

MONITORING MEDIA PLURALISM IN THE DIGITAL ERA

APPLICATION OF THE MEDIA PLURALISM MONITOR IN THE EUROPEAN UNION, ALBANIA, MONTENEGRO, REPUBLIC OF NORTH MACEDONIA, SERBIA & TURKEY IN THE YEAR 2022

Country report: Bulgaria

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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 that is 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 that was carried out in 2022. 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 Bulgaria the CMPF partnered with Orlin Spassov (Foundation Media Democracy / Sofia University “St. Kliment Ohridski”), Nelly Ognyanova (Sofia University “St. Kliment Ohridski”), Nikoleta Daskalova (Foundation Media Democracy), 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 the media	Representation of minorities
Protection of right to information	Plurality of media providers	Editorial autonomy	Local/regional and community media
Journalistic profession, standards and protection	Plurality in digital markets	Audiovisual media, online platforms and elections	Gender equality in the media
Independence and effectiveness of the media authority	Media viability	State regulation of resources and support to the media sector	Media Literacy
Universal reach of traditional media and access to the Internet	Editorial independence from commercial and owners' influence	Independence of PSM	Protection against disinformation and hate 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 digitally specific risk scores, and the report contains a specific

analysis of the risks that 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 the Indicators, scores of 0 are rated as 3%, while scores of 100 are rated as 97%, by default, in order to avoid an assessment that offers a total absence, or certainty, of risk.

Methodological Changes

For every edition of the MPM, the CMPF updates and fine-tunes the questionnaire, based on the evaluation of the tool after its implementation, the results of previous data collection and the existence of newly available data. For the MPM 2023, no major changes were made to the questionnaire, except for the Indicators Transparency of Media Ownership, Plurality in Digital Markets and Editorial Independence from Commercial and Owners Influence (Market Plurality area), and Protection Against Disinformation and Hate Speech (Social Inclusiveness area). The results obtained for these indicators are therefore not strictly comparable with those results obtained in the previous edition of the MPM. The methodological changes are explained on the CMPF website at <http://cmpf.eui.eu/media-pluralism-monitor/>.

In the Market Plurality area, the names of three Indicators have changed. The former indicator on "News Media Concentration" is now named "Plurality of Media Providers"; "Online Platforms and Competition Enforcement" has been renamed as "Plurality in Digital Markets"; "Commercial & Owners' Influence Over Editorial Content" has been renamed as "Editorial Independence from Commercial and Owner Influence".

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 who carried out the data collection and authored the report. Due to updates and refinements in the questionnaire, MPM2023 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 MPM2023, which is available on: <http://cmpf.eui.eu/media-pluralism-monitor/>.

2. Introduction

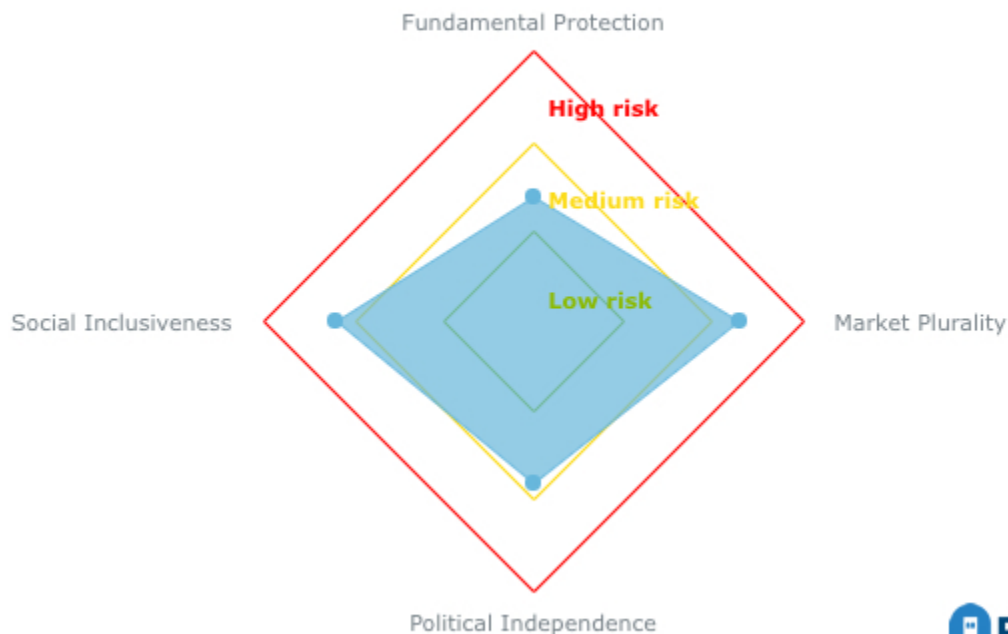
- **Country overview.** Bulgaria is located in Southeastern Europe, in the eastern part of the Balkan Peninsula. The area of the country is approximately 111,000 square kilometres. The total population of Bulgaria is 6,519,789 (2021 census results) (NSI, 2022a). The capital is Sofia. The country is divided into 28 districts. Bulgaria is a parliamentary republic. The National Assembly consists of 240 members. The Prime Minister is elected and recalled by the Parliament. The President is directly elected, has a five-year term and is eligible for one re-election.
- **Minorities.** According to the latest available official data (census 2021), the Bulgarian ethnic group is the largest, accounting for 84.6% of the Bulgarian population (a decrease of 0.2 percentage points compared to 2011). The Turkish ethnic group is the second largest, making up 8.4% (a decrease of 0.4 percentage points compared to 2011). The Romany group is the third largest, accounting for 4.4% (a decrease of 0.5 percentage points compared to 2011). Approximately 1.3% of the population identified themselves as belonging to other ethnic groups. Bulgarian is the mother tongue for 85.3% of the population, Turkish being the second most common with 8.7%, and Roma with 3.9% (NSI, 2021). The adult literacy rate reaches 98.42% (data for 2021; an increase of 0.07 percentage points since 2011) (Macrotrends, 2023).
- **Economic situation.** In 2022, as in previous years, Bulgaria maintained its position as the EU member state with the lowest per-capita GDP at 43% below the EU average, followed by Greece, Slovakia and Croatia (Eurostat, 2023a). The latest macroeconomic forecast for Bulgaria indicates GDP growth YOY of 3.9% and inflation of 13% for 2022 (EC, 2023). Bulgaria has remained the poorest country in the EU, although unemployment rate is 3.9% (data for Q4 2022) (NSI, 2023), which is below the EU average of 6.1% (data for January 2023) (Eurostat, 2023b). The economy faces various problems, including corruption. In 2022, Bulgaria's corruption perceptions score ranked 72 out of 180 countries (78 out of 180 countries in 2021) (Transparency International, 2023).
- **Political situation.** In April 2021, the powerful centre-right GERB party ended a full four-year term during which it ruled in coalition with nationalist parties. Subsequently, in 2021, three parliamentary elections were held in succession. For almost seven months the country was ruled by a caretaker government. Presidential elections were also held. In December 2021, a regular government was formed on the basis of a four-party coalition comprising parties with very different political orientations – a prerequisite for potential instability. In 2022, the political crisis persisted. The four-party coalition collapsed and in June 2022 the government resigned following a vote of no confidence. In August, the president appointed another caretaker government. Early parliamentary elections were once again held in October, resulting in seven parties entering parliament and setting the stage for a challenging process to form a parliamentary majority and a regular government. Due to a bitter stand-off between the parties, the parliament failed to form a government, leading to the president calling for new parliamentary elections on 2 April 2023. This marks Bulgaria's fifth early parliamentary election in just two years, underscoring the deep political instability in the country.
- **Media market.** The media market is diverse but still highly dependent on political and economic influences. The number of media (data for 2021) includes: 201 newspapers, 29 of them dailies; 127 registered TV operators; 74 radio operators (NSI, 2022c). The total TV and radio revenues are approximately EUR 317,215,000 and EUR 43,501,000 respectively (ibid). In 2022, 87.3% of the

households had access to the internet at home (a growth of 3.8 percentage points compared to the previous year). The share of households using fixed broadband internet connection is 62.7% (data for 2021). Households using mobile broadband internet connection are 75.0% (NSI, 2022b). In early 2021, Nova Broadcasting Group, formerly owned by the Domuschiev brothers, was sold to United Group (UG), which also owns the largest Bulgarian telecom Vivacom, as well as newspapers, radio stations and websites. This acquisition further confirms the trend of Bulgarian media market concentration, particularly in the fields of television and telecommunications. The other key player, bTV Media Group, owned by PPF GROUP, owns the major mobile operator Yettel, as well as radio stations and websites. At the same time, despite the existing legal provisions, many media outlets, particularly some operating online, still do not disclose information on their ownership/financing to the public. In 2022, the country ranked 91st in the Reporters Without Borders ranking (112th in 2021). In addition, due to political instability in both 2021 and 2022, anticipated changes in media regulation, such as the revision of the funding mechanism for public media, were not implemented.

- **Regulatory environment.** The work of the electronic media is regulated by the Radio and Television Act (promulgated in 1998; last amended 2022). The Council for Electronic Media (CEM) is the national regulator in the media field. The CEM was established in 2001. It succeeded the National Council for Radio and Television. The CEM consists of five members, three elected by the Parliament and two appointed by the President. The term of office of the members is six years. Media self-regulation is supported by the National Council for Journalistic Ethics Foundation, established in 2005. The Code of Ethics of the Bulgarian Media was adopted in 2004. The Foundation maintains the Journalistic Ethics Commission which reviews and rules on complaints.
- **COVID-19.** In 2021, the media industry was significantly impacted by the COVID-19 pandemic. Some media outlets turned to additional financial instruments, not specifically designed for the media, but developed by the EU and implemented by the Bulgarian government to mitigate the impact of the pandemic on the economy. However, the consequences were serious, particularly for smaller and regional media. In 2022 and early 2023, the situation with COVID-19 has largely come under control, and many sectors, including the media sector, are gradually returning to normal operations. Nevertheless, the effects of the pandemic are still being felt, especially in regional media, with some outlets having faced the threat of closure during the COVID-19 period.
- **War in Ukraine.** Russia's ongoing war in Ukraine continues to have a serious impact on the information landscape in Bulgaria. In early March 2022, the Council for Electronic Media (CEM, 2022a) temporarily restricted the retransmission of two Russian state channels (RT and Sputnik) in Bulgaria. In February 2023, Bulgaria suspended the broadcasting of several more Russian TV channels as part of a coordinated effort within the EU to counter Russian propaganda (nova.bg, 2023). Nevertheless, disinformation and populism remain widespread, particularly on social media. Media fact-checking initiatives are still insufficient to significantly impact the nature of information flows in the context of the ongoing war.

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

Bulgaria: Media Pluralism Risk Areas



JS chart by amCharts



In Bulgaria, particularly high risks for media pluralism have been identified in the areas of **Market Plurality** and **Social Inclusiveness**. The two areas with medium risk are **Fundamental Protection** and **Political Independence**. Compared to MPM2021 and MPM2022, the results of MPM2023 for Bulgaria do not indicate a significant overall reduction in the risks to media pluralism. Despite important political changes in 2021 and 2022, political instability and uncertainty have remained high, delaying the launch of more proactive measures to improve the media environment. As a result, the overall situation of risks to media pluralism remains challenging, with persisting problems such as high levels of media concentration, insufficient levels of editorial autonomy in all types of media, widespread disinformation and hate speech, and inadequate protection of the journalistic profession. In addition, the independence of the public-service media (PSM) is becoming increasingly problematic.

The indicators within the area of **Fundamental Protection** (average medium risk of 46%) score low to medium risk. The overall risk level in this area has slightly increased compared to MPM2022 (43%). The main problems here are identified in the indicators Journalistic profession, standards and protection (59%) and Protection of freedom of expression (55%). The indicator Independence and effectiveness of media authority shows a more noticeable increase in risk (37% compared to 25% in MPM2022). This is due to some actions of the regulatory body that are perceived as politicized. Overall, as in previous years, the risks for media pluralism in Bulgaria mainly arise from the fact that the otherwise reasonably adequate legal framework (which is an essential part of fundamental protection) is often not implemented effectively in practice.

The **Market Plurality** area (76%, high risk) is the area with the highest concentration of risk in this MPM assessment. In practice, the risk remains almost unchanged from MPM2022. Three of the indicators point toward a particularly high risk: Editorial independence from commercial and owners' influence (92%), Plurality in digital markets (92%) and Plurality of media providers (88%). The overall score for Media viability

also remains at an alarmingly high level (79%). The country is still failing to resolve the main problems in this important area. The risks arise mainly from lack of sector-specific rules to prevent a high degree of concentration, lack of sustainable funding opportunities and lack of safeguards against commercial and owner influence over editorial independence. The only positive trend is related to the steady improvement in recent years of the transparency of media ownership, which scores low risk - as it did last year. However, there are still unresolved issues in this respect, and, despite the legal requirements, many media outlets, particularly digital news media, do not declare publicly their ownership.

There are also significant risks to media pluralism in Bulgaria identified within the **Political Independence** area, although the overall level of risk has decreased (60%, medium risk, compared to 71%, high risk, in MPM2022). Two out of five indicators within this area maintain the high-risk level as in the previous MPM assessment: Independence of PSM (94%, an increase of 2 percentage points) and Editorial autonomy (75%). The continuous increase in risk regarding the independence of the Bulgarian National Television (BNT) is of particular concern. Local and smaller media outlets continue to be vulnerable to political influence. There is a decrease in risk in two indicators: State regulation of resources and support to media sector (63% compared to 97% in MPM2022) and Political independence of media (42% compared to 63% in MPM2022). These positive changes are, to some extent, attributed to the easing of the drastic political pressure observed in previous years. However, the ongoing political instability creates a situation of uncertainty and it remains to be seen whether this trend will be sustained in the long term.

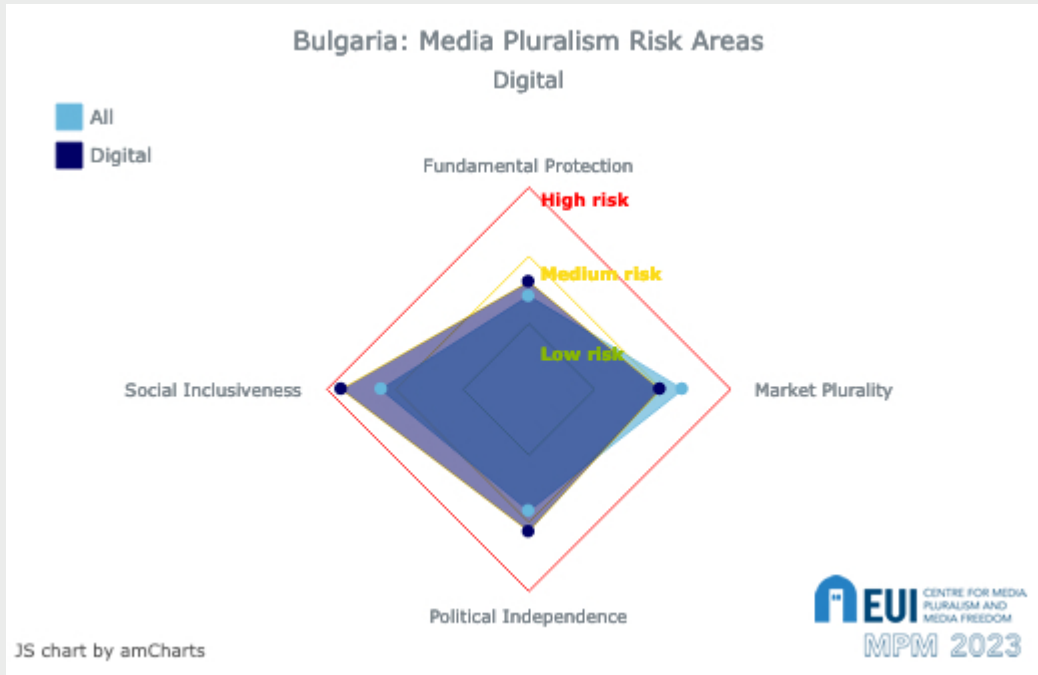
Four out of five indicators in the **Social Inclusiveness** area (average score of 73% compared to 72% in MPM2022) point to high risk: Protection against disinformation and hate speech (90%), Local/regional and community media (75%), Media literacy (70%) and Representation of minorities in the media (67%). Some reduction in risk is observed in the indicator Gender equality in the media (64% compared to 78% in MPM2022). The disturbing conclusions on the insufficient protection against disinformation and hate speech are largely due to the effects of Russia's war on Ukraine. Local and regional media continue to face serious challenges in terms of independence and sustainability. At the same time, minorities and women are still not fairly represented in the media, and, despite some partial improvements, people with disabilities still do not have adequate access to media content. Overall, the risk in the area of Social Inclusiveness remains worryingly high.

Focus on the digital environment

The digital-specific risk scores in the present MPM assessment point to an overall deterioration in the digital news environment in Bulgaria compared to the previous MPM edition. Two areas are in the high-risk band: Social Inclusiveness (93%) and Political Independence (70%). The other two score medium risk: Market Plurality (65%, very close to the high-risk band) and Fundamental Protection (53%, with an increase of 10 percentage points compared to MPM2022). In the present MPM assessment, the average digital score (70%) is higher than the average country's score for all indicators (64%), which is a clear sign that the online environment generates some of the most serious risks to media pluralism in Bulgaria.

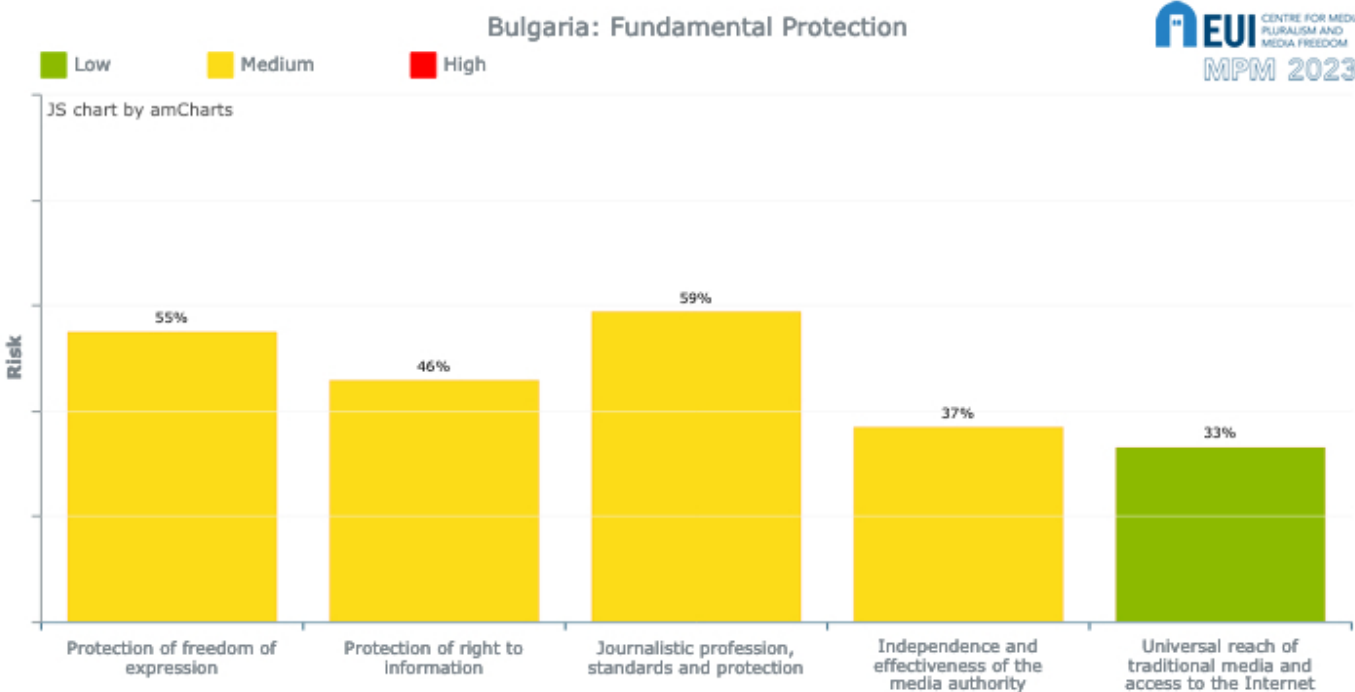
Of greatest concern is the widespread disinformation and hate speech on the internet amid low levels of media literacy and basic digital skills among the population. Another worrying trend is the intensification of online harassment of journalists. Polarisation in society due to domestic politics, the war in Ukraine, and COVID-19 vaccination has had a negative impact in this respect, triggering verbal

aggression and online threats against journalists and fact-checkers. Other main risks observed relate to the insufficient transparency of digital media ownership and online political advertising, the lack of comprehensive market data on the digital media sector, and the controversial moderation of social media content.



3.1. Fundamental Protection (46% - medium 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 overall level of risk in the area has risen by 3 percentage points compared to the previous edition of the MPM. Freedom of the media continues to be problematic, journalists are increasingly exposed to online harassment, while the independence and effectiveness of the media authority cause growing concerns.

The indicator **Protection of freedom of expression** scores medium risk: 55% as opposed to 49% in the previous MPM edition. The increase in risk is mainly due to registered practices of violations of freedom of expression online, particularly cases of unjustified removal of content on Facebook, the leading online platform for discussion and news consumption in the country. At the same time, the overall picture regarding protection of freedom of expression remains mixed. Freedom of expression is explicitly recognized in Bulgarian legislation,^[1] and restrictions on it are clearly defined in the Constitution, the Penal Code and the Radio and Television Act. In practice, however, guaranteeing freedom of speech and in particular freedom of the media is still problematic. In 2022, local and international monitoring organisations drew attention to issues such as: political intimidation as well as administrative and judicial pressure, including strategic lawsuits against public participation (SLAPPs), against journalists and publishers (RSF, 2022a); ‘protracted civil and criminal litigation against independent investigative media’ (OSCE, 2022: 13); ‘the deterioration of media freedoms and media standards and the capture of media by vested interests’ (Dzhambazova, 2022: 25); unsatisfactory level of freedom of speech, according to Bulgarian journalists’ evaluation (Valkov, 2022). In October 2022, as alerted on the CoE Platform to promote the protection of journalism and safety of journalists (CoE, 2022a) and the Mapping Media Freedom Index (ECPMF, 2022a), ‘Kostadin Kostadinov, the leader of the far-right pro-Russian party “Vazrazhdane” (Revival) attempted to expel critical media from a press conference and then issued numerous insults and attacks on the same media, drawing immediate

condemnation from journalists and media freedom organisations.’ In November, Vazrazhdane’s ‘foreign agent’ bill, which would introduce sanctions for media outlets that receive foreign funding, was submitted to Parliament and further sparked serious media freedom concerns.

As in the previous MPM edition, **Protection of right to information** scores a risk of 46%. There are existing legal provisions for the right to information,^[2] for appeal mechanisms^[3] in cases of denials of access to information, and for restrictions to freedom of information on grounds of protection of privacy in accordance with international standards.^[4] At the same time, contrary to the rule of law, the Classified Information Protection Act does not prohibit the classification as state or official secrecy of information containing data on crimes, abuses, corruption and violations of fundamental human rights. As for access to information in practice, there are both positive trends and unresolved long-lasting problems. According to the 2022 monitoring of the Access to Information Programme (AIP, 2022), institutional websites have improved in terms of access to information functions; there is a slight increase in the number of institutions responding within the statutory deadline and in the number of institutions providing full access to the requested information. On the other hand, cases of non-compliance with legal obligations and silent refusals by institutions continue to be recorded; the percentage of applicants notified of the registration of electronic applications is low, and in a large number of web pages published information is difficult to find (Ibid.). Developments on protection of whistleblowers have been slow to unfold. Due to the political instability in the country over the last two years, Bulgaria has been late in transposing Directive (EU) 2019/1937 on the protection of persons who report breaches of Union law. In 2022, two draft laws were submitted to Parliament, but both were rejected at first reading. The Whistleblower Protection Act was eventually adopted in January 2023 (effective 4 May 2023). Cases of arbitrary sanctioning of whistleblowers are difficult to be tracked due to controversial information and lack of hard evidence. In 2022, the media reported on two political cases: the dismissal of Hristo Daskalov, who, as head of the Bulgarian Food Safety Agency, had revealed large-scale corruption at the checkpoint with Turkey;^[5] the dismissal of Ivan Frenkev as chairman of the Consumer Protection Commission.^[6] In addition, the AEJ – Bulgaria (2022a, 2022b) warned against police interrogation of journalists Maria Tsantsarova (bTV), Alexey Lazarov (Capital) and Desislava Nikolova (Capital) over investigations and sources of information. AEJ claimed these actions of the authorities were in violation of EU Directive 2019/1937. The organisation also pointed to the worrying dismissal of Prof. Ilko Getov, who had been in charge of a report used in one of the journalistic investigations.

The indicator **Journalistic profession, standards and protection** scores medium risk with 59% (53% in MPM2022). The increase in risk is due to registered problems in two of the digital-related variables: intensification of online threats to journalists and established data retention obligations in the law which do not comply with Article 8 of the European Convention on Human Rights. The risk levels of the other variables within the indicator remain unchanged. Although in 2022 journalists’ organisations were active in expressing intolerance of violations of freedom of speech and editorial independence, such organisations still have only limited potential to influence the media environment in the country. Many journalists continue to work in unfavourable working conditions. A survey conducted in 2022 by the AEJ – Bulgaria indicates that journalists are facing a series of challenges including stress and financial difficulties. According to AEJ’s report (Valkov, 2022: 13), ‘The level of pay in the media is frozen, or is rather in the process of being reduced, unable to withstand the combined effects of the pandemic, the war in Ukraine and inflationary processes in the economy.’ In addition, threats to the physical safety of journalists continue to take place. In 2022, there were threats against investigative journalists from the Bureau of Investigative Reporting and Data (BIRD): in January, Atanas Tchobanov was warned by the U.S. Embassy in Bulgaria about an immediate threat to his physical safety (ECPMF, 2022b; CoE, 2022b); in December, Dimitar Stoyanov

discovered the media's official car with four slashed tyres (ECPMF, 2022c). Also in December, Bulgarian journalist Christo Grozev, a chief investigator at the Bellingcat news outlet, was added to Russian wanted list under an article of the Russian Criminal Code. Concerns about his safety have been raised by professional organisations and authorities in Bulgaria as well as in other EU countries (Palmer & Reuters, 2022; RSF, 2022b; AEJ, 2022c). In 2022, there were also problematic cases of interrogation of journalists by the Bulgarian authorities: in December, Capital editor-in-chief Alexei Lazarov and journalist Desislava Nikolova were summoned for questioning by the police on the order of the Bulgarian prosecutor's office over Capital's investigation into a state-owned hospital and inflated drug prices (ECPMF, 2022d; CoE, 2022c; AEJ, 2022a); in July and September, bTV journalist Maria Tsantsarova was investigated over a broadcast which revealed MPs advocating against COVID-19 vaccines had themselves been vaccinated against the virus, and she was asked by the state authorities to disclose her sources, even though protection of journalistic sources is explicitly recognised by the law.^[7] Additionally, amid the lack of anti-SLAPP legislation, current SLAPP cases exert financial and psychological pressure on critical and investigative journalists and put their work at risk.^[8]

Independence and effectiveness of the media authority scores a risk of 37%, which is one of the most noticeable increases in risk (25% in the previous MPM edition) and is now within the medium risk band. Two of the members of the CEM, the regulatory authority, are appointed by the President, and the other three are elected by the Parliament. Thus, the constitution of the CEM continues to be exposed to risks of political influences, despite the explicit provisions in the Radio and Television Act for the economic and political independence of the authority. In 2022, some of CEM's decisions and statements by the chairperson Sonya Momchilova in particular were subject to professional criticism by both Bulgarian and international organisations, as well as by some CEM members. Among others, criticism focused on: the principle of appointments of members ('usually chosen for their loyalty to the majority in the Parliament or to the President, rather than for their expertise and experience', Galaski, Simon & Otto, 2022: 15); the fact that the CEM did not elect a new Director General of BNT (AEJ, 2022d; Paunova, 2022); the spread of 'anti-democratic propaganda' by the chairperson and her 'independent communication policy, which is not coherent and does not reflect the positions, opinions and decisions of the Council and which leads to the undermining of the reputation of CEM' (CEM members Prolet Velkova and Simona Veleva cited in Ignatova, 2022); the 'inadmissible remarks' (RSF, 2022c) and the 'unacceptable' conduct 'for the chairperson of a regulatory body to attack journalists for their investigation exposing irregularities in the state' (AEJ, 2022e) regarding Momchilova's comments about a journalistic cross-border investigation (on arbitrary pushback of refugees and migrants)^[9] and personal attacks on the Bulgarian journalist involved in the investigation. In addition, against the backdrop of overall political instability in the country, Article 30, section 4 of the EU Audiovisual Media Services Directive 2018/1808 regarding the adequate financial and human resources provided to the national regulatory authorities has not been transposed yet.

Universal reach of traditional media and access to the internet indicates improvement and scores a risk of 33% (40% in the previous year). The improvement is due to the expansion of internet penetration with NGA broadband coverage/availability to 93.3% of households (data for 2021) (EC, 2022). Universal coverage of the public-service media is guaranteed by law. The reach of public TV and radio channels is 97% of the population. The total percentage of market shares of the leading 4 ISPs in the country is 74%.

Focus on the digital environment

The digital-related score in the Fundamental Protection area indicates medium risk (53%) with an increase in risk of 10 percentage points. The monitored deterioration is due to practices of online harassment of journalists, controversial cases regarding social media content moderation, and violations of Article 8 ECHR in respect of secret surveillance and data retention.

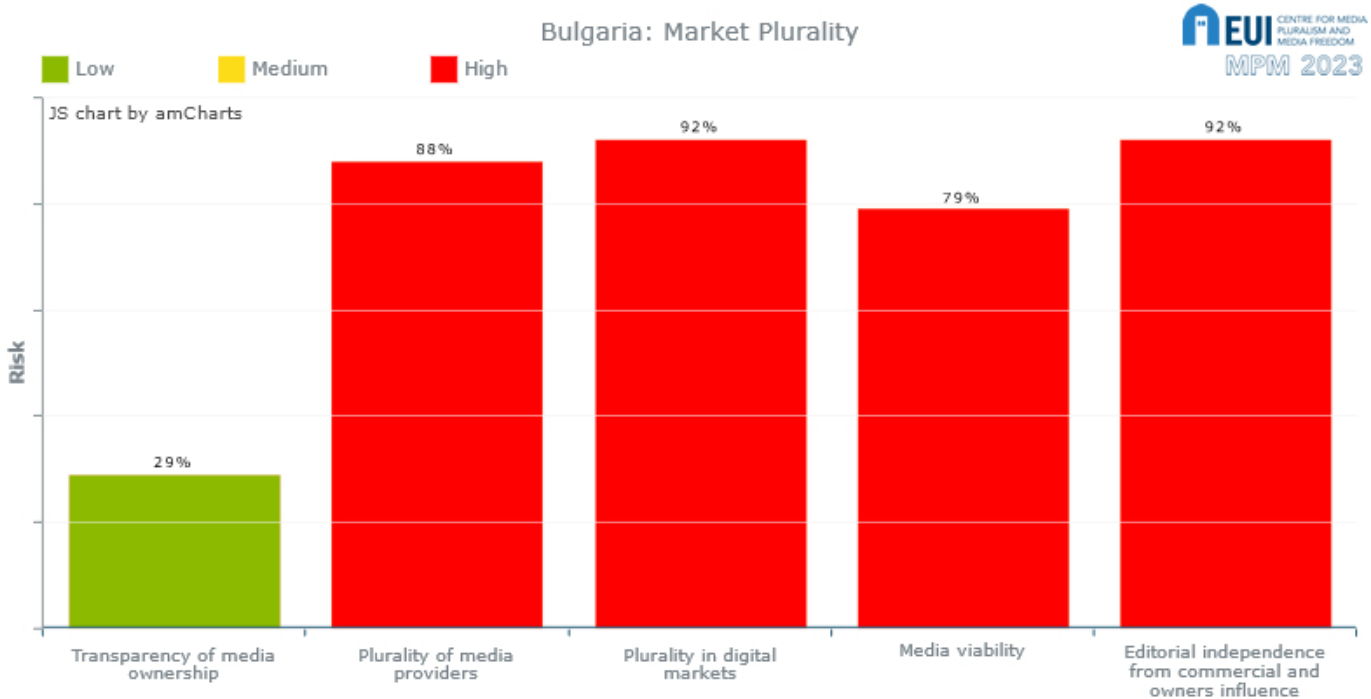
Freedom of expression online is guaranteed on the same grounds as freedom of expression in general. The state does not restrict access to social media or other internet platforms. Legal blocking of media content is allowed on the grounds of the Excise Duties and Tax Warehouses Act (Art. 99) and the Gambling Act (Art. 17). Online platforms are partially transparent about the removal of content. According to Meta's transparency report for January–June 2022 (Meta, 2022), the company received 69 government requests for data, in accordance with applicable law, about 141 user accounts, and there were 182 restrictions imposed in Bulgaria. Meta reported restricted access in Bulgaria to '162 items that represented Russian state-controlled media sources due to European Union-imposed sanctions and to 14 items for misinformation' (Ibid.) Against this background, in December 2022, a heated public debate in Bulgaria about the practices of content moderation on Facebook unfolded. Bulgarian users, including public figures, accused the platform of blocking profiles and removing content in a biased manner, particularly in favour of Russian propaganda.^[10]

Online harassment of journalists is on the rise (Valkov, 2022), including hate speech and attacks against women journalists and fact-checkers (CoE, 2022d; Kovacheva, 2022). Among others, triggers for online hate speech have been coverage of COVID-19 vaccination and the war in Ukraine. The law establishes data retention obligations which do not fully comply with articles 8 and 10 of the European Convention on Human Rights. In 2022, the upper limit of some penalties in the Penal Code was increased, allowing data retention to be used in relation to them. In January 2022, in the case of *Ekimdzhiev and Others v. Bulgaria*, the European Court of Human Rights ruled violations of Article 8 ECHR in respect of secret surveillance, and in respect of retention and accessing of communication data: 'The Court found in particular that the relevant legislation governing secret surveillance did not meet the quality-of-law requirement of the Convention and was unable to keep surveillance to only that which was necessary' (ECHR, 2022).

There are legal provisions^[11] for net neutrality and the Bulgarian ISPs manage network traffic in a transparent, impartial and neutral way, without discriminating against particular types of content or content from particular sources.

3.2. Market Plurality (76% - high risk)

The Market Plurality area considers the economic dimension of media pluralism, assessing the risks deriving from insufficient transparency in media ownership, the concentration of the market in terms of both production and distribution, the sustainability of media content production, and the influence of commercial interests and ownership on editorial content. The actors included in the assessment are media content providers, with indicators including Transparency of media ownership, Plurality of media providers, Media viability, Editorial independence from commercial and ownership influence, and digital intermediaries (with the indicator on Plurality in digital markets).



Market Plurality continues to be the highest risk area for Bulgaria with four indicators scoring high levels of risk. Regulatory gaps, ineffectiveness of legal and self-regulatory provisions in practice and lack of data are among the most serious issues in the area.

The indicator **Transparency of media ownership** is the only one within the area scoring low risk (29%), the same level registered for this indicator in MPM2022). The good score stems from the existence of legal provisions (Compulsory Deposit of Printed and Other Works Act; Radio and Television Act; Measures Against Money Laundering Act) for disclosure of ownership details, including the ultimate owner, of the media service providers. In addition, media service providers are obliged to declare annually any funding received, its amount and grounds, including details of the entity that provided the funding (Art 7a(3) Compulsory Deposit of Printed and Other Works Act). However, as in previous years, in 2022 not all media organisations declared the ultimate owner of the company and the sources of funding under the obligations set by the Compulsory Deposit of Printed and Other Works Act.^[12] This has resulted in gaps and uncertainties in the publicly available information on media ownership and financing.

Plurality of media providers scores a risk of 88% (in the previous MPM the relevant indicator scored 96%). The reduction in risk, which is nevertheless still high, is due to an assessment of reduced concentration in the newspaper sector. However, estimates are not supported by precise data on the market shares based on all revenues (circulation, subscriptions, advertising, public funding, etc.) of the media owners, as such data are not available. The lack of data – full market share data as well as other basic data – is characteristic of the media landscape in general and is itself considered a risk. Partial advertising

revenue information shows high levels of concentration in the TV sector where the major 4 owners have a total share of 90% (Media Club, 2022). The sums of the audience shares of the top 4 TV media groups is 74% (Nielsen Admosphere, 2022), and the top 4 radio groups have a total share of 77% (Media Club, 2022). In addition to the continuous high concentration in these media sectors, the other persistent risk is related to the lack of specific thresholds based on objective criteria in order to prevent a high degree of horizontal or cross-media concentration of media ownership. The existing general rules in the competition law do not take into account the specifics of the media industry.

The indicator **Plurality in digital markets** reaches a very high level of risk (92%). Last year's result for the relevant indicator was 97%. Although the results are not fully comparable due to some changes in the indicator, they clearly show the persistence of high pluralism risk in the sector. According to data from Statista (2023), the total online advertising share of the leading 4 players, which are in fact the big international platforms, is 52%. The observations of last year's report on competition regulation in the sector remain unchanged: there is no competition regulation that takes into account the specificities and the digital evolution of the media sector and no sector-specific rules to prevent a high degree of concentration in the digital advertising market. Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market has not yet been transposed. In February 2023, the European Commission decided to refer Bulgaria to the Court of Justice of the EU following the country's failure to fully transpose EU copyright rules into national law (EC, 2023b)

Media viability scores a high risk of 79% (77% in the previous MPM edition). The assessment of advertising revenue dynamics (forecast estimations by BACA, 2023), juxtaposed with GDP and inflation trends in the country, shows medium risk for the TV (9% forecast growth in advertising revenue for 2022 compared to 2021) and radio (8% forecast growth) sectors and high risk for the newspaper sector (8% forecast decrease). Data-based evaluation of the developments in the local media sector is not possible due to lack of information. Amid this lack of statistics, media professionals (Valkov, 2022; AEJ, 2022f) point out the steady deterioration of local media markets. The growing inflation and work overload have had negative effect on the economic conditions of journalists, including freelancers. There are no favourable public support schemes for the news media sector in particular. Sources of revenue other than traditional revenue streams have been developed only to a limited extent by Bulgarian news media. Newsroom innovations addressing challenges posed by the new digital environment are geared toward video content production (clips, interviews, discussions, live broadcasts, podcasts, livestreaming, etc.). However, such practices are still limited in scope.

Editorial independence from commercial and owners' influence continues to be very problematic with a risk score of 92%. There are no mechanisms granting social protection to journalists in case of changes of ownership or editorial line; and there are no safeguards against commercial influence over decisions regarding appointments and dismissals of editors-in-chief. Despite the existence of legal^[13] and self-regulatory^[14] provisions aimed at preventing journalists from being influenced by commercial interests, there is an ongoing trend where media owners and other commercial entities exert systematic influence over editorial content. In addition, although the Code of Ethics of the Bulgarian media (Art. 3.3) requires a clear distinction between editorial content and paid publications, advertising or sponsored material, there are no effective guarantees for the separation between editorial and commercial activities in practice. There are also no effective regulatory or self-regulatory schemes for disclosure of any actual or potential conflict of interests of the owners of the media that might affect the editorial content. Often the forms of commercial and political influence are intertwined. Journalists admit that economic entities are among the leading sources for external pressure over the media (Valkov, 2022: 26). The legal^[15] and self-regulatory provisions^[16]

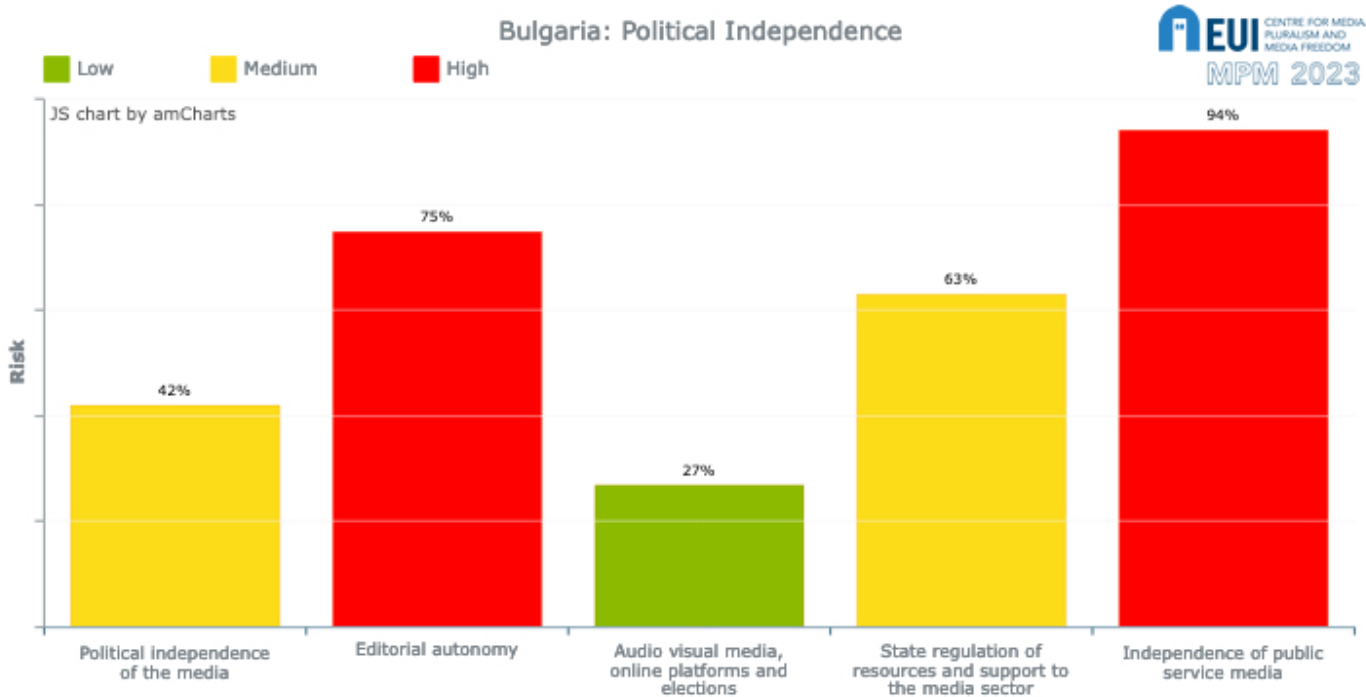
against disguised advertisement are often violated in practice.

Focus on the digital environment

The digital variables in the Market Plurality area score a medium risk of 65%, very close to the high-risk band. Digital news media are required to disclose ownership details (Compulsory Deposit of Printed and Other Works Act; Measures Against Money Laundering Act). However, there are still many news sites that operate anonymously and do not provide the public with the required ownership information or even with information about their editorial teams. In 2022, non-identification of ownership was common for websites disseminating disinformation about the war in Ukraine.^[17] The precise level of market concentration in the online media sector cannot be evaluated due to a lack of sufficient data. The revenue dynamics in the digital native news media cannot be assessed either due to a lack of comprehensive and disaggregated data. Lack of data is considered a risk in itself.

3.3. Political Independence (60% - 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.



The situation within the Political Independence area is mixed. There are all three levels of risk in the area and the average score of 60% is now on the medium risk level as opposed to the high risk of 71% in the previous MPM edition. The lowest risk remains related to the regulation of media coverage of elections. Concerns, on the other hand, relate to the worrying state of editorial autonomy and the continued deterioration of the independence of PSM.

The indicator **Political independence of the media** scores a medium risk of 42%, which is a decrease of 21 percentage points compared to the assessment in MPM2022. The level of risk regarding the presence of political control over the leading TV groups as well as over the newspapers drops from high to medium. The comparison with the situation in previous years, when more drastic cases of political pressure and dependence on powerful political actors were observed, now shows a partial improvement in these sectors. However, the overall media landscape is not adequately protected from conflict of interests in practice and safeguards need to be strengthened in this respect (Dzhambazova, 2022: 28). While the Radio and Television Act includes provisions to safeguard the independence of media service providers and their activities from political and economic interference (as stated in Article 5), the law does not explicitly prohibit politicians and parties from owning audiovisual media.

The risk score of the indicator **Editorial autonomy** remains unchanged – 75%, high risk. There are no common regulatory safeguards to guarantee autonomy when appointing and dismissing editors-in-chief. The self-regulatory Code of Ethics of the Bulgarian Media stipulates measures for editorial independence from political interference. There are also internal codes of ethics in the public service media and in some of

the large private media. However, self-regulation is not yet effective enough to guarantee the editorial independence in practice. In 2022, journalists themselves provided numerous examples of political interference in the editorial content of the media and highlighted it as one of the most persistent problems in the field (Valkov, 2022).

The indicator **Audiovisual media, online platforms and elections** scores the lowest risk in the current MPM edition with 27% (29% in the previous edition). Access to airtime on PSM and private channels for political actors during election campaigns is elaborated by the Electoral Code and is implemented effectively. There are also regulatory provisions for buying advertising space and participation in paid media formats by contestants during campaigns. In addition, the state provides funds for media packages in the amount of BGN 40,000 (approx. EUR 20,000). However, there is criticism that more transparency of spendings is needed and that the Central Election Commission 'continues to lack a mechanism for real control over the spending of the packages by the formations' (IPED, 2022). Against this backdrop, media coverage of election campaigns is partially problematic. In October 2022, there were early parliamentary elections in the country. Overall, monitoring assessments (CEM, 2022b; OSCE, 2022) of the media coverage by BNT and BNR were more positive compared to the situation in 2021. At the same time, the strict legal provisions were criticised for reducing the competitiveness of public media (OSCE, 2022: 13) and for putting BNT and BNR's serious investigative journalism on pause (CEM, 2022b: 6). Coverage of the campaign on private channels was not always fair. According to CEM's monitoring report, the leading private broadcasters provided balanced representation of the main parties and candidates, respected the principle of equal treatment of candidates and professional journalistic ethics. However, for yet another campaign, a number of smaller TV channels, especially those affiliated to parties, reported in a biased and one-sided way. OSCE's monitoring report (2022: 14) pointed to examples of unbalanced coverage, negative in tone or beneficial to certain parties, on prime-time newscasts of the leading broadcast media. Beyond the period of election campaigns, BNT and BNR's informative programmes do not always provide fair representation of political viewpoints: in 2022, there were examples of misleading information in the context of domestic politics, as well as pro-Russian disinformation in the context of the war in Ukraine (CEM, 2022c; CEM, 2022d; AEJ, 2022g).

State regulation of resources and support to media sector is the indicator with the most significant decrease (34 percentage points) in the risk in the current MPM edition – from the highest possible risk score (97%) to medium risk of 63%. The improvement is due to the adoption of the Regulatory Policy for Management of the Radio Frequency Spectrum for Civil Needs. The policy was adopted by the Communications Regulation Commission in March 2022 (effective April 2022).^[18] Spectrum allocation legislation is formally implemented effectively, but there are some concerns. Currently, there is a single national private multiplex that only broadcasts a small number of programs, and is not widely used in practice (around 150,000 people who cannot afford cable or satellite TV) (Economic.bg, 2020). Apart from spectrum allocation, the other sub-indicators in the area do not point to any improvements. There are still no direct or indirect state subsidies distributed to media outlets, other than PSM. There are also no significant improvements in the rules and distribution of state advertising, which continues to be a key tool by governments 'to advance media capture' (Dzhambazova, 2022: 17–18).

Independence of public service media is the indicator with the highest risk score in MPM2023 (94%), with an increase of 2 percentage points compared to last year's assessment. Over the years of implementation of the MPM, the risk with regard to this indicator has gradually increased from low, through medium to the current unflattering very high risk. A structural prerequisite for the rise in risk is the amendment to the Radio and Television Act of 2016 (Art. 60(4)), according to which the term of office of the management boards and

the directors general of the BNT and the BNR can be extended indefinitely in case the CEM does not endorse new directors general and management boards. This was particularly the case in 2022 when the CEM did not achieve the necessary number of votes to elect a new director general of the BNT. As a result, Emil Koshlukov, a controversial figure and the subject of strong professional and civil disapproval in recent years (e.g. BlueLink, 2022), remained in office as Director General. CEM's failure to elect a new director general of the BNT has been criticized as serving political purposes and affecting BNT's editorial independence (OSCE, 2022: 13). Moreover, against the background of political instability, there is no progress on the adoption of the revision^[19] of the law aimed at strengthening the independence and improving the funding mechanism of the PSM.

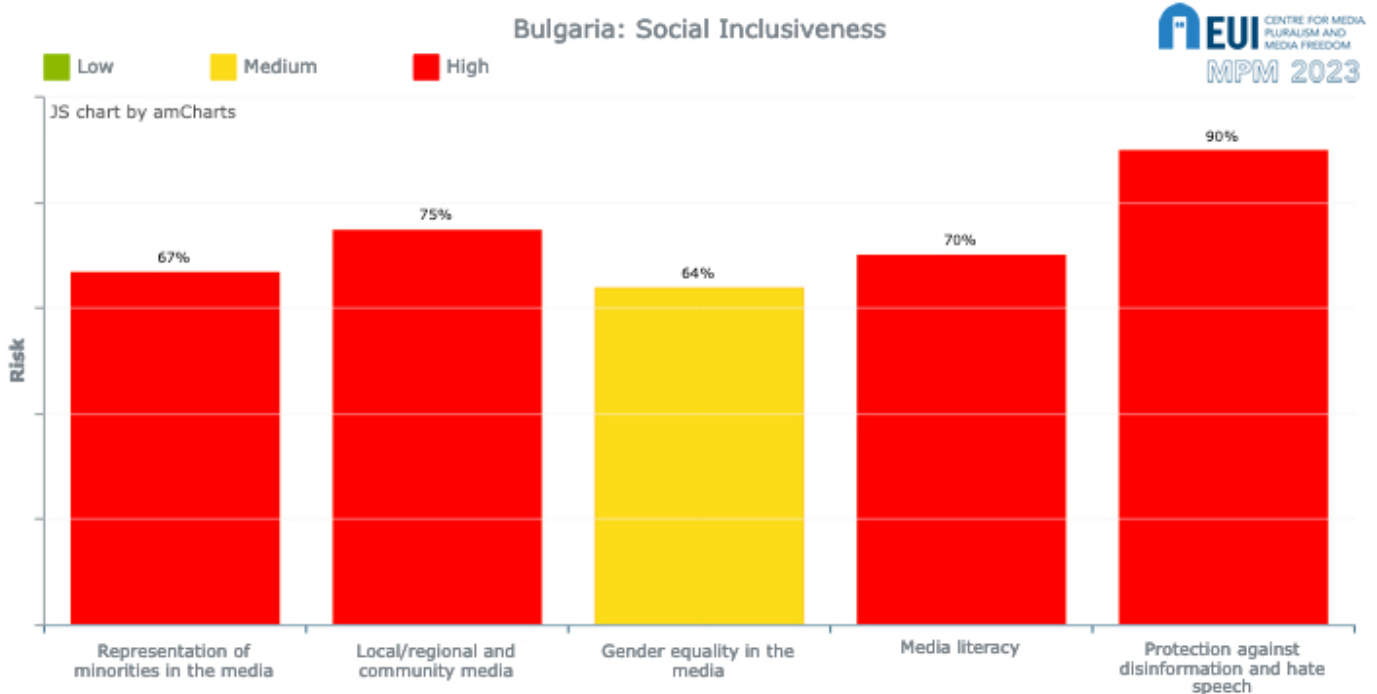
Focus on the digital environment

Political control over the leading digital news media continues to be difficult to prove. In some cases, there has been a trend of positive coverage of politicians, including by local and national news sites associated with politicians and their families.^[20]

There is no regulation that aims to ensure transparency of political advertising on online platforms during electoral campaigns and no rules for political parties, candidates and lists competing in elections to report on campaign spending on online platforms in a transparent manner. In practice, Facebook, the leading social network in the country, provides information on the advertising spending of political parties. However, political parties and candidates in general do not provide on their websites information on the expenditure and targeting criteria for social media activities. Civil society organisations recommend that Bulgaria 'update the political advertising rules to the digital era', which includes 'more transparency in funding and ensuring authentic political messaging through identity verification processes, the use of official accounts by political actors and the removal of inauthentic online content' (Civil Liberties Union for Europe, 2022: 11).

3.4. Social Inclusiveness (73% - 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 disinformation and hate speech.



The average level of risk in the area of Social Inclusiveness remains high – 73% in the current MPM edition (72% in the previous one). Of greatest concern is the state of disinformation and hate speech in the country, which is influenced by the low level of media literacy and the intensification of propaganda in the context of the war in Ukraine. Local and regional media continue to face pressure rather than support from the state. There are still significant deficits in media coverage of minority groups. Also, despite some partial improvements in women's access to leadership positions in commercial media, there is a clear gender inequality in media representation.

Representation of minorities in the media scores a high risk of 67%, which is a decrease of 4 percentage points compared to last year's assessment. The slight improvement is due to better implementation of legislation on access services for people with disabilities.^[21] The law has broad anti-discriminatory provisions^[22] without distinguishing between recognised and not recognised minorities. The most adequate access to airtime is still provided by PSM channels. According to the Fifth Report submitted by Bulgaria Pursuant to Article 25, paragraph 2 of the Framework Convention for the Protection of National Minorities, the BNT 'regularly' broadcasts 'various programmes dedicated to ethnic groups, their traditions, way of life and problems' (Republic of Bulgaria, 2021: 34). The report also refers to the daily news programme in Turkish and the programme 'Small stories' on BNT1 (in which 'topics and problems from the life of the Roma community in Bulgaria are often discussed'), as well as Turkish-language content on BNR Radio Kardzhali, Radio Bulgaria and on BNR's website (Ibid.). Content dedicated to minorities can also be found on the Hristo Botev cultural channel of the BNR. However, there are also some significant deficiencies concerning the PSM. The extent to which coverage of minority issues is regular is questionable. Overall, the cultural and minority diversity in the country is not yet fully and sufficiently covered by the PSM. In 2022,

minority-related aspects could sometimes be found in media content on the war in Ukraine and the political situation in Bulgaria, with the BNR reporting more frequently on minority issues than the BNT, and carrying out fact-checking to debunk disinformation regarding Ukrainian refugees (Kirilov, 2022). Representation of Roma-related issues on the leading private audiovisual media continues to reinforce negative prejudices,^[23] and entertainment formats portray the image of Roma and Turks as ‘different, hence eccentric, exotic or scandalous’ (Popova, 2023). Against this background, coverage of Ukrainian refugees in the leading private TV and radio channels is mostly neutral-positive.^[24] Access to news content for people with hearing impairments has improved. Since the COVID-19 state of emergency in 2020, the use of sign language^[25] in the leading public and commercial TV channels has expanded. Nevertheless, available sign language and subtitled content is still very limited and the media providers need to make further efforts in this respect (CEM, 2022e).

The indicator **Local/regional and community media** again scores a high risk of 75%. Bulgarian legislation does not provide for reservation of frequencies or must-carry rules for regional and local media. The Bulgarian National Radio has eight regional channels and the Bulgarian National Television has four regional centres outside the capital of Sofia. The difficult financial situation of the local media market leads to ‘compromises with high professional standards of quality and objectivity’ (Transparency International Bulgaria, 2022). The state does not support local and regional media through subsidies or other policy measures. Instead, ‘state, regional and municipal institutions are increasingly becoming the leading sources of external pressure’ (Valkov, 2022: 25). There are no statutory regulations on the licensing or the functioning of community media.

The risk score of the indicator **Gender equality in the media** has dropped by 14 percentage points compared to the previous MPM edition and is now within the medium risk range (64%). The reduction in risk is attributed to the increased share of women (50%) on top management positions in the private TV companies with the largest audience share. However, the share of women (25%) among editors-in-chief in the leading news media in the country still indicates a high risk. The average share of women on the management boards of the two public broadcasters is 30%. The BNT and BNR do not have a specific gender equality policy, but do have general requirements for anti-discriminatory content. Overall, the journalistic profession in the country is highly feminised and participation of women in leadership positions has been dynamic in recent years. Against this background, the representation of women and men in media content continues to be imbalanced. Male experts are commonly more often invited by the mainstream media to comment on political matters than female experts. According to the monitoring report by the CEM (2022b) on the coverage of the 2022 electoral campaign (2 September – 2 October), the share of candidates and experts represented in media content is largely dominated by men in all monitored TV and radio channels (public and commercial). In another monitored period (24 February – 15 March 2022), the share of women in current affairs programmes on BNR’s channel Horizont is 21% as opposed to 79% men, and the share of women on BNT1’s current affairs programmes is 18% while men are 82%.^[26]

Media literacy is again in the high-risk band with 70% (67% in the previous MPM edition). Overall, the risk levels in the individual variables remain the same as in MPM2022, while the new variable on the presence of media literacy activities for vulnerable groups scores high risk. Although some measures^[27] have been taken in recent years to improve media literacy in the country, Bulgaria ranks last among the EU countries in the Media Literacy Index 2022 (Lessenski, 2022). The development of a media literacy policy (strategic document) is still nascent; it is yet to be implemented in practice and its impact could be evaluated in the future (Ivanova, 2022). Media literacy is present in the school curriculum to a very limited extent – in only a few topics in the subject of civic education for students of 11th and 12th grade, which is ‘highly insufficient in

terms of teaching time, content and depth, and the introduction of media literacy topics at this stage of secondary education is too late' (Ibid.). A survey indicates that secondary school students (tenth graders) have serious difficulties in extracting and interpreting information from text, including media texts, and data (Media Literacy Coalition, 2022: 22). Against this backdrop, it is the civil society sector that plays the leading role in providing practical activities to improve media literacy in the country. However, the efforts of civil society organisations remain fragmented.

The indicator **Protection against disinformation and hate speech** introduces new variables and scores a high risk of 90% (in MPM2022: Protection against illegal and harmful speech – 69%). There are self-regulatory provisions against false and inaccurate information (Code of Ethics of the Bulgarian Media), but there is no national strategy to foster cooperation between different stakeholders to tackle disinformation. In practice, Bulgaria is highly vulnerable to disinformation. In 2022, main topics of disinformation, especially on social media, were the war in Ukraine, EU policies and COVID-19. In April 2022, the Bulgarian Coalition Against Disinformation was established as a joint initiative of four Bulgarian ministries, NGOs, media, the European Commission and other organisations. However, the scope and impact of independent fact-checking initiatives^[28] and research project on disinformation are still limited. Overall, disinformation remains widespread in Bulgaria, impacts public debate, contributes to polarisation of society and erodes trust in institutions and in news media. As in previous years, efforts to counter various types of misinformation are often attacked as 'liberal propaganda'. In addition, the continuous political instability in the country 'prevents the creation of a more comprehensive and sustainable policy to combat disinformation, and at the same time, creates a breeding ground for the spread of disinformation and for the worst effects of it' (Kovacheva, 2022). Protection against hate speech is not effective in practice and hate speech remains widespread in digital news media, discussion forums and social networks.

Focus on the digital environment

Against the background of low media literacy and widespread online disinformation and hate speech in the country, only 31% of the population have basic or above basic overall digital skills (Eurostat, 2023c), which indicates a high risk. At the same time, 57% of the population trust the media, 44% trust the internet, and 37%, which is the second highest result in the EU, tend to trust social networks (data from Eurobarometer, EBU, 2021). As a whole, the digital dimensions of the Social Inclusiveness area indicate a very high risk (93%) and mark some of the country's most vulnerable sides in terms of media pluralism.

4. Conclusions

The results of the MPM2023 indicate significant risks to media pluralism in Bulgaria. There is a noticeable high risk in two of the four areas: Market Plurality and Social Inclusiveness. The area of Political Independence, which was at high risk in MPM2022, is now at medium risk along with the Fundamental Protection area. Despite the reported improvement in the overall situation in the Political Independence area, key indicators within it, such as Independence of PSM and Editorial autonomy, remain highly problematic. Given these remarks, it can be concluded that, compared to MPM2021 and MPM2022, the overall level of risk to media pluralism does not point to significant changes. The political instability in the country over the past two years does not allow the implementation of more targeted measures aimed at improving the media legislation and the overall state of the media environment.

The highest individual levels of risks are identified with regard to Independence of PSM (94%), Editorial independence from commercial and owners' influence (92%), and Plurality in digital markets (92%). These extremely high levels of risk are closely matched by problems in several other areas: Plurality of media providers (88%), Protection against disinformation and hate speech (90%), and Media viability (79%). As can be clearly seen from the data, the identified risk levels affect many of the most important areas of media functioning: their independence, their ability to cope with disinformation, their sustainability, etc. It is also important to note that the high levels of risk apply to both traditional media and the digital media environment.

Against this background, decreasing the risks to media pluralism in many spheres remains a matter of urgency in the country. Combined approaches are needed to simultaneously address problems in different areas. A broad political consensus needs to be sought to impose sustainable measures. Such measures should take into account both national specificities and the general framework of EU initiatives and policies in the media field.

In the **Fundamental Protection** area, fostering positive developments could be achieved through policy measures such as:

- Promotion of legal and institutional measures for better professional protection (including physical and online security) and working conditions of journalists (by NGOs, professional organisations, media stakeholders).
- Improvement of legislation on the composition, functions and effectiveness of the Council for Electronic Media, the national media authority, by introducing effective measures for its independence.
- Launching of an information campaign in support of the adoption of the anti-SLAPP Directive and preparation for its immediate implementation.
- Raising public awareness of the EMFA.
- Effective implementation of the newly adopted Whistleblower Protection Act.
- More effective implementation of existing national and EU media legislation in practice.

In the area of **Market Plurality**:

- Introduction of media pluralism criteria and sector-specific concentration thresholds in cases of media mergers (in the law and in the competencies of the regulatory authorities) to promote more diversity of media ownership.
- Constant and sustainable monitoring of advertisers' and media owners' influence over editorial content, both offline and online, in order to help prevent commercial interference in the media (to be conducted by NGOs and by introducing self-regulatory measures).

In the area of **Political Independence**:

- Further reassessment of the Radio and Television Act regarding PSM independence, remit, funding and management, following the requirements of the Communication from the Commission on the Application of State Aid Rules to Public Service Broadcasting, adopted on 2 July 2009, OJ C 257 of 27 October 2009.
- Effective support for measures and mechanisms to enhance editorial independence (through cooperation between NGOs and professional journalistic organisations).

In the **Social Inclusiveness** area:

- Reassessment of the public service remit of all public media services to better reflect the cultural and societal diversity in the country in line with the proposals set out in the Bill to amend and supplement the Radio and Television Act 102-01-16 (submitted by the Council of Ministers to the National Assembly on 23 February 2021).
- Further steps for more effective implementation of the access to media content for people with disabilities (subtitling, signing and audio descriptions) in accordance with the corresponding amendments of the Radio and Television Act.
- Introduction of policy measures to support regional and local media with regard to their financial sustainability, distribution, political and economic independence (by the government, local authorities, NGOs).
- Further steps for effective integration of media literacy education in the school curriculum on a national level and fostering media literacy lifelong education.

Finally, as in previous MPM reports, we stress the paramount need for actual, reliable and accessible media market data (market shares of owners in all media sectors, circulation and distribution figures, data on online media consumption and concentration, etc.). Such data could be provided by transparent and unbiased state, private or non-governmental institutions in order to guarantee the most precise monitoring and evaluation of media pluralism in Bulgaria.

5. Notes

- [1] Art. 39–41 Constitution, Art. 11 Radio and Television Act.
- [2] Art. 41 Constitution, Art. 1 Access to Public Information Act, Art. 10 Radio and Television Act.
- [3] Art. 40–41 Access to Public Information Act.
- [4] Art. 41 Constitution, Classified Information Protection Act, the Personal Data Protection Act and some sector laws.
- [5] The caretaker Ministry of Agriculture announced the dismissal was on the grounds of violation of the law in relation to the terms of Daskalov's return to work after his participation as a candidate for MP in the general elections on 2 October. Daskalov claimed his dismissal was linked to his revelations (Koseva, 2022; Raykova, 2022).
- [6] According to Frenkev, his dismissal was related to the fact that he and his team had reported to the Commission for Personal Data Protection about unregulated recording devices in regional directorates of the CPC. Following the revelation of this irregularity, it was reported in the media that the staff of the CPC would be replaced (banker.bg, 2022).
- [7] Art. 15 Radio and Television Act, Art. 19 Access to Public Information Act.
- [8] In addition to ongoing cases filed prior to 2022, new disturbing cases are taking place in the course of preparation of the current MPM report.
- [9] Lighthouse Reports (2022).
- [10] Information was validated within the Group of Experts.
- [11] Art. 4–5 Electronic Communications Act.
- [12] Monitoring by the Bulgarian country team for the purpose of the MPM of the data published in the public register maintained by the Ministry of Culture (2022).
- [13] Art. 11 Radio and Television Act.
- [14] Art. 3.1–3.2 Code of Ethics for the Bulgarian Media.
- [15] Art. 68 Consumer Protection Act; Art. 75 Radio and Television Act.
- [16] Art. 3.1–3.4 Code of Ethics for the Bulgarian Media.
- [17] Monitoring by the Bulgarian country team for the purpose of the MPM of webpages of digital news media.
- [18] The policy was prepared by the Communications Regulation Commission (CRC) in implementation of Art. 32, par. 1(1)(b). 'a' of the Electronic Communications Act. In developing the policy the CRC took into consideration the Electronic Communications Act, the Updated Electronic Communications Policy, the Updated State Policy on Spectrum Planning and Allocation in the Republic of Bulgaria, the National Digital Bulgaria 2025 Programme and the Roadmap for the implementation of the programme, Directive 2018/1972 of the European Parliament and of the Council establishing a European Electronic Communications Code (Electronic Communications Code), Decision 243/2012/EU4, the Opinion of the Radio Spectrum Policy Group (RSPG) on the implementation of Decision 243/2012/EU and its revision for the next period, RSPG Strategic Roadmap to 5G for Europe, RSPG Opinion on spectrum aspects for the Internet of Things (IoT) including M2M7, Decisions of the ITU World Radiocommunication Conference held in 2019, and other European Commission and European Parliament and Council documents (CRC, 2022: 4).
- [19] Bill to amend and supplement the Radio and Television Act 102-01-16, submitted by the Council of Ministers to the National Assembly on 23 February 2021.
- [20] Monitoring by the Bulgarian country team for the purpose of the MPM.

- [21] People with Disabilities Act, Art. 49 Electronic Communications Act, Art. 8a Radio and Television Act.
- [22] Art. 6 Constitution, Protection from Discrimination Act, Penal Code, Radio and Television Act.
- [23] In recent years, one of the popular TV formats whose content has been partly focused on Roma is No Man's Land (Nichia Zemla, Nova Television). A study (Marinos, 2021) indicates that the show portrays Roma predominantly 'as criminals and as a demographic threat' as well as 'external to the nation state'; the 'good Roma' ('successful, hard-working, and honest personalities') is framed as an exception.
- [24] Monitoring by the Bulgarian country team for the purpose of the MPM.
- [25] The Sign Language Act adopted in 2021 has been criticized (Choparova, 2022) for being dysfunctional and unfair to the various groups of people within the deaf community as well as to the sign language interpreters. Such peculiarities of the law could lead to additional risks in terms of access of people with hearing impairments to media content.
- [26] According to secondary processing, conducted by the country team for the purpose of the MPM, of data available in CEM's reports (CEM, 2022c; CEM, 2022d).
- [27] In 2020, the Audiovisual Media Services Directive (2018/1808) principles for media literacy measures for citizens (of all ages and for all media) were introduced in Bulgarian legislation. In 2021, a Permanent Council on Media Literacy to the Minister of Culture was founded with broad participation of key stakeholders.
- [28] Such initiatives are provided by AEJ–Bulgaria (Factcheck.bg, a platform dedicated solely to fact-checking) as well as by media organisations (BNR, Agency France Press, and other).

6. References

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ANNEXE I. COUNTRY TEAM

First name	Last name	Position	Institution	MPM2023 CT Leader
<i>Orlin</i>	<i>Spassov</i>	<i>Executive Director/ Associate Professor</i>	<i>Foundation Media Democracy / Sofia University "St. Kliment Ohridski"</i>	X
<i>Nelly</i>	<i>Ognyanova</i>	<i>Professor</i>	<i>Sofia University "St. Kliment Ohridski"</i>	
<i>Nikoleta</i>	<i>Daskalova</i>	<i>Researcher</i>	<i>Foundation Media Democracy</i>	

ANNEXE II. GROUP OF EXPERTS

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

First name	Last name	Position	Institution
<i>Assoc. Prof. Ralitsa</i>	<i>Kovacheva</i>	<i>Expert and Researcher</i>	<i>Sofia University, Faculty of Journalism and mass communication</i>
<i>Vesela</i>	<i>Vatseva</i>	<i>Executive Director</i>	<i>Bulgarian Association of Regional Media</i>
<i>Maria</i>	<i>Cheresheva</i>	<i>Vice President</i>	<i>Association of European Journalists – Bulgaria</i>
<i>Pavel</i>	<i>Antonov</i>	<i>Managing Editor, Co-Founder and Member of the Board</i>	<i>BlueLink</i>
<i>Eva</i>	<i>Petrova</i>	<i>Legal Adviser</i>	<i>Association of Bulgarian Broadcasters - ABBRO</i>
<i>Emilia</i>	<i>Staneva</i>	<i>Director of Licensing and Registration Directorate</i>	<i>Council for Electronic Media</i>
<i>Vladislav</i>	<i>Petkov</i>	<i>Expert and Researcher</i>	<i>Pro European Network</i>

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