

# MONITORING MEDIA PLURALISM IN THE DIGITAL ERA

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

Country report: Cyprus

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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 2021. The implementation was conducted in 27 EU Member States, as well as in Albania, Montenegro, The Republic of North Macedonia, Serbia and Turkey. This project, under a preparatory action of the European Parliament, was supported by a grant awarded by the European Commission to the Centre for Media Pluralism and Media Freedom (CMPF) at the European University Institute.

## 1.2. Methodological notes

### Authorship and review

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

In Cyprus the CMPF partnered with Christophoros Christophorou (Independent expert), Nicholas Karides (Institute for Mass Media, IMME), 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 Annex II for the list of experts). For a list of selected countries, the final country report was peer-reviewed by an independent country expert.

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

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

Table 1: Areas and Indicators of the Media Pluralism Monitor

## The digital dimension

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

## The calculation of risk

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

*Scores between 0 and 33%: low risk*

*Scores between 34 and 66%: medium risk*

*Scores between 67 and 100%: high risk*

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

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

## 2. Introduction

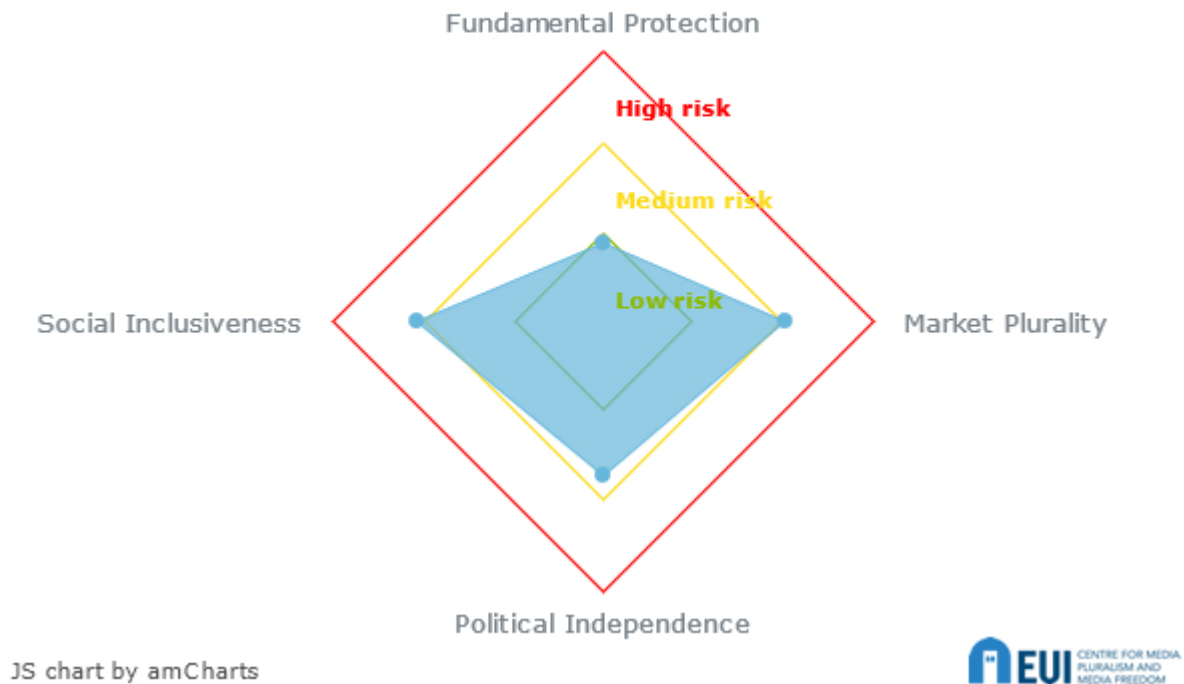
- **Population:** Cyprus has an area of 9,251 km<sup>2</sup> with a de jure population of 888,000 (2019).
- **Languages:** The official languages are Greek and Turkish.
- **Minorities:** The 1960 Constitution of the Republic of Cyprus recognises two power-sharing communities, the Greek and the Turkish communities. These live segregated since the collapse of the bi-communal arrangement in 1964 and the 1974 Turkish invasion that has since de facto divided the island. Many rounds of negotiations under the auspices of the United Nations aiming to end the division have so far proved unproductive. Armenians, Maronites and Latins are recognised as religious groups. They were given the option in 1960 to 'join' either one of the two communities, and they chose the Greek community. They constitute around 1.3% of the Greek Cypriot community. Other EU and non-EU citizens represented 10.9% and 11.04% of the employed labour, respectively, in 2021.
- **Economic situation:** The economy had been recording steady growth rates in recent years (3.2% in 2019) following the exit from an EC-ECB-IMF program that aimed to assist Cyprus after a severe crisis. This was interrupted by the COVID-19 pandemic, and Cyprus' GDP recorded a 5.2% decline in 2020, which was followed by a growth of 5.7% in 2021 <sup>[4]</sup>.
- **Political situation:** Traditionally strong trade unions and a clear left-right polarisation had dominated social and political life but since the rejection of the UN settlement plan of the Cyprus Problem and membership to the EU in 2004 and later the collapse of the economy in 2013 the country's political and socio-economic landscape has been in transition. An unprecedented level of political alienation of citizens has been evident, made worse by a series of cases of corruption of state officials and the firm conviction of the public about the unwillingness to tackle it. In the May 2021 parliamentary elections, seven parties entered the 56-seat House of Representatives, while parties that gathered 14% of the vote in total were excluded as having not met the 3.6% threshold. The abstention rates, which reached 33.5% in 2016, increased slightly to 34.3% (55% in the 2019 European Parliament elections). Executive power lies with the President and his Council of Ministers; the incumbent Mr Nicos Anastasiades has been in office since 2013, currently in the last year of his second term. Presidential elections are scheduled for February 2023.
- **Media market:** The shift towards online media, which had grown significantly in 2020 due to the COVID-19 pandemic, stabilised in 2021 both in terms of advertising revenues and visitors. While there are no publicly available circulation figures for newspapers, given the absence of an independent press auditing body, it does nonetheless appear that daily press circulations dropped in this period, with weekend editions drawing peak sales and circulation. Legacy newspapers have retained strong online editions but are in competition with several digital native content news organisations which have become established in the media landscape. A Cyprus Union of Journalists' opinion survey conducted in mid-2021 showed that television remains the prime source of information on issues that interest the public (76%), followed by social media (73%), portals (48%), radio (39%) with newspapers trailing at 14%. The internet service provider (ISP) market in Cyprus is dominated by only four players. Data by the Office of the Commissioner for Electronic Communications and Postal Regulation for 2021 Q2 showed that CYTA holds the biggest market share with 56.9%, followed by Cablenet with 23% and Primetel with 13.3% per cent. The fourth, EPIC, is a mobile telephone company (offering also fixed

broadband services) with 6.8%. These four ISPs cover 100 per cent of the market.

- **Regulatory environment:** The media regulatory framework for both the commercial media and the PSM, which has remained unchanged since the mid-2011 transition to digital television, was updated in December 2021 with the transposition of the 2018/1808 AVMS EU Directive into Cyprus Law <sup>[2]</sup>.
- **COVID-19:** Overall the media recovered in 2021 from Covid-19 losses in 2020, recording significant increases in advertising revenues. Losses for 2020 appear less important than the estimates recorded in our previous report. Print media continue to suffer from the shift to digital media, which are stabilising the gains they made the previous year. There were no significant lay-offs of journalists, although pressures on salaries and benefits have not decreased. There has been no State follow up of COVID-19 support scheme, in 2021.

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

#### Cyprus: Media Pluralism Risk Areas



The state of media pluralism in Cyprus has shown some improvement in 2021. Although **Market Plurality** and **Social Inclusiveness** remain in the high risk band, the risk levels for these two areas have decreased in comparison with the previous edition of the MPM. The areas of **Fundamental Protection** and **Political Independence** have shown no overall change and respectively remain in low risk and medium risk. While some indicators have improved, other indicators show an increased risk. In many cases, high risk scores are due either to the lack of data or to the obsolescence of a regulatory framework that has not been adapted to the changing media landscape. High risk scores often reflect the absence of concern and priorities for the authorities.

The risk to **Fundamental Protection** of the freedom of expression in Cyprus has decreased from 33% in the year 2020 to 29% falling into the Low-risk bracket. Fundamental protection through constitutional and legal provisions as well as the application of the ECtHR case-law by courts continue to offer citizens safeguards and effective protection of their rights connected to freedom of expression. A matter of concern deals with the existing digital underdevelopment. However, some improvements were made regarding the broadband penetration and increased speeds. In addition, the right of access to information is now protected following the implementation in December 2020 of a law voted in 2017. A law protecting whistleblowers was also voted in early 2022. New incidents regarding verbal attacks by state officials against the media have however been affecting the free expression environment.

The overall risk rating for **Market Plurality** has decreased from 73% to 67%. Though it remains in the high risk band, it is now at the limit with the medium risk. The legal framework to guarantee ownership's transparency and avoid market dominance is limited to the audiovisual sector. The absence of obligation for ownership transparency in the written press and digital sectors remains a serious threat as does the lack of rules to limit horizontal and cross-media concentration in these sectors. In addition, the lack of audited or other reliable data, the absence of a digital media legal framework, the increased corporate influence on the



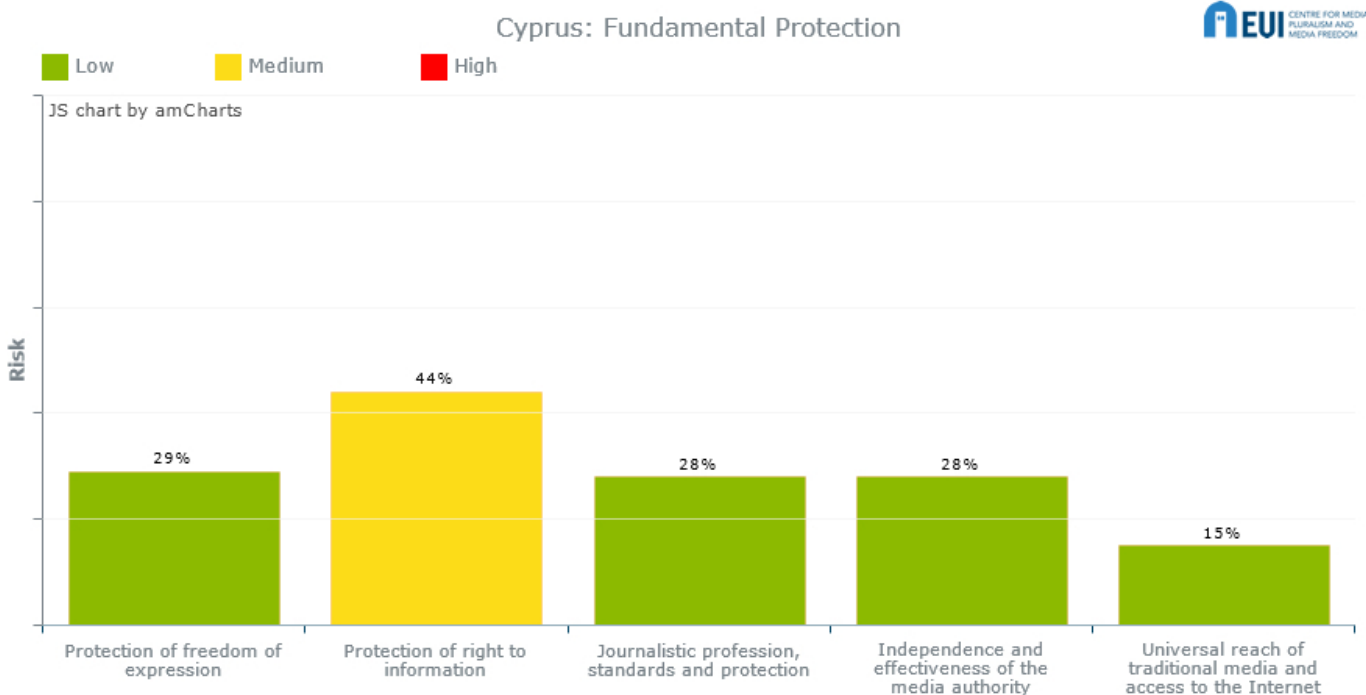
media, as well as pressures on journalists' employment conditions are also key factors contributing to increase the risk level. Improvement is due to a positive trend in media revenues, following the fall during the pandemic-affected 2020, and measures to safeguard jobs.

The risk to **Political Independence** increased slightly from 55% to 57%, but remains within the boundaries of medium risk. Fair media coverage of elections and access by political actors were somehow affected in the May 2021 parliamentary elections by the pervasive presence of government activity and advertising. Despite strong democratic credentials and fair election processes in Cyprus, political interference in the media is also strong. The PSM, in particular its governance, its funding and operation, still suffer from sustained political interference.

The **Social Inclusiveness** area remains in the high risk range. However, the overall risk level has decreased from 80% to 69%, in comparison with the previous edition of the MPM. Access to the media is mostly reserved to mainstream groups, while various communities and minorities tend to be marginalised. Some positive developments were observed in relation to the Access to media for women as well as in the field of Media Literacy, as State actors put in place more actions with a broader scope to develop media literacy in schools.

### 3.1. Fundamental Protection (29% - low risk)

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



The risk to **Fundamental Protection** of the freedom of expression in Cyprus has slightly decreased from 33% to 29%, which brings it within the low risk range. The improvement is due to positive developments regarding the protection of the **Right to information, the protection of whistleblowers and the universal access to media**. However, the risk level concerning the indicator on **Journalistic profession, standards and protection** has increased despite being low.

The indicator **Protection of freedom of expression** is assessed as low risk, at 29%, almost identical to the previous year (28%). Constitutional and regulatory safeguards for the **Protection of freedom of expression** exist and remain effective. Cyprus is a signatory to all relevant European and international legal instruments. During the studied period, some incidents regarding verbal attacks or threats by officials against media and journalists have negatively affected the State's obligation to proactively ensure an enabling environment for freedom of expression. In the absence of any kind of regulatory framework governing the online media environment, cases linked with freedom of expression online are dealt with by the existing framework. Cases of State interference with requests to online platforms and the latter's management of issues of filtering or removing content do not respond to the required levels of transparency, leaving ample room for arbitrary action. However, individuals do have access to effective legal remedies in case some violations of their rights occur. Besides, Cyprus is among the few EU countries that have decriminalised defamation, even though the Attorney General can authorise criminal prosecution in very specific cases.

The indicator **Protection of the right to information** remains within the medium-risk bracket at 44%, against 54% for the previous edition of the MPM. Regarding the Right to information, restrictions to access are defined in accordance with international standards. A Law on the Right to Access Information Held by Public Authorities L. 184(I)/2017<sup>[3]</sup> came into force in December 2020 and guarantees the right to access to information. It sets obligations for public law bodies and for the administration to draw a “publication plan” - the information that can be made available to the public - and respond to information requests. It also establishes a Commissioner of Information, responsible for the application of the law, who will also be part of appeal mechanisms for citizens. It is too early to assess the impact of the law as we don't have enough data nor information yet. A new development was the vote of a regulatory framework to protect whistleblowers in early 2022<sup>[4]</sup>: the Law on the Protection of Persons that Report on Violations of the EU and National Law L.6(I)/2022, which transposes the relevant EU directive. The latest contributed to improve the overall score for the indicator.

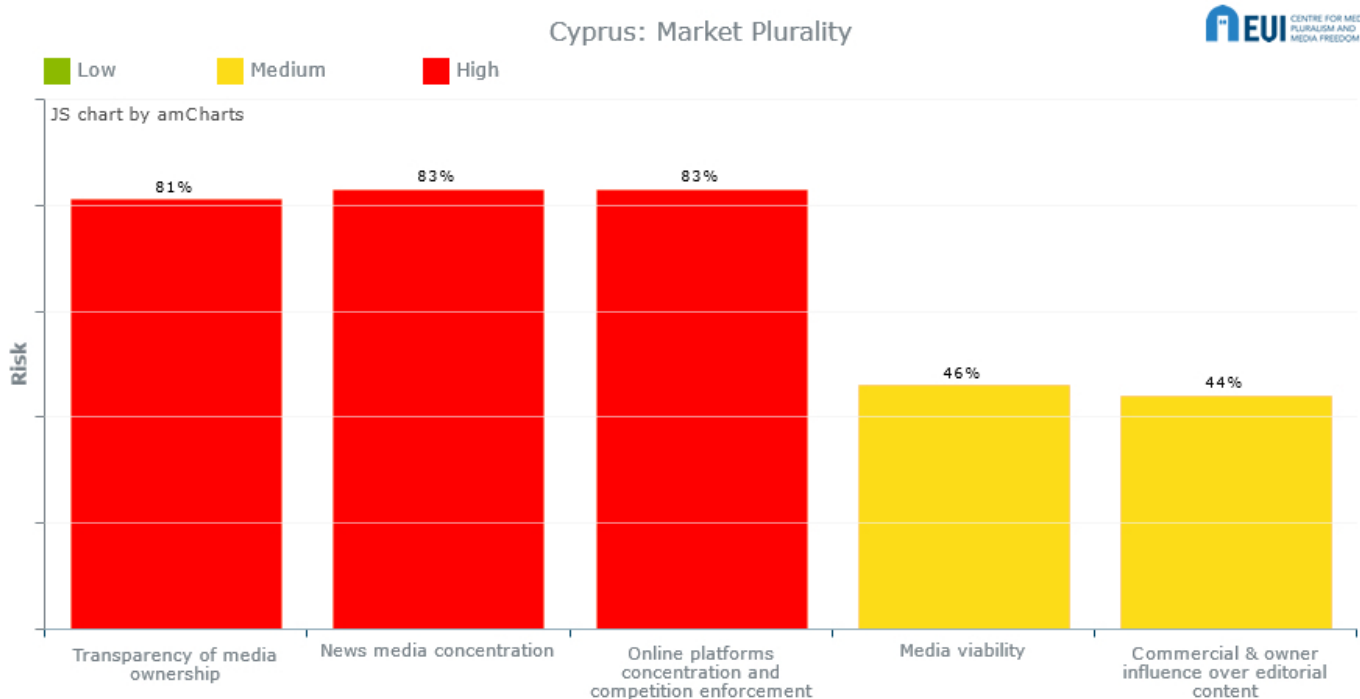
The indicator **Journalistic profession, standards and protection** rates low risk at 28%, up from 21%. Access to the journalistic profession and the exercise of journalism are not hindered by any formal obstacles. However, despite institutional protection of rights, in particular by strong labour laws, the Cyprus Union of Journalists is not always able to effectively protect journalists' rights and benefits nor guarantee editorial independence and respect for professional standards. Although State support schemes during the pandemic and de minimis schemes included clauses for no or limited layoffs, there is a continuing risk of dismissal, in particular for financial reasons. The Union focuses more on securing employment and benefits and on mitigating the effects of the crisis rather than on editorial independence. These compromises made it difficult for the authors of the report to accurately record the risks, which seem higher. Direct interference in editorial work is not rare in Cyprus. Besides, growing media concentration as well as the continued lack of transparency in ownership have contributed to develop a resigned sense of self-censorship among journalists. This affects mainly the editorial line and, to a lesser extent, individual columnists. The regulatory safeguards for the protection of journalistic sources are recognized by Courts, while the necessary derogations provided for by the GDPR ensure journalistic protection. In 2021, one case of serious threat and some attacks to the physical safety of journalists were recorded, while unofficial reports of journalists - particularly through social media exposure – show that they are being subjected to digital harassment. However, serious concerns stemmed from allegations – though hard to substantiate – of surveillance and hacking. The Courts and the Commissioner for the Protection of Personal Data addressed one case, whose targets were not named. The fact that there is no available data that can conclusively preclude and measure threats to the digital safety of journalists remains a considerable risk for pluralism.

The indicator **Independence and effectiveness of the media authority** remains at low risk at 28%. The media regulatory system ensures the independence of the authority with its own budget and adequate powers to conduct its mandate. Its decisions are published regularly and are subject to judicial review only, with no room for government interference. However, other aspects related to the media authority are considered as posing medium risks. Among them are: the appointment of members by the government with unclear selection criteria, the lack of sufficient information about independent/efficient operation in practice, the lack of transparency and accountability of the authority. New developments include the transposition of the AVMS Directive 2018/1808 into national law. This offered the opportunity to include in the Law on Radio and Television Organisations L. 7(I)/1998 in December 2021<sup>[5]</sup> some provisions that explicitly state and strengthen the regulator's independence (art. 8A), while also setting an obligation for the Authority to submit to the parliament an annual activity report (art. 3(2), last paragraph).

There was a slight increase of 1.7% in broadband penetration in 2020 over 2019 reaching 92.8%, with IPTV and cable TV remaining stable. In 2020, 92.8% of households in Cyprus had a broadband connection, up slightly from 2019. Internet speeds increased to 29 Mbs, a significant increase compared to the previous year (16 Mbs), with the country improving its world ranking on average internet speeds from position 89 to 76. These developments improved the evaluation for the indicator **Universal reach of traditional media and access to the Internet** considerably, lowering the risk rate to 15%, down from 33% in the 2020 report.

### 3.2. Market Plurality (67% - high risk)

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



The area of **Market Plurality** has shown an overall small improvement but remains high risk with 67%, compared to 73% last year. Three indicators are in the high risk range and two are showing an improvement in the lower medium range. The risk level for the indicator on **Media viability** declined from high risk (68%) to medium risk (46%), as did the risk for **Commercial and owner influence over editorial content**, from 70% to 44%. Conversely, the situation regarding **News media concentration** worsened, with the high risk level climbing from 70% at 83%, at the same level as the indicator **Online platforms concentration and competition enforcement**, which was 75% for the MPM 2021. **Transparency of media ownership** remained at the same high risk level of 81%.

The issue of **Transparency in media ownership** remains a source of concern as the actual transparency

rules are only applicable to broadcast media<sup>[6]</sup>. Even for broadcast media, the efficient implementation of these transparency rules remains uncertain, in particular as regards the real shareholders and the eventual shareholding in other media, which must respect specific thresholds. Verifying the latter is affected by the absence of any obligation of ownership transparency in the written press. Besides, native digital media remain unregulated, and their situation tends to be worryingly nebulous. Identifying, verifying and shedding light on ownership of both, the written press and digital media, is an almost impossible task. Therefore, tracking or controlling sector and/or cross-sector ownership cannot be effective. The above situation contributes to the high risk assessment (81%) for the indicator.

While the risk level for the indicator **News media concentration** showed some improvement in the previous report, it increased again from 70% to 83% in the MPM2022. The rise of the risk level is mostly due to the unclear picture regarding the online ownership landscape. Ownership in the audiovisual media sector is closely regulated by the Cyprus Radio and Television Authority, mostly through the licensing procedure. However, the latest suffers from a lack of systematic scrutiny and full transparency of the ownership. The Law on the Control of Concentrations Between Undertakings, L. 83(I)/2014<sup>[7]</sup> makes it possible to intervene in a merging or concentration of companies on the grounds that media pluralism might be affected. However, such an intervention relies on an initiative of the responsible minister, who would first have to determine that media pluralism, as a major public interest, is at risk and then declare that some action is required.

We also note an increase of the total audience share gathered by four of the seven commercial TV channels, which is almost equally distributed among them and the PSM. This, however, is an indicator of external plurality alone. With the exception of the PSM, all channels offer similar content, covering limited sectors of expression with no diversification. Therefore, their contribution to substance plurality is very limited. New surveys indicate a shift in respect of the principal news source, from television to internet sites and social media, with radio and the press following<sup>[8]</sup>.

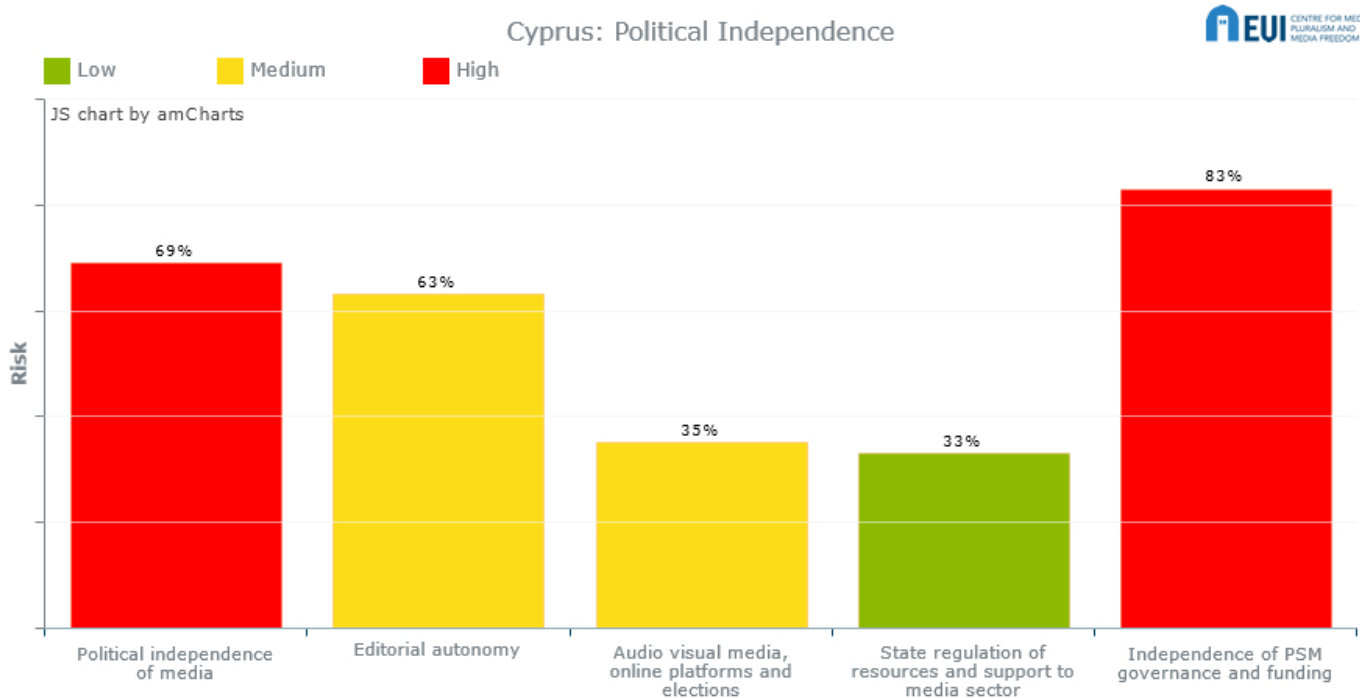
A serious problem with establishing a precise picture of the situation with regard to audience share, not only for newspapers and their internet editions, but also for other media as well, is the absence of independently audited or any figures at all. At a time when available data showed a considerable shift to online news sources and the online sector continues to thrive, this sector remains completely unregulated. The unclear situation in respect of ownership and concentration pushes the risk for the indicator **Online platforms concentration and competition enforcement** even higher from 75% to 83%. As regards competition the media and advertising markets are, as things stand, sufficiently fragmented reducing potential threats. Nonetheless, the scarcity of data and the absence of any legislation on digital media, coupled by the fact that no new anti-concentration tools have been introduced do point to a much higher risk than the reality on the ground may reflect. As things stand, most online outlets are relying on the public law entity Cyprus News Agency for news feeds, instead of own resources. Not many of them offer original reporting and creative content, which remains a serious threat to pluralism.

The indicator **Media viability** shifted from high risk last year (68%) to medium risk with 46%. This change is due to the positive performance regarding media revenue in 2021 as well as to lower losses than the estimated ones for 2020. With regard to financial performance, the yearly balance, confirmed by real income, has shown that the initial estimates and unofficial data about a substantial shrinking of advertising revenues for the whole of 2020 were exaggerated. Based on concrete data for radio, television and web TV, and other media, we found a significant increase of income for 2021, much higher than the previous year's losses. This offered an air of optimism for media viability despite persisting problems.

The risk rating for the indicator **Commercial and owner influence over editorial content** shows a significant decline from high risk (70%) down to medium risk at 44%, even though the relationship between media professionals, commercial interests, and media owners has not significantly changed. The risk decrease is due to the strong labour laws<sup>[9]</sup>, which, in combination with the condition set by the government that no layoffs is a requirement for media to benefit from support schemes, was a mitigating factor in connection to threats on the safety of employment and any changes in editorial line. However, press and digital news outlets continue to be heavily dependent on corporate sponsorship with an increased presence of embedded content and corporate advertorials. There is also a growing trend of specific corporate news content getting frequent and priority reference and exposure online, often with no distinction between editorial content and advertorials.

### 3.3. Political Independence (57% - 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 the public service media. Furthermore, the area is concerned with the existence and effectiveness of (self)regulation in ensuring editorial independence and the availability of plural political information and viewpoints, in particular during electoral periods.



While the risk level for **Political Independence** has slightly deteriorated from 55% up to 57%, it remains in the medium risk range. Two indicators, **Political Independence of media** and **Independence of PSM governance and funding** showed no change of their high risk rating. Issues related to **Audio visual media, online platforms and elections** and **State regulation of resources and support to the media sector** slightly deteriorated and the two are at the edge, one within and the other out of the medium risk. A small improvement for **Editorial autonomy** lowered the risk from high to medium.



The rating of the indicator **Political independence of media** has remained unchanged at high risk at 69%. Strict clauses regulating radio and television in Articles 19 and 20 of the Law on Radio and Television Organisations, L. 7(I)/1998<sup>[10]</sup> ensure pluralism in audiovisual media against ownership concentration or control, while also requiring content impartiality. The relevant ownership thresholds and other constraints cover all persons, including politicians, and are enforced by regulators. However, while political parties are excluded from control of AVMS providers, there is no explicit exclusion of politicians from ownership and/or control of radio and television in the aforementioned law. Constraints on control of media companies by politicians are set in a 2008 law, on incompatibilities for persons occupying public offices (Law No. 7(I) of 2008, art. 3.1(e)).<sup>[11]</sup> The limitations concern only officeholders and do not cover all possible forms of control over media. In addition, there are doubts about enforcement procedures and mechanisms because clauses in the law are not clear enough to warrant efficient control.

Political influence over the Cyprus News Agency, a public law entity, which is the only news agency, is possible through the approval of its budget, which relies almost exclusively on state funding, and the appointment of its governing body. The Council of Ministers appoints the chairman and its members. The chairman and members coming from the Public Service outnumber the members who represent media professionals. Crucially, the agency is in a monopoly position, and, particularly, is the sole provider of news and reports on Cyprus to all media, mainly the online editions, which leads to an over-reliance on its output. This shapes the news agenda and public opinion, and is assessed as high risk.

The indicator **Editorial autonomy** scores medium risk (63%). Editorial autonomy is in principle guaranteed by both regulatory and self-regulatory provisions. However, provisions regarding mechanisms or procedures to effectively protect journalists and to avoid political interference are limited. There are no specific rules with regard to the appointment or dismissal of editors in chief. The key issue in terms of editorial autonomy remains the pursuit of the political agendas by media owners, sometimes without any visible interference. The aims of these political agendas are often corporate rather than political, but the sitting government tends to manipulate the media by developing a quid pro quo relationship with most media owners. This situation tends to trigger among editorial staff a degree of self-censorship and compliance. In addition, the informal relationship between the political class, media owners and journalists, as well as a widespread sense of 'duty' to defend the government, because of the Cypriot problem, contribute to bias.

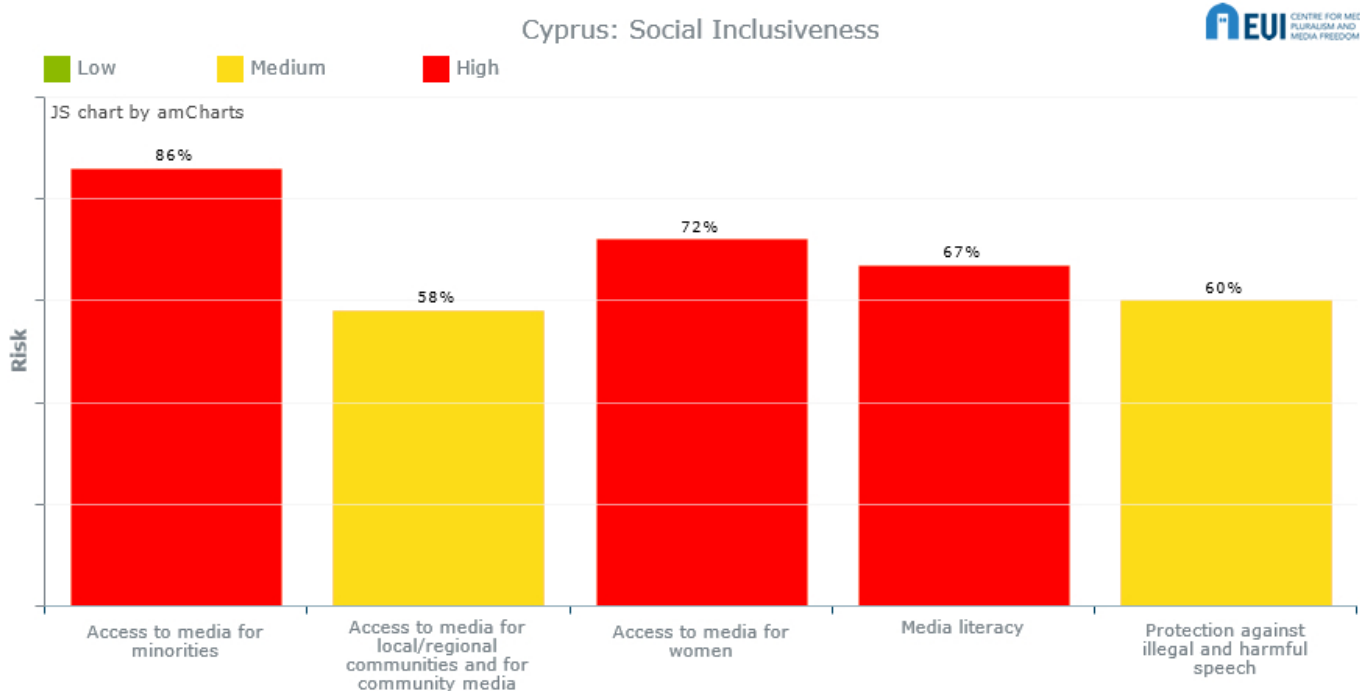
The risk for the indicator **Audio visual media, online platforms and elections** shifted from low risk at 28% to medium risk at 35%. During elections, access for political actors, parties and politicians is generally open, fair and non-discriminatory, though small or marginal political and social groupings often complain of bias. Both PSM and commercial radio and television are legally bound to cover daily political communication and electoral campaigns. Equal opportunities apply to political advertising, which has to be clearly identified as such. As far as the PSM (RIK) is concerned, relevant regulation to ensure access and impartiality vis-a-vis all social actors, groups in general, and political groups during election campaigns<sup>[13]</sup> are implemented efficiently. This is also the case for the private audio-visual sector which provide a fair access and impartiality.<sup>[14]</sup> However, the lack of transparency and the absence of reports on election coverage lead us to judge it as medium risk. When it comes to online platforms and advertising, it is even more difficult to evaluate. Data are not easily accessible and not transparent enough to easily identify both funding sources and advertisement labelling. In addition, it is important to notice that the pervasive presence of the government during the May 2021 parliamentary elections as well as its unprecedented advertising effort<sup>[12]</sup> perturbed the picture depicted above. Along with the absence of any regulation for online media, it contributed to increase the risk for the indicator.

The indicator **State regulation of resources and support to the media sector** increased from 25% to 33% at the edge of the low risk range, due to uncertainties and the lack of transparency surrounding the allocation of state resources. The radio spectrum was, until 2016, the only state resource allocated in a transparent and fair manner. State aid and advertising distribution to media are not governed by any statutory framework. However, the schemes adopted during the pandemic offered subsidies that were diversified and allocated to all types of media. Practices in 2021 were different. Assistance was based on audience/circulation figures and was offered in exchange for advertising time/space, which raises doubts about fairness and sustainability.

The risk level for the indicator **Independence of PSM governance and funding** is high (83%) and remains unchanged in comparison with the previous edition of the MPM. The criteria regulating the appointment of the PSM's Director-General and the composition of its governing board are fairly broad. These are exploited by the government of the time as well as by political parties in a sharing-the-spoils attitude at the expense of independent experts' participation. Besides, the State and the political party system decide on PSM budgeting, which allows for their strong influence and, often blatant, interference in its operations<sup>[15]</sup>. This problem of interference with the funding of the PSM was also noted in the OSCE-ODIHR report on the monitoring of the 2021 elections<sup>[16]</sup>.

### 3.4. Social Inclusiveness (69% - high risk)

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



Improvements in the area of **Social Inclusiveness** have led to a decline of the risk level, from 80% to 69%. While the risk level for the area remains in the high-risk level range, some positive developments were observed for all the indicators except for the Access to media for minorities, whose risk level has remained



the same.

The risk level for the indicator **Access to media for minorities** remains within the high-risk range, with 86%. Few changes were observed in this edition of the MPM. In Cyprus, access to media is still dominated by politicians and representatives of strong pressure groups. The limited access or, in some cases, the complete inaccessibility, to media for various groups remains highly problematic. Access to media for minorities is a complex issue that encompasses multiple aspects. On the one hand, Cyprus counts some legally recognised minorities. These refer to a small number of citizens that belong to 'religious groups', as defined by Article 3 of the Constitution. On the other hand, it also counts some non-recognised minorities composed of multiple and diverse groups of migrants, which started arriving in the country in 1990 and are usually characterized by their precarious status. Difficulties to respond to the needs of these two groups as well as the failure to even think about possible solutions justify the high risk of the indicator. The problem is reinforced by the general position of society and the negative rhetoric used by State officials towards minorities. The Law on Cyprus Broadcasting Corporation, Ch. 300A, Art. 19.1<sup>[17]</sup> calls for the provision of public media services with impartiality and respect of the interests and sensitivities of minorities, but the formulation of the provision and the absence of any additional specific references is problematic. Programmes addressed to 'religious groups' recognised by law, and in other languages, exist on radio but not on television. With the transposition of the AVMS 2018/1808 Directive into national law in December 2021<sup>[18]</sup>, more emphasis is given on the access to media for people with disabilities. This is a positive step in an area where no significant change had occurred for years. Very little has been done since 2010, when the law set an obligation for media to draw a plan within one year<sup>[19]</sup> to gradually increase the accessibility of media services to people with disabilities, with clear specific thresholds.

The indicator on **Access to local/regional and community media** remains at a medium risk, with a slight decrease of the risk level from 63% to 58%. The medium risk score reflects the problematic absence of any legal definition or recognition of community media, as a third media sector, beyond the PSM and commercial media. On the contrary, the access to local and regional media does not present any specific risk. While some regional/local media do exist, in particular radio organisations, the sector is not particularly developed given the small geographical size of the island. Television organisations that are locally implanted have nation-wide coverage but they offer programmes of local interest. Although no legal provisions exist to oblige the PSM and commercial media to have local correspondents, all of them do. State advertising is also allocated to local media, which were also included as recipients of subsidies provided by the 2020 support schemes.

While the indicator **Access to media for women** remains in the high-risk range, the overall risk level has decreased from 87% to 72% in comparison to the last edition of the MPM. While general and binding laws for the promotion of gender equality and respect for women's rights do exist<sup>[20]</sup>, neither the PSM nor commercial AVMS providers have developed their own gender equality policies. They have not looked into the issue in order to take steps aiming at establishing a gender balance and to fight against stereotypes. The presence of women in media management boards and in executive positions remains very low although there have been some positive developments in some private TV stations and digital media with a significant increase in the respective figures<sup>[21]</sup>. With regard to access to media programmes by women as experts in news and current affairs broadcasting, the latest survey by the Global Media Monitoring Project (GMMP) "Who Makes the News" (2020 monitoring)<sup>[22]</sup> shows a better picture than before.

The work accomplished in the field of **Media literacy** contributed to decrease the risk level from 88% down to 67%, at the edge between medium and high risk. Cyprus still has no official media literacy policy

framework, even though a draft policy plan has been pending since 2012. Although it does not compensate the absence of a policy framework, it is important to notice that the Pedagogical Institute of the Ministry of Education as well as academic and civil society bodies, do undertake initiatives in the field of media literacy. Among the activities conducted by the Pedagogical Institute's, there is training of teachers as nuclei within schools to undertake relevant actions related to online safety and the development of media skills. These continue to be enriched with initiatives that aimed among other things to develop digital competences and skills against mis- and disinformation, promoted as part of the curriculum. This is a promising step as are some activities undertaken by the Cyprus Radio Television Authority, which is the body entrusted by the Law on Radio and Television Organisations, L.7(I)/1998<sup>[23]</sup> as the main agent responsible for media education. The work accomplished so far shows that the Authority does not seem to dispose the necessary resources in order to fulfil the task it was assigned with by law. Media literacy is a project that requires greater focus and much more resources, with the involvement of more actors.

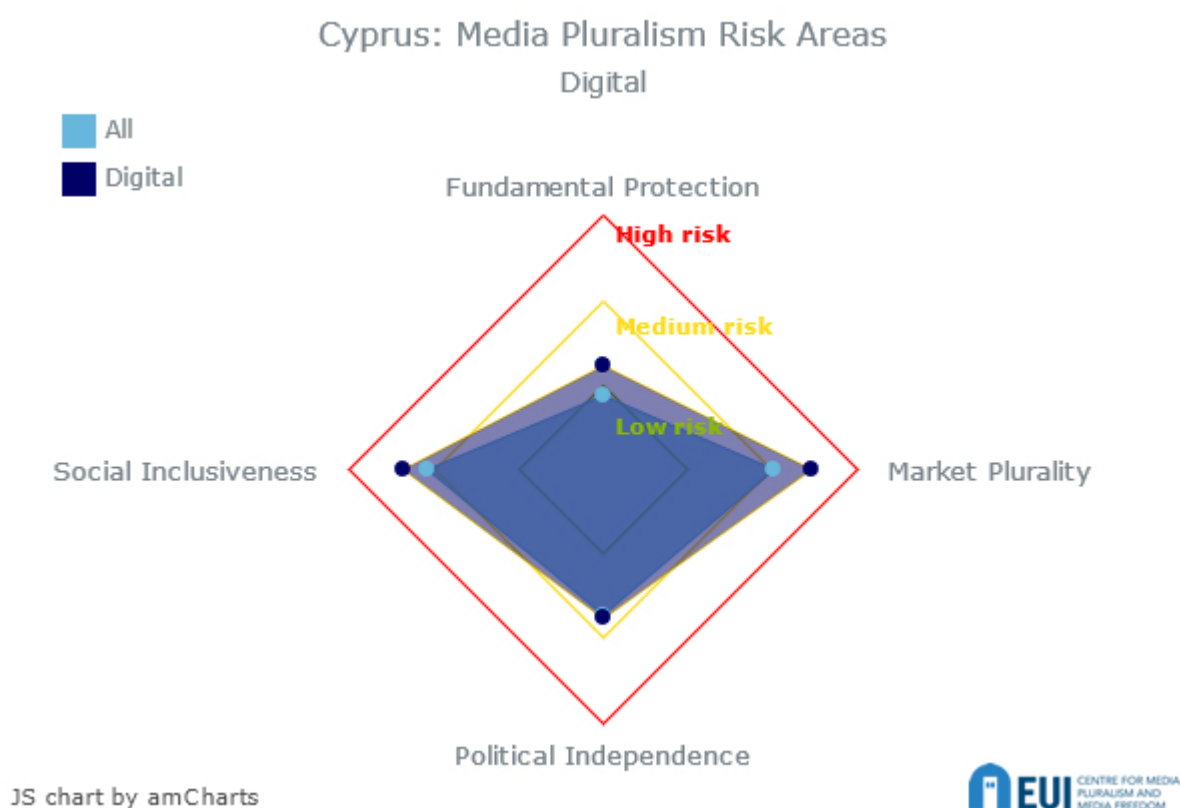
On the **Protection against illegal and harmful speech**, there has been an improvement of the risk level over the previous report from high risk (77%) to medium risk (60%). The decrease of the risk level is linked to small improvements regarding the protection against hate speech as well as to modifications of the questionnaire to better evaluate the risks linked to the spreading of disinformation. Regarding the protection against hate speech, a broader regulatory framework does exist and new laws relating to sexism, bullying and violence against women have been adopted<sup>[24]</sup>. However, there is no comprehensive policy or obvious intent to substantively tackle hate speech. While social media platforms are becoming more engaged on the fight against hate speech and more users report hate speech cases, it still remains difficult to gauge the response of social media platforms, or indeed if any practical measures are taken. In an opinion issued in July 2021<sup>[26]</sup>, the Ombudsman recommended that media establish monitoring mechanisms and remove hate speech comments from their online editions. Regarding disinformation, no legal framework exists and there is no evidence that the authorities have any plans to tackle the problem. The issue is of even greater concern if we take into account the findings of a Eurostat survey in 2021, according to which few Cypriots check the veracity of online disinformation<sup>[25]</sup>.

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

The overall standing of Cyprus in the MPM evaluation of the online environment continues to be defined by two crucial factors that affect a range of important indicators and by consequence the degrees of risk. These factors are:

- the absence of a digital legal framework or explicit mentioning of digital aspects in media laws;
- the absence of independently audited data on the operation of online media and the absence of transparency on issues of filtering and reporting.

The evaluation per area is as follows:



### Fundamental Protection - (40% Medium Risk)

The **Fundamental Protection** area in the online environment faces a medium risk of 40%, against 37% in MPM2021, and is higher than the overall (offline and online) area risk of 29%.

Despite the absence of a law for online communication, freedom of expression is covered by the broader protection under the Constitution, which also ensures legal remedies in case of violations. No incidents of arbitrary filtering or content removal by the state or ISPs have been made public. However, the absence of any relevant independent reports raises issues of transparency and a degree of uncertainty.

Instances of government requests for data and data preservation to online platforms were recorded, but the information available is not sufficient enough for closer scrutiny.

With regard to the digital safety of journalists, although no specific incidents have been recorded, the question of state surveillance or digital interference remains open. The absence of clarity is a risk factor in itself. The handling of a case of an Israeli surveillance van active in Cyprus that was still before the authorities and the courts in 2021, did not provide any convincing answers about its role. Allegations in a book titled *Η Συμμορία (The Gang)* by journalist and author Makarios Drousiotis<sup>[27]</sup>, a former aide to the President of the Republic, that the President had been aware of spying on the communications of a former Governor of the Central Bank have not been denied, while allegations that the journalist's own electronic communications were in recent years being monitored, which he reported to the police, have remained unanswered. In 2021, he was shunned by the public service media, with one scheduled program to which he was invited cancelled last minute.

On a different level, that of privacy and data retention obligations, and protection of journalists, the laws adopted by the Republic fully comply with the European Convention of Human Rights and the GDPR. However, the Supreme Court found that retention of telecommunication data is in violation of the European Law<sup>[28]</sup>.

Finally, broadband coverage and broadband subscription data place Cyprus in the low risk area, but Internet speeds remain below the EU average. EU standards on net neutrality and ISP data usage are enforced by the four national ISPs, which are seemingly operating impartially and with transparency.

### **Market Plurality - (82% High Risk)**

The risk for **Market Plurality in the online environment**, is evaluated at 82%, against 75% in the previous MPM report. This score is again higher than the overall risk for this area which stands at 67%. It is due to several factors: the absence of a legal framework specific for online media, the absence of any thresholds and obligations for transparency of ownership, the fact that the existing competition rules are not taking into account the specificities of digital developments, and the lack of trustworthy data.

With the overwhelming shift to online and the new content that is increasingly produced and displayed there, the absence of any regulation and the subsequent lack of transparency of beneficial and ultimate ownership remains a huge concern. While existing laws on oligopolies, monopolies and competition in general are applicable to online media and to the advertising market, these have not yet been updated according to new EU rules. The regulation of shareholding and control of audio-visual media, establishing prior approval by the Radio and TV Authority for any changes is a strong warrant against concentrations, which however is not applicable to the growing digital sector. The existing regime, combined with the powers of the Competition Protection Commission make the possibility of high media ownership concentration unlikely. However, competition laws make no specific reference to the media. In addition, in the context of a fast changing online/digital scene, their efficiency is affected by the fact that rules have not been updated.

Cyprus suffers from a lack of reliable independently audited data on the media in general and, although the digital native domain is more quantifiable - not least by the Cyprus Online Publishers Association which is itself actively pressing the State for regulation of the market- , more clarity, accuracy and greater access for independent monitoring is required.

Even though the last year saw a few relevant public opinion surveys (one from the Cyprus Journalists Union) on how people access news and the share of consumption via social networks and aggregators,

there are no independent accurate evaluations of audience, readership and advertising spending and revenues.

Finally, no audited or verified data on the revenues of digital news media are available. This has prevented a comprehensive and accurate assessment of the health of the market, although unofficial data did point to a growth in advertising revenues in 2021, for both online and offline media. This appears significantly higher than revenue losses of a poor 2020. Therefore, media revenues and media viability seem to face a lower risk than last year.

### **Political Independence - (58% Medium Risk)**

The risk for the **online environment** with regard to **Political Independence** remains in the medium risk range, and is slightly higher than last year, at 58% against 53%.

Ownership or control of digital media may only be regulated for politicians who are in public office, on the basis of the law on incompatibilities, though the text does not explicitly mention digital media and does not cover every aspect of possible control<sup>[29]</sup>.

The Law on Political Parties, L. 175(I)/2012<sup>[30]</sup> makes no distinction of political parties activities in connection to online or offline environment. There is no other law that regulates online advertising and online political activity in general. The rules in place, setting obligations for political parties and candidates to report all campaign spending, among other gaps and doubts about their effective implementation, make no explicit reference to online activity. Notably, the law does not distinguish between online and other spending and sets no transparency obligations regarding online communications.

As in other areas, the absence of transparency is affecting online political communication. During the May 2021 parliamentary election, local platforms had not committed themselves to any transparency agreement. There is a need for rules, both for the proper labelling of political advertising on platforms as such and other rules warranting transparency, as a requirement for fair and just elections, as is also their effective implementation. Similarly, rules must establish obligations for political parties and candidates to make publicly available information on their expenditure for online activities, including also any targeting criteria used in the dissemination of such advertisements and communications.

The law on the Public Service Media (CyBC), ch.300A<sup>[31]</sup> makes explicit reference to State funding in connection to the mission as PSM, its development and the operation of Internet and digital services. Rules set in articles 24A, 24B and 24C aim to ensure a balance between the Corporation's technological development and the use of funds from State aid in ways that should not distort competition.

With regard to the question of data protection, the competent authority examines issues related to the use of personal data by politicians and political parties, but it does not act proactively.

### **Social Inclusiveness - (79% High Risk)**

The **Social Inclusiveness** indicator for the **online environment** predictably remains at high risk at 79%, though somewhat lower than the 87% obtained in the MPM2021.

The risk level linked to digital competencies has remained unchanged compared to last year. 41% of the

Cypriot population have low digital skills and 45% have basic or above basic overall digital skills<sup>[32]</sup>. Despite the absence of a comprehensive policy framework and of an action plan, **Media literacy** activities have increased. These, however, remain limited in number and scope. Besides, there is no evidence that the authorities have any plans to tackle the related problems of disinformation. The issue is of even greater concern as the findings of a Eurostat survey in 2021 showed that few Cypriots tend to check the veracity of online news<sup>[25]</sup>. Nonetheless, the work produced by the Pedagogical Institute puts emphasis on the development of digital skills in schools related to safety and other issues related to online activity. Teachers is a primary target group, so that they promote the effective use and integration of digital technologies in the teaching and learning process and on the development of skills and critical thinking among students. Among various programs that since 2018 are part of the curriculum in primary and secondary education features the issue of disinformation. Individual initiatives, primarily through EU programs are also taking place.

While there are increasing concerns about online disinformation, which many link to reactions to measures decided for the fight against Covid-19, there has not been any concerted policy framework initiative by the government nor any communication strategy to combat the problems arising from it. Initiatives for fighting disinformation have mainly come from academia and other stakeholders and have mostly focused on raising awareness. In successive public surveys the majority of Cypriots claim to frequently encounter what they consider to be fake news which they claim also in their majority to be able to identify but consider the problem to be a serious one which needs to be tackled.

Regarding the **Protection against illegal and harmful speech**, new laws relating to sexism, bullying and violence against women have been adopted<sup>[33]</sup> but there is no specific law nor policy to regulate online hate speech. Besides, there is no systematic effort to monitor and remove online hate speech towards minorities, women and persons with disabilities from online media or from social network platforms, which are the main carriers of hateful speech. Nevertheless, in an opinion issued in July 2021, the Ombudsman recommended<sup>[34]</sup> that media establish monitoring mechanisms and remove hate speech comments from their online editions.

## 5. Conclusions

While freedom of expression in Cyprus remains strong and legally well protected, the risks for media pluralism have increased further in MPM2022. There is lack of adequate action to respond to challenges emerging in the digital environment. Existing limitations in ensuring ownership transparency have increased, and the lack of independently audited data renders the task of regulators harder. The absence of updates makes the under-developed regulatory framework inefficient.

Despite strong democratic credentials and a fair role of the media in election processes, political bias, and political interference in the media compromise their role. The media appear also increasingly vulnerable to influences by commercial interests, while they are prone to reflect the owners' corporate and political agendas. More actions are undertaken in media literacy, becoming also part of the curriculum, although no policy framework exists.

New challenges include the need to update regulatory frameworks taking into account the online environment. They are becoming more urgent in order to protect media pluralism.

Fundamental Protection:

- **Authorities must urgently update the regulatory framework and create new ones in order to meet the challenges posed in the digital and online environment. There is urgent need for effective ownership transparency rules that cover all media.**
- **Unionised and non-unionised journalists and all media stakeholders need to reaffirm their role and reclaim their status to regain the public's trust. Promoting quality and excellence in journalism is a major requirement to the above.**

Market Plurality:

- **The media need to clear content from external influences and redeem their social role to reverse the decreasing level of public trust.**
- **Fair and transparent State schemes to assist the media should be institutionalised, effectively warranting media viability.**

Political Independence:

- **Government officials and political parties should revise their approach to media. Through amending the law and their practices, they should warrant the unhindered operation of a PSM that is independent in all respects, and enable a free expression environment for all.**
- **Media professionals should seek ways to strengthen their Union and effectively defend their labour rights. This is the key for journalists to claiming their editorial independence.**

## Social Inclusiveness:

- **The legal frameworks of both the PSM and commercial media need to be revised in order to explicitly offer broader access to persons and groups. All minorities should have access rights, while the Law must establish the obligation for media organisations to adopt gender equality comprehensive policies.**
- **Community media must find a place in the law, with provisions for implementing a comprehensive policy framework.**
- **Given the critical importance of media literacy for pluralism, the adoption and implementation of a policy framework is urgent in order to enable citizens to respond to today's challenges.**



## 6. Notes

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## ANNEXE I. COUNTRY TEAM

First name	Last name	Position	Institution	MPM2022 CT Leader
<i>Christophoros</i>	<i>Christophorou</i>		<i>Independent expert</i>	X
<i>Nicholas</i>	<i>Karides</i>	<i>Ampersand Director</i>	<i>Institute for Mass Media, IMME</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 that make up the MPM2022. Consulting the point of view of recognized experts was aimed at maximizing the objectivity of the replies given to variables whose evaluation could be considered as being subjective, and, therefore, to ensure the accuracy of the final results of the MPM. However, it is important to highlight that the final country report does not necessarily reflect the individual views of the experts who participated. It only represents the views of the national country team that carried out the data collection and authored the report.

First name	Last name	Position	Institution
<i>Costas</i>	<i>Stratilatis</i>	<i>Associate Professor</i>	<i>University of Nicosia (UNIC)</i>
<i>Giorgos</i>	<i>Frangos</i>	<i>Chairman</i>	<i>Union of Cyprus Journalists</i>
<i>Antigoni</i>	<i>Themistocleous</i>	<i>Regulator - Officer</i>	<i>Cyprus Radio Television Authority</i>
<i>Xenia</i>	<i>Xenofontos</i>	<i>Director Corporate Affairs &amp; CSR at Digital Tree</i>	<i>Digital Tree</i>
<i>Eleni</i>	<i>Mavrou</i>	<i>Board of Directors</i>	<i>Dialogos Media Organisation</i>
<i>Marios</i>	<i>Drousiotis</i>	<i>Chairman</i>	<i>Cyprus Consumers Association</i>
<i>Sofocles</i>	<i>Markides</i>	<i>Member of the Board of Governors</i>	<i>RIK/CYBC. Public Service Media</i>

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