



Monitoring Media Pluralism in the Digital Era: Application of the Media Pluralism Monitor in the European Union, Albania and Turkey in the years 2018-2019

Country report: Estonia

Andres Kõnno, University of Tallinn

© European University Institute 2020

Content and individual chapters © Andres Könno, 2020

This work has been published by the European University Institute,
Robert Schuman Centre for Advanced Studies.

This text may be downloaded only for personal research purposes. Additional reproduction for other purposes, whether in hard copies or electronically, requires the consent of the authors. If cited or quoted, reference should be made to the full name of the author(s), editor(s), the title, the year and the publisher.

Requests should be addressed to cmpf@eui.eu

Views expressed in this publication reflect the opinion of individual authors and not those of the European University Institute.

Centre for Media Pluralism and Media Freedom
Robert Schuman Centre for Advanced Studies

Research Project Report
RSC / Centre for Media Pluralism and Media Freedom
QM-01-20-146-EN-N
Published in July 2020

European University Institute
Badia Fiesolana
I – 50014 San Domenico di Fiesole (FI)
<https://cadmus.eui.eu/>



The Centre for Media Pluralism and Media Freedom is co-financed by the European Union. 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.

TABLE OF CONTENT

1.	About the project	5
1.1.	Overview of the project	5
1.2.	Methodological note	5
2.	Introduction	7
3.	Results from the data collection: assessment of the risks to media pluralism	8
3.1.	Basic protection (22% - low risk)	9
3.2.	Market plurality (61% - medium risk)	10
3.3.	Political independence (36% - medium risk)	11
3.4.	Social inclusiveness (41% - medium risk)	13
4.	Pluralism in the online environment: assessment of the risks	15
5.	Conclusions	18
6.	References	19

Annexe 1. Country Team

Annexe 2. Group of Experts

Monitoring Media Pluralism in the Digital Era: Application of the Media Pluralism Monitor in the European Union, Albania and Turkey in the years 2018-2019

Country report: Estonia

Andres Kõnno, University of Tallinn

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 and Candidate Countries of the European Union, and considering both online and offline news environments. This narrative report has been produced within the framework of the implementation of the MPM carried out in 2019, under a project financed by a preparatory action of the European Parliament. The implementation was conducted in 28 EU Member States, Albania and Turkey with the support of a grant awarded by the European Union to the Centre for Media Pluralism and Media Freedom (CMPF) at the European University Institute.

1.2. Methodological note

The CMPF 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 was carried out centrally by the CMPF team. The research is based on a standardised questionnaire and apposite guidelines that were developed by the CMPF.

In Estonia the CMPF partnered with Andres Kõnno (University of Tallinn), who conducted the data collection, scored and commented the variables in the questionnaire and interviewed relevant experts. The report was reviewed by CMPF staff. Moreover, to ensure accurate and reliable findings, a group of national experts in each country reviewed the answers to particularly evaluative questions (see Annexe II for 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 Table 1 below).

Basic Protection	Market Plurality	Political Independence	Social Inclusiveness
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 people with disabilities
Independence and effectiveness of the media authority	Media viability	State regulation of resources and support to media sector	Access to media for women
Universal reach of traditional media and access to the Internet	Commercial & owner influence over editorial content	Independence of PSM governance and funding	Media literacy

Table 1: Areas and Indicators of the Media Pluralism Monitor

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

The results for each domain and indicator are presented on a scale from 0 to 100%. Scores between 0 and 33% are considered low risk, 34 to 66% are medium risk, while those between 67 and 100% are high risk.

On the level of indicators, scores of 0 were rated 3% and scores of 100 were rated 97% by default, to avoid an assessment of total absence or certainty of risk.

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 MPM2020 scores may not be fully comparable with MPM2017 ones. For more details, see the CMPF report on MPM2020, soon available on: <http://cmpf.eui.eu/media-pluralism-monitor/>.

2. Introduction

According to Statistics Estonia [1], the estimate of the population of Estonia, as at 1st January 2020, was 1,328,360. According to the Estonian census of 2011 representatives of 192 different nations currently live in the country. 68,7 % of the inhabitants of Estonia are Estonians, 31,3% of the population defines itself as standing for some other national group. The numerous minorities in Estonia are Russians (about 25% of the population), Ukrainians (~2% of the population), Belorussians (~1% of the population) and Finns (~0,6% of the population).

In 2018, the GDP of Estonia was €26 billion; GDP per capita was €19,695, which was €1,647 more than a year earlier. According to Statistics Estonia, Estonia's gross domestic product (GDP) grew 4.2 percent on year in the third quarter of 2019. The biggest contributor to economic growth was information and communication sector. Information and communication was followed by agriculture, forestry and fishing, professional, scientific and technical activities, wholesale and retail trade, and manufacturing, transportation and storage. The unemployment rate at 2019 was 4,4%; the average monthly gross wage in 3rd quarter 2019 was 1397 euros.

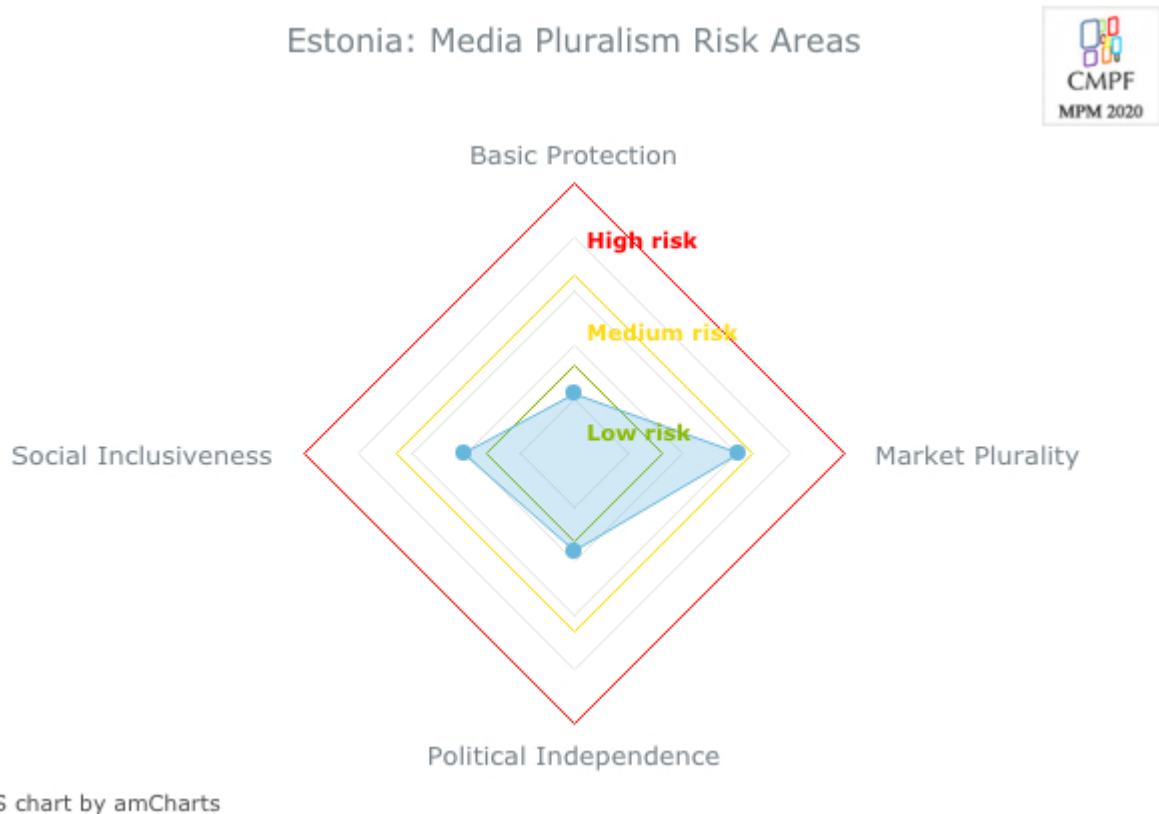
The centrist political parties have been very well presented in Estonian politics. That has somewhat recently changed, also in relation to the approval in 2014 of a legislation on homosexual marriage. The polarization of political landscape was notable at the parliamentary elections in February 2015 and the slash grew even deeper at the 2019 elections. As a result the representation of right-wing conservatives increased from 7 to 19 seats in the Parliament. The further tendencies in the polarization of opinion have been notable, especially in relation to the rhetorics that is used in public sphere. Since 2019 June Estonia has a new conservative coalition of Keskerakond (moderates), Isamaa (known as the Christian-democrats in the rest of Europe) and Estonian Conservative Nationalist Party.

The main and growing concern of Estonian media market for 2019 (as it has been also the case in last few years) is that the local media groups are losing advertising revenues, increasingly collected by the international Internet platforms. However the printed press has maintained its social status as a reliable source of information, although its importance as an advertising channel has become minimal. The positive tendency that was recently pointed by the Estonian Media Alliance is the constant growth of internet sales. This is a tendency that has become notable only in 2019 [2].

Until 2019 there was no cases of closing any of the active media outlets in Estonia, even if they were strongly biased or propagandistic. In 2018 and 2019 Estonia gained some international attention with the money laundering scandals in Danske and other major Scandinavian banks. As the subject was related to the fear of growing Russian influence in the Baltics, it resulted with a closer monitoring of the activities of propaganda channels such as Sputnik and Rossija Segodnya. By late October 2019 Estonian banks froze Rossija Segodnya's accounts in the country. In December, the anti-money laundering authority - the Finance Intelligence Unit (FIU) - informed individuals who have an employment contract or employment relationship with Rossija Segodnya or Sputnik that knowingly sanctioning or providing services to the organization could result in criminal liability [3]. All this ended with a micro-crisis in the relations between Estonia and Russia on the highest level [4]. This is important for two reasons: a) it introduced a new state level approach to the hostile propagandistic activities in Estonia and b) it highlighted the importance of the information environment, that otherwise is not that self-evident, especially for the Estonian-speaking audience [5].

One can name four basic concerns in relation to the today's Estonian media market: 1) the growing horizontal and 2) vertical concentration of media ownership, 3) the biasedness of local media (especially municipal media, but not only; this is a problem with no easy solutions, partly for the reason that there is no tradition of having a media ombudsman - or any other type of media regulator) that could be compared to various analogous institutions in other European countries) and 4) what is also important - the uncertainty related to the future of print press and internet journalism.

3. Results from the data collection: assessment of the risks to media pluralism



Amongst the four areas, there is a major concern with the area of **Market plurality**, that represents a medium risk on average (but close to the threshold of high risk, at 61%), and a high risk in what concerns news media concentration (88%). A high risk to media pluralism is present also in the area of Social inclusiveness, in relation to the access to media for local/regional communities and for community media. For an independent regional newspaper it is very hard to maintain itself by producing local news in a market where the audience of traditional media is shrinking. There is, basically, one major media outlet serving in the most populated areas of the country (i.e Eesti Meedia). Only few regions in Estonia have their own independent newspaper or radio station, which are not part of a bigger media organization.

There are three aspects that need to be stressed: a) during recent years the horizontal and vertical concentration of media ownership has been growing, especially in what concerns regional media; b) the tradition of municipality media is strong all over the country, as it offers the ruling parties the opportunity to spread their messages by using public money and c) the municipality media as a rule of thumb also sells advertising, and this tends to create market distortions. This is mostly because for the past 30 years the Estonian media market has been functional rather in the framework of self-regulatory mechanisms than because of the calculated and well-balanced media regulations. As the market concentration grows, Estonia faces the need for an institution that would be able to regulate this sphere of social communication in a proper way.

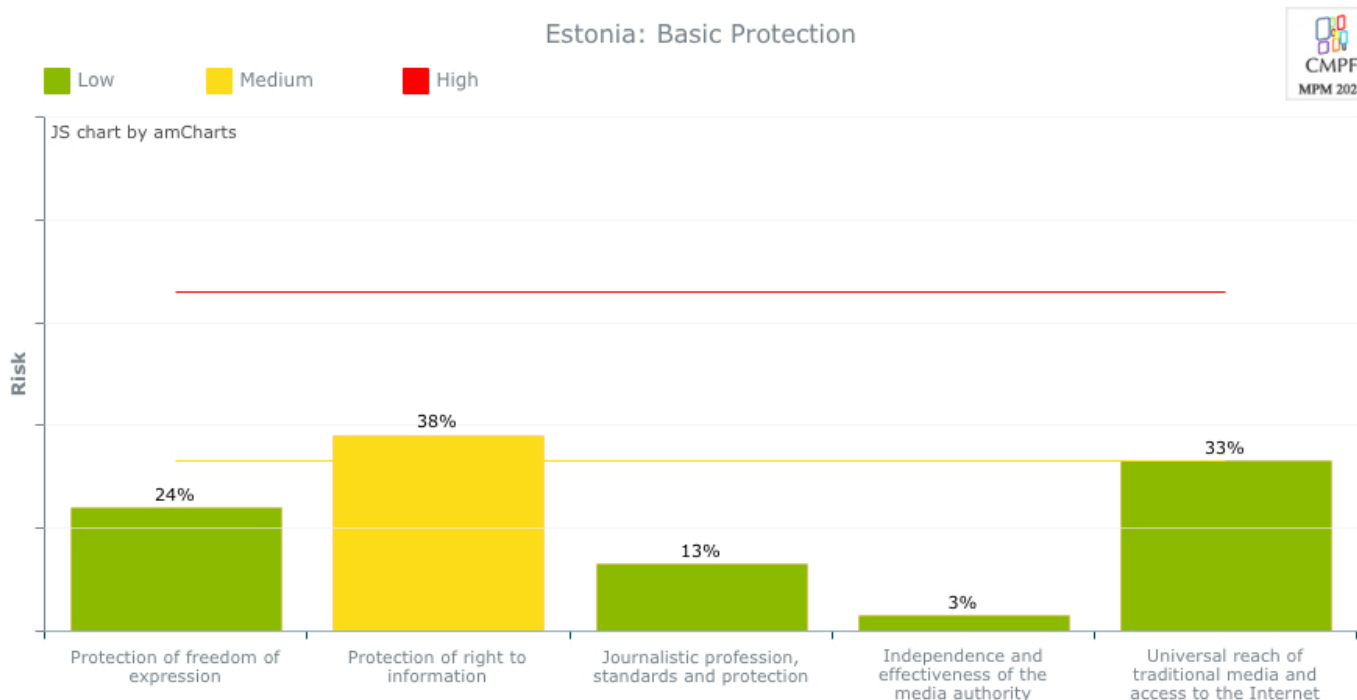
In what concerns the aspects of **Basic protection** and **Political independence**, the situation is less worrisome. There is no record of violations of freedom of expression, neither could one point to the attempts of political control of the media, including public service media. The risk for media pluralism is eminent where the unregulated subsidies are a necessary precondition for the existence of media. As a principle, the state does not provide subsidies for private media channels.

All the complaints related to the media content are managed either by the Press Council at the Estonian Media Alliance (formerly known also as the Estonian Newspaper Association; it was renamed in 2019 due to the growing importance of the 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 he makes do not apply to private media.

3.1. Basic Protection (22% - low risk)

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



There is one indicator on this picture that stand for a higher risk: the indicator that describes the **Protection of right to information** (38%). Although the right to information is explicitly recognized in the Constitution, in the Public Information Act and in the Personal Data Protection Act, there is no regulatory framework for the protection of this freedom. Access to information practice is based on the norms and values that are established inside media organizations and of course, at the utmost cases, courts decisions. In some cases the public administration tends to misuse the procedures in order to deny the stakeholders access to public information. Also, there is no regulatory framework for the protection of whistleblowers (in relation to whistleblowing one can only refer to the Anti-Corruption Act that covers the reporting of corruption by the public officials and other types of wrongdoings).

The indicator on **Protection of freedom of expression** shows a rather low level of risk (24%). Since the early 1990s freedom of expression is considered as a Constitutional right. Also the state has ratified the International Covenant on Civil and Political Rights and the European Convention of Human Rights with no significant exemptions for freedom of expression. The risk that MPM points is related to the fact that defamation is not decriminalised, defaming or insulting a person carries a fine or prison term of maximum two years.

The indicator on **Journalistic profession, standards and protection** (13%) offers another perspective on the area of freedom of expression, and this analysis presents a low risk. There are no attacks on journalists, also there has been no public smear campaigns against journalists. The journalist's professional associations in Estonia are not that popular among journalists in comparison to the rest of Europe. This is mostly because of the reputation that the unions had back in Soviet times. The profession is very much vulnerable to the economic changes and to the will of the employers.

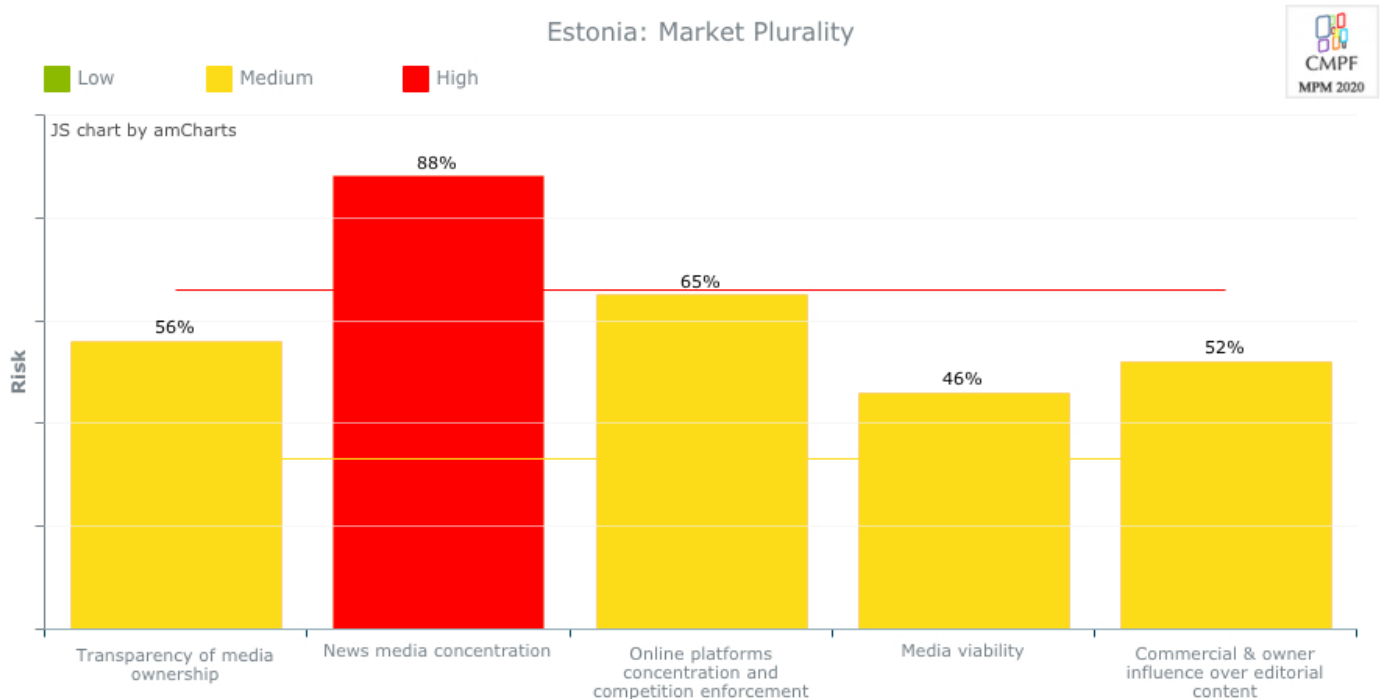
The indicator that describes the **Universal reach of traditional media and access to the Internet** scores 33% risk.

The results of this observation relate to the relatively small media market that is limited by the size of Estonia's population, that is 1,3 million. There are only three major ISP's in Estonian market, the broadband coverage (and speed in some cases) is not that good (especially in the countryside). Also the safeguards regarding net neutrality are only a recent development in Estonian Internet culture.

As regards the indicator on **Independence and effectiveness of the media authority**, it must be noted that 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 EPRA. The Technical Regulatory Authority that is responsible of media regulation has no competencies to supervise over media content.

3.2. Market Plurality (61% - medium risk)

The Market Plurality indicators examine the existence and effectiveness of provisions on transparency of media ownership and the existence and effectiveness of regulation or self-regulation against commercial & owner influence on editorial content. In addition, they assess the risks related to market concentration in the production as well as in distribution of news: as for production, considering separately horizontal concentration in each sector and cross-media concentration; as for distribution, assessing the role of online platforms as gateways to news, the concentration of online advertising market, and the role of competition enforcement and regulatory safeguards in protecting information pluralism. Moreover, they seek to evaluate the viability of the news media market.



The indicator on **Transparency of media ownership** scores a medium risk (56%). There is no media-specific law on media ownership transparency in Estonia. The general law on entrepreneurship applies. The issue of transparency of media ownership has become relevant in Estonia only during recent years. Since the beginning of the 1990s all communications about changes in the media ownerships has been transparent. Although the law does not contain any media-specific provisions requiring the disclosure of ownership details, the owners of all major channels are known to the public. All information related, in general, to the entrepreneurship in Estonia is electronically available. The access to the company registers is free (including the information about fiscal behavior, profits and annual reports of the companies and NGOs). Nonetheless, information on the ultimate ownership is not always publicly available.

It must be noted that in 2014 the Estonian news agency Baltic News Service (BNS) was bought by the Eesti Meedia group, through shell companies: the ultimate owner was revealed only half a year later. Questions have been raised, also, in relation to PBK (First Baltic Channel), that allegedly broadcasts Russian biased news and whose owners are not

clearly identifiable. For the same reasons the activities of Russia Today and Sputnik were stopped in Estonia in December 2019.

Amongst the five market plurality indicators the highest risk (88%) stands for the **News media concentration**. The legislation in Estonia does not specify the concept or 'horizontal concentration'. The risks of media concentration have been brought in the spotlight just in the last few years especially in relation to the growth of the market share of Postimees Group (formerly known also as Eesti Meedia). The Media Services Act has a narrow regulation in relation to the radio and tv-services, also it lacks references to newspaper publishing.

Even if the complaints related to the market regulation regarding journalism and media are sometimes solved by the Competition Authority (Estonian Competition Board), particularly in the case of vertical concentration of ownership, the law does not oblige the Competition Authority to deal with the media-related complaints when they are related to the horizontal concentration of ownership, neither to the cross-media concentration. There is no department in the Competition Authority to focus primarily on media related issues. 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, very close to the threshold of high risk (65%). Risks in relation to this indicator come from the dominance of few operators in the online advertising market. It must be noticed that in Estonia the main national groups - Postimees Grupp (former Eesti Meedia) and Ekspress Meedia - have a relevant share of this market, together with the international digital platforms (Google and Facebook), according to the latest available data, referred to 2016. Also in this case, the market concentration is to be related to the lack of media specific regulation, to the limits of the competence the Competition Authority (see above). In Estonia, competition enforcement has not been reformed neither updated to take into account the role of the digital platforms in the new media environment.

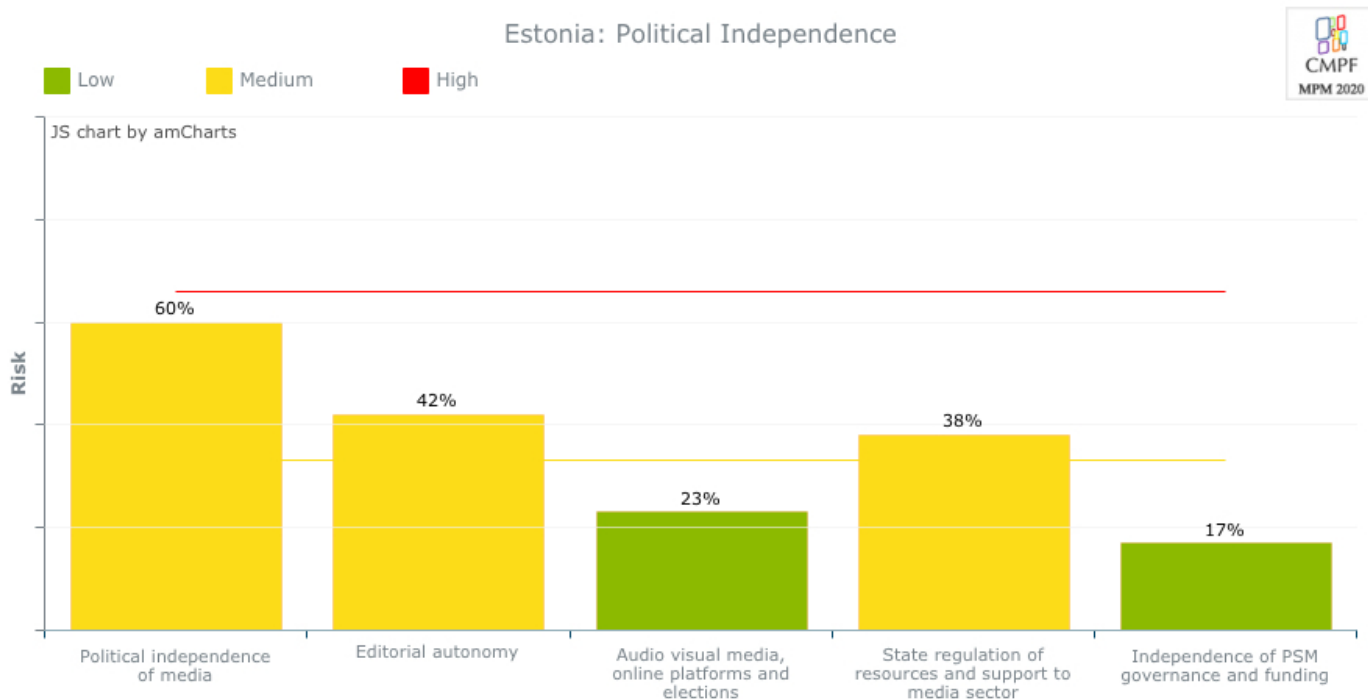
The indicator on **Media viability** is at medium risk (46%). The risk is measured mostly in terms of the advertising revenues of different media sectors. According to publicly available data, the advertising market has been increasing for past years, including AV-sector; compared to 2018 9 months, the incomes of TV sector from the advertising have increased 2,2%. 9 months of 2019 witnessed the 7,5% increase of the outdoor advertising market and 1,8% increase at the case of journals and 11,8% increase of the online advertising market. Although the share of the print press decreased 1,6%, the traditional advertising market was clearly growing [6]. According to the report published at 2019, the volume of journalists participating in the professional organizations has been stable since 2016 (this applies also for the AV sector). Especially during 2019 the sale of paid memberships has become one of the significant sources of income besides selling advertising [8]. The numbers are growing in cases of both major media houses (Ekspress Meedia and Postimees Grupp). Also, according to the report published at 2019 and the volume of journalists participating in the professional organizations has been stable since 2016 (this applies also for the AV sector) [7].

Commercial and owner influence over editorial content scores 52% (medium risk). There is not a specific law to guarantee safeguards for journalists regarding appointments and dismissals in the case of change of ownership and/or editorial line. The general law on workers' protection applies. However, the Code of Ethics of the Estonian Association of Journalists and the Statute at the Estonian Press Council at the Estonian Newspapers Association should be 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. Growing editorial conglomerates that have a remarkable share in Estonian media market may exert growing pressures on journalists who may be not always independent from political influences in practice.

3.3. Political Independence (36% - medium 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 public service media. Furthermore, the area concerns with the existence and effectiveness of (self)regulation in ensuring editorial independence and availability of plural political information and viewpoints, in particular during electoral periods.



The medium score for the risks related to the **Political independence of media** (60%) is due to the lack of a law regulating 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 and there is no separate law to regulate the conflict of interests between owners of media and the ruling parties/politicians. The lack of such rules is evident especially on the levels of local governments and regional- and municipality media.

The medium risk that stands for the **Editorial autonomy** (42%) reflects the fact that there are no common regulatory safeguards to guarantee the autonomy when appointing and dismissing editors-in-chief. Also, the Estonian Press Council has a code of conduct for media ethics, that includes the necessity of editorial independence of the media. As the editorial independence and freedom of the press have been taken for granted quite a long time, it is not really uttered in the clearest possible manner. There are no known cases of political interference in this respect. However, the most widespread Estonian daily Postimees has witnessed during past 2-3 years about 6 different editors in chief with a working period from 1 day to 10 months. Also, the summer of 2019 witnessed the ideological turn of Postimees from a neutral observer to a representator of a conservative world-view (ERR, 2019). It is hard to point to the initiators of this change, but it has definitely been approved by the Postimees owner.

The indicator on **Audio visual media, online platforms and elections** scores low risk (23%). The Media Services Act, prescribes the political balance for PSM channels, especially during the 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 a subject to the Advertising Act, however, it does not pay special attention to political parties.

The **State regulation of resources and support to media sector** indicator scores 38% medium risk. The state does not provide direct or indirect subsidies to media outlets. The real problem in this relation is state advertising, especially on municipality level, together with the fact the advertising income is crucial for the privately owned newspapers in smaller markets. While the Public Procurement Act has made the control over the spending of public money more effective, there is no register that would reflect specifically the allocation of state advertising resources. A common practice is that

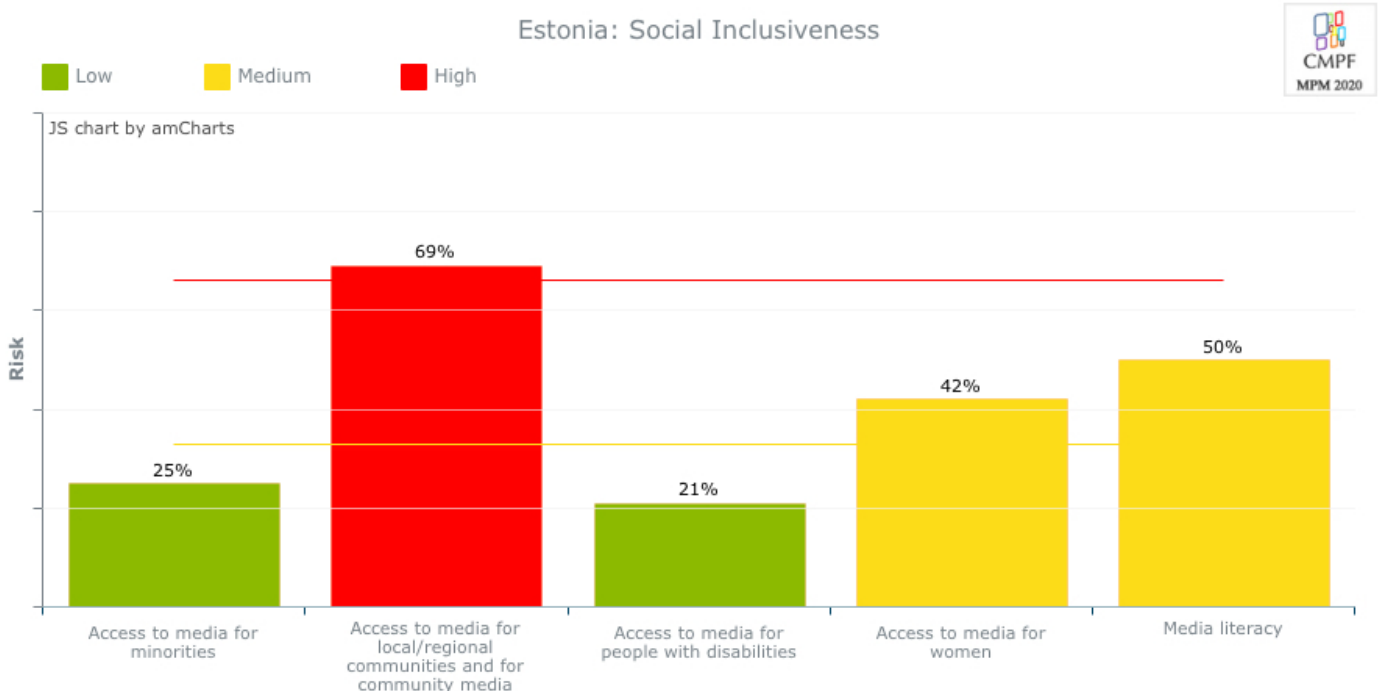
a public relations company wins the bids for communication campaigns and advertising. How they decide on media buying is not fully clear.

The **Independence of PSM governance and funding** (17%) is regulated by the Estonian Public Broadcasting Act. The process of the appointments of the board and the council of Estonian Public Broadcasting have had a very tense public attention each time during past decades. According to the law, the council consists of the representatives of all political parties present 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. Second, 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, top two candidates remain. A few weeks later, the choice is made via secret vote. 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 at 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, claims it is in a constant lack of resources.

3.4. Social Inclusiveness (41% - medium risk)

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



Access to media for minorities scores low risk (25%). Although the law does not guarantee the access to airtime on PSM to legally recognized minorities, the Public Broadcasting Act states that PSM has to meet the information needs of

all sections of the population, including minorities. Basically, all minorities either recognized by the 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. There are separate channels (Raadio 4, ETV+ and a PSM owned online site in Russian) that publish news in Russian on a daily basis. There is no record of deliberate discrimination of minorities in private channels.

The high risk in relation to the **Access to media for local/regional communities and for community media** (69%) reflects the fact that radio and TV frequencies are available on the free market. If there is a vacancy, any interested counterpart may apply. State does not support community media with subsidies in general. Also, there is no legal obligation for PSM to keep its local/regional correspondents. Community media has no separate legal status in Estonia. However, the support to community 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).

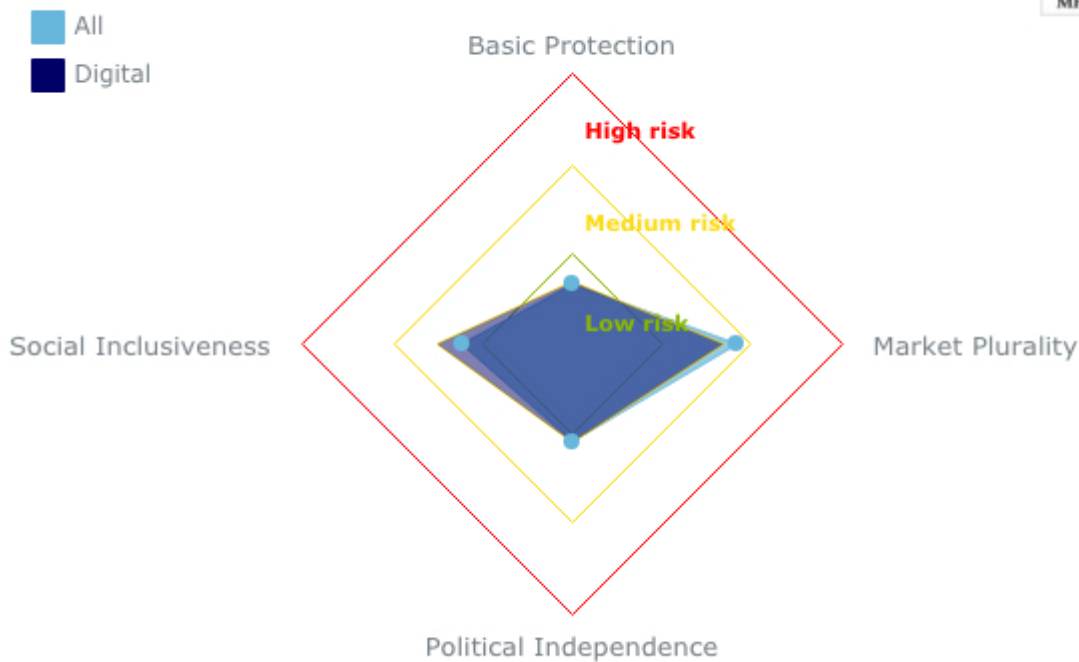
The discussion about the **Access to media for people with disabilities** (low risk, 21%) has been constantly developed on the level of lobbying groups at the parliament and NGOs who are used to make themselves heard by the decision makers. The Estonian Public Broadcasting Act and therefore public service media in general prioritizes people with hearing disabilities. All major daily news are available 24/7 on the website of the National Public Broadcasting (err.ee) and the audience with hearing disabilities can read them there. The subtitling is occasional and one really cannot rely on this. However, it is important to note that the website of PSM mirrors all the transcripts of important discussions on politics and other current issues. The Estonian Public Broadcasting Act does not say anything about the media accessibility for people with visual impairments, and there is no separate service for them. According to Mari Sepp from the Association of Estonian People with Visual Impairments, the Estonian PSM is constantly experimenting with the hearing solutions for blind persons. The hearing solutions they provide are occasional and project based. Importantly, most people with visual impairments are provided by the state with the equipment for following the Internet content via their fingertips. This equipment is able to mediate (almost) any textual content that can be found in the Internet, including PSM pages.

Access to media for women scores medium risk (42%). Gender policies have not been under the radar of policy makers since 1990s. As we look at the PSM's strategy paper for the coming 2018-2021, there is no reference to the gender equality whatsoever. Neither there is reference to the gender issues in the collective agreement in between the management of ERR and journalists. The Gender Equality Act was passed in the parliament already in 2004. The subject may be acknowledged, but it is still proceeding in slow motion. According to Statistics Estonia data from 2019, the difference in between male and female average salary in the field of information and communication is 25%. What makes the situation of 2019 different from 2017 is the fact, that the share of women among the executives and the boards of PSM and private media both, women become represented almost equally with men.

The **Media literacy** (medium risk, 50%) issue has become more important in relation to the digitalization and the spread of touch-screen mobile technology. Teaching media literacy at school has been in the agenda of the Ministry of Education since the beginning of 2000's. Notably, the programmes that promote media literacy address this issue to children younger than 7 years. However, the problematics 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. The indicator scores relatively high risk (still in a medium risk band) because there is no elaborate plan for the dissemination of this knowledge on all levels. Also there is a lack of teachers to work in this field as there is no specific training in media literacy and digital skills for teachers at different levels of education.

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

Estonia: Media Pluralism Risk Areas - Digital



JS chart by amCharts

Basic protection

Protection of freedom of expression online was acknowledged back 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 [11]. Definitely the statement that the provisions on rights and freedoms set out in the European Convention on Human Rights apply equally online and offline is true at the case of Estonia. Basically this is the only regulatory safeguard: the content provider makes the decisions.

The role of the state in this process is minimal, the state neither filters nor removes any of the content that is published online, unless the audience gives an indication of inappropriate use of the platform or the court makes the decision that is based on some of the accusations that originates from the audience. All cases are solved case by case according to the prescriptions of the Estonian Press Council or in a mutual agreement between interested stakeholders.

To a large extent, the practice of journalism is regulated by "self-regulatory" instruments. There is no licensing nor registration of journalists. However, 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 [12], 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 [13], 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) [14], 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 [15], 5) the Personal Data Protection Act is in force since 15 January 2019, that is also meant to prevent the illegal monitoring of journalists [16].

The broadband connection reaches 82,9% of the population (European Commission's data from 2015) [17]. The ownership concentration of the Internet Service Providers is rather high, there are three major providers with 93% of marketshare. In 2019 spring 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%) [18].

Market Plurality

In what concerns the ownership of digital news media, there is no specific law that would require the disclosure of ownership details. The owners of all major outlets are all publicly known media houses, there is no unknown players in this respect. Basically all information related to the entrepreneurship in Estonia is electronically available. The use of the registers is free. High risk for the media pluralism, because in the case of digital media one can point on the cross-border activities with the news outlets such as Sputnik, PBK and the like.

The media related legislation in Estonia does not even mention the concept of 'horizontal concentration'. Now it has been just few years when the horizontal concentration of ownership seems to be a problem from the point of view of the quality media. The market share of the Top4 online news media outlets is approximately 60%. This is likely to be overlapping with the market share, of TOP4 major newspapers, as majority of their work reflects on the on-line sites. The concentration of TOP4 players is even bigger, around 90%. The market share of the TOP4 digital native news media is marginal, 1-2%. This is because the concept of "digital native" hasn't really gained too much public attention. Most of those channels are based on the enthusiasm than real incomes.

According to the "Flash Eurobarometer 437 Internet user's preferences for accessing content online", March 2016 [19], in Estonia the question "what are the services you mainly use to read the news online?" was opted with an answer "The website or app of newspapers and magazines" in 67% of cases. Respectively, online social media is used mainly to read the news online in 16% of cases and news aggregation services in 12% of cases. The audience concentration of the Top4 online competitors is approximately 80% [20]. Importantly, there is no legislation that could prevent the high degree of horizontal concentration of media ownership. The Competition Authority may intervene when it concerns the vertical concentration of ownership. At most cases that endanger the freedom of the press in Estonia we talk about the horizontal concentration of media groups.

According to the report published at 2019 [21], the volume of journalists participating in the professional organizations has been stable since 2016 (this applies also for the AV sector).

The owner influence over editorial content hasn't really been an issue until the recent misunderstandings inside Postimees Grupp. It has a remarkable market share on the Estonian media landscape [22], its operations include producing content for print and internet media, television and radio production, classified portals and offering a printing service. Allegedly (but denied by the group itself) it has a new strategy for content-marketing its real estate portals and other entities on the platforms of news media. Theoretically the Estonian Association of Journalists should come to help at this point. Theoretically, because being the member of EAJ is not so widespread.

According to Kantar Emor statistics, the volume of print advertising has decreased -1,6% during the 9 months of 2019 (compared to 2018), whereas the advertising market in total has been increasing for past years, including AV sector [23]. As one takes a look at the digital sales statistics, that the Estonian Media Alliance started to publish beginning of 06.02 2020, it is easy to conclude that total sales for content - including digital content - are increasing [24]. 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 - 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.

Political Independence

In what concerns digital native media, there are only few popular sites that have attracted public's attention. For the 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 recognized self-regulation of journalists with regard to social media use for work purposes.

Online political advertising is a subject to the Advertising Act. In relation to social media the Advertising Act pays special attention to children, alcohol, on-line gambling and gambling but not political parties. Also, the online political advertising can be regarded as a subject to the Media Services Act that presumes the political balance during active election campaigning. In practice, the law as it is does not guarantee access for all political actors to all channels. It is important to stress, that there exists also a Political Parties Financing Surveillance Committee at the Parliament, that has proved itself highly effective in such matters (including online expenses). The Political Parties Financing Surveillance Committee (see <http://www.erjk.ee/en>) is a subject to the Political Parties Act.

The PSM funding with regard to the online public services is not specified in the Public Broadcasting Act. However, it has to be stressed here, that PSM media doesn't have any revenues from advertising, therefore it doesn't compete financially with private media. The Act doesn't prescribe the online mission of PSM as any different of its radio and tv-functions for society.

Social Inclusiveness

According to Eurostat, approximately 60% of the population has the basic or above basic overall digital skills. Around 27% of the population has a ranking of 'low digital skill'.

The main regulation and reference against hate-speech originates from the Estonian Constitution, Chapter II: Fundamental Rights, Freedoms and Duties. On the everyday level, all major online portals have editors that constantly keep monitoring and editing online commentaries.

In Estonia, the legal framework for hate speech has been proven in the court - therefore, one could say it is effective. The general audience is aware that misbehavior (especially threats to life, racism and fraud) online may result with real punishment that in some cases may be criminal (such as threatening someone's life).

Also there is a position of web-constables, who keep monitoring the sites used by younger people. Web-constables are police officers working in internet, they respond to notifications and letters submitted by people via internet and train children as well as adults at issues of internet security. If there is a complaint about an 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 audiences understanding that online texting is as real as any other face-to face situation.

5. Conclusions

As we look at the results of MPM 2020 Estonia, there are two major areas of risk: 1) market plurality and 2) social inclusiveness.

The area of **market plurality** represents an high risk in **news media concentration** and a medium risk in the other indicators. There are three aspects that need to be stressed: a) during recent years the horizontal and vertical concentration of media ownership has been growing, especially in what concerns regional media ; b) the tradition of municipality media is strong all over the country, as it offers the ruling parties the opportunity to spread their messages by using public money and c) the municipality media as a rule of thumb also sells advertising, and this tends to create market distortions. It is important to note also, that the printed press has maintained its social status as a reliable source of information, although its importance as an advertising channel has become minimal. The positive tendency that was recently pointed by the Estonian Media Alliance is **the constant growth of digital sales**, a tendency that has become notable only in 2019.

In the area of **social inclusiveness** the high risk stands basically for the **access to media for local and regional communities** (69%). State does not support community media with subsidies in general. Also, there is no legal obligation for PSM to keep its local/regional correspondents. Community media has no separate legal status in Estonia, that in turn leaves it either open for buyouts from the larger national enterprises (i.e. Postimees Grupp) or they simply face closing. Also the **media literacy** related risks are relatively high (50%). The problematics of media literacy in Estonia has been addressed as the issue of 'digital skills'. It's a rather high risk because there is no elaborate plans for the dissemination of this knowledge on all levels, also there is a lack of teachers to work in this field and also importantly - there is no specific study programmes for the teachers of media literacy and digital skills at all levels of education.

Although the monitor shows relatively high risk (60%) for the **political independence of media**, it should be taken as a good illustration of the lack of regulation that easily might end with the politically motivated media system. Since the beginning of 1990s, one of the media-related dogmas in Estonia has been the understanding that the media system has to be as liberal as possible. It hasn't changed much until 2020's. Today's media business still is one of the less regulated areas of Estonian life. However, due to the growing horizontal and vertical concentration of mediascape, few voices have started to promote the need for additional media regulation in the very European sense.

There are two major concerns that should be pointed in addition to the risks that are outlined earlier in this report: First: **Estonia does not plan to tax large multinational digital companies in the coming years** because it does not want to introduce new taxes or come into conflict with the US. That in turn leaves Estonia's own national media companies under pressure caused by the the uneven market conditions. And second: the dangers that have become apparent in relation to **disinformation campaigns that are directed to the Russian audience** in Estonia. 2019 October witnessed the closing of bank accounts of Sputnik and Russia Today due to their insufficient cooperation with the Finance Intelligence Unit. The dangers related to the spread of fake news continue to be well-addressed in the political, journalistic and also civic level.

6. References

- [1] <https://www.stat.ee/en>
- [2] <https://meedialiit.ee/statistika/statistika-2019/#digi>
- [3] ERR 27.12 2019 "Russia threatens countermeasures against Estonia over Sputnik sanctions", <https://news.err.ee/1018124/russia-threatens-countermeasures-against-estonia-over-sputnik-sanctions>
- [4] ERR 20.12.2019 "Russian president: Estonian authorities afraid of Russian journalists", <https://news.err.ee/1016277/russian-president-estonian-authorities-afraid-of-russian-journalists>
- [5] For the wider exploration of the subject see also for the [Annual Review 2018](#) of Estonian Internal Security Service, "Source laundering in the Kremlin's influence operations", also BNS/ERR 20.02 2019 interpretation of 2018 Eurobarometer's insight into the Europeans attitudes towards fake news: "Survey: Estonians most unquestioning information disseminators in EU", <https://news.err.ee/912300/survey-estonians-most-unquestioning-information-disseminators-in-eu>.
- [6] <https://www.kantaremor.ee/pressiteated/eesti-meediareklaamiturg-kasvas-uhaksa-kuuga-35/>
- [7] "Current trends and the state of art in Estonian media politics", University of Tartu, University of Tallinn, MEDIT, https://www.yti.ut.ee/sites/default/files/aki/aruanne-24-03-2019-7.pdf?fbclid=IwAR3Hse6PoyIjNqQoeB-PNv-ydAghX0eQy3V06I_JE8WnIhpC2B2J-GWQNFU
- [8] <https://meedialiit.ee/2020/02/06/meedialiit-hakkab-avaldama-digitellimuste-infot>
- [9] ERR 31.05.2019 "Postimees introduces new slogan to newspaper nameplate", <https://news.err.ee/947830/postimees-introduces-new-slogan-to-newspaper-nameplate>
- [10] Estonian Statistics 16.10 2019 "Gender pay gap continues to be present in all economic activities", <https://www.stat.ee/news-release-2019-122>
- [11] Dirk Voorhoof, Strasbourg Observers, 18.06 2015 "Delfi AS v. Estonia: Grand Chamber confirms liability of online news portal for offensive comments posted by its readers"
- [12] <https://www.riigiteataja.ee/akt/121122010001>
- [13] <https://www.riigiteataja.ee/en/eli/527012016001/consolide>
- [14] <http://www.ekei.ee/et/uudised/eelnou-paneb-paika-allikakaitse-pohimotted>
- [15] <https://www.riigiteataja.ee/en/eli/529032019012/consolide>
- [16] https://www.riigiteataja.ee/en/compare_original/523012019001
- [17] [https://digital-agenda-data.eu/charts/analyse-one-indicator-and-compare-countries#chart={"indicator-group":"broadband","indicator":"bb_ngacov","breakdown":"total_pophh","unit-measure":"pc_hh_all","ref-area":\["AT","BE","BG","HR","CY","CZ](https://digital-agenda-data.eu/charts/analyse-one-indicator-and-compare-countries#chart={)
- [18] <https://geenius.ee/uudis/elisa-ostab-starmani-eesti-aritegevuse/> and <http://www.ituudised.ee/uudised/2016/01/29/telia-eesti-juht-sailitasime-oma-turuosa>
- [19] <https://ec.europa.eu/digital-single-market/en/news/eurobarometer-internet-users-preferences-accessing-content-online>
- [20] Turu Uuringute AS (Market Research Company) "Public opinion and the defense of the state 2019", http://www.kaitseministeerium.ee/sites/default/files/elfinder/article_files/avalik_arvamus_ja_riigikaitse_marts_2019.pdf
- [21] "Current trends and the state of art in Estonian media politics" (2019), University of Tartu, University of Tallinn, MEDIT
- [22] <https://eestimeedia.ee/concern-page/c>
- [23] <https://www.kantaremor.ee/pressiteated/eesti-meediareklaamiturg-kasvas-uhaksa-kuuga-35/>
- [24] <https://meedialiit.ee/2020/02/06/meedialiit-hakkab-avaldama-digitellimuste-infot/>
- [25] The Political Parties Act. Its chapter 2 is dedicated to the FUNDING OF ACTIVITIES OF POLITICAL PARTY AND SUPERVISION THEREOF, see: <https://www.riigiteataja.ee/en/eli/ee/513042015011/consolide/current#para12b1>
- [26] <https://www.riigiteataja.ee/en/eli/501042019011/consolide#para5>
- [27] <https://appsso.eurostat.ec.europa.eu/nui/submitViewTableAction.do>

[28] PPA's announcement on 12.02 2020 "Web Constables give advice on the Internet" >>
<https://www2.politsei.ee/en/nouanded/veebikonstaablid/index.dot>

ANNEXE I. COUNTRY TEAM

First name	Last name	Position	Institution	MPM2020 CT Leader
Andres	Kõnno		University of Tallinn	X

ANNEXE II. GROUP OF EXPERTS

The Group of Experts is composed of specialists with a substantial knowledge and experience in the field of media. The role of the Group of Experts was to review especially sensitive/subjective evaluations drafted by the Country Team in order to maximize the objectivity of the replies given, ensuring the accuracy of the final results.

First name	Last name	Position	Institution
Tarmu	Tammerk	ethical advisor	Estonian Public Broadcasting
Ragne	Kõuts	associate professor	University of Tartu
Peeter	Sookruus	adviser at the department of communication and media	Consumer Protection and Technical Regulatory Authority
Andres	Jõesaar	associate professor	University of Tallinn

