

# 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: Portugal

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Annexe 1. Country Team

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# 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 Portugal the CMPF partnered with Francisco Rui Nunes Cádima, Carla Baptista, Luís Oliveira Martins, Marisa Torres Da Silva, Raquel Lourenço (ICNOVA - Nova Institute of Communication (FCSH - Universidade Nova de Lisboa)), 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).*

| <b>Basic Protection</b>   | <b>Market Plurality</b>                                    | <b>Political Independence</b>                             | <b>Social Inclusiveness</b>  |
|---|--|---|--|
| Protection of freedom of expression                             | Transparency of media ownership                            | Political independence of media                           | Access to media for minorities   |
| Protection of right to information                              | News media concentration                                   | Editorial autonomy  | Access to media for local/regional communities and for community media |
| Journalistic profession, standards and protection               | Online platforms concentration and competition enforcement | Audiovisual media, online platforms and elections         | Access to media for 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/>.

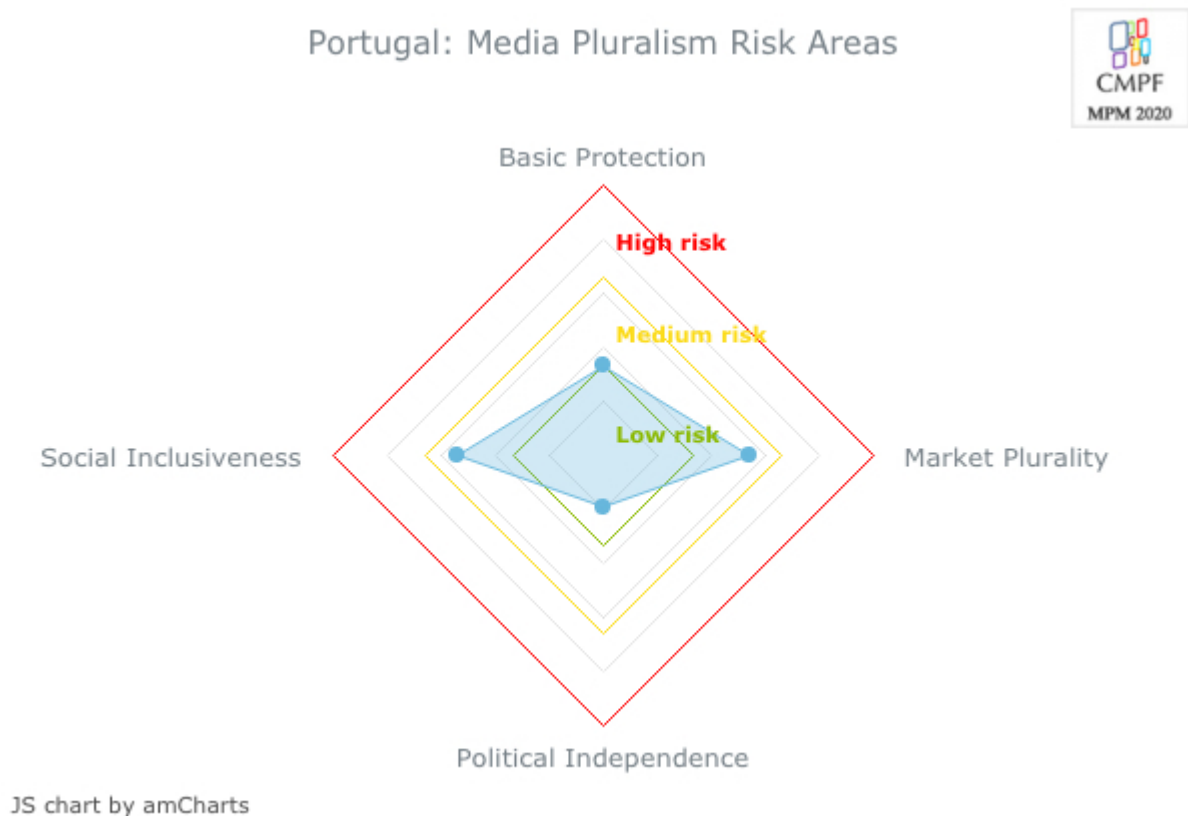
## 2. Introduction

Portugal is a country of just over 10 million inhabitants (10,276,617 - INE/Pordata 2019) and the official language is Portuguese. The latest figures for the real Gross Domestic Product growth rate are estimated at 2.44 for 2017/18 for an overall value of 201,605 M Euros (Pordata). According to their GDP per capita (19,826 Euros - Pordata 2018), its population has a low level of affluence, below the European average (28,280 Euros - Eurostat 2013-2020) and public debt remains one of the highest in the EU. In terms of the presence of minorities, there are no national minorities that represent more than 1% of the population (INE). And according to Pordata, the unemployment rate in 2019 was 6.5 percent which represents a very positive evolution compared to values of five years ago, which were about double.

The Portuguese media sector is currently dominated by four major communication groups: the "Estado" group (public television and radio), the Impresa group (television and press), the Media Capital group, which has just been acquired in 2020 by the Cofina group (television, radio, and press), and the Global Media Group (press and radio). The sector is regulated by ERC – the Portuguese Regulatory Authority for the Media. ERC is an independent administrative body that monitors the key issues of the media system – transparency of ownership, media pluralism, public media – through regular audits, reports, and several studies. The ERC regulation mission comprises all legal persons pursuing mass media activities, which include press agencies, newspapers, radio and television operators or all-natural or legal persons who make publicly available an edited coherent framework of contents, regularly, through electronic communications networks. There are still two more regulators that intervene in specific matters, namely in the context of concentration operations: AdC – The Competition Authority, and Anacom – the National Communications Authority.

The different news media systems are inevitably associated with the growing dissatisfaction in the world with democracy (Foa, R.S., Klassen, A., Slade, M., Rand, A. & Williams, R., 2020). In terms of sources of news, and concerning the question “Where do you get most of your news on national political matters” the update of this data with the ES90 report configures the Portuguese percentages as follows: AVMS: 87; Radio: 30; Newspapers: 38; Websites, portals: 24; Social media, aggregators: 14; Other: 14. Analyzing the Portuguese case, despite some contradictory data in the most recent studies (Reuters Institute Digital News Report 2019 and Eurobarómetro Standard 90 - ES90), it appears that 50.6% of the Portuguese believe that the media do not properly scrutinize public powers (Reuters 2019). Despite that, Portugal continues to be one of the countries where news is most trusted, with values above the European average in the context of the three major traditional media. And about national and European politics, two-thirds of the Portuguese trust traditional media – press, radio, and television, with only one third trusting the Internet and social networks (ES90).

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



The risks to pluralism in the media and the new media sector in Portugal have increased in the last year. Fundamentally, because in this last evaluation we are analyzing in some detail the media and new media online - from news media to digital platforms - and what emerges right away is a problem of lack of data but also data with different methodologies when we want to evaluate the same problem - for example, access to online news, both in the media and on digital platforms.

Secondly, because critical situations have been maintained in Portugal in several areas, for example, the precariousness in journalism; in criminalizing defamation and its potential impacts in the area of journalism; the lack of defense guarantee of whistleblowers, as the specific European Directive has not yet been adapted to Portuguese legislation; the continuing uncertainty regarding control and cross-media concentration situations and now also between cross-media mainstream and digital news media control; in the issue of minorities' access to the media and social-cultural diversity; overall digital skills; net neutrality and Internet access, to name but a few of the areas that Portugal needs to improve.

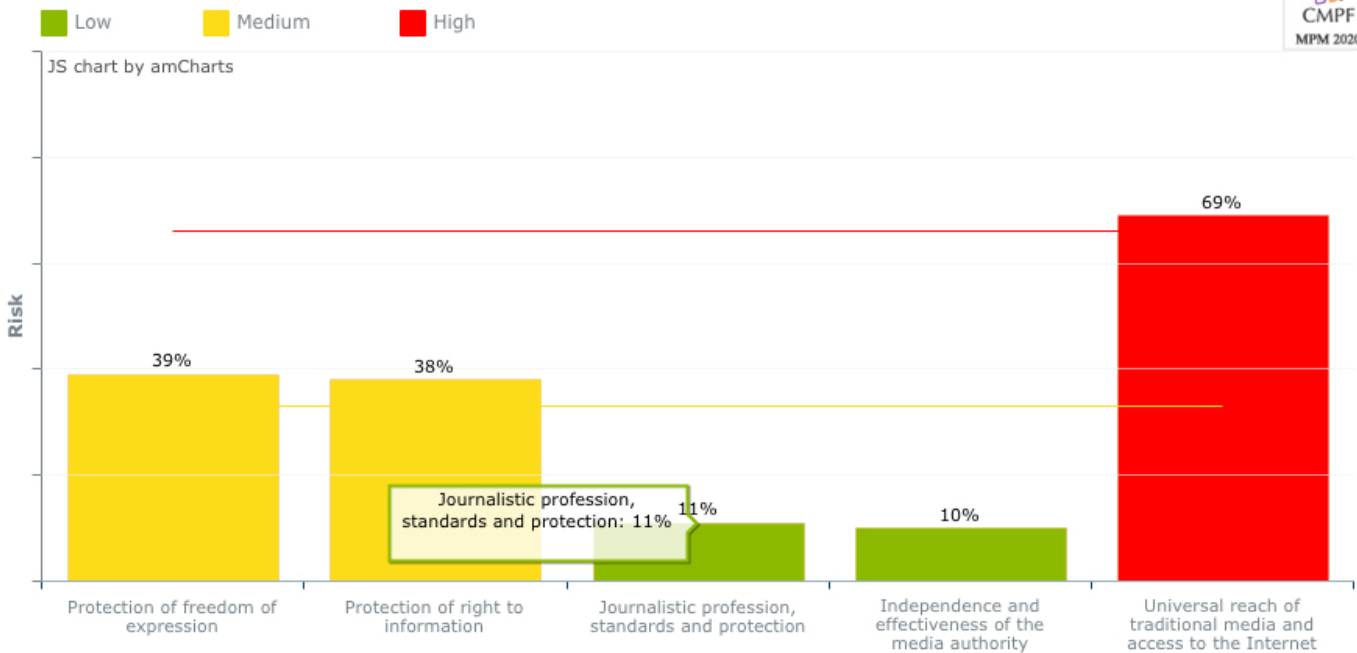
Another reason for concern is that people access online information essentially through side-door processes. The news consumption is highly influenced by algorithms. We also observe that the Portuguese authorities do not take sufficiently into account the specificities and the technological evolutions of the media sector.

#### 3.1. Basic Protection (33% - 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.*



Portugal: Basic Protection



The **Protection of freedom of expression** and the **Protection of right to information** are explicitly recognized in the Portuguese Constitution (low risk: 39% and 38%, respectively). Restrictions to freedom of information on grounds of protection of privacy and national security and the appeal mechanisms in place for denials to access information are clearly defined following international standards. On the other hand, the State has ratified the International Covenant on Civil and Political Rights (ICCPR) and the European Convention on Human Rights with no reservations and respecting FoE international standards. In practice, there are minor violations with no significant meaning to freedom of expression. In terms of FoE online and concerning the electronic publications, according to ERC, it is applied to the Press Law. The Portuguese state has not yet decriminalized defamation. The Portuguese Criminal Code recognises defamation as a criminal offence to honour and it is punished with a prison term. This may pose risks for journalists' freedom of expression or their ability to carry out their work. And concerning leaks and disclosures, Portugal has not yet adopted legal instruments to protect whistleblowers.

About **Journalistic profession, standards and protection** (low risk – 11%): in terms of the effectiveness of the relevant associations in influencing the journalistic sphere, one needs further evidence to assess the efficiency of the journalists' professional associations in guaranteeing editorial independence and/or respect for professional standards. Concerning the working conditions of journalists, including in particular their social security, job security and pay, more risks were detected. And about journalism and data protection, Directive (EU) 2016/680 was transposed into national legislation through the new Law number 59/2019, but this new law is not explicit regarding situations as illegal monitoring of journalists by law enforcement authorities.

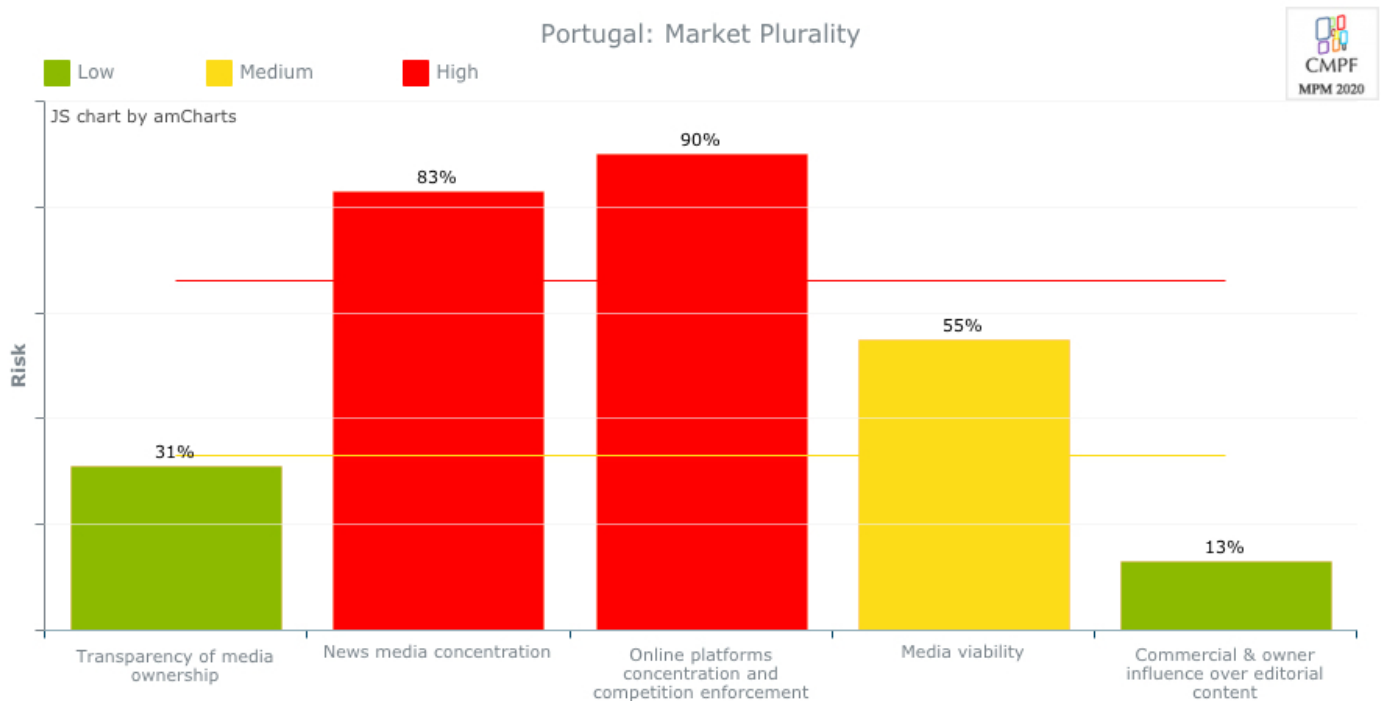
Concerning the **Independence and effectiveness of the media authority** (low risk – 10%), there are regulatory safeguards procedures for the independence of the media authority. The Portuguese media regulatory authority is independent of political power and is accountable only to the Parliament. There is no evidence that the government attempts to overturn the decisions of the media authority and / or disrespect its independence. But in our assessment, the financial reserve applied in 2018 by the government does not allow ERC to fulfill the commitments of the institution.

The indicator on **Universal reach of traditional media and access to the Internet** scores high risk (69%). The high risk results from the access to the Internet, and is related to Broadband coverage - Next Generation Access - FTTH, FTTB, Cable Docsis 3.0, VDSL and other superfast broadband (at least 30 Mbps download); using the data from Digital Agenda source the percentage of NGA broadband coverage/availability is 75.6% of households. Concerning net neutrality – in general, the ISPs manage network traffic in a way that is transparent, impartial and neutral, without discriminating against particular types of content or content from particular sources.

The State and the ISP's don't block or filter access to the Internet or specific online services, applications or websites. The known cases concern exclusively to situations that are violating property rights. These kinds of blocking are required by state administrative bodies and do not need to go to court. In this case of online content removal/filtering/blocking by the State/ISP's and online platforms a regular report/full repository of the cases should be available.

### 3.2. Market Plurality (54% - 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 average risk in the Market Plurality area reflects the different scores of the indicators on ownership concentration (which are at high risk), and the low risk in Transparency of ownership and the business' influence on editorial content. Media viability scores a medium risk.

The indicator of Transparency of Media Ownership reveals a low risk (31%). Law number 78/2015 regulates the transparency of ownership across all media markets (including online). This law contains transparency obligations requiring companies to publish their ownership structures. It has not achieved its full efficacy, but we are expecting further improvements, especially with the implementation of an online platform of transparency.

The indicator of News Media Concentration scores 83% (high risk). The media industries are typically controlled by a limited number of players. The small dimension and GDP of the Portuguese economy contribute to restricting the number of competitive operators.

Currently, large firms are operating in several media outlets. The major privately-owned groups are Impresa, Cofina, Media Capital and Global Media. There is also a State-owned group (RTP). At the end of 2019, Cofina made an offer to acquire Media Capital, which was approved by the owner (Prisa) and the Portuguese authorities. However, in March 2020, Cofina announced it could not raise capital to finance the transaction. Prisa will probably adopt legal actions to

maintain the deal approved with Cofina in 2019.

In Portugal, there is no law with objective thresholds for cross-ownership concentration. Mergers and acquisitions between media corporations are analyzed on a case-by-case basis by the competition authority (AdC) and the media authority (ERC) based on General Competition Law (no. 19/2012) and ERC Law (no. 53/2005). This lack of cross-ownership law creates problems of uncertainty in the media markets.

In recent years, high levels of concentration were detected in TV, Radio and traditional Press. The laws that rule ownership are applied within each media sub-sector. In the television sub-sector, there are thresholds based on objective criteria. The radio sub-sector also has several quantitative limits. However, the press subsector is based on more "laissez-faire" principles and policies. Within all the above-mentioned sub-sectors, in theory the excessive horizontal concentration of ownership could be prevented via general competition rules that take into account the specificities of the media sector. It should be noted that, in recent years, Portugal has not produced laws and regulatory practices that assertively address the challenges arising from new media operators and outlets.

The indicator of Online Platforms Concentration and Competition Enforcement scores very high risk (90%). This assessment is due to the fact that people access online news essentially through side-door processes (which means that the news consumption in Portugal is highly influenced by algorithms); and to the concentration of online advertising market, in which the major international platforms (Google and Facebook) have a high share. In terms of regulation, the Portuguese authorities do not take sufficiently into account the specificities and the evolution of the media sector (digitization, new networks and platforms).

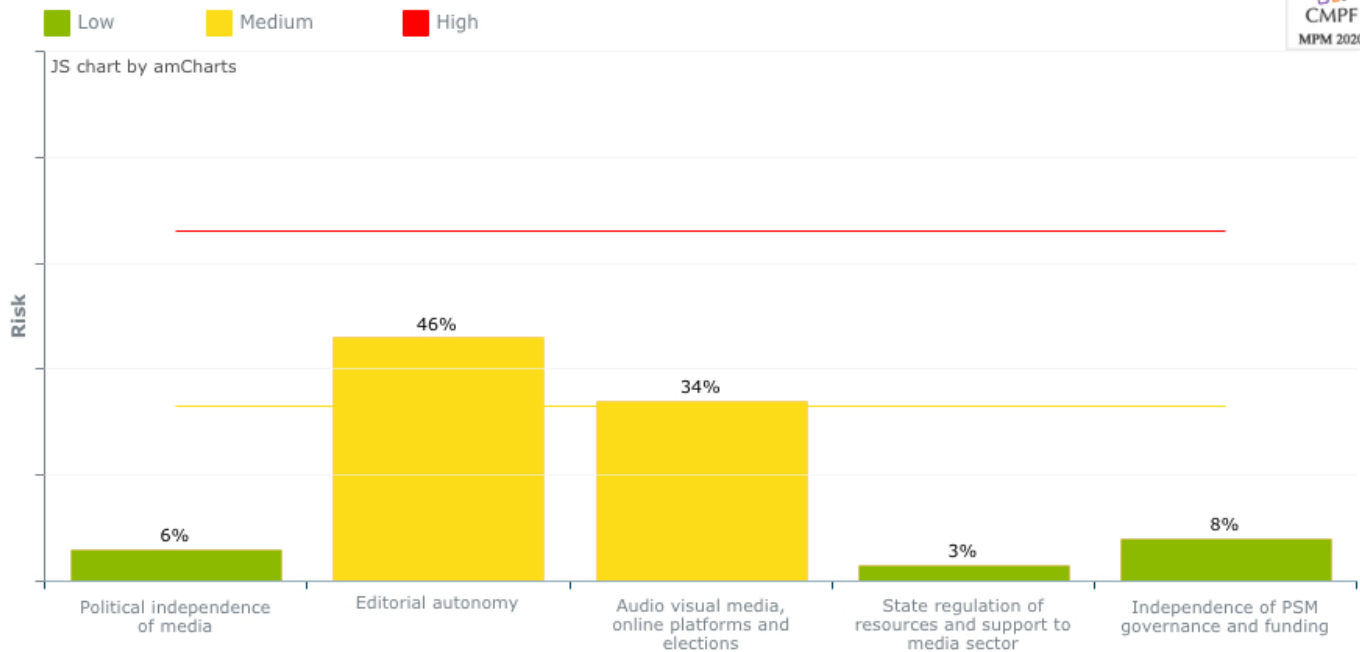
The indicator of Media Viability reveals medium risk (55%). The financial information of media operators is not always fully available and updated. In 2017/18, the total advertising investment in online and offline media increased. The online market is growing consistently. In 2017/18, expenditure for online advertising on news media increased by 16%. However, the revenues associated with traditional print media are constantly under pressure, as readers and advertisers prefer digital products and services.

Almost all media groups are creating diverse online services. Custom publishing and other marketing services are very common activities. Online subscription models have been implemented in major newspapers like Expresso, Público and Diário de Notícias.

The Portuguese government continued to finance the PSM (RTP), and State incentives to private local or regional media were also preserved. In terms of Commercial and Owner Influence over Editorial Content, the level of risk is low (13%). The laws implemented in Portugal protect (offline and online) journalists from commercial or other economic influences. The regulatory frameworks prohibit advertorials and stipulate that the exercise of the journalistic profession is incompatible with activities in the field of advertising.

### 3.3. Political Independence (19% - low risk)

*The Political Independence indicators assess the existence and effectiveness of regulatory and self-regulatory safeguards against political bias and political influences over news production, distribution and access. More specifically, the area seeks to evaluate the influence of the State and, more generally, of political power over the functioning of the media market and the independence of 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 indicator **Political Independence of media** scores low risk (6%). Television and Radio Laws prevent politicians and political parties from owning or financing, directly and indirectly, any activity in the sector. The Media Regulatory Authority (ERC) has effective powers to supervise and sanction in case of interference. The Portal of Transparency discloses data in four areas: ownership, management, financial reports, and corporate governance. This information is mandatory for all registered media and opens for public consultation. There is no evidence of political parallelism in the leading audiovisual media. Newspapers continue to face declining revenues. The Journalist's Union launched a public debate to find alternative ways to finance quality journalism, and a call to safeguard its undermined ability to keep scrutinizing political and economic power.

The indicator on **Editorial autonomy** presents medium risk (46%). The editorial autonomy of Portuguese media decreased in 2018, despite the existence of regulatory safeguards that guarantee freedom from interference in editorial decisions and content. The erosion in this indicator is a matter of concern. Professional journalistic culture is weakened by a continuous financial crisis, affecting mostly the press sector, which leads to job losses and job leaving due to low salaries and precarity. The decline of legacy media and the reluctance of Portuguese readers to pay for online news is destabilizing journalistic professional standards. Blurring practices, such as branding and paid content, are nurturing boundary journalistic work in the absence of a clear regulatory framework. Infotainment logics proliferate and are invading previously separated spheres, like televised news journals and daily shows programs.

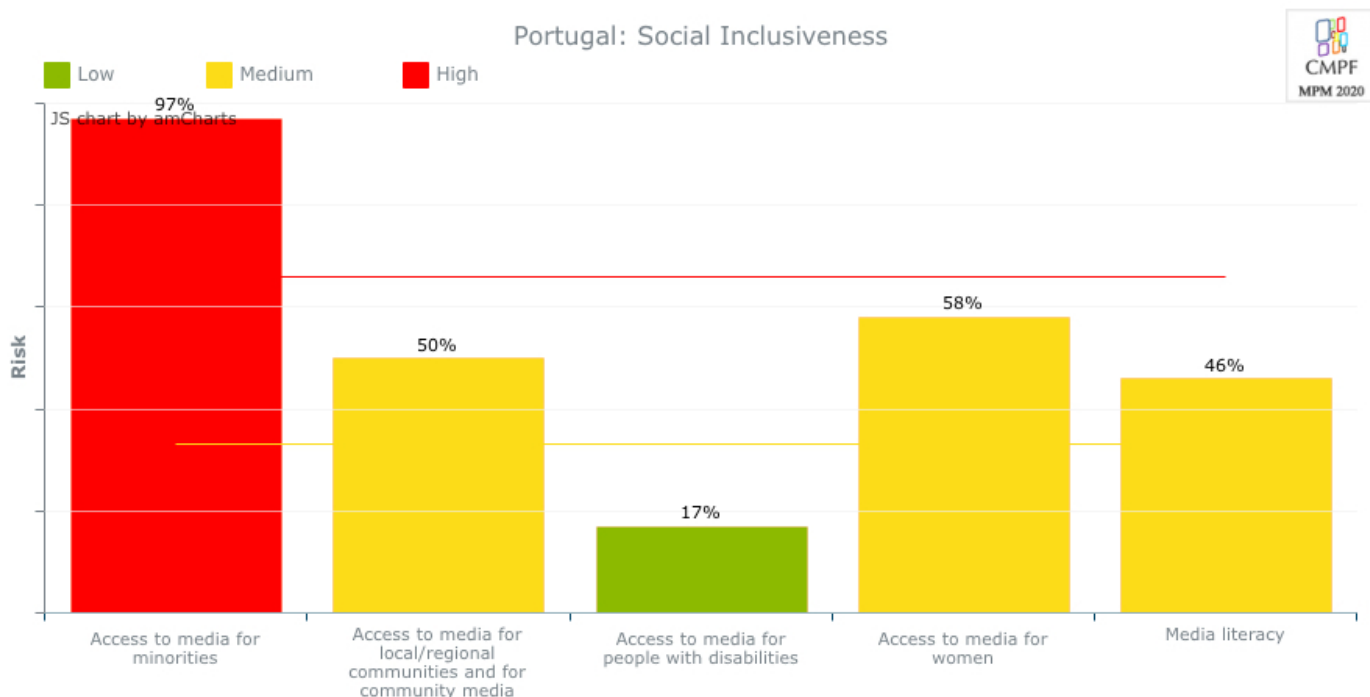
The indicator **Audio-visual media, online platforms and elections** is at medium risk (34%). Elections coverage is being impacted by continuing shifts in news consumption dynamics. According to the 2019 Digital News Report, television remains the main news source, followed by the Internet. The dispersion of advertising reflects the increased allocation of advertising expenses to various online platforms. The damages on political pluralism have been limited due to the existence of a regulatory framework imposing fair representation of different political actors and viewpoints in audiovisual media, especially during electoral campaigns. The law prohibits political advertising during electoral periods in audiovisual media. Periodicals, radio and social media are allowed to advertise political events. PSM usually performs in a representative way, allowing less prominent political actors to participate in inclusive debates. Party and leading political characters centered journalistic coverage compromise a more diverse approach of politics. The growing importance of online international players, exempted from editorial responsibility, urges media regulators to extend further monitoring over online political spending and the uses of citizen's data for political purposes.

The indicator **State regulation of resources and support to media** reveals low risk ( 3%). The score reflects a stable framework concerning state support to the media sector. Public radio and television broadcasting services are financed through the collection of an audio-visual contribution (paid on the electricity bill of each household) and by the commercial revenues of the services provided. The main challenges are adding more channels to the public spectrum and to solve the problems with DTT in interior areas. Portugal still has no consistent national plan for 5G development. The state direct subsidies concern local and regional press follow an insular project logic, focused on technological innovation, training, digital development and content production capacity. The selection procedures and the impact evaluation need to be addressed more transparently. As for indirect subsidies, such as reduced postal prices and institutional advertising, the legislation assures fair distribution and the National Media Authority (ERC) monthly reports on state institutional advertising.

The indicator **Independence of PSM governance and funding** counts low risk (8%). This area suffered a slight deterioration, comparing to the 2017 MPM report. The rise of fake news is calling for an articulated strategy to fight online disinformation, but the political orientation has been to cut budgets, particularly in the news agency Lusa. Commercialization and lack of cultural diversity are affecting negatively trust in news. One very mediatized case also questioned the public television (RTP) governance model in terms of independence. The dismissal of the editor-in-chief following accusations of censoring one investigative reportage, although not proved, lead to intense political dispute and increasing perceived politicization for top management and editorial positions.

### 3.4. Social Inclusiveness (54% - 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.*



The indicator of Access to Media for Minorities presents a very high risk (97%). As stated in previous MPM reports, the scarce visibility of socially recognized minorities in mainstream media subsists and limited representation of socio-cultural diversity prevails. Representatives of socio-cultural diversity star about 2% of the news pieces, highlighting

actors of religious confessions, followed by immigrants, refugees, and representatives or members of minority groups (ERC, 2019a). An analysis of pluralism and diversity conducted between 2015 and 2017 reveals that almost half of the television news pieces with the presence of foreign citizens living in Portugal represent them in negative situations, such as criminalization, victimization, poverty, among others (ERC, 2019b). The same trend is observed with refugees/asylum seekers in the national territory, although also represented in positive situations of success and integration (ERC, 2019b; Silva, 2019).

The indicator of Access to Media for Local and Regional Communities and community media scores medium risk (50%). There are several subsidies and policy measures for local and regional media. The incentives and subsidies are decided and delivered by the CCDRs (Coordinating Commissions for Regional Development), based on several criteria resulting from national legislation. Nevertheless, as for community media, they still don't have legal recognition or support, nor specific funding, despite the emergence of social/cultural/political community radio projects in the last years (Midões, 2019), mostly within the web.

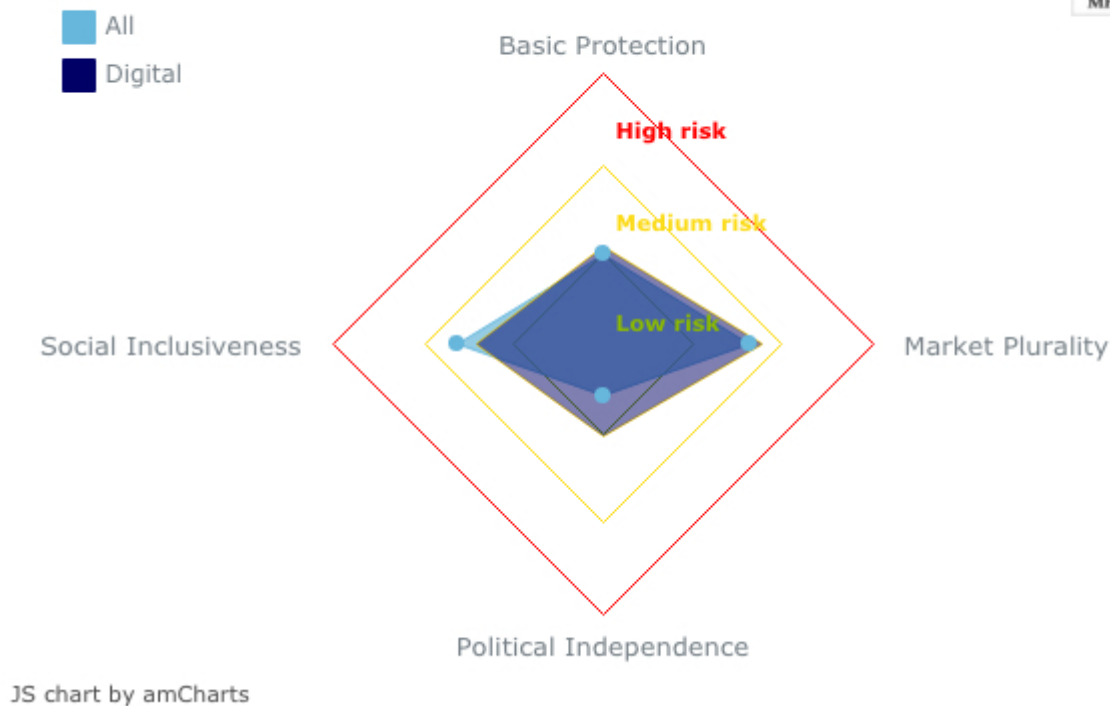
The indicator of Access to Media for People With Disabilities presents low risk (17%). Legislation and policymaking have addressed accessibility to media, information, and services for more than a decade. However, as stated in the 2018 MPM report, the legislation is not implemented effectively in what concerns the failure to meet the minimum number of hours of emission with signaling, audio description and subtitling for all generalist open signal channels, with the inexistence of TV operators that have been fined for that reason.

The indicator of Access to the Media for Women scores medium risk (58%). The PSM has a comprehensive gender equality policy covering both personnel issues and programming content, which contrasts with the near absence of strategic documents on gender equality in private channels. Also in the case of private media groups, the presence of women in management boards and/or among executives is low. Problems of misrepresentation (stereotypes) and underrepresentation of women in the news prevail. Female experts are much less invited by the media to comment on political and other relevant matters (Figueiras, 2019).

The indicator of Media Literacy is at medium risk (46%). In the last years, there has been an increasing preoccupation to work towards the creation of policies and initiatives regarding media literacy but there is still a fragmented response to this need. The presentation of content related to media literacy is still not compulsory in school curricula but, on a positive note, the Journalists' Union (with the support of the government) started in 2019 a pilot program to train secondary school teachers on media literacy. Media literacy initiatives aiming to prevent hate speech in the country are nascent but insufficient.

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

### Portugal: Media Pluralism Risk Areas - Digital



As said, in terms of sources of news, online news from websites, portals, social media, and aggregators represents a minor part of the access to information by the Portuguese (38%), being the vast majority of the access related to traditional media sectors.

In their assessment of media pluralism, 77% of the Portuguese people argue that there is a diversity of opinions and points of view in the national mainstream media (ES90). On the other hand, direct access to news web sites (legacy media) is decreasing and the use of social networks in this field is increasing, this being the means that the Portuguese use most to get information online, although with low confidence levels, in the order of 27% (Reuters 2019).

And it should be noted that in the political sphere, there is a fall in confidence in political parties, in government and parliament, as well as in satisfaction with democracy, after a growth trend that seems to have reached its peak in spring 2018. Only one in four nationals trusts online social networks. These figures are considerably higher than the average for the EU Member States. And, not less important, the Portuguese seem to be less aware of exposure to false news, less prepared to identify it, and less willing to consider it a problem in their country and for the functioning of democracies than all citizens of the 28 member states (ES90).

In this MPM2020 for Portugal, we found an increase in the risks to pluralism in the media and new media sectors compared to previous assessments, as we describe in the different sections of this report 2020.

#### Basic Protection

About the protection and guarantees of freedom of expression online, they are guaranteed in the constitutional and legal framework, namely through the press law, but it is a fact that the abuse of that freedom, in other words, the misinformation and defamation through social networks, has been increasing in Portugal without effective regulatory intervention (Pena 2019). Anyway, the situation in Portugal is not so serious - it cannot even be compared to many other realities around the world -, as described for instance as "digital authoritarianism" or "electoral manipulation" by the Freedom on the Net 2019 report.

Concerning online journalism, safety, and data protection, it is very clear that the improvement of working conditions, together with the economic stabilization of this industry in transition, are fundamental factors to guarantee the dignity and independence of the profession, on the one hand, and on the other hand, the safety and protection of journalists concerning the data that are under their purview.

Portugal needs to improve Internet access in terms of Next Generation Access broadband coverage, in addition to having to exclude or remove any doubts about the possibility that ISPs are not complying with the net neutrality rules.

### **Market Plurality**

In terms of Online platforms concentration and competition enforcement, we detected several problems. In the access to news online, there is excessive use of side-door processes. Direct access to news websites or apps is only 20% (DNR, 2019). Therefore, news consumption in Portugal is highly influenced by algorithms, a trend that can compromise plurality and accuracy. The dominance of few intermediaries for the access to news online leads to a high concentration in the online advertising market.

In terms of regulation of media markets, Portugal lacks a general law that limits cross-media concentration; a high risk comes also by the fact that competition and regulatory framework has not been updated to take into account the growing power of digitization and new platforms.

Concerning News media concentration and also Media viability, the major problem is that it is very difficult to obtain reliable and harmonized data about several players, especially those that operate in the news media digital environment.

### **Political Independence**

Portuguese are getting their online news mainly through social media, Facebook leading, and messaging platforms are increasing ways to access news. Comparing to 2018, fewer users are accessing news directly from informative websites, while search engines remain stable. Portuguese are also very reluctant to pay for online news and are big fans of adblocking software. Two debates are central for the future of democracy: to discuss alternative ways to fund distressed legacy quality media, and to fight online political biased disinformation. Digital platforms are not transparent enough to labeling political advertising and disclosing full details and archives regarding political spending on online advertising.

As more digital media outlets are being created, many openly politically oriented, the risk of political control over native digital media is increasing. The Media National Authority is responsible for implementing a more rigorous process of allowing registration of informative media outlets. There are cases of digital media, usually micro news outlets, disseminating disinformation and promoting harmful polarization based on false assumptions. The use of personal data revealing political opinions for political campaigning is prohibited but there is no clear regulation and no available data. Monitoring tools in this area are mandatory.

### **Social Inclusiveness**

Only 50% of the population has basic or above basic overall digital skills and 23% has low overall digital skills.

Regarding hate speech removal from the Internet and social media, the European Commission against Racism and Intolerance underlines that the lack of information (in terms of reliable statistics) is a major factor in the under-reporting of hate speech (ECRI, 2018). Indeed, there is no data concerning efforts to remove hate speech toward ethnic or religious minorities, people with disabilities or women from social media.

Due to the financial constraints affecting mostly traditional print media, and the naturalization of journalistic boundary work across the majority of newsrooms, the impact of branding in informative content urges media regulators and the journalistic community to cooperate, in order to strengthen self-regulation. This includes creating ethical guidelines for journalists when using social media. Except for RTP and newspaper Expresso, these are inexistent in other news organizations.



## 5. Conclusions

Policy conclusions/recommendations: these are our main suggestions for improving media systems in defense of pluralism and diversity, in preventing corruption, and placing the Idea of Europe (Steiner) as an EU strategic objective:

- It is imperative to protect and reinforce the role of journalism in contemporary society: for instance, discussing new ways of Government funding of journalism and developing local news interactive platforms bringing journalists, university news labs and community together;
- TV programs: ensure that the initial spirit of the audiovisual directive is respected, requiring that the shares of national programs/member states stay out of the statistics of European programs broadcast by European national TV's, in order to guarantee a significant presence of European content of all the other Member-states and the European cultural heritage, especially in public service networks (Cádima, 2016).
- Market diversity: the economic problems of the private firms can contribute to higher media concentration in 2020. It is therefore important to preserve and reinforce the role of Public Service Media (RTP) in the promotion of pluralism and diversity.
- Media policy: Portugal needs a general law that regulates cross-media concentration and takes in to account the new players in the digital markets. This type of law would bring more clarity and equity to the media sector.
- Strong transparency in the media/new media sectors is unavoidable, especially in terms of fake news and online information on digital platforms, which have unfathomable news dynamics.
- Political Independence: The erosion of the journalist's editorial autonomy is a relevant and negative evolution in the MPM2020 report. More self-regulation is needed to address dubious practices, like branding, and journalist's ethical behavior when using social media. More regulation is also needed to fight online political disinformation. The Media National Authority (ERC) must closely monitor native digital pseudo informative media, since many are being created to disseminate disinformation for political purposes. Digital platforms must become more accountable regarding the disclosure of data related to political advertising. Media regulators and the Portuguese Data Protection Authority should work together to assure that citizens' private information is not used for political campaigning.
- Whistle-blowers: in our perspective (and somehow following the EP\*) it is essential to review the European directive, allowing platforms for ethical/civic hacking or individuals as such identified, from outside the organizations, to be defended in the context of leaks/disclosures with an unequivocal general public interest.
- Filtering/blocking the access to the Internet: in terms of removal/filtering/blocking by the State/ISP's and online platforms: a regular report/complete case repository must be available annually by the regulator.
- Net neutrality: it is essential that regulators, through a public and transparent barometer, assertively monitor ISP's and, for instance, zero-rating, and if they are providing consistent performance no matter the content the public is accessing.
- Regulation of algorithms and blockchain: it is fundamental to prepare with the utmost urgency the regulation of algorithms and blockchain when they intervene in the media/new media and advertising sectors.
- Access to media by minorities: we recommend the promotion of policies that aim to promote a stronger representation of social-cultural diversity, either in terms of programming, either in the news.
- Protection against hate speech on social media: in line with the recommendation of the ECRI report on Portugal (ECRI, 2018), we propose that the media, media regulators, civil society and other authorities/institutions join efforts to do a systematic monitoring of the Internet to detect, take down and compile reliable statistics on hate speech.
- And last but not least, as with privacy policies on the Net and the GDPR, the European Union must urgently concern itself with the policies for the preservation of Web content and websites (see the Internet Archive, the Web Archivability Community Group, or, for instance, the Portuguese Arquivo.pt), particularly in the area of news media. In this matter, we continue to lose the archive and the history of the Web and remain living in a kind of digital Age of Darkness that can never be recovered.

\* European Parliament resolution of 24 October 2017. Legitimate measures to protect whistle-blowers acting in the public interest (2018/C 346/21).

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52017IP0402&from=PT>. See paragraph 15: Considers that individuals who are outside the traditional employee-employer relationship, such as consultants, contractors, trainees, volunteers, student workers, temporary workers, and former employees, as well as citizens, should also be given access to reporting channels and appropriate protection when they reveal information on an unlawful or wrongful act or an act which undermines the public interest.

## 6. References

- Cádima, F. R. (2016). From European public TV to the "alienation" of the Idea of Europe. *Intercom: Revista Brasileira de Ciências da Comunicação*, Nº39 (2), 39-47. <https://doi.org/10.1590/1809-5844201623>
- Constitution of the Portuguese Republic (2005). Seventh Revision  
<http://www.parlamento.pt/legislacao/documents/constitution7threv2010en.pdf> [accessed 31/01/2020]
- ECRI. (2018). *Relatório da ECRI sobre Portugal (quinto ciclo de controlo)*. Strasbourg: Council of Europe.
- ERC. (2019a). *Pluralismo e Diversidade. Análise da Programação da RTP1, RTP2, SIC, TVI, CMTV e RTP3 em 2018*. Lisbon: ERC.
- ERC. (2019b). *A diversidade sociocultural nos media*. Lisbon: ERC.
- ERC (2018). Relatório de Regulação. <https://www.flipsnack.com/ERCpt/erc-relat-rio-regula-o-2018-fci0rmpx2/full-view.html>. [accessed 31/01/2020]
- ERC (2019). A Desinformação - Contexto Europeu e Nacional.  
[https://www.parlamento.pt/Documents/2019/abril/desinformacao\\_contextoeuroeunacional-ERC-abril2019.pdf](https://www.parlamento.pt/Documents/2019/abril/desinformacao_contextoeuroeunacional-ERC-abril2019.pdf)  
[accessed 31/01/2020]
- Eurobarometer (2016). Internet users' preferences for accessing content online  
<https://ec.europa.eu/digital-single-market/en/news/eurobarometer-internet-users-preferences-accessing-content-online>  
[accessed 31/01/2020]
- Eurobarómetro Standard 90 (2018). Opinião pública na União Europeia - Outono 2018. Relatório nacional – Portugal.  
[https://ec.europa.eu/portugal/sites/portugal/files/eb90-portugal-outono2018\\_pt.pdf](https://ec.europa.eu/portugal/sites/portugal/files/eb90-portugal-outono2018_pt.pdf) [accessed 31/01/2020]
- European Convention on Human Rights (ECHR). (2013).  
[https://www.echr.coe.int/Documents/Convention\\_ENG.pdf](https://www.echr.coe.int/Documents/Convention_ENG.pdf) [accessed 31/01/2020]
- European Parliament resolution of 24 October 2017. Legitimate measures to protect whistle-blowers acting in the public interest (2018/C 346/21). <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52017IP0402&from=PT>  
[accessed 31/01/2020]
- Figueiras, R. (2019). *O efeito Marcelo. O comentário político na televisão*. Lisbon: Fundação Francisco Manuel dos Santos.
- Foa, R.S., Klassen, A., Slade, M., Rand, A. and R. Williams. 2020. "The Global Satisfaction with Democracy Report 2020." Cambridge, United Kingdom: Centre for the Future of Democracy.  
<https://www.bennettinstitute.cam.ac.uk/media/uploads/files/DemocracyReport2020.pdf> [accessed 31/01/2020]
- Freedom on the Net report (2019). The Crisis of Social Media. <https://www.freedomthenet.org/report/freedom-on-the-net/2019/the-crisis-of-social-media> [accessed 31/01/2020]
- International Covenant on Civil and Political Rights (1976). Portugal. <http://indicators.ohchr.org/> [accessed 31/01/2020]
- Marktest (2019). netAudience. <https://www.marktest.com/wap/a/grp/p~109.aspx>.
- Midões, M. (2019). Rádios comunitárias em Portugal: mapeamento e características participativas. In F. R. Cádima, *Diversidade e Pluralismo nos Média*. Lisbon: Coleção ICNOVA.
- Obercom (2018). Anuário da Comunicação. <https://obercom.pt/wp-content/uploads/2019/07/2018-Anuario-OBERCOM.pdf>. [accessed 31/01/2020]
- Obercom (2020). Impacto do branding e conteúdos patrocinados no jornalismo. [https://obercom.pt/wp-content/uploads/2020/02/Sponsored\\_content\\_FINAL\\_edit\\_Spain\\_UK.pdf](https://obercom.pt/wp-content/uploads/2020/02/Sponsored_content_FINAL_edit_Spain_UK.pdf) [accessed 31/01/2020]
- Pena, P. (2019). *Fábrica de Mentiras. Viagem ao mundo das fake news*. Lisboa: Objectiva.
- Reuters Institute Digital News Report (2019). Portugal  
<https://obercom.pt/reuters-institute-digital-news-report-2019-portugal/> [accessed 31/01/2020]
- Silva, M. T. (2019). *Fact sheet: Portugal. Country Report on Media and Migration*. [https://newneighbours.eu/wp-content/uploads/2019/09/NN\\_Factsheet\\_Portugal.pdf](https://newneighbours.eu/wp-content/uploads/2019/09/NN_Factsheet_Portugal.pdf). [accessed 31/01/2020]
- Steiner, G. (2015). *The Idea of Europe - An Essay*. London: Duckworth



## ANNEXE I. COUNTRY TEAM

| First name | Last name        | Position              | Institution   | MPM2020 CT Leader |
|------------|------------------|-----------------------|---|-------------------|
| Francisco  | Rui Nunes Cádima |                       | ICNOVA - Nova Institute of Communication (FCSH - Universidade Nova de Lisboa) | X                 |
| Carla      | Baptista         | Researcher; Teacher   | ICNOVA - Nova Institute of Communication (FCSH - Universidade Nova de Lisboa) |                   |
| Luís       | Oliveira Martins | Researcher; Teacher   | ICNOVA - Nova Institute of Communication (FCSH - Universidade Nova de Lisboa) |                   |
| Marisa     | Torres Da Silva  | Researcher; Teacher   | ICNOVA - Nova Institute of Communication (FCSH - Universidade Nova de Lisboa) |                   |
| Raquel     | Lourenço         | Research collaborator | ICNOVA - Nova Institute of Communication (FCSH - Universidade Nova de Lisboa) |                   |

## 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  |
|------------|-----------|---------------------------------------|--|
| Pedro      | Braumann  | Member of the Board                   | CPMCS - CONFEDERAÇÃO PORTUGUESA DE MEIOS DE COMUNICAÇÃO SOCIAL |
| Carla      | Martins   | Head of Media Transparency Unit - ERC | ERC  |

