

MONITORING MEDIA PLURALISM IN THE DIGITAL ERA

APPLICATION OF THE MEDIA PLURALISM MONITOR IN THE EUROPEAN UNION, ALBANIA, MONTENEGRO, THE REPUBLIC OF NORTH MACEDONIA, SERBIA & TURKEY IN THE YEAR 2020

Country report: The Czech Republic

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Research Project Report

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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 of the European Union and in candidate countries. This narrative report has been produced on the basis of the implementation of the MPM carried out in 2020. The implementation was conducted in 27 EU Member States, as well as in Albania, Montenegro, the Republic of North Macedonia, Serbia and Turkey. This project, under a preparatory action of the European Parliament, was supported by a grant awarded by the European Commission to the Centre for Media Pluralism and Media Freedom (CMPF) at the European University Institute.

1.2. Methodological note

Authorship and review

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

In The Czech Republic the CMPF partnered with Vaclav Stetka (Loughborough University), Roman Hajek (AnFas, s.r.o.), who conducted the data collection, scored and commented on the variables in the questionnaire and interviewed experts. The report was reviewed by the CMPF staff. Moreover, to ensure accurate and reliable findings, a group of national experts in each country reviewed the answers to particularly evaluative questions (see Annexe II for the list of experts). For a list of selected countries, the final country report was peer-reviewed by an independent country expert.

Risks to media pluralism are examined in four main thematic areas: Fundamental Protection, Market Plurality, Political Independence and Social Inclusiveness. The results are based on the assessment of a number of indicators for each thematic area (see Table 1).

Fundamental 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 women
Independence and effectiveness of the media authority	Media viability	State regulation of resources and support to media sector	Media Literacy
Universal reach of traditional media and access to the Internet	Commercial & owner influence over editorial content	Independence of PSM governance and funding	Protection against illegal and harmful speech

Table 1: Areas and Indicators of the Media Pluralism Monitor

The digital dimension

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

The calculation of risk

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

Scores between 0 and 33%: low risk

Scores between 34 to 66%: medium risk

Scores between 67 and 100%: high risk

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

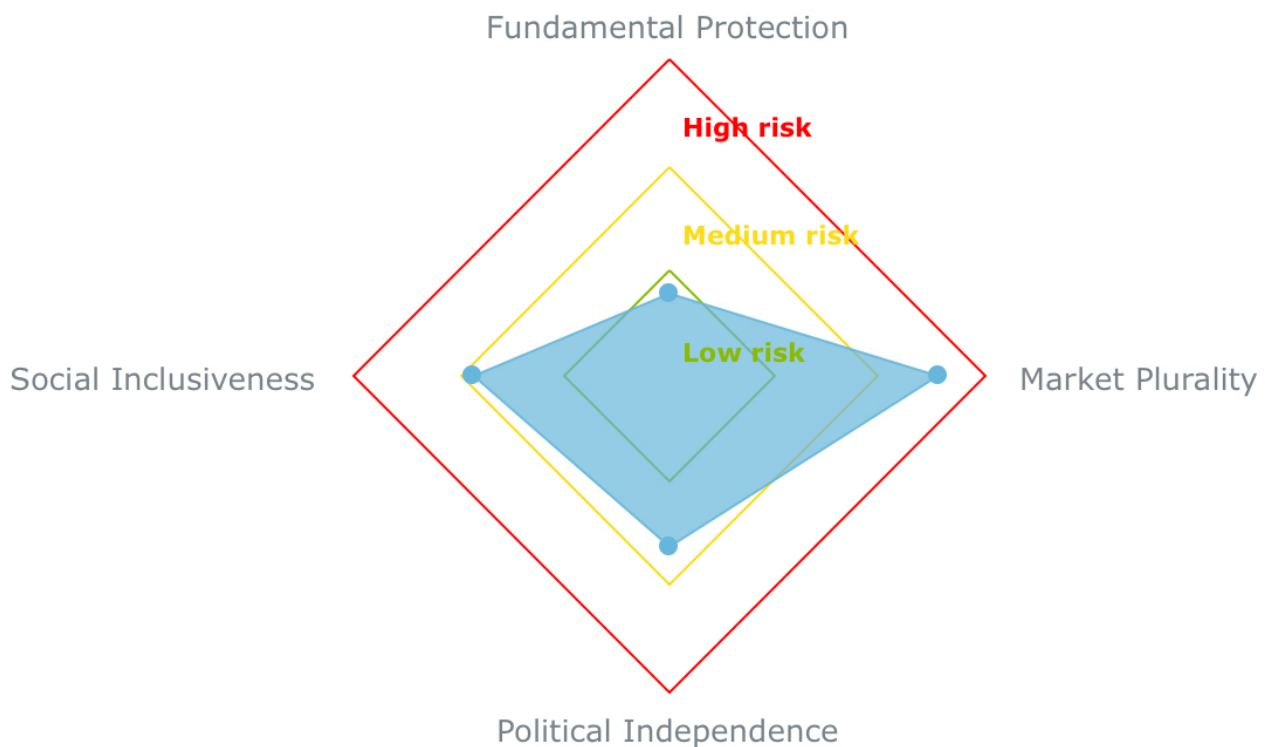
Disclaimer: The content of the report does not necessarily reflect the views of the CMPF, nor the position of the members composing the Group of Experts. It represents the views of the national country team that carried out the data collection and authored the report. Due to updates and refinements in the questionnaire, MPM2021 scores may not be fully comparable with previous editions of the MPM. For more details regarding the project, see the CMPF report on MPM2021, soon available on: <http://cmpf.eui.eu/media-pluralism-monitor/>.

2. Introduction

- **Population:** The Czech Republic is a Central European country with an area of 78 866 sq km and a population exceeding 10.6 million inhabitants.
- **Languages:** The official (and virtually only) language is Czech.
- **Minorities:** The country is ethnically very homogeneous, with a relatively marginal presence of ethnic minorities (estimated 1.5-3% of Roma people, 1.6% of Ukrainians, 1.5% of Slovaks).
- **Economic situation:** The GDP has recorded a 5.6% decrease in 2020, according to the preliminary report of the Czech Statistical Office (published 2 February 2021), as a result of dampening the economy due to the COVID-19 emergency; for 2021, the Czech National Bank estimates 2.2% increase in GDP (CNB, 2021). Despite recent turmoils, the unemployment rate is still one of the lowest within the EU countries (4.3% in February 2021, Úřad práce, 2021), with more than 300.000 jobs available. The average inflation rate in 2020 was about 3.2% (CZSO, 2021a). There are no plans to join the Eurozone any time soon, especially following a significant increase of the government debt due to the pandemic (from 1.6 trillion CZK / 62 billion EUR in 2018 to 2.5 trillion CZK / 96 billion EUR expected in 2021; iRozhlas.cz, 2021).
- **Political situation:** The current Czech political landscape reflects the results of the 2017 Parliamentary Election, which secured half of the seats in the Lower Chamber for two populist parties - centrist, technocratic-populist party ANO led by the billionaire Andrej Babiš, which won 30% of the votes; and far-right anti-immigration party Freedom and Direct Democracy, which claimed the fourth spot (BBC, 2017). Whilst the government is nominally a minority one, with the Czech Social Democratic Party as a minor coalition partner of ANO, it has been propped up by the Communist Party and occasionally by Freedom and Direct Democracy as well. The government has also been benefiting from an informal power alliance between Prime Minister Babiš and President Miloš Zeman, a vocal critic of liberal media and an advocate for Russia- and China-friendly foreign political orientation of the country (McLaughlin, 2019). The pandemic has partly halted the growing civic anti-government movement, mobilized in the previous years by the “Million moments for Democracy” initiative, which managed to organize the largest anti-government demonstration since 1989 on the 30th anniversary of the “Velvet Revolution” (BBC, 2019). However, as a result of the government’s mishandling of the pandemic and vaccine rollout, public support for ANO and Prime Minister Babiš has plummeted at the end of 2020 and in the first months of 2021 (Laca, 2021).
- **Media market:** The media market has been badly affected by the pandemic, especially the print media sector, where total losses have been estimated to be around 80 million EUR in 2020 (MediaGuru, 2021). While a number of publishers had to cut the budgets – and in some cases, the number of staff members – online media and television stations have been comparatively much less affected and even managed to increase their ad revenue, due to the longer time people spend consuming TV and Internet during the lockdown. The long-term trend of replacing foreign media investors by local oligarchs and business actors on the Czech market was virtually completed in 2020, following the acquisition of the biggest commercial TV station Nova (formerly controlled by the U.S.-based CME Group) by the Czech financial group PPF (Šanda, 2020).

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

The Czech Republic: Media Pluralism Risk Areas



JS chart by amCharts



The results of the MPM2021 for the Czech Republic show that only one out of the four key areas displays a low level of risk for media pluralism, namely Fundamental Protection. Two areas – Social Inclusiveness and Political Independence – scored in the medium-risk category, whereas the Market Plurality has significantly exceeded the threshold for high risk. While there were some changes to the individual scores compared to 2020, the overall level of risks in each key area remains the same.

In the **Fundamental Protection** domain, two out of five indicators scored medium risk, namely "protection of the right to information" (38% risk) and "journalistic profession, standards and protection" (40%). The risks for the right to information have stemmed from frequent interferences by the state authorities with the flow of information concerning the pandemic, often poorly justified and/or applied selectively (such as the temporary restrictions of access to government press conferences to certain media). The journalistic profession has suffered a significant economic impact during the pandemic, adding to the already existing vulnerabilities, including precarious work conditions and hostile rhetoric by politicians.

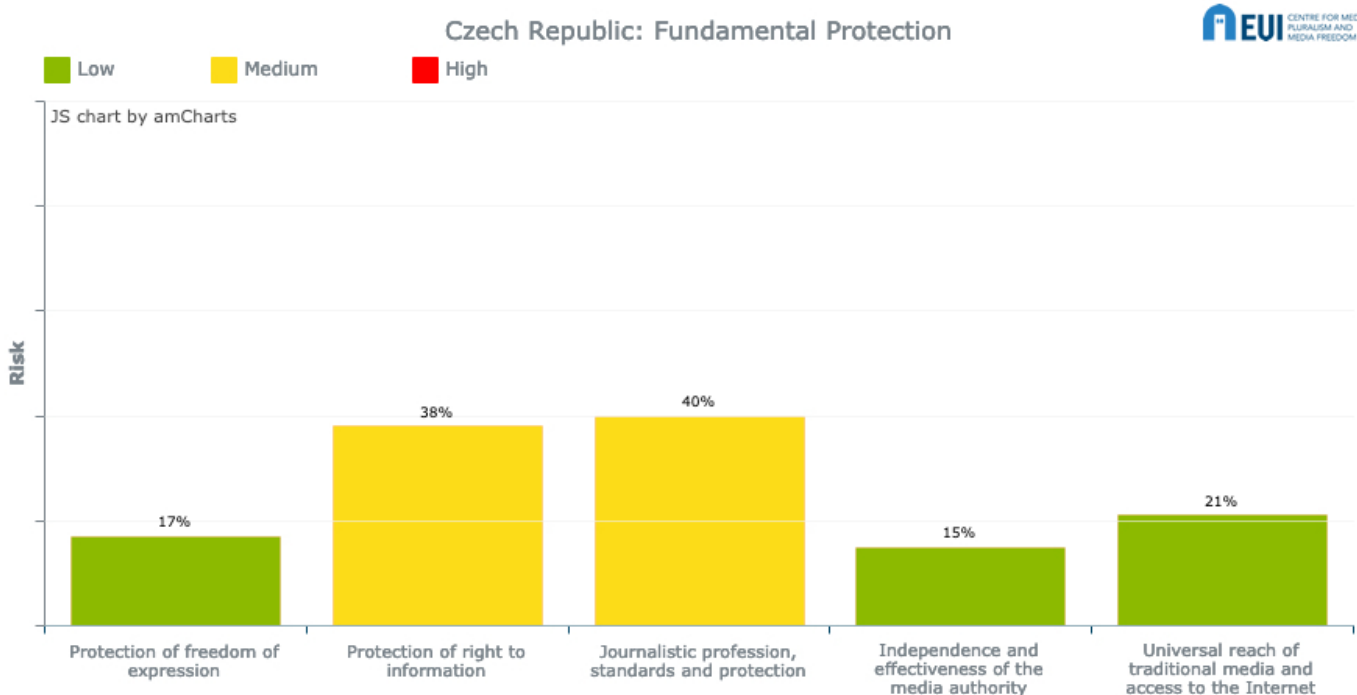
As in previous years, the area of **Market Plurality** exhibits by far the highest level of risk. While the scores for four of the five indicators have remained more or less the same compared to last year, the overall rise of the risk level for this area (from 74% to 88%) is mainly caused by the steep increase of the risks for media viability, as a direct consequence of the pandemic which has caused significant instability of the media market. Further risks are associated with news media concentration (89%), transparency of media ownership and commercial and ownership influence over the media content (both 88%).

The area of **Political Independence** is characterized by a medium level of risk (50%), reflecting a diverse media scene in the country, which includes a number of independent outlets but also those that are linked to political actors, whether through informal networks or via ownership structures, in particular those that are controlled by Prime Minister Andrej Babiš. Public service media are facing political pressures, too, mainly stemming from the attempts to seize political control over their regulatory bodies.

Social Inclusiveness displays a medium-to-high risk level (62%), a notable increase from the previous year (50%), which is, however, mostly attributed to the adding of a new indicator, "Protection against illegal and harmful speech", which scores a high risk (81%). This is mainly due to the missing legal framework aimed at efficient countering of disinformation as well as harmful speech online. High risks are also associated with the poor state of local media in the country, as well as with the access to media for women, who are heavily underrepresented in executive positions in the Czech media.

3.1. Fundamental Protection (26% - low risk)

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



In general, the laws on freedom of expression^[1] in the Czech Republic follow the international human rights standards; the restrictions upon this right are clearly defined, and legal remedies in case of violation of this right are effective. The overall score of the **Protection freedom of expression** indicator (17%) is negatively influenced by the fact that defamation is still defined as a criminal offence, yet actual accusations of defamation are rather rare.

The indicator **Protection of the right to information** reaches 38% (medium risk). The pandemic brought several attempts of public authorities to interfere in the circulation of information (the NGO Frank Bold has

called these practices “soft censorship”; Kužilek & Hausvater, 2020), mostly justified with reference to the risk of disinformation. Probably the most serious case was the reluctance of The Institute of Health Information and Statistics to publish detailed data on the spread of COVID-19 infections (Floriánová, 2020). Such controversies have tested the legal system in this area^[2], which is generally well developed. Experts on the right to information confirm that while violations of the law are not exceptional, there is a general tendency towards greater transparency by public authorities. The medium risk score for this indicator is also influenced by the non-existence of a legal framework for whistleblowing which has not yet been implemented, despite the state’s commitment to transpose the EU Whistleblower Protection Directive by the end of 2021.

The score for **Journalistic profession, standards and protection** indicator is 40% (medium risk). In the Czech Republic, the journalistic profession is open but also quite poorly organised and with only limited protection. The leading association, the Czech Syndicate of Journalists, covers only some 10% of all journalists and thus has only limited options for safeguarding editorial independence and protecting journalists’ working conditions. The overall fragile economic situation of the Czech commercial media, exacerbated by the COVID-19 pandemic, makes journalists even more vulnerable, especially those working for local and regional outlets, freelancers and self-employed journalists (there is no special social scheme for them). The profession is also under constant verbal attacks from the populist parties (which also include the dominant government party ANO) and other high-ranked public officials (e.g. the President Miloš Zeman) who are using them strategically to undermine trust in media (World Press Freedom Index, 2020). The fact that strategic lawsuits against public participation (SLAPPs) are not regulated by the Czech law further increases journalists’ vulnerability. Despite that, the journalistic profession remains fairly safe, with cases of physical attacks or serious digital threats being very rare.

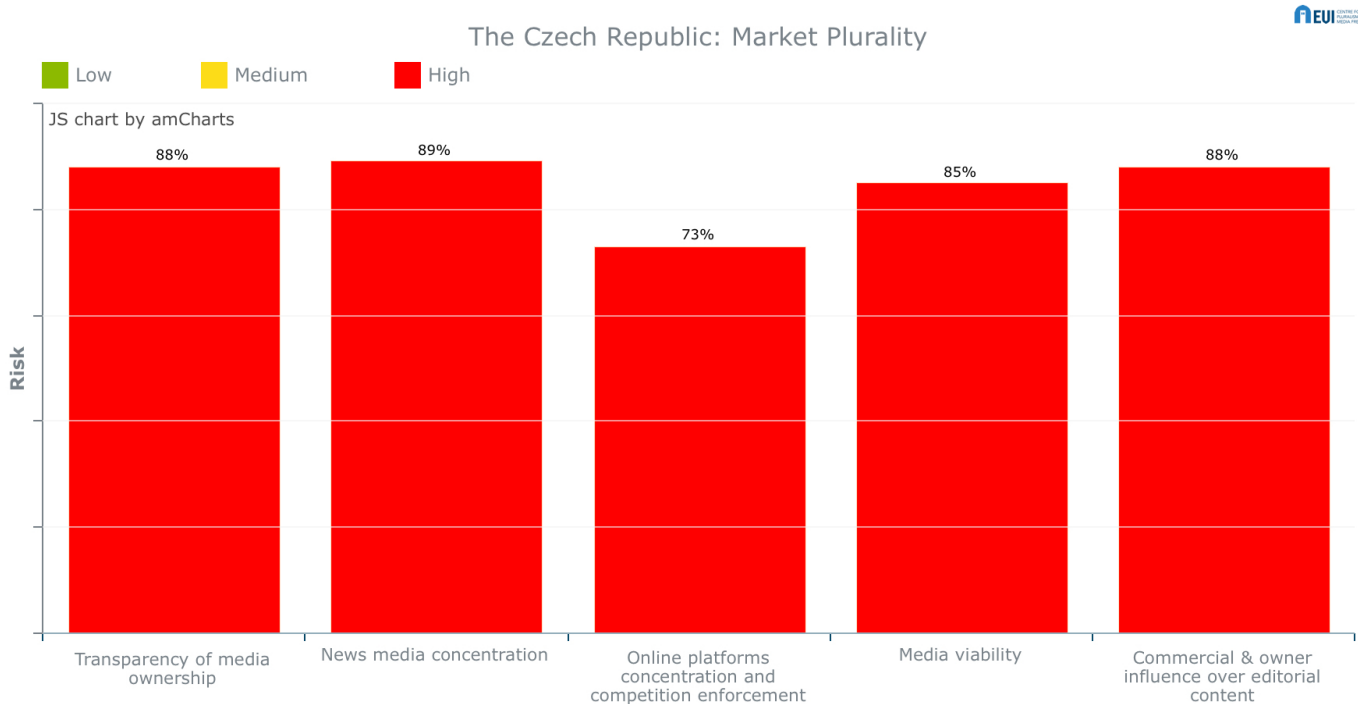
The low-risk score (15%) for **Independence and effectiveness of the media authority** reflects, to a large extent, the fact that the main regulatory body (The Council for Radio and Television broadcasting) is considered primarily as an administrative authority, with powers relatively strictly defined in law^[3]. Compared to the regulators of the public service media, the Council works more independently and under less political pressure. However, the law does not efficiently safeguard the political and economic independence of the Council due to the design of the appointment procedures (as members are nominated by parties), leading to occasional controversies.

The indicator **Universal reach of traditional media and the internet** scores low risk (21%). In the last years, the country made significant progress regarding broadband coverage, broadband subscriptions, and the average speed of Internet connection. An important force driving this shift has been the expansion of Internet television that was enabled by the transfer to a DVB-T2, the new standard for digital terrestrial TV broadcasting (many people switched to IPTVs instead of the DVB-T2; CTU, 2019). Unfortunately, there is a lack of transparent and comprehensive data on the market shares of Internet service providers (ISPs). The principle of net neutrality is well implemented in the law as well as in practice^[4].

3.2. Market Plurality (85% - high risk)

The Market Plurality area focuses on the economic risks to media pluralism, deriving from lack of transparency and concentration of ownership, sustainability of the media industry, exposure of journalism to commercial interests. The first indicator examines the existence and effectiveness of provisions on transparency of media ownership. Lack of competition and external pluralism is assessed separately for the news media (production of the news) and for the online platforms (gateways to the news), considering separately horizontal and cross-media concentration; the concentration of online advertising market; and the

role of competition enforcement. The indicator on media viability measures the trend of revenues and employment, in relation with GDP trends. The last indicator aims to assess risks to market plurality posed by business interests on production of editorial content, both from commercial and owners influence



All the five indicators for this area are characterised by a high level of risk. The already troublesome state of market plurality has been further exacerbated by the impact of the pandemic, which has caused a significant decline of revenues of most traditional media, particularly in the print media sector (Vojtěchovská, 2021), with some weeklies and monthlies having reported up to 70% drop in ad revenues in the spring months of 2020. A number of media companies had to resort to salary cuts, staff redundancies, as well as to limiting the frequency of some titles or even completely stopping their publishing (Berger, 2020). Even though there have been plans for an extraordinary state aid for the media, in the form of a government-sponsored advertising campaign, in the end they were scrapped, partly following criticism concerning its preference of large media companies. In effect, the risk for the indicator **Media viability** increased to 85%, up from 36% in the previous edition of MPM.

The level of risk for the other four indicators is broadly comparable to last year's scores. The high risk for **News media concentration** (89%) is primarily caused by the lack of specific regulatory limitations on horizontal concentration for print media (which are only subject to general restrictions by the Competition Law), as well as limitations on cross-media ownership, due to which the Czech media market is dominated by a handful of media houses involved in print, broadcasting as well as online sectors^[5]. The level of concentration is particularly striking in the (economically most vulnerable) regional media market, with the segment of the regional daily press being effectively monopolised.

Transparency of media ownership scored 88% risk, mainly because media companies are not obliged to disclose their ownership structures to the public (outside of the Public Register of Corporate Entities^[6]). There is also no duty to reveal the “beneficial ultimate owner” of a media company. These important legal gaps are being filled by the work of various media-related NGOs and specialised news websites which keep up-to-date, detailed accounts of the ownership structures available to the public. In some cases, however, this is a result of investigative work rather than the information that is actively supplied to the public

authorities (and/or the public) by the news media themselves.

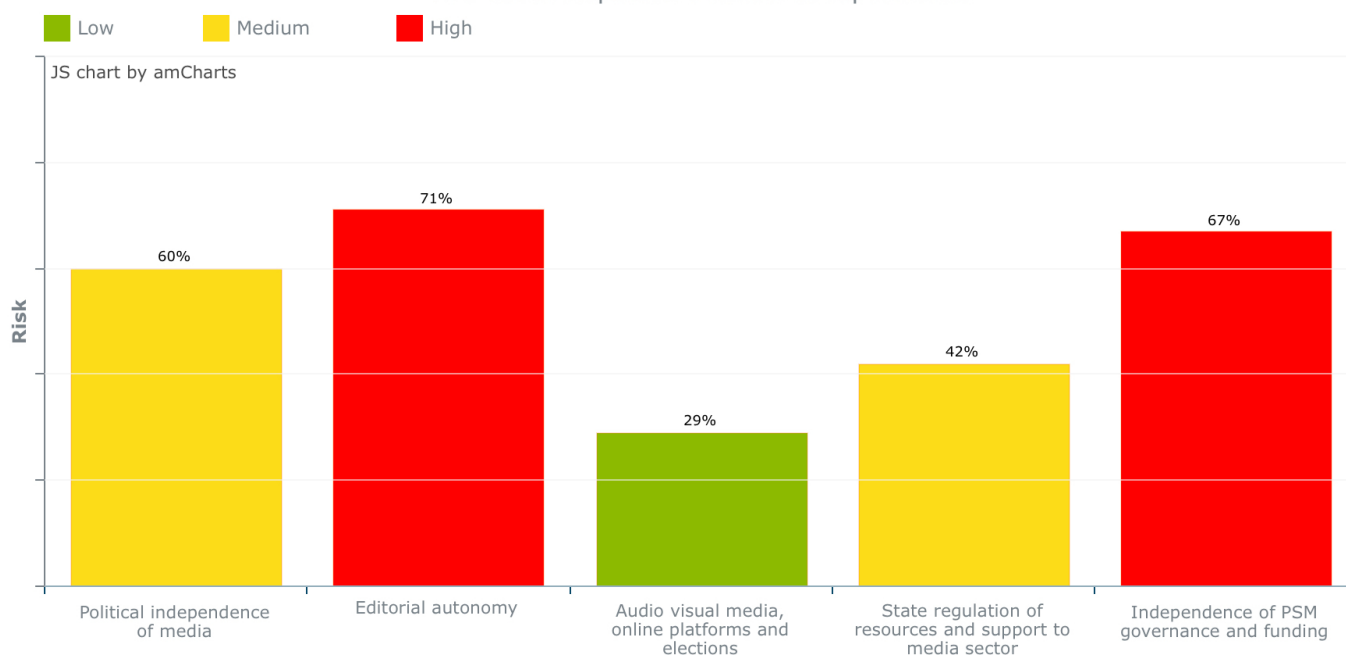
The indicator **Commercial & owner influence over editorial content** also displays an 88% risk score. The risks stem, first of all, from the non-existence of any instruments (whether in the form of law or self-regulation) offering protection to journalists in case of the changes of ownership or ensuring that appointments and dismissals of editors-in-chief are not influenced by commercial interests. According to media experts, the pandemic has made it easier for both commercial and political actors to influence the editorial content of media via advertising money, a tendency that has been observed, especially in the case of local/regional media (EFJ, 2019). While the evidence of a direct influence by owners on editorial policies has been scarce, the risks are primarily related to the fact that most media owners are among the country's most powerful business elites, which according to many critics, has an impact on the news agenda and stimulates self-censorship of their journalists, particularly in those media outlets controlled by Prime Minister Andrej Babiš. It has to be said, though, that some of the country experts involved in the evaluation of this report did not agree with this assessment. The representatives of the largest commercial media associations (Union of Publishers, Association of Commercial Televisions, Association for Internet Development) dispute the severity of these risks, pointing both to the lack of proof for a systematic influence by the owners, as well as to the existence of many independent outlets on the market.

Digital platforms concentration continues to exhibit a significant level of risk as well, reflected in the indicator **Online concentration and competition enforcement** (73%). While the segment of online media is sufficiently diverse in terms of the number of outlets - websites as well as social media platforms - the market is skewed towards a few strongest players. However, while Google and Facebook are estimated to have a sizeable presence in the Czech advertising market (exact figures are unavailable), they are facing stiff competition from the local web portal and search engine Seznam.

3.3. Political Independence (54% - 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 is concerned 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 Czech Republic: Political Independence



The levels of risk for the five indicators for Political Independence are stretched from low to high, suggesting that some areas of the media system are better protected from undue political control than others; also, the existing legislative safeguards against political influence are not always properly observed.

Political independence of media displays a medium risk score, close to high (60%), largely due to the continuing problem of the conflation of political and media power in the hands of Andrej Babiš, since November 2017, the Czech Prime Minister, whose company Agrofert has been controlling several national newspapers, online news portals, lifestyle magazines and the biggest commercial radio station. Even though Mr Babiš had to transfer Agrofert into a trust fund, following the adoption of the 2017 amendment to the Conflict of Interest Act (Nr 159/2006 Coll.),^[4] he has remained de facto in control of the company, as confirmed by the European Commission's audit (Nelsen, 2020). The case of Mr Babiš (but also another Czech media owner, Ivo Valenta, who used to be a Senator until 2020) therefore illustrates the ineffectiveness of the legislative measures that are aimed to prevent this conflict of interest.

Given their substantial market share, the problem of the Prime Minister's media assets is casting a shadow over the Czech media system in general, despite the fact that the majority of other media houses are not directly influenced by political actors (as the Union of Publishers repeatedly stresses). The elevated risk level of the **Editorial autonomy** indicator (71%, already above the "high" threshold) reflects both the concerns about the independence of outlets under the control of the Prime Minister's company, as well as the absence of sufficient regulatory or self-regulatory safeguards that would prevent from undue political interference. Not only have the largest media companies no self-regulatory instruments that would stipulate editorial independence from political interference, but some of them also have no publicly available Code of Ethics at all.

The indicator **Audiovisual media, online platforms and elections**, assessing the existence and implementation of a regulatory and self-regulatory framework for the fair representation of different political actors and viewpoints, scored low risk (29%), which was a notable improvement from the previous year (49%), mostly due to the absence of any significant controversies regarding the representation of political viewpoints and actors - a result undoubtedly influenced by the fact that there were no Parliamentary

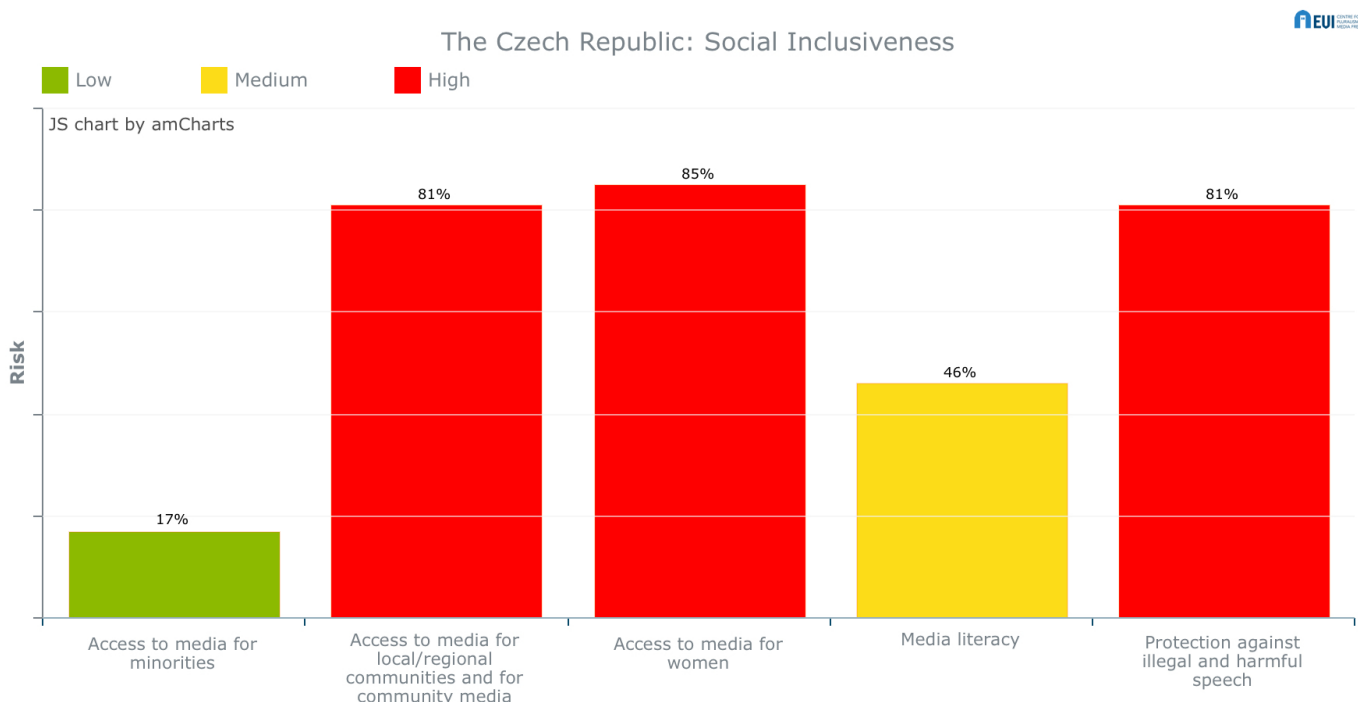
Elections during the data collection period.

The risk level for the indicator **State regulation of resources and support to the media sector** grew to 42% (from 33%), largely due to the lack of transparency concerning the distribution of state advertising to media outlets. The monitoring of the advertising expenditures of Czech ministries between 2010-2018, carried out by the Czech Centre for Investigative Journalism (Čápková, 2019), has revealed significant differences in the way individual ministries distribute ad expenditures to different media, indicating favouritism and general lack of transparency.

The risk score for **Independence of PSM governance and funding** has increased since last year, and moved thereby into the high risk zone (67%). While the politicisation of the appointment process of the members of broadcasting councils for both the public service TV and radio has been a notorious problem since the inception of both institutions, last year saw increased efforts at capturing particularly the Czech Television Council via appointments of several new members with strong links to pro-government parties as well as to President Zeman. Some of the subsequent actions of the Council, including the unexpected dismissal of its own Supervisory Board, have been interpreted as attempts to increase pressure on the Director-General of Czech Television and to prepare the ground for his eventual removal (Gosling, 2020).

3.4. Social Inclusiveness (62% - medium risk)

The Social Inclusiveness area focuses on the access to media by specific groups in society: minorities, local and regional communities, women and people with disabilities. It also examines the country's media literacy environment, including the digital skills of the overall population. In addition, for the 2021 edition of the MPM, a new indicator has been added to the Social Inclusiveness area in order to assess new challenges raising from the uses of digital technologies: Protection against illegal and harmful speech. Due to this modification of the indicators, comparison with previous editions of the MPM should be handled with extreme care.



The scores for the indicators within this area range from low risk to high risk, but with a predominance of

high-risk indicators. This suggests that the overall level of inclusiveness of the Czech media system is low, something that corresponds with the rather lacklustre approach of recent governments towards social inclusion policies (in education, social affairs etc.; IPSI, 2020). As a result, many policy instruments and laws promoting social inclusiveness that are common in Western EU countries are not included in the Czech law. At the same time, activities and programs aiming at fostering social inclusiveness are, to a large extent, provided by non-profit organisations.

The only indicator scoring low risk (17%) is **Access to media for minorities**. The country has a well-developed regulatory framework for providing media content to people with disabilities, and this is effectively implemented in practice (RRTV, 2020). Access to media for national minorities is enshrined in law^[6], yet there is a significant difference between the PSM channels and commercial stations. Whereas PSM channels are required to safeguard proportional access for minorities, and they strive for it, private channels are only obliged to 'reflect the plurality of society'.

The indicator **Access to media for local/regional communities and for community media** scores high risk (81%), which stems partly from the non-existence of community media in law, and partially from the poor state support for local media. With the fast decline of local media, the country faces a rapid growth of 'information deserts', the regions with no independent media coverage of current affairs. There is no specific support for regional and local media, no frequencies reserved for regional/local broadcasting.

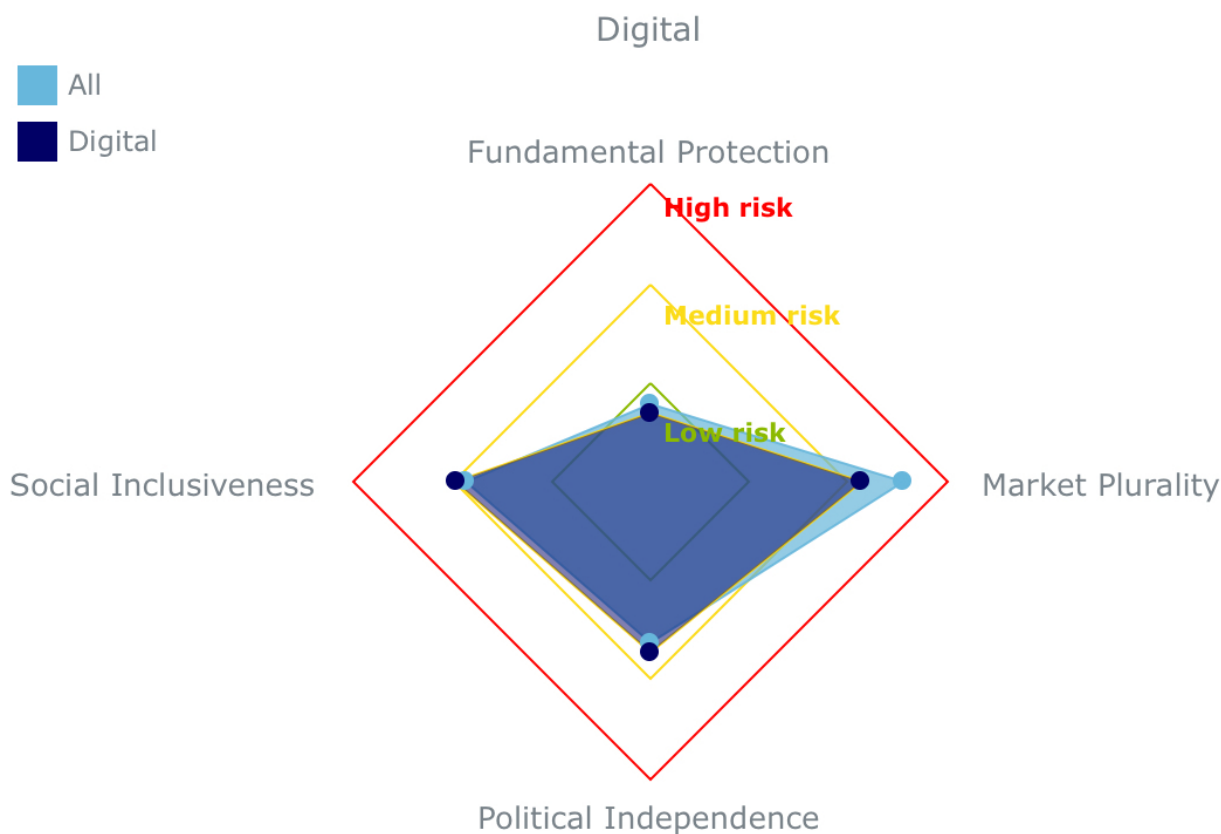
Very high risk (85%) in the **Access to media for women** indicator reflects the long-standing and persistent under-representation of women in executive positions and on management boards of the Czech media. In this context, it is not a surprise that women in news programmes are also less represented in positions of higher visibility, e.g. as experts invited to comment on current affairs.

Media literacy indicator scores medium risk (46%). The risk is related mostly to the poor implementation of media literacy in the state educational plan but also to the limited offer of media literacy activities outside of state education. Media literacy has officially been part of the curricula since 2006, yet teaching materials, methodological support, and professional training for teachers are still insufficient. The COVID-19 emergency and the disinformation campaign it triggered also showed that a significant proportion of citizens have difficulty with critical assessing of media content.

The issue of disinformation is specifically addressed in the new indicator **Protection against illegal and harmful speech**. The high risk here (81%) reflects the missing legal framework aimed at countering disinformation, with existing laws not allowing to effectively prosecute the spread of disinformation and its harmful consequences. The COVID-19 emergency shows the poor ability of the state to fight against disinformation; there is a consensus that the disinformation campaign alleviating the severity of the disease has led to a significantly worse course of its epidemic in the country (iRozhlas, 2021b). The lack of policy instruments that would protect Czech citizens against harmful online acts is also evident in the insufficient regulatory framework on hate speech^[6].

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

The Czech Republic: Media Pluralism Risk Areas



JS chart by amCharts



Fundamental Protection

For digital media, the Fundamental Protection area scores slightly lower risk compared to the overall result (23% vs 26%). The Czech law makes no difference in approach towards freedom of expression online and offline, as both are protected by the Charter of Fundamental Rights and Basic Freedoms that is part of the Constitution. Freedom of expression is well respected both by the state and commercial sphere, and even the COVID-19 emergency has not led to systematic undue interventions to suppress it.

The online risks related to the journalistic profession are generally low. Medium risk is indicated in the case of digital safety as a consequence of harsh language, intimidation, verbal abuse and threats that have become the "norm" of social media comments. On the other hand, there have been no significant cases of digital surveillance, hacking or other forms of digital attacks aimed at journalists. Low risk is observed in the case of the implementation of the GDPR directive into the Czech legal system, which - despite concerns - has not had any notable impact on the journalistic profession so far. The adaptation law also grants an exception for data processing for scientific, journalistic and artistic purposes. For these purposes, data can be processed without the authorisation of the Office for Personal Data Protection.

Broadband penetration and subscription are continuously increasing. The broadband coverage reached 92%, the broadband subscription 88%, which is on the edge of medium/low risk, with an assumption of further increase (the improvement is mainly driven by the development of the Internet TV services). The ISPs' market is, on the one hand, concentrated in the segment of cable networks. On the other hand, it is

fragmented in the sector of wireless connectivity, which has more than 10.000 ISPs. There is no exact data on ISPs' market shares (as it is not required by law), and there is not much public concern about ownership concentration

The indicators related to net neutrality show low risk. The key regulatory framework regarding net neutrality is the EU regulation 2015/2120.^[10] In its latest annual report, the Czech Telecommunication Office - the supervisory body for net neutrality in the country - states that compared to previous years, the practice is currently stabilised, and the most obvious transgressions have been solved.

Market Plurality

The risks for market plurality in the digital media sector are lower than for media overall (71% vs 85%); nevertheless, they still exceed the threshold for high risk, indicating that the online media market is also grappled with a number of problems that pose challenges for pluralism. Many of them are, in fact, the same that have been detected in this area with regards to offline media as well. Transparency of online media ownership continues to be particularly problematic in this respect, just like in the traditional media sector, given the absence of legislation that would force digital media to disclose details about their ownership structures. The issue is more palpable due to the presence of a number of online news outlets whose ownership and sources of finances are unknown - not just to the public but to media experts as well - including those that are widely considered to be spreading disinformation and conspiracy narratives (Štětka et al., 2020).

The presence of numerous independent news websites, some of which have been founded by journalists who have left the publisher MAFRA following its takeover by Prime Minister Babiš in 2015, has certainly contributed to greater market diversity. However, the majority of the digital native brands have a relatively limited audience, while the market is largely dominated by news websites belonging to the same legacy publishers that control the offline market (MAFRA, Czech News Centre, Vltava Labe Press, Economia). The only exception is Seznam - the local tech company - whose news portal Seznam Zpravy has managed to climb to Nr.2 in the ranking in 2020 (MediaGuru, 2021). As a leading Czech digital platform, Seznam is also successfully challenging the position of Google and Facebook on the advertising market, though precise comparative data are missing, as the two global companies do not disclose data about their revenues from the Czech market (which, in itself, adds to the risk level).

While the COVID-19 pandemic has hit the traditional media sector hard, and print media, in particular, the impact on the digital media sector has been much less severe, and many digital news outlets have reported a notable increase in online traffic during 2020. Demonstrating the resilience of digital native media vis-à-vis the pandemic, some of them reported a significant increase in the number of subscribers (such as Denik N), offsetting the losses from ads, while some other online news projects have been able to gather extra donations from supporters.

Political Independence

The level of risk for the political independence of the digital media (57%) is comparable with the overall score (54%), both pointing to medium risk. Unlike some of the news websites that belong to traditional publishers, none of the major digital-native news outlets is aligned with or suspected to be under the control of any political party or actor. However, there are other risks - especially those stemming from the loopholes in the regulation ensuring transparency of political advertising online, as well as political parties' conduct on

social media, particularly during election campaigns. According to the report by the Czech branch of Transparency International, which has been monitoring election campaigns, several parties display a poor record of transparency about their online ad spending, including the governing party ANO (Transparency International, 2020).

There are other issues related to both transparency and protection of privacy in the context of online election campaigns. While the introduction of the Facebook Ad Library in 2019 has improved the ability of observers and regular citizens to obtain information about the online political advertisement, there have been concerns about the efficiency and accuracy of this instrument, as well as criticism of the lack of responsiveness of the global digital platforms to the Czech authorities (Havlíček & Rajtr, 2020). The application of GDPR in the electoral context is also not without problems, as the Office for Protection of Personal Data provides no information about the monitoring of personal data use by parties.

There are also specific risks concerning public service media, notably the fact that - despite the Czech PSMs being often at the forefront of the process of digitalisation in the country - their regulation is poorly adapted to the digital age, as the legal remit for public service broadcasting does not explicitly extend to the online domain.

Social Inclusiveness

The state of media literacy - as the only indicator for social inclusiveness in the online domain - shows medium risk but bordering on high risk (65.5%). Digital skills of the population are average, with 62% with at least basic digital skills and 24% with low digital skills^[11]. However, the country faces a serious risk due to the vulnerability of the population towards disinformation due to missing and ineffective policies, as well as due to poor performance of the recent governments on this front. The seriousness of the issue was fully exposed during the COVID-19 pandemic, as the spread of "fake news" about the virus and vaccination arguably contributed towards the general lack of public trust in official sources and authorities, especially in the second half of the year. In the case of hate speech regulation, the medium risk score reflects the fact that there is no legal (or self-regulatory) framework tackling online hate speech specifically. Based on anecdotal evidence (due to the lack of empirical data), hate speech against ethnic minorities (especially Roma, as well as Muslims and Jews) and against women is commonplace in the Czech online sphere.

5. Conclusions

The MPM2021 results for the Czech Republic confirm that, out of the four dimensions of media pluralism that are part of this assessment, the biggest risks continue to be tied to the situation of Market Plurality. Apart from the ongoing issues that have been highlighted in the previous editions of MPM - namely, the high level of media concentration, the lack of ownership transparency and the limitations of editorial autonomy stemming from the confluence of media ownership structures with business and political interests - new challenges have been brought by the economic impact of the COVID-19 pandemic, which has created further complications for the already fragile state of the news media business. While the impact of the pandemic has not been homogeneous across the market as it even created opportunities for growth and innovation of business models for the digital media sector, overall, it has weakened the journalistic profession and made media more vulnerable to commercial and political pressures (including by state advertising), especially on the local level. At the same time, the pandemic has intensified the spreading of online disinformation, hoaxes and conspiracy theories, both via the long-established disinformation websites as well as social media platforms, further underlying the need for the appropriate regulatory framework (also against harmful speech online) and for support for digital literacy programmes and initiatives, especially for the most vulnerable parts of the population.

The periodically recurring problem of the lack of legislative safeguards for the political independence of public service media became even more palpable during 2020, as the pressures on the Czech Television and particularly on its Director-General have escalated, following the appointment of new members of the Czech Television Council with links to government-backing parties. While concerns about the independence of public service media ahead of the crucial election year have been growing, both public service broadcasters have recorded notable audience success during 2020 and ended the year ahead of their commercial competitors in terms of their audience share, demonstrating thereby the resilience of the public service model in pandemic times.

To tackle some of the most pressing risks for media pluralism highlighted in this report, the following policy recommendations are proposed:

- introducing a transparent and fair system of state support for news media companies to help them overcome the economic impact of the pandemic;
- enforcing a duty for media companies to publicly reveal their ownership structures and the beneficial ultimate owner(s);
- introducing a system of monitoring of state advertising, both in the offline and online media;
- fixing the loopholes in the regulation of political advertising, ensuring better transparency;
- changing the system of appointment of the members of public broadcasting councils to ensure their political independence;
- implementing a programme to increase digital skills and media literacy of the population across different sociodemographic categories.

6. Notes

- [1] Freedom of expression and restrictions upon it are regulated in two laws - the Civil Code (Law No. 89/2012) and the Criminal Code (Law No. 40/2009).
- [2] The right of access public-sector information and documents is governed by the Law No. 106/1999 on Free Access to Information, <http://www.mvcr.cz/soubor/act-on-free-access-to-information-1999-pdf.aspx>
- [3] Broadcasting Act 231/2001, <http://www.rrtv.cz/cz/static/cim-se-ridime/stavajici-pravni-predpisy/pdf/Act-on-RTV-broadcasting-reflecting-AVMSD.pdf>
- [4] According to the 2018/2019 Czech Telecommunication Office Report On Results of Monitoring of Compliance with Regulation (EU) 2015/2120, there has been no complaint addressed to the Office on breaking the principles of impartiality and neutrality.
- [5] Sources: Broadcasting Act 231/2001; Press Act 46/2000; Act on Protection of Competition 143/2000
- [6] Source: Public Register of Corporate Entities and Natural persons, Law 304/2013
- [7] The Law No. 159/2006, on Conflict of Interests. <https://www.psp.cz/en/docs/laws/2006/159.html>
- [8] The access to airtime on PSM channels to minorities is guaranteed by several texts. The Broadcasting Act No. 231/2001 Coll., article 31 provides that: "A statutory broadcaster shall prepare its programme structure so as to provide, in its broadcasting, a well-balanced portfolio offered to all the population with respect to their age, gender, colour of the skin, faith, religion, political or other opinions, ethnic, national or social origin, and membership of a minority." (see <https://www.rrtv.cz/cz/static/cim-se-ridime/stavajici-pravni-predpisy/pdf/Act-on-RTV-broadcasting-reflecting-AVMSD.pdf>) - Access to airtime on public TV channels to minorities is also guaranteed by Act on Czech Television No. 483/1991 Coll. Section 2: c) creating and distributing television channels and providing a balanced offer of programs that is targeted at all groups of the population and takes into account their freedom of religious faith and conviction as well as culture, ethnic or national origin, national identity, social background, age and sex, to ensure that the aforementioned channels and programs reflect diversity of opinion as well as of political, religious, philosophical and artistic trends, and thus enhance mutual understanding and tolerance and foster the cohesion of a pluralistic society; d) developing the cultural identity of people living in the Czech Republic, including the members of national or ethnic minorities. (see <https://www.ceskatelevize.cz/english/act-on-czech-television/>) - Concerning public radio channels, access to airtime to minorities is also guaranteed by Act on Czech Radio No. 484/1991 Coll. section 2, Statute of Czech Radio and Czech Radio Code. (see <https://www.rrtv.cz/cz/static/cim-se-ridime/stavajici-pravni-predpisy/pdf/484-1991.pdf>)
- [9] Hate speech on the Internet is tackled in the Section 365 of the Criminal Code (40/2009 Coll. Act of 8 January 2009). Since 2010, the Code states that hate speech against an individual or a group of people, committed through a publicly accessible computer network, is to be classified as a criminal act with a penalty from 6 months to 3 years. see: https://www.legislationline.org/download/id/6370/file/Czech_Republic_CC_2009_am2011_en.pdf
- [10] <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32015R2120>
- [11] https://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=isoc_sk_dskl_i&lang=en

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Annexe I. Country Team

First name	Last name	Position	Institution	MPM2021 CT Leader
<i>Vaclav</i>	<i>Stetka</i>	<i>Senior Lecturer in Communication and Media Studies</i>	<i>Loughborough University</i>	X
<i>Roman</i>	<i>Hajek</i>		<i>AnFas, s.r.o.</i>	

Annexe II. Group of Experts

The Group of Experts is composed of specialists with a substantial knowledge and recognized experience in the field of media. The role of the Group of Experts was to review the answers of the country team to 16 variables out of the 200 composing the MPM2021. Consulting the point of view of recognized experts aimed at maximizing the objectivity of the replies given to variables whose evaluation could be considered as subjective, and therefore to ensure the accuracy of the final results of the MPM. However, it is important to highlight that the final country report does not necessarily reflect the individual views of the experts who participated. It only represents the views of the national country team that carried out the data collection and authored the report.

First name	Last name	Position	Institution
<i>Tomáš</i>	<i>Samek</i>	<i>Vice-Chair</i>	<i>Czech Television Council</i>
<i>Václav</i>	<i>Mach</i>	<i>Executive Director</i>	<i>Czech Union of Publishers</i>
<i>Michal</i>	<i>Klíma</i>	<i>Chair</i>	<i>International Press Institute - Czech National Office</i>
<i>Martina</i>	<i>Vojtechovská</i>	<i>Media Lecturer, editor-in-chief of a media news portal</i>	<i>Metropolitan University Prague</i>
<i>Tereza</i>	<i>Tumova</i>	<i>entrusted with the management of SPIR</i>	<i>SPIR - Association for Internet Development</i>
<i>Karel</i>	<i>Strachota</i>	<i>Director of the educational programme One World at Schools</i>	<i>Člověk v tísni (NGO)</i>
<i>Marie</i>	<i>Fianová</i>	<i>Secretary</i>	<i>Association of Commercial Televisions (AKTV)</i>

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