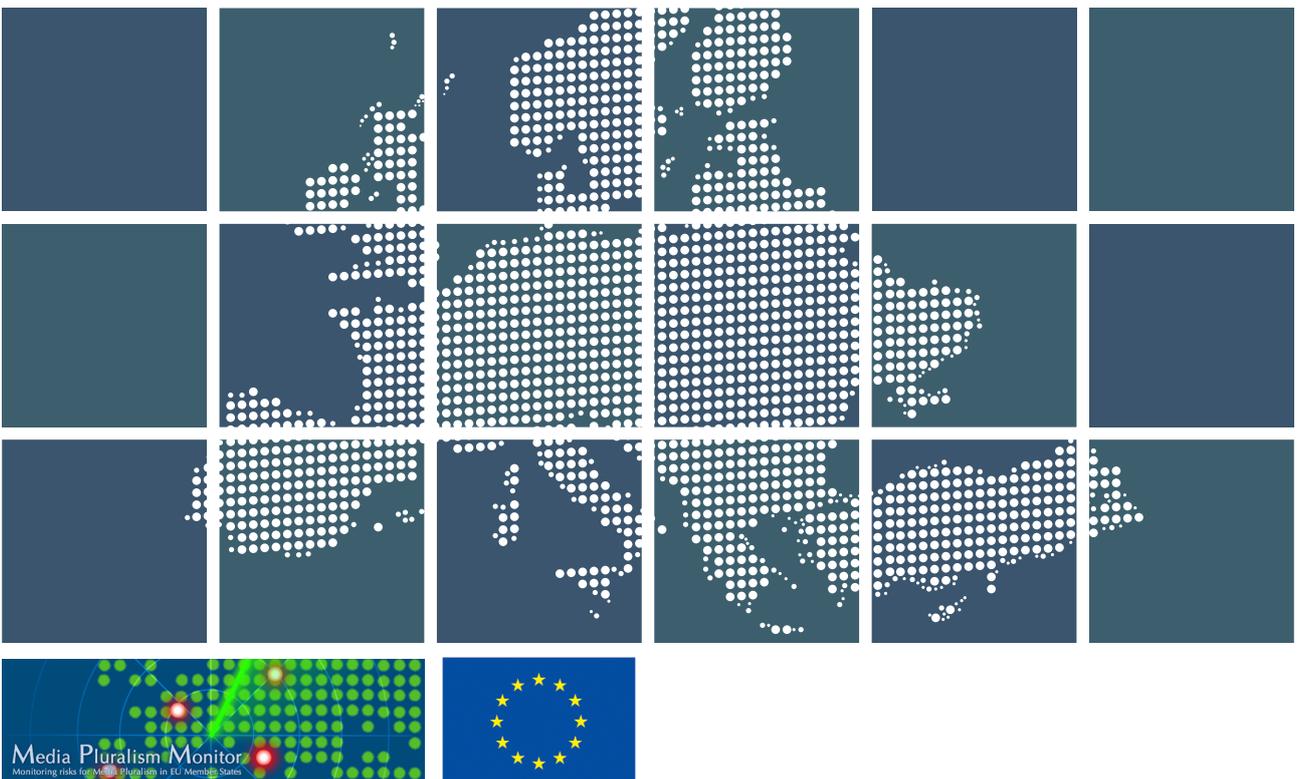




TABLE OF CONTENT

1.	About the Project	1
2.	Introduction	2
3.	Results from the data collection: assessment of the risks to media pluralism	3
3.1.	Basic Protection (36% - medium risk)	4
3.2.	Market Plurality (61% - medium risk)	5
3.3.	Political Independence (63% - medium risk)	7
3.4.	Social Inclusiveness (58% - medium risk)	9
4.	Conclusions	11
	References	12
	Annexe 1. Country Team	12
	Annexe 2. Group of Experts	13

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 research was based on a standardised questionnaire and apposite guidelines that were developed by the CMPF. The data collection for Malta was carried out centrally by the CMPF team between August and December, 2017. A group of national experts was consulted to ensure accurate and reliable findings, and to review the answers to particularly evaluative questions (see Annexe 2 for the details on procedure and the list of experts).

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).

Basic Protection	Market Plurality	Political Independence	Social Inclusiveness
Protection of freedom of expression	Transparency of media ownership	Political control over media outlets	Access to media for minorities
Protection of right to information	Media ownership concentration (horizontal)	Editorial autonomy	Access to media for local/regional communities and for community media
Journalistic profession, standards and protection	Cross-media concentration of ownership and competition enforcement	Media and democratic electoral process	Access to media for people with disabilities
Independence and effectiveness of the media authority	Commercial & owner influence over editorial content	State regulation of resources and support to media sector	Access to media for women
Universal reach of traditional media and access to the Internet	Media viability	Independence of PSM governance and funding	Media literacy

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 a total absence or certainty of risk. For more information on the 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>

Disclaimer: The content of the report does not necessarily reflect the views of the CMPF or the EC, but 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, the MPM2017 scores may not be fully comparable with those of MPM2016. For more details, see the CMPF report on MPM2017, which will soon be available on <http://cmpf.eui.eu/media-pluralism-monitor/>



2. INTRODUCTION

Malta is a Mediterranean island state situated between North Africa and Sicily. The three largest islands composing the archipelago – Malta, Gozo and Comino – are inhabited. Covering a landmass area of just 315 km² and with a total population of 434,403 (NSO, 2015), it is the smallest EU Member State. Maltese and English are the country's two official languages. The British legacy is strong as Malta was a British colony for 164 years, before gaining independence in 1964. No minorities are recognized by law. However, due to its geographical location, the country has been both a destination and a way station for migrants. According to the 2017 AIDA country report, Malta received 1,619 asylum seekers in 2017, most of them being from Syria, Libya and Somalia. The number of immigrant/refugee arrivals by boat has sharply declined in the past few years (AIDA, 2017) but migration to the island is still perceived to be one of the most important issues that the country is facing (Standard Eurobarometer 88, 2017).

In 2017 the country was propelled into the spotlight when investigative journalist Daphne Caruana Galizia was assassinated by car bomb near her family home. Throughout her career, but in particular over the past five years, she had exposed cases of corruption and other crimes involving leading Maltese politicians, political appointees and business people. She broke the Panama Papers story in Malta and, her blog, Running Commentary, was one of the most widely read information sources in the country.

Following Caruana Galizia's assassination, concerns have been voiced with regard to the rule of law in Malta. The European Parliament adopted a resolution (2017/2935(RSP)) that highlighted "serious concerns about the rule of law, democracy and fundamental rights, including freedom of the media and the independence of the police and the judiciary" in the country. The resolution requested the Maltese authorities to guarantee the personal safety of journalists and whistle-blowers. In December 2017, three men were charged with Daphne Caruana Galizia's murder. However, at the time of this report's completion the question as to who commissioned the assassination remains open with no light at all shed on the matter.

Malta is a parliamentary democracy in which two major political parties alternate in power. Since 2013, the country has been governed by the traditionally left-wing Labour Party (Maltese: Partit Laburista, PL). Prime Minister Joseph Muscat won a second term in office after having called an early snap parliamentary election on 3rd June 2017. The Nationalist Party (Partit Nazzjonalista, PN) remains in opposition. These two political parties (PL and PN) are at the same time the key players in the media market. By managing their own media enterprises, they are actively partaking in shaping the working environment for journalists and setting the agenda of public discourse.

Eurobarometer (88, 2017) showed that a majority of respondents in Malta trust their government (51%), which is above the EU average of 36%. Respondents are largely satisfied with their personal financial situation, and with the Maltese economy in general which is not surprising given that Malta has had the best economic performance in the EU during the decade which witnessed the global financial and economic crisis (Eurostat). However, Maltese citizens interviewed for the Eurobarometer study (88, 2017) highlighted crime as the main issue that their country is facing at the moment while their trust in the justice and legal system (35%) is significantly lower than the EU average of 50%¹.

Malta stands out from other EU countries when it comes to the significantly large number of people who get their news via online sources and through social media (Standard Eurobarometer 88, 2017) though TV is still by far the medium that is most used with about two-thirds of the population following television regularly (Broadcasting Authority Malta, 2017). The most popular channel is TVM (PSM), followed by ONE (owned by the Labour Party) and Net TV (owned by the Nationalist Party). Beside these, one third of the population follows a foreign TV station (Broadcasting Authority Malta, 2017).

1 Note: this Eurobarometer survey was carried out between 5th and 19th November, 2017; Daphne Caruana Galizia was murdered on 16th October, 2017.

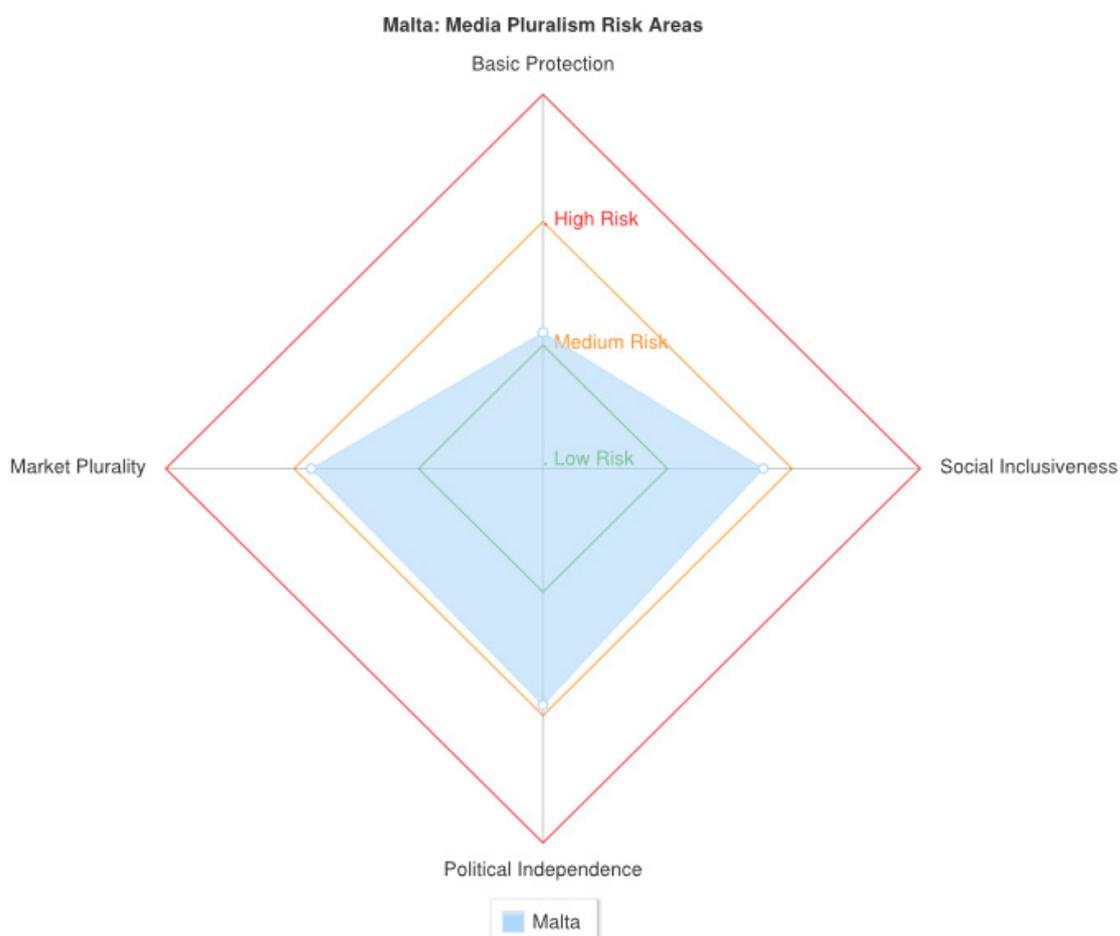


3. RESULTS FROM THE DATA COLLECTION: ASSESSMENT OF THE RISKS TO MEDIA PLURALISM

Overall, the implementation of the MPM2017 for Malta indicates a medium risk for media pluralism while several individual indicators point to high or very high risk levels. The fact that a medium risk has been detected in the area of Basic Protection is a reason for concern, as this area encompasses the fundamental conditions that are needed to exercise journalism and one's freedom of expression. Here, most of the risk-increasing factors relate to the assassination of the journalist Daphne Caruana Galizia, and to deficiencies in the protection of journalists and whistle-blowers.

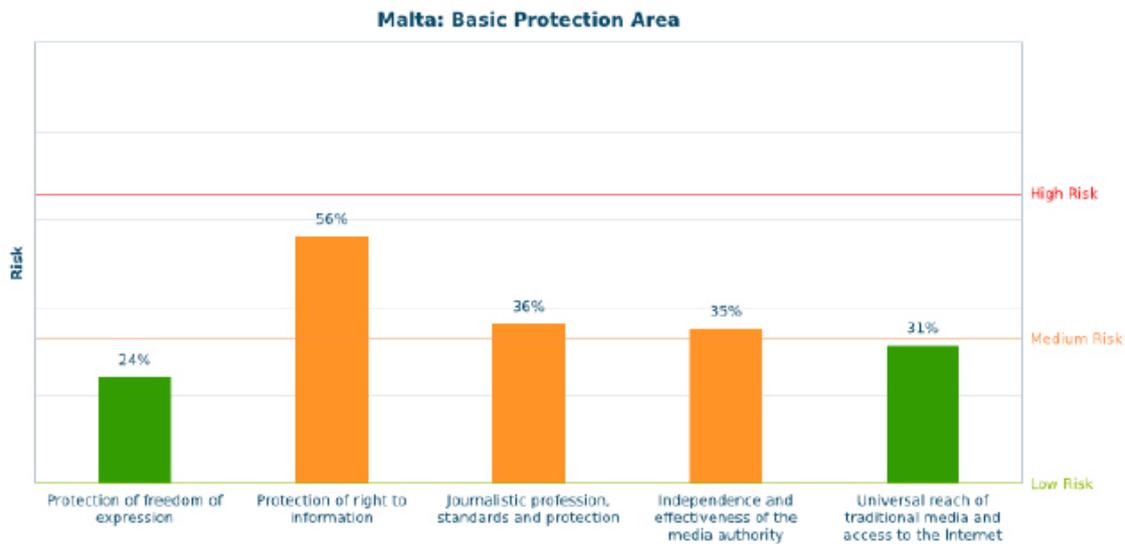
The highest scoring risk indicators are: political independence of media, in particular of public service media; commercial and owner influence over editorial content; cross-media concentration of ownership; access to media for minorities and for people with disabilities; and media literacy. Editorial autonomy seems not to be well protected, either from political, or from commercial influences. Media ownership is quite transparent and unique in the EU, considering that the two major political parties in the country are amongst the key players in the media market. As highlighted also by previous editions of the MPM, small media markets are usually concentrated, but the main cause of the risk level on the concentration of media ownership in Malta emerge from the fact that the data on revenues are not collected by national authorities, nor are they available from other sources.

Other concerns relate to access to the media for minorities, at a time when the country has been strongly affected by a migration influx, making immigration one of the most debated issues. Risks here mainly stem from the lack of comprehensive research on the media representation of different minorities and/or communities, particularly considering, for example, the representation of new Muslim communities in a predominantly Roman Catholic society. Another issue of concern is the lack of a comprehensive policy on media literacy, which makes Malta one of the few countries in the EU which has no policy on the matter (see also [MPM 2016](#)).



3.1 BASIC PROTECTION (36% - 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 the competence to regulate the media sector, and the reach of traditional media and access to the Internet.



The overall risk level of the Basic Protection area is medium, which represents an increase from 2016, when it scored as low risk. The risk level has increased for all indicators.

While the **Protection of freedom of expression** indicator acquires a relatively low 24% risk score this represents a 15 percentage point increase compared to 2016 when it was only 9%. The main reason for this increase is the assassination of the journalist Daphne Caruana Galizia on 16th October 2017, which was seen to have had a chilling effect on freedom of expression. It should also be pointed out that shortly before her assassination Caruana Galizia and other Maltese media outlets reporting on the Panama Papers and Pilatus Bank (including The Shift News which has carried on some of Caruana Galizia's work) were attacked with Strategic Lawsuits against Public Participation (SLAPP) actions lodged in third countries.

Freedom of expression is guaranteed by the Maltese Constitution, and Malta has ratified the relevant conventions that guarantee freedom of expression (although with reservations: restrictions on the political activity of aliens, and the preclusion of public officers from political discussion or other political activity during working hours or on the premises). Defamation was still a criminal offence during the period covered by the MPM2017. However, at the beginning of 2017, the Government tabled a bill which would lead to the abrogation of criminal libel. The first proposal for a new Bill, entitled the Media and Defamation Act (MADA), was heavily criticised for simultaneously almost doubling the damages for civil libel, and for requiring editors of news websites to register officially. The modified version, which dropped most of the problematic parts, was approved by the Maltese House of Representatives on 17th April 2018. Enactment of the new law means that all pending criminal libel proceedings are extinguished, precautionary warrants for seizure in defamation cases are expressly abolished, and it is no longer possible for an individual to file multiple libel suits on separate stories which deal with the same allegedly libellous claim. This law, however, continues to be the subject of some criticism.

The **Protection of the right to information** indicator scores a medium risk (56%). Access to information is guaranteed by the Maltese Constitution and by a specific law, namely the Freedom of Information Act which was enacted in December 2008, but fully brought into force in 2012. This delay was attributed to the Maltese tradition that the public administration withholds information rather than being proactive and making information available (see: The Parliamentary Ombudsman Malta, 2015). MPM investigations reveal that journalists sometimes have problems accessing government information. Access to information requests and appeals are not effective in such situations and, in particular, for the daily media outlets, since the procedures are often prolonged, making the information outdated by the time it is revealed. Furthermore, the Freedom of Information Act limits access to information requests



to Maltese citizens, EU citizens and people who have resided in Malta for a period of at least five years, excluding others (e.g., non-EU and not resident journalists, immigrants, and refugees). Another issue that contributes to the risk scoring of this indicator is the weakness of legislation on the protection of whistle-blowers. Malta's Protection of the Whistle-blower Act came into force on 15th September 2013. The law does not protect whistle-blowers if they fail to first resort to internal reporting procedures, or if they report to the press or other media.

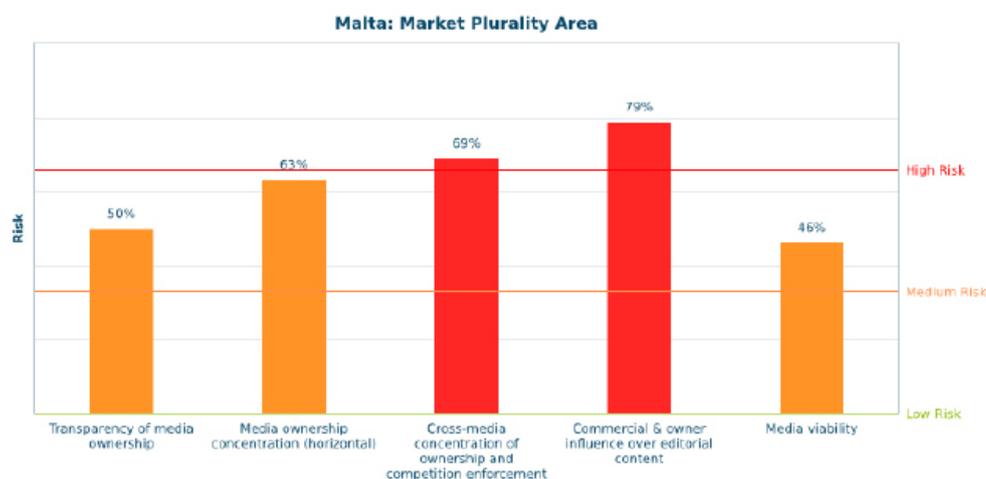
The **Journalistic profession, standards and protection** indicator scores a medium risk (36%), up 5 percentage points compared to the low risk score (30%) of 2016. This, too, is directly linked to the murder of Caruana Galizia. It goes without saying that threats to journalists' physical safety and integrity have an impact on the general state of media freedom in a given country. The Monitor also evaluates the general working conditions of journalists and the protection of sources. In Malta, there are no legal obstacles which prevent a person from working as a journalist and the protection of sources is explicitly recognised by the law and is generally enforced in practice. However, journalists' working conditions are affected by the decay of the media business model, which has been prompted by digital transformation. Furthermore, the only professional journalists' organisation, the Malta Institute of Journalists, as also indicated in the previous MPM reports on Malta (see: Simunjak 2016, Nenadic 2017), is not considered to be effective in safeguarding editorial independence.

The **Independence and the effectiveness of the media authority** indicator scores a medium risk (35%). The Broadcasting Authority monitors and regulates radio and television broadcasting in Malta. The Chairperson and four members of its board are appointed by political decision and agreement between the two major political parties: two members are selected by the Prime Minister, two by the Opposition, while the Chairperson is generally chosen by mutual agreement. In 2017, there were two appointments, as the chairperson initially appointed ty passed away suddenly, only two weeks after taking up the post. The Opposition (Nationalist Party) objected to both appointments. As reported by the national experts, the Broadcasting Authority focuses its work on monitoring and regulating the Public Broadcasting Services and does not significantly interfere with the activities of the other two leading broadcasters, which are owned by the two major political parties – Net TV and Radio 101 (Nationalist Party), Super One Radio and ONE TV (Labour Party).

The fifth indicator in this area, **Universal reach of traditional media and access to the Internet**, scores a low risk (31%), which is, however, very close to the medium risk level. On the negative side, the risk score reflects a concentration in the internet service provider (ISP) market: the two largest ISPs account for approximately 97% of internet subscriptions. On a positive note, Malta has achieved the first Digital Agenda (DAE) target on broadband development of almost 100% broadband coverage of 30 Mbps.

3.2 MARKET PLURALITY (61% - 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.



As in 2016, overall, Malta scores a medium risk in the area of **Market Plurality**, with two indicators in the high risk band: Cross-media concentration of ownership and competition enforcement, and Commercial and owner influence over editorial content.

Transparency of media ownership is assessed as a medium risk indicator (50%) though experts point out that the public is well aware of who owns which media in Malta. The medium risk score reflects the fact that there are no specific legal obligations obliging media companies to publish their ownership structures, either on their website or in documents that are easily accessible to the public. Like every other company, they must register with the Registrar of Companies (RoC) by submitting a memorandum of association which must, inter alia, include the name and residence of each of the shareholders. The registry is available online, but the details that are accessible to the public for free are very limited. The Broadcasting Authority is entitled to require and obtain any type of information it considers necessary from the license holders. However, the Authority does not publish this information on its website.

The **Media ownership concentration (horizontal)** indicator is also considered medium risk, but at 63% comes very close to the high risk level. The media legislation, namely the Broadcasting Act, contains specific limitations to prevent a high degree of horizontal concentration of ownership in the audio-visual media sector. The data, on the other hand, show that Malta has highly concentrated markets, since the Top4 media owners in the major media sectors (audio-visual and radio) have more than 50% of the audience share. The print market is unregulated and no data is collected with regard to newspapers' concentration and circulation. This prevents a thorough assessment.

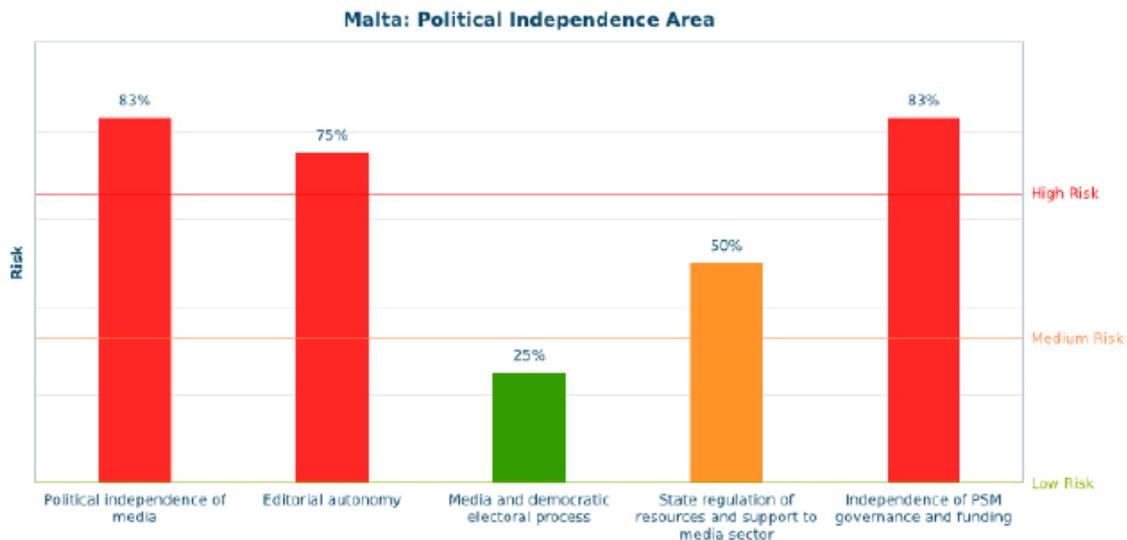
Cross-media concentration of ownership and competition enforcement scores a high risk of 69%. This is mainly due to the lack of sector-specific legal provisions that would allow the competent authorities to enforce competition rules, and is due to the lack of data available to assess concentration of ownership across different media markets. According to the Broadcasting Act (amended in 2010), a provider of a nationwide radio or television service, including the provider of public broadcasting services, may not own, control, or be editorially responsible for a community radio service. The Broadcasting Authority takes this into consideration when issuing licenses. There are no provisions that would allow the competent authorities to enforce competition rules in such a way that this takes account the specificities of the media sector. However, consumer interests constitute one of the evaluation criteria against which the Director General of the Malta Competition and Consumer Affairs Authority may determine whether a concentration is compatible with the Regulations' provisions (Article 4(2)(d)). These criteria therefore apply also to the media sector. Nevertheless, it should again be noted that the print and online media markets are unregulated, and no data is collected about either them or their concentration. There is thus no available information on the Top4 owners across different media markets.

The highest scoring risk indicator under this category is **Commercial and owners' influence over editorial content** (79% risk). There are no specific mechanisms granting social protection to journalists in the case of changes of ownership or editorial line. Moreover, there is no specialized trade union representing journalists and taking care of their working conditions. There are also no safeguards to prevent the influence of commercial interests over the appointments and dismissals of editors-in-chief. Although there is a law prohibiting advertorials, experts suggest that it is not effectively implemented and hidden advertising in the media sometimes occurs.

The **Media viability** indicator scores as a medium risk (46%), mainly because there is no data available on the revenues of the different media sectors. The MPM methodology sees this broad lack of data as a potential risk, as, in practice, it prevents an assessment of the situation.

3.3 POLITICAL INDEPENDENCE (63% - MEDIUM RISK)

The Political Independence indicators assess the existence and effectiveness of regulatory safeguards against political bias and political 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 Political Independence area maintains the overall medium risk scoring it has had since 2016, with three indicators being at high risk: **Political independence of media**, **Editorial autonomy**, and the **Independence of PSM governance and funding**.

The **Political independence of media** indicator scores a very high 83% risk level. There is no law that makes government office incompatible with media ownership. The government is expressly permitted to own, control or be editorially responsible for nationwide television and radio services, under certain conditions (Broadcasting Act, Part III, Article 10, paragraph 4D). The two political parties represented in the House of Representatives own, control and manage their own media enterprises (Aquilina, 2014: 151). The Nationalist Party owns NET TV, Radio 101, a daily newspaper (In-Nazzjon Taghna - Our Nation) and a weekly (Il-Mument - The Moment), while the ruling Labour Party owns One TV Channel, One Radio Channel, and the weekly (Kulhadd - Everybody). Malta is the only EU country that has such extensive political party media ownership. Some Maltese experts interviewed voice the view that, in comparison to other EU countries, political parallelism in Malta is simply more transparent, ensuring that different political viewpoints are represented in the media system. There is more concern about the more indirect and non-transparent political influence over PSM.

The **Editorial autonomy** indicator also scores a high risk (75%), mainly due to the lack of regulatory and self-regulatory measures that safeguard editorial independence in the news media. The Code of Ethics of the Institute of Maltese Journalists is outdated and the new one had not been adopted by the end of this reporting cycle. A few news outlets claim to have internal codes of conduct, but these are not publicly available. Although there is no available evidence for this practice, experts largely agree that political influence plays an important role with respect to appointments and dismissals of certain editors-in-chief and with respect to editorial content.

The **Media and democratic electoral process indicator** scores a low risk (25%). Fair representation of different political actors and viewpoints is mandated by law. The Broadcasting Authority approves schemes for political broadcasts during elections. It does not actively monitor campaign coverage, but it acts on complaints and can impose fines in cases of violation. According to the OSCE (2017), no fines were imposed during the 2017 campaign. However, several formal complaints were filed by small parties, pointing out cases of privileged access to the media for the two main parties, via access to PSM as well as to their own outlets. In four pre-election debates on PSM, which were organised by the Broadcasting Authority, the two independent candidates were not featured at all (OSCE, 2017).

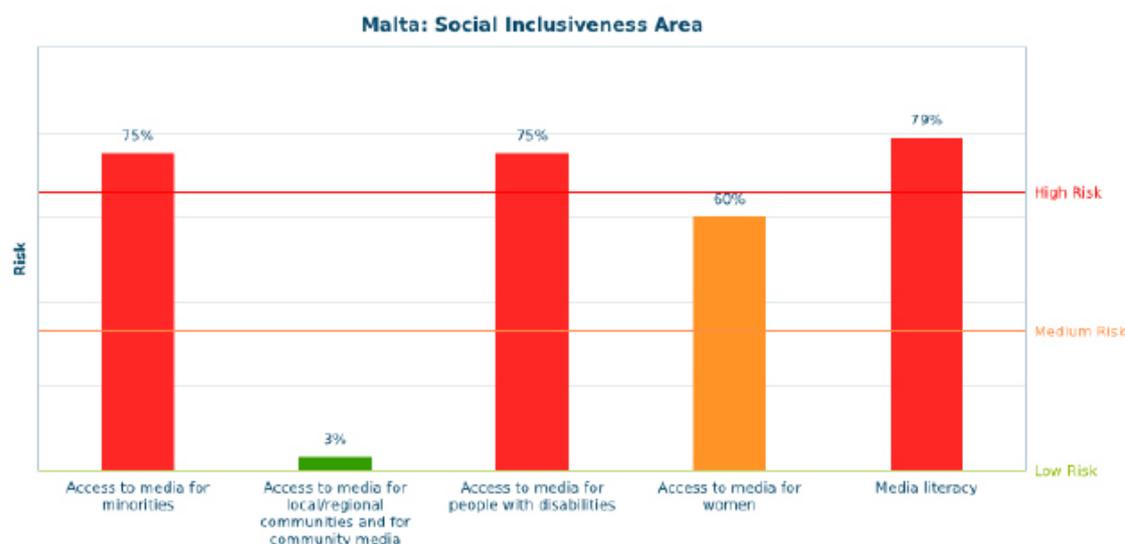


The **State regulation of resources and support for the media sector** indicator scores a medium risk (50%), largely due to the fact that there is no legal framework for, nor is there any transparency in, the allocation of state advertising. National experts note that the government uses state advertising in the pre-election period, but also all year round, as a form of political advertising that aims to channel money to certain media outlets.

The **Independence of PSM governance and funding** indicator scores a high risk (83%). PSM is particularly vulnerable to political influence. The analysis has shown that government has a significant influence on PSM governance given that it appoints members to both its Board of Directors and its Editorial board. The government also partially funds the PSM via a direct grant, which is transparent, but the amount of the grant is decided by the government at its own discretion.

3.4 SOCIAL INCLUSIVENESS (58% - MEDIUM RISK)

The Social Inclusiveness indicators are concerned with access to the 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 the 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.



Overall, the Social Inclusiveness area scores a medium risk, with three indicators being in the high-risk band: Access to media for minorities, Access to media for people with disabilities, and Media literacy. Access to media for local/regional communities and for community media acquires a very low risk score.

The **Access to media for minorities** indicator acquires a high risk score of 75%. There are no legally recognized minorities in Malta. There are thus no specific provisions relating to access to airtime for minorities. One could consider that the largest language minority is the English-speaking population (British, Australians, Canadians and Americans) but this is relative given that together with Maltese, English is an official language and that some of the most influential newspapers in the country are published in this language (e.g., *The Times of Malta*, *The Malta Independent* and *Malta Today*). No specific media for other minorities have been identified. The risk factor stems from the lack of comprehensive research on the media representation of different minorities and/or communities, particularly in the light of increased migration.

Access to media for local/regional communities and for community media scores the lowest risk in this area (3%). There are no regional or local media outlets in Malta, but there is also no risk related to this factor due to the geographical size of the country. Community radio stations, on the other hand, are explicitly recognised by the law and are widely present in the country.



The **Access to media for people with disabilities** indicator scores a high risk (75%). Malta has a National Disability Strategy, based on the National Policy on the Rights of Persons with Disability. The Broadcasting Act (Article 16J, paragraph 3) stipulates that: “Media service providers shall encourage that their services are gradually made accessible to people with a visual or hearing disability.” Furthermore, requirements as to standards and practices applicable to disability and its portrayal in the broadcasting media, made by the Broadcasting Authority in virtue of Article 20(3) of the Broadcasting Act, suggest that broadcasters should recruit disabled persons to work among their staff. However, all these requirements and recommendations are not effectively implemented. No audio descriptions are available for blind people, and support available for people with hearing impairments is limited.

Access to media for women scores a medium risk (60%), mainly due to the situation in practice, or to the under-representation of women on PSM boards. The Maltese PSM (PBS) has an Equality Policy. The document is very general and is limited in scope, since it focuses on personnel issues, but in a more general manner and without stating the concrete objectives and the tactics required to achieve those objectives. Currently no women sit on the Editorial board of the PSM (Television Malta), and of eight members of the Board of Directors (including the Chairperson and the Deputy Chairperson), only two are women. We were not able to calculate the share for private stations as, after several requests, ONE TV replied, but NET TV² failed to do so. According to the data from the Global Media Monitoring Project (2015), the presentation of genders in news is imbalanced.

Finally, the **Media literacy indicator** scores a high risk (79%). Malta is one of few countries in Europe that, to date, have no policy on media literacy. According to the national experts, only some elements of media literacy are tackled as part of certain subjects in the educational curriculum and focus on this topic is largely dependent on individual teachers, their competencies and motivation. With regard to other activities in this area, they are dispersed and limited. Only Church schools have a long tradition of so called media education programmes that aim to increase students’ critical understanding of media structure, language, and content.

2 Through the country experts we were informed that the company is in the process of restructuring.



4. CONCLUSIONS

In general, the implementation of the 2017 Media Pluralism Monitor in Malta shows a medium risk for media pluralism. This means that each area of evaluation shows shortcomings that should be addressed, both policy-wise and in practice, in order to improve media pluralism in the country.

The assassination of Daphne Caruana Galizia, a journalist who, for years, had faced libel suits, intimidation, and death threats, starkly brought to light several structural issues that this EU Member State is facing, not solely in relation to media freedom and media pluralism, but more generally from a rule of law perspective. At the time of this report's publication no light at all had been shed on who commissioned Caruana Galizia's assassination. This situation alone is likely to have a lasting chilling effect on journalism and media freedom in Malta.

With regard to Basic Protection, the law on the protection of whistle-blowers should be amended to, further encourage the reporting of wrongdoing, abuse and corruption, and to ensure protection for all whistle-blowers. Journalists should themselves take steps to improve their self-organisation and self-regulation. Strong and efficient self-regulation is a precondition for professional independence, especially in such challenging times, when the working conditions of journalists are affected by the decay of the media business model and when professional practice is coming under strain in the context of the increasing power of digital platforms.

In the Market Plurality area, as in 2016, the highest risks are largely related to the lack of monitoring and absence of data on the market shares of media companies and on newspapers' circulation figures, and, in particular, on the lack of insight into online media trends and practices. Considering that Malta significantly stands out from other EU countries when it comes to the number of people that obtain their news via the Internet and social media (Standard Eurobarometer 88, 2017), co-ordination and communication between the three relevant authorities (the Broadcasting Authority, the Malta Communications Authority and the Malta Competition and Consumer Affairs Authority) should be improved to provide accurate monitoring of the online media market and the relevant actors.

In 2017, the area of Political Independence continues to present the highest risk. The lack of independence in PSM governance and funding was indicated as a particular issue of concern by the national experts consulted in 2016, and there was no significant improvement in 2017. There are no guarantees of independence, since both the Board of Directors and the Editorial Board are directly appointed by the government. The introduction of specific legislation regulating PSM operations and appointments procedures containing safeguards against political interference is suggested to improve this situation.

Finally, since Malta is still one of the few countries in Europe that, to date, have no policy on media literacy, we reiterate the 2016 recommendation: In order to empower citizens with critical understanding and the skills needed for active participation in contemporary information exchange, policymakers in Malta, as well as academia and the media industry, should foster and encourage an inclusive discussion with a view to adopting a comprehensive media literacy strategy.

REFERENCES

Aquilina, Kevin (2014) Media Law in Malta. Wolters Kluwer Law & Business

AIDA (2017) Asylum Information Database. Malta – Country report. <http://www.asylumineurope.org/reports/country/malta> (12.02.2018)

Broadcasting Authority Malta (2017) Audience Assessment. <http://www.ba-malta.org/1717-oct-2017-audience-assessment> (12.02.2018)

NSO (2015) National Statistics Office Malta. Selected Indicators. https://nso.gov.mt/en/nso/Selected_Indicators/Pages/Selected-Indicators.aspx (12.02.2018)

OSCE (2017) Republic of Malta Early Parliamentary Elections 3 June 2017. OSCE/ODIHR Election Assessment Mission Final Report. <https://www.osce.org/odihr/elections/malta/348671?download=true>

Standard Eurobarometer 88 (2017) <http://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/Survey/getSurveyDetail/instruments/STANDARD/surveyKy/2143> (12.02.2018)

The Parliamentary Ombudsman Malta (2015) Annual Report. https://www.ombudsman.org.mt/wp-content/uploads/2016/07/Ombudsman-AR-2015_LR.pdf (12.02.2018)



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.

First name	Last name	Position	Institution	MPM2016 CT Leader (please indicate with X)
Iva	Nenadic	Research Associate	CMPF	x

ANNEXE 2. GROUP OF EXPERTS

The data collection for Malta was carried out centrally by the CMPF team, who applied three methods: desk research, requests for information, and in-depth interviews with selected country experts. The desk research provided a solid base for a general overview of the situation and the identification of key actors in the media market. CMPF's researcher, Iva Nenadic, consulted the national experts in Malta, who are listed below, in order to collect the data and to evaluate the answers to particularly evaluative questions that are intended for the Group of Experts procedure (see more on this procedure in the Final Report – Methodology).

First name	Last name	Position	Institution
Kevin	Aquilina	Dean	University of Malta, Faculty of Law
Joseph	Borg	Senior Lecturer	University of Malta, Media & Communications, Faculty of Media & Knowledge Sciences
Herman	Grech	Digital Media Editor	The Times of Malta
Alex	Grech	Senior Lecturer	University of Malta, Faculty of Media & Knowledge Sciences
David	Fabri	Senior Lecturer	University of Malta, Faculty of Law
Marilyn	Clark	Associate Professor	University of Malta, Faculty for Social Wellbeing
Ian	Attard	Senior Lecturer	Institute for the Creative Arts, MCAST

ANNEXE 3. SUMMARY OF STAKEHOLDERS MEETING

Date: March 9th, 2018

Place: Faculty of Media and Knowledge Sciences, University of Malta, Msida, Malta

Speakers and participants:

- Noellie Brockdorff, Dean, Faculty of Media and Knowledge Sciences, University of Malta
- Pier Luigi Parcu, Director, Centre for Media Pluralism and Media Freedom, European University Institute
- Iva Nenadic, Research Associate, Centre for Media Pluralism and Media Freedom, European University Institute
- Anna Herold, Head of Unit, Audio-visual & Media Policy Unit, DG CONNECT, European Commission
- Ricardo Gutierrez, General Secretary, European Federation of Journalists
- Ramona Toma, Legal adviser for the Council of Europe Platform to Promote the Protection of Journalism and the Safety of Journalists



The discussion was moderated by Rev. Dr. Joseph Borg, Faculty of Media and Knowledge Sciences.

The event brought together journalists, researchers, lawyers, representatives of civil society and international organisations, and other interested citizens in a lively discussion about vulnerabilities in the Maltese media environment and about the wider challenges to freedom of expression and journalism in the EU.

Short description:

The aim of the event was to present the Media Pluralism Monitor and the latest results for Malta. It triggered a discussion about vulnerable aspects of the Maltese media system and about wider challenges to freedom of expression and journalism in the EU. In comparison with the MPM2016, the MPM2017 results for Malta identify an increased risk (from low to medium) in the area of Basic Protection. This is a cause for real concern, as this area encompasses the fundamental conditions needed to exercise journalism and freedom of expression. Most of the risk-increasing factors here relate to the assassination of investigative journalist Daphne Caruana Galizia in October 2017, and to certain deficiencies in the protection of journalists and whistle-blowers.

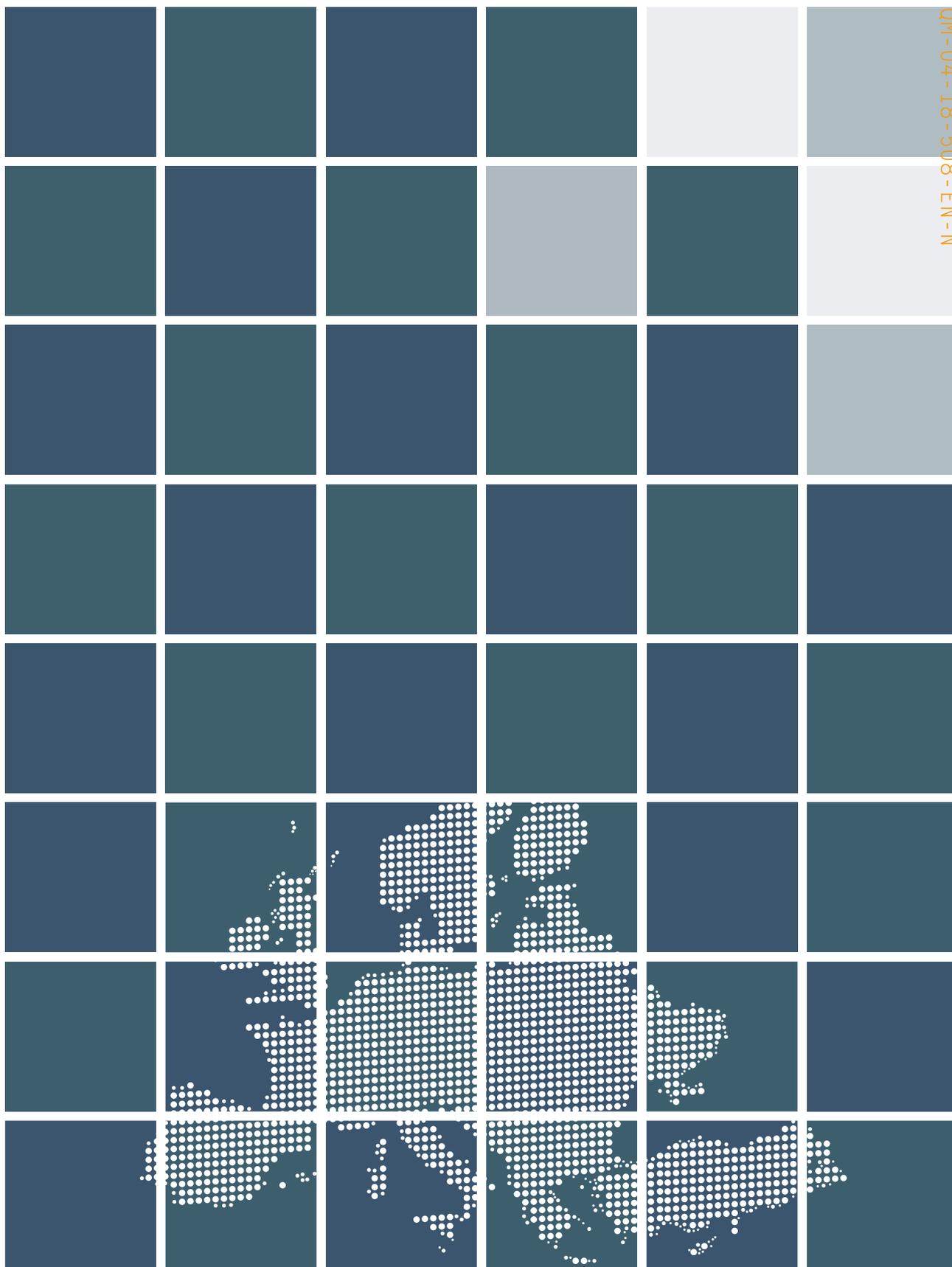
Ricardo Gutiérrez, the General Secretary of the European Federation of Journalists, warned about precarious working conditions for journalists and growing risks for media freedom. “There cannot be media freedom if journalists don’t have good working conditions”, said Gutiérrez, emphasising that: “Now, more than ever, we need strong journalists’ associations”. Speaking of the assassinations of two investigative journalists in the EU: Jan Kuciak in Slovakia and Daphne Caruana Galizia in Malta, Gutiérrez called for stronger commitment in the fight against impunity, and for more robust legal protection for journalists, their sources and whistle-blowers. “There are still 34 defamation cases continuing against Caruana Galizia, posthumously”, he added.

During the discussion, Dr. Gorg Mallia (University of Malta) underlined another threat to media freedom in Malta: SLAPP (Strategic Lawsuits against Public Participation). Corinne Vella, Caruana Galizia’s sister, emphasised that the murder of her sister was not a tragedy, but a crime.

Anna Herold, Head of Unit of the Audio-visual & Media Policy Unit in the European Commission’s DG CONNECT, highlighted various activities that are carried out by the Commission to support media pluralism and media freedom while also referring to other Commission work in the field, namely the revision of the Audio-visual Media Services Directive to respond to new realities, the revision of the copyright rules to include the publishers’ (or ancillary) rights, as well as horizontal legislation on whistle-blower protection.



QM-04-18-508-EN-N



Publications Office

<http://monitor.cmpf.eui.eu>
ISBN: 978-92-9084-697-0
doi: 10.2870/95193